

MEMORANDUM

TO: City Council
FROM: City Manager
DATE: March 9, 2017
SUBJECT: Comments on Agenda Items, Meeting of March 14, 2017

ITEM 6.A. A representative from the Mayor's Youth Council will provide an update on their activities.

ITEM 6.B. The Oath of Office will be given to new Public Safety Commissioner Cecilia Moran.

ITEM 6.C. The City Council will receive a recap on the recent 626 Golden Streets Open Streets event.

ITEM 10.D (Consent). The City Council will continue the declaration of the local emergency which began on February 16, 2017.

ITEM 10.E (Consent). A proclamation will be presented designating April 2-8, 2017, as Safety Seat Checkup Week in the City of Duarte. For over 37 years, Safety Belt Safe U.S.A. has been dedicated to protecting children from injury or death while being transported in a motor vehicle, by using proper restraints for all children and young adults when riding in a vehicle.

ITEM 10.F (Consent). A proclamation will be presented designating March 20-24, 2017, as Southern California Aerospace Days, to celebrate the industry's "deep roots" here in Southern California by recognizing its current contributions to the communities, economy, and residents of Southern California. Southern California's Aerospace and Defense industry cluster is more than twice as concentrated here than the rest of the Nation, and continues to be a powerful driver of the State's output, contributing \$39.9 billion in value, and accounting for 3.1% of the total State GDP in 2014.

ITEM 12.A. This is a Public Hearing and first reading to consider an Ordinance amending the Duarte Development Code relating to the regulations and approval of accessory (second) dwelling units within the City. The Ordinance amends the Code to meet recent changes in State law. This item came before the Council in January and, at its second reading, the Council referred the item back to the Planning Commission to consider larger unit sizes for larger properties. The item returns with a revised recommendation from the Planning Commission, allowing accessory dwelling units of up to 700 square feet (same as the existing Code requirement) for lots over 10,000 square feet in size, and keeping a 400 square foot maximum on smaller lots.

ITEM 12.B. This item presents an Ordinance for first reading and several resolutions for adoption that are associated with a project to address a general plan amendment, zone change, tract map, planned development permit, and design approval for an 18-lot subdivision on the south side of Third Street, west of Oak Avenue. A mitigated negative declaration to address CEQA compliance is also proposed.

The project also includes the relocation and construction of a new Third Street Park. This property is the current location of the North City Yard and the old City Hall. The 18 units will be townhouse-style development. The project developer, Tipping Investments LLC, is purchasing this property from the City. The project was reviewed by the Architectural Review Board for design and review and a planned development permit, as well as the Parks and Recreation Commission for park design and layout. The Planning Commission reviewed the project and recommended approval.

ITEM 13. This item recommends that the City Council approve entering into an agreement with Moss, Levy and Hartzheim, LLP, for the annual independent audit. At the completion of the fiscal year 2015-16 audit, the City Council indicated a desire to solicit proposals for future audit work.

The Assistant City Manager and the Financial Services Manager reviewed the proposals. The review process entailed an analysis of proposal documents, oral interviews with firm representatives, and a check of references. Proposals were rated based on 12 separate criteria, including price. The criteria were set forth in the RFP. Staff interviewed the top three firms and extensively checked references, and ultimately is recommending the firm of Moss, Levy and Hartzheim, LLP. It is a smaller firm with 12 professional staff members, with offices located in Culver City. As a smaller firm, it obviously has a smaller number of clients, but many are similar to our size and composition. Some are in the San Gabriel Valley, such as Covina and La Canada-Flintridge.

ITEM 14. These are resolutions for Council consideration for the adoption of a local honorary street name policy, and designation of Santo Domingo Avenue, south of Business Center Drive, as Via D'Aquino, honoring Gaetano D'Aquino.

Recently, staff was requested to research the possibility of renaming a street to honor Mr. D'Aquino for his years of exemplary service to the community. The result of the research was that some cities have instituted an honorary street name policy that allows the honorary renaming of a street and the installation of an honorary sign without an official street name change. With this method, the official name of a street would not change; the street name would remain for addressing purposes, and a new honorary street name sign would be added.

Gaetano D'Aquino has been involved in the Duarte community, providing his support and leadership in many ways. D'Aquino Italian Importing Company has been in business at 1850 Business Center Drive for many years importing and distributing wines, olive oil, and pasta. D'Aquino products are distributed to Vons, Albertsons, Safeway, Stater Brothers, Trader Joe's, Bristol Farms, Royal Caribbean Cruise Lines, Marriott Hotels, U.S. Navy, Army, Air Force, and others. D'Aquino wines are distributed in 22 states, Mexico, and Canada. Mr. D'Aquino certainly meets the standards set in the honorary street name policy.

Respectfully submitted,



Darrell J. George
City Manager



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: CESAR MONSALVE, DIRECTOR OF PARKS AND RECREATION

SUBJECT: GOLDEN STREETS OPEN STREETS EVENT RECAP

DATE: MARCH 14, 2017

Review

On Sunday, March 5, 2017 the City of Duarte participated in the 626 Golden Streets event that was originally scheduled to take place in June of 2016 but was postponed due to the Fish Fire and associated emergency traffic and air quality issues. The Golden Streets event was a Metro, grant funded event organized by Bike SGV and the City of South Pasadena involving seven cities along an 18 mile stretch of roads in the San Gabriel Valley that followed the "Open Streets Event" model designed as one-day car-free events that open city streets exclusively to cyclists, joggers, walkers, skaters and other non-motorized transportation. The "Duarte" portion of the Golden Streets event route connected with Monrovia's route on the north side of Duarte Rd. from Mountain Ave. to Highland Ave. north to Central Ave. then east on Central Ave. to Crestfield Dr. north to Huntington Dr. and finally Huntington Dr. east to the San Gabriel River bridge to connect with Irwindale's route. The seven participating cities organized and presented festival areas designated as "Hubs" and Duarte's hub was located on the City of Hope campus lawn areas fronting Duarte Rd. Duarte's festival style event activities included a Teen Scene with a DJ and play activities, food trucks, music performances, vendors, game attractions and other related festival activities. The City of Hope provided complete cooperation and collaboration for this event and should be commended for their spirit of community unity. Estimates by the event organizers state that about 100,000 participants over the 18 mile span enjoyed the event and most comments received from participants and by the organizers themselves state that Duarte's hub was the largest, best designed and best attended hub of the event.

Street Closure Impacts

As the Council is aware, staff had great reservations about the closure of so many residential streets over such a long time span and originally wanted to end the event at Highland Ave but with the final design of the route that included Irwindale and Azusa, it became necessary to link our route with Irwindale at the San Gabriel River Bridge. Therefore, because the route was required by Metro to link with Irwindale, Council approved it and staff made every effort possible to notify residents and businesses of the potential impact on event day and ensure that the traffic controls in place would maximize safety and efficiency of travel. Bike SGV conducted a series of door to door noticing of businesses and residences, both during the original June date planning and then repeated the process for the March 5, 2017 date planning.

This noticing was both verbal and through informational paper notices. Additionally, electronic message boards displaying notifications were placed in key areas in the City by the event organizer's traffic control contractor and as an additional measure the City of Duarte mailed out a special notice to the residents located along the immediate residential areas of the route also in June and in March. Lastly, all school children in the district received an event flyer with a map, information was included in the City News publication and Public Safety volunteers visited key residential areas along Huntington Dr. on the Friday before the event to drop off notices. "No Parking" restriction postings were placed in accordance with City codes all along the route and special procedures were designed to escort residents in vehicles from closed streets during the event. Even with all the precautions and plans, many residents were negatively impacted and a number of negative vocal reactions by drivers and residents were reported on the day of the event and several key intersections in the City experienced very heavy traffic and long delays.

Conclusion

The Golden Streets event was successful on many levels and from the perspective of the participants riding their bikes and those who enjoyed the hub festival, it was a resounding success. However, if any plans are considered for future open streets events, staff recommends that the City consider the impact to the residences along the event route and the traffic delays that will once again be created. These realities, coupled with the Fish Fire debris flow street modifications that will be in place for several years that are already impacting the quality of life of many residents, should all be considered in any event planning considerations.

MINUTES
CITY COUNCIL OF THE CITY OF DUARTE
ADJOURNED REGULAR MEETING – FEBRUARY 23, 2017

CALL TO ORDER	The City Council of the City of Duarte met in an adjourned regular meeting in the Duarte City Hall Conference Room, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 5:08 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Kang, Paras-Caracci, Reilly, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, Assistant City Manager Petersen, Special Counsel Kelly Trainer
ADOPTION OF AGENDA	Finlay moved, Paras-Caracci seconded to adopt the Agenda, and carried unanimously.
CLOSED SESSION Conference with Labor Negotiators	There was no public input. The Closed Session is pursuant to Government Code Section 54957.6; Negotiators: Darrell George, Kristen Petersen; Regarding SEIU Local 721 Management and Professional Employees and General Employee Units. The Closed Session concluded at 6:25 p.m.
PUBLIC REPORT OF CLOSED SESSION	Trainer stated the City Council held a confidential and privileged Closed Session with its labor negotiators. The City Council discussed the status of the negotiations and negotiation issues with its labor negotiators, and the City Council unanimously directed its labor negotiators to continue negotiations with the Union, with no reportable action taken.
ADJOURNMENT	The meeting was adjourned at 6:28 p.m.

Mayor Margaret Finlay

ATTEST:

City Clerk

MINUTES
CITY COUNCIL OF THE CITY OF DUARTE
SPECIAL MEETING – FEBRUARY 23, 2017

CALL TO ORDER	The City Council of the City of Duarte met in a special meeting in the Duarte City Hall Conference Room, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 6:30 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Kang, Paras-Caracci, Reilly, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager Darrell George, City Attorney Alisha Patterson
ADOPTION OF AGENDA	Reilly moved, Paras-Caracci seconded to adopt the Agenda, and carried unanimously.
CLOSED SESSION Conference with Legal Counsel	There was no public input. The Closed Session is a Conference with Legal Counsel; Anticipated Litigation; Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: 1 case. The Closed Session concluded at 6:49 p.m.
PUBLIC REPORT OF CLOSED SESSION	Mayor Finlay stated there was no reportable action taken on the anticipated litigation Closed Session item. Reilly moved, Kang seconded to adjourn the meeting at 6:50 p.m., and carried unanimously.
ADJOURNMENT	Mayor Margaret Finlay

ATTEST:

City Clerk

MINUTES

JOINT CITY COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY/HOUSING AUTHORITY/COMMUNITY FACILITIES FINANCING AUTHORITY OF THE CITY OF DUARTE REGULAR MEETING – FEBRUARY 28, 2017

CALL TO ORDER	The City Council/City Council as Successor Agency to Dissolved Redevelopment Agency/Housing Authority/Community Facilities Financing Authority of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 6:54 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana (arrived during Interview), Kang, Paras-Caracci, Reilly, Finlay ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, Assistant City Attorney Patterson
ADOPTION OF AGENDA	Kang moved, Reilly seconded to adopt the Agenda, as amended to adjourn in memory of Danelle Dinning, and carried with Fasana not present.
INTERVIEW	City Council conducted an interview for City Commissions. The interview concluded at 7:10 p.m. City Council reconvened at 7:16 p.m., with all members present.
PLEDGE TO THE FLAG	Rose Brooks-Mitchell led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Alisha Patterson and Finlay provided the warm-up.
SPECIAL ITEMS Presentation – L.A. County Community Choice Aggregation	Fasana declared a conflict of interest, and left the building. Gary Gero, Chief Sustainability Officer, L.A. County Community Choice Aggregation, described the LACCE program, including benefits, risks, governance options, schedule for L.A. County, and next steps for cities, and answered questions from Councilmembers pertaining to energy resources, clean energy plant locations, purchase/sale of energy, and partnership with Edison. It was determined that City staff will continue to work with the County regarding this program. Fasana returned to the building and resumed his chair on the dais.
Public Safety update	Brian Villalobos presented the Public Safety update, including the “Year in Review 2016,” and provided updates on recent incidents in and around the City.
ANNOUNCEMENTS	Joanna Gee, Duarte Library, announced programs, story times, parties, and workshops in March and April.

Karen Herrera announced upcoming community events, programs, and activities in March, April, and May.

Cesar Monsalve provided information about the Golden Streets event on March 5, including vendors, performances, exhibits, and activities.

ORAL COMMUNICATIONS

The following spoke on items not on the Agenda.

Brian Barreto – Cal-Am Water, drought, watering schedules.

Fasana asked for a report back about the possibility of some water timers being exempt from the requirement pertaining to watering schedules.

CONSENT CALENDAR

Fasana moved, Kang seconded to approve the Consent Calendar as follows, and carried unanimously.

Approve Items A, B, C, J, K.

Receive and File Items D, E, H.

Remove Items F, G, I.

ITEMS REMOVED

Item F – Contract

Paint Curb Address Numbers

Yesenia Serna, Community Development Technician, presented a staff report about the item, and answered questions from Councilmembers.

ITEM F – APPROVED

Paras-Caracci moved, Reilly seconded to award the contract to Care for the Children in the amount of \$18,915 for City-Wide Paint Curb Address Numbers, and carried unanimously.

Item G – Contract

Concrete Repair Program 16/17

Craig Hensley presented a staff report about the item, and answered questions from Councilmembers.

ITEM G – APPROVED

Reilly moved, Fasana seconded to award the contract to FS Contractors, Inc., in the amount of \$30,937.50 for Concrete Repair Program FY 2016/17, and carried unanimously.

Item I – Council Bill 17-R-16

Confirms local emergency

Council Bill 17-R-16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY, AND RATIFYING RESOLUTION NO. 17-15 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY

George stated staff is recommending that the words “through February 21” be removed from the second paragraph of the proposed Resolution.

ITEM I – APPROVED

RESOLUTION NO. 17-16

Fasana moved, Reilly seconded to adopt Resolution No. 17-16, as amended above, and carried unanimously.

JOINT PUBLIC HEARINGS

Purchase/Sale Agreement

1305 Huntington Drive

Authority Bill 17-H-01

Council Bill 17-R-17

Mayor Finlay announced this was the time and place set for a Joint Public Hearing to consider this item.

Authority Bill 17-H-01 A RESOLUTION OF THE DUARTE HOUSING AUTHORITY AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE

SALE OF CERTAIN PROPERTY LOCATED AT 1305 EAST HUNTINGTON DRIVE (ASSESSOR'S PARCEL NUMBER 8530-004-903) TO THE CITY OF DUARTE FOR ITS FULL FAIR MARKET VALUE

Council Bill 17-R-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF CERTAIN PROPERTY LOCATED AT 1305 EAST HUNTINGTON DRIVE (ASSESSOR'S PARCEL NUMBER 8530-004-903) FROM THE DUARTE HOUSING AUTHORITY FOR ITS FULL FAIR MARKET VALUE

Hensley presented the staff report about the item, and noted the following corrections to the two resolutions:

Resolution No. 17-H-01: In Section 2, "Housing Authority" replaced the words "City Council." In Exhibit A (33433 Report), the Public Hearing date was changed from February 14, 2017, to February 28, 2017.

Resolution No. 17-17: In Exhibit A (33433 Report), the Public Hearing date was changed from February 14, 2017, to February 28, 2017.

Notice of the hearing was given, the affidavit is on file, and no written communications were received on the matter.

Mayor Finlay asked if anyone in the audience wished to speak on the item. There were none.

Fasana moved, Paras-Caracci seconded to close the Public Hearing, and carried unanimously.

RESOLUTION NO. 17-H-01
RESOLUTION NO. 17-17

Fasana moved, Paras-Caracci seconded to adopt Resolution No. 17-H-01 and Resolution No. 17-17 as amended as stated above, and carried unanimously.

Purchase/Sale Agreement
1415, 1423, 1437 Huntington Dr.
Council Bill 17-R-18
Authority Bill 17-H-02

Mayor Finlay announced this was the time and place set for a Joint Public Hearing to consider this item.

Council Bill 17-R-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF CERTAIN PROPERTIES LOCATED AT 1415, 1423, AND 1437 EAST HUNTINGTON DRIVE (ASSESSOR'S PARCEL NUMBERS 8530-004-069, 8530-004-900 AND 8530-004-901) FROM THE DUARTE HOUSING AUTHORITY FOR THEIR FULL FAIR MARKET VALUE

Authority Bill 17-H-02 A RESOLUTION OF THE DUARTE HOUSING AUTHORITY AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE SALE OF CERTAIN PROPERTIES LOCATED AT 1415,

1423, AND 1437 EAST HUNTINGTON DRIVE (ASSESSOR'S PARCEL NUMBERS 8530-004-069, 8530-004-900 AND 8530-004-901) TO THE CITY OF DUARTE FOR THEIR FULL FAIR MARKET VALUE

Hensley presented the staff report about the item, and noted the following corrections to the two resolutions:

Resolution No. 17-18 was amended as follows: In the 8th paragraph, the text was changed from "one million fifty thousand" to "one million three hundred eighty-eight thousand forty." In Exhibit A (33433 Report), the Public Hearing date was changed from February 14, 2017, to February 28, 2017.

Resolution No. 17-H-02: In the 8th paragraph, the text was changed from "one million fifty thousand" to "one million three hundred eighty-eight thousand forty." In Exhibit A (33433 Report), the Public Hearing date was changed from February 14, 2017, to February 28, 2017.

Notice of the hearing was given, the affidavit is on file, and no written communications were received on the matter.

Mayor Finlay asked if anyone in the audience wished to speak on the item. There were none.

Kang moved, Reilly seconded to close the Public Hearing, and carried unanimously.

RESOLUTION NO. 17-18
RESOLUTION NO. 17-H-02

Reilly moved, Kang seconded to adopt Resolution No. 17-18 and Resolution No. 17-H-02 as amended as stated above, and carried unanimously.

BUSINESS ITEMS
Appointment to Commission

Fasana moved, Kang seconded to appoint Cecilia Moran to the Public Safety Commission, for a term ending December 31, 2019, and carried unanimously.

Intergovernmental Organizations

Fasana moved, Reilly seconded to approve the following appointments to intergovernmental organizations, and carried unanimously.

Area "D" Emergency Services

City Manager – Representative

Full Council – Alternates

California Contract Cities

Liz Reilly – Delegate

Margaret Finlay – Alternate

City Selection Committee (County)

Margaret Finlay – Delegate

Full Council – Alternates

Community Education Council

Tzeitel Paras-Caracci – Representative

Samuel Kang – Alternate

Duarte Community Service Council

Tzeitel Paras-Caracci – Representative

John Fasana – Alternate

Duarte Education Foundation

Margaret Finlay – Representative

Liz Reilly – Alternate

Foothill Employment and Training Consortium

John Fasana – Delegate

Samuel Kang – Alternate

Foothill Transit

Tzeitel Paras-Caracci – Delegate

Samuel Kang – Alternate

Gold Line Phase II JPA

Liz Reilly – Delegate

Tzeitel Paras-Caracci – Alternate

Joint Powers Insurance Authority

Margaret Finlay – Director

City Manager/Full Council – Alternates

League of California Cities

Samuel Kang – Delegate

Full Council – Alternates

San Gabriel Valley Council of Governments

John Fasana – Governing Board Representative

Margaret Finlay – Alternate Governing Board Representative

San Gabriel Valley Economic Partnership

Samuel Kang – Representative

Full Council – Alternates

San Gabriel Valley Vector Control District

Margaret Finlay – Representative

Sanitation Districts #15 and #22

Margaret Finlay – Director

Samuel Kang – Alternate

Southern California Association of Governments

Margaret Finlay – Representative

Full Council – Alternates

Paras-Caracci asked that staff verify if the Duarte Community Service Council still wants to meet as a group. Fasana asked that staff provide a copy of the updated list to Councilmembers.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

GEORGE: Stated he and Brian Villalobos will be attending the Sheriff's City Manager Conference on Thursday and Friday.

PARAS-CARACCI: Requested a street sweeping/signage update, attended Aloysia Moore Park event for the new playground equipment, and stated she would like to look at a cohesive plan/discussion of all parks, such as motion lighting, and different

types of design for a boundary.

REILLY: Stated Aloysia Moore Park is our first park with outdoor exercise equipment, the new pedestrian crosswalk on Mountain looks nice, inquired if we know the cause of the Fish Fire and what is going on at Janet's (staff responded), attended the Oath of Office event for Senator Portantino, she spoke in support of Measure H at the news conference, and stated the Ham Radio workshop is this weekend.

FASANA: Stated early notification of the conditions of deterioration at the parks should be kept up on, as well as improvement opportunities, he is concerned about the CalGRIP grant and hopes it gets turned around, attended Senator Portantino's swearing-in, and asked that the meeting be adjourned in memory of Officer Keith Boyer, Kirinda Morehead, Donald Choate, and Charles Barnes.

KANG: Attended Alysia Moore Park event, suggested putting canopies at other parks as they look good, stated a constituent who lives on Greenbank has dirt seeping into the back of his property, provided the City Manager with the name and address for follow-up, and stated he would like a refresher on the design of the monument signs.

FINLAY: Thanked Congressman Napolitano for calling to see how the City was doing with the rain situation, attended Park Funding 101 event, noted street sweeping dust will be taken care of, asked that a response be sent to the resident on San Marcus Lane inquiring about a traffic light at Encanto Parkway, displayed an Olympics logo from Australia, she toured the debris basin by Westvale, and stated Alysia Moore Park is awesome.

ADJOURNMENT

Kang moved, Fasana seconded to adjourn the meeting at 9:24 p.m., in memory of Danelle Dinning, Officer Keith Boyer, Kirinda Morehead, Donald Choate, and Charles Barnes, and carried unanimously.

Mayor Margaret Finlay

City Clerk



City of Duarte

Council Warrant Register Over \$5000

By Payment Number

Payment Dates 03/01/2017 - 03/14/2017

Payment Number	Payment Date	Payable Number	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
206977	3/6/2017		5672		HOWE WELDING			6,396.00
		4291		Winter Storm K-Rail End Deflector Br		100-1405-8100	201632-Deflection Wall-FishFire Complex	5,886.00
		4294		Winter Storm K-Rail Defector Connec		100-1405-8100	201632-Deflection Wall-FishFire Complex	510.00
206991	3/14/2017		5151		CITY OF ARCADIA			57,413.49
		WAT9000030		NPDES-Revised EWMP FY 16/17		100-1405-7802		57,413.49
206995	3/14/2017		3889		BRIGHTVIEW LANDSCAPE SERVICES INC			21,764.41
		5242403		Landscape Maintenance Srvcs 2/2017		100-1020-7724		115.00
		5242403		Landscape Maintenance Srvcs 2/2017		100-1415-7916		2,130.00
		5242403		Landscape Maintenance Srvcs 2/2017		100-1825-7945	990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
		5242403		Landscape Maintenance Srvcs 2/2017		100-1825-7945	250016-Oper of Acq Prop-1229 Pops Road	41.67
		5242403		Landscape Maintenance Srvcs 2/2017		240-2410-7915		7,500.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2410-7917		4,630.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2420-7914		345.16
		5242403		Landscape Maintenance Srvcs 2/2017		240-2421-7914		1,300.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2422-7914		480.58
		5242403		Landscape Maintenance Srvcs 2/2017		240-2423-7914		900.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2424-7914		550.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2425-7914		400.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2426-7914		180.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2427-7914		630.33
		5242403		Landscape Maintenance Srvcs 2/2017		240-2431-7914		800.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2432-7914		835.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2433-7914		530.00
		5242403		Landscape Maintenance Srvcs 2/2017		240-2434-7914		355.00
206997	3/14/2017		4838		BURKE, WILLIAMS & SORENSEN LLP			5,339.34
		209357		Labor Legal 12/2016		100-1015-7682		3,665.86
		211035		Labor Legal 1/2017		100-1015-7682		1,673.48
207002	3/14/2017		2028		COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS			27,003.32
		REPW-17020806543		Industrial Waste/Plan Check 1/2017		100-1405-7801		4,421.79
		REPW-17020806693		Winter Storm Road Clearance 12/16/		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	21,735.21
		REPW-17020806913		Traffic Signal Maintenance 1/2017		240-2405-7890		846.32
207007	3/14/2017		5501		DATA TICKET INC			6,087.30
		76937		Admin Citation Processing 1/2017		100-1205-7761		4,693.00
		77154		Parking Citation Processing 1/2017		100-1205-7761		1,394.30
207022	3/14/2017		4845		LARES CONSTRUCTION & ROOFING CORP			7,660.00
		0217-1400		Teen Ctr Roof Repair		100-1610-7652		4,385.00
		0217-2627		ROP Bldg Roof Repair		100-1610-7652		3,275.00
207024	3/14/2017		0056		LOS ANGELES COUNTY SHERIFF'S DEPARTMENT			7,548.78
		172517NH		Road Closures DSG 12/11/16		100-1205-7781		633.04
		172517NH		Winter Storm Flow Road Closures B-1		100-1205-7781	201632-Fish Fire - Contract Law	1,376.16
		172517NH		Road Closures DSG 12/2/16		100-1205-7781		633.04
		172517NH		Winter Storm Flow Road Closures DS		100-1205-7781	201632-Fish Fire - Contract Law	1,107.82
		172517NH		Winter Storm Flow Road Closures DS		100-1205-7781	201632-Fish Fire - Contract Law	3,798.72
207025	3/14/2017		5157		MCPEEKS DODGE OF ANAHEIM			7,741.43
		6039411/1		Veh 24 Repair		100-1205-7650	201632-Fish Fire-Vehicle Maint	7,741.43
207028	3/14/2017		0903		CITY OF MONROVIA			12,949.15
		1700365		Fuel-City Manager 1/2017		100-1010-7650		147.99

Council Warrant Register Over \$5000

Payment Dates: 03/01/2017 - 03/14/2017

Payment Number	Payment Date	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount
	Payable Number						Item Amount
	1700366		Fuel-Field Services 1/2017		100-1410-7650		1,171.58
	1700367		Fuel-Parks & Rec 1/2017		100-1605-7650		458.25
	1700368		Fuel-Public Safety 1/2017		100-1205-7650		1,365.25
	1700369		Fuel-Cmty Development 1/2017		100-1405-7650		235.23
	1700370		Fuel-Sheriff's Dept 1/2017		100-1205-7781		4,006.99
	1700371		Fuel-Transit Dept 1/2017		440-4405-7619		5,563.86
207031	3/14/2017	5224	PLACEWORKS				64,181.51
	61468		COH Specific Plan/EIR 1/2017		100-1405-7965	201406-Prof Serv-City of Hope EIR Reimb	64,181.51
207035	3/14/2017	0904	RKA CONSULTING GROUP				25,132.00
	25752		Winter Storm Mud Flow Inspection 1		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	105.00
	25752g		PW Inspections-Las Lomas Gas Line 1		100-1405-7969	201719-Engineering-Gas Co-Las Lomas/Calle Ma	4,450.00
	25764		Speed Survey Engineering 1/2017		100-1405-7965		584.50
	25765		Engineer-All Way Stop 3rd St & Oak A		100-1405-7965		2,310.00
	25766		2016/17 ATP-Engineering 1/2017		440-4425-7965	201604-Prof Svcs 440 (ATP)-ATP Design Goldline	4,403.18
	25766		2016/17 ATP-Engineering 1/2017		620-6225-7965	201604-Prof Svcs 620 (ATP)-ATP Design Goldline	6,626.82
	25767		Winter Storm On-Call Engineering 1/		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	3,880.00
	25846		City Engineer		100-1405-7969		172.50
	25847		Royal Oaks Signal Engineering 1/2017		100-1405-7969		2,600.00
207036	3/14/2017	0196	RUTAN & TUCKER LLP				23,642.07
	770342		City Attorney (Retainer) 1/2017		100-1015-7680		11,197.07
	770343		Code Enforcement Legal 1/2017		100-1015-7684		2,857.50
	770345		Environmental/Stormwater Litigation		100-1015-7686		4,296.00
	770347		City of Hope EIR Legal 1/2017		100-1015-7686	201406-Legal Fees-City of Hope EIR Reimb	4,191.50
	770791		Housing Authority Legal 1/2017		680-6805-7312		1,100.00
207044	3/14/2017	5675	SULLY-MILLER CONTRACTING CO				165,092.81
	867132		Goldl Line Station ATP LADRT		440-4425-7965	201604-Prof Svcs 440 (ATP)-ATP Design Goldline	65,905.04
	867132		Gold Line Station ATP LADRT		620-6225-7965	201604-Prof Svcs 620 (ATP)-ATP Design Goldline	99,187.77
207045	3/14/2017	5675	SULLY-MILLER CONTRACTING CO				78,576.72
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	13,353.28
	877788		Winter Storm Mud Flow Clean-up 1/1		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	6,511.43
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	381.80
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	9,765.68
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	11,033.08
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	10,296.84
	877788		Winter Storm Mud Flow Clean-up 1/3		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	176.50
	877788		Winter Storm Mud Flow Clean-up 1/2		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	24,836.31
	877788		Winter Storm Mud Flow Clean-up 1/6		100-1410-7900	201632-Fish Fire K-Rail Maint (1410)	2,221.80
207050	3/14/2017	5597	USA SHADE AND FABRIC STRUCTURES				10,418.51
	10253		20 ft x 20 ft Single Post Pyramld Shad		100-1610-8100	201621-Other Cap ImprovSCE A. Moore Park La	10,418.51
207051	3/14/2017	0237	WAXIE SANITARY SUPPLY				5,584.98
	76501653		Janitorial Supplies		100-1610-7618		3,220.39
	76507539		Janitorial Supplies		100-1610-7618		385.33
	76513280		Floor Machine Repair		100-1610-7618		223.29
	76528484		Janitorial Supplies		100-1610-7618		64.54
	76534539		Janitorial Supplies		100-1610-7618		1,691.43
37	3/14/2017	4286	MAXTREME INC				10,138.12
	13257		UPS Battery-CC AV/Screen Cleaning		100-1815-7980		244.65
	13257m		Office 365 Licenses 2/2017		100-1815-7632		363.00
	13257m		Office 365 Licenses 1/2017		100-1815-7632		363.00
	13258		IT Helpdesk 2/2017		100-1815-7965		8,700.00
	13258		Crash Recovery Plan 2/2017		100-1815-7980		200.00
	13260		External Backup Drive Synology		100-1815-7980		152.24

Council Warrant Register Over \$5000

Payment Dates: 03/01/2017 - 03/14/2017

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
	13263	Laptop Bag/Adapter		100-1815-7980		115.23
Payment Total:						542,669.94

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL FUND	339,600.88
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	20,282.39
440 - PROPOSITION A TRANSIT FUND	75,872.08
620 - COMMUNITY IMPROVEMENT FUND	105,814.59
680 - Duarte Housing Authority	1,100.00
Grand Total:	542,669.94

Account Summary

Account Number	Account Name	Payment Amount
100-1010-7650	Vehicle Maintenance	147.99
100-1015-7680	City Attorney	11,197.07
100-1015-7682	Labor Counsel	5,339.34
100-1015-7684	Code Enforcement	2,857.50
100-1015-7686	Other Legal Services	8,487.50
100-1020-7724	Post Office Parking	115.00
100-1205-7650	Vehicle Maintenance	9,106.68
100-1205-7761	Parking Ticket Collect	6,087.30
100-1205-7781	Contract Law Enforceme	11,555.77
100-1405-7650	Vehicle Maintenance	235.23
100-1405-7801	Industrial Waste Inspecti	4,421.79
100-1405-7802	NPDES Requirements	57,413.49
100-1405-7965	Professional Services	67,076.01
100-1405-7969	City Engineer	7,222.50
100-1405-8100	Other Capital Improvem	6,396.00
100-1410-7650	Vehicle Maintenance	1,171.58
100-1410-7900	K-Rail Maintenance	104,296.93
100-1415-7916	Landscape-Sport Park	2,130.00
100-1605-7650	Vehicle Maintenance	458.25
100-1610-7618	Building Supplies	5,584.98
100-1610-7652	Building Maint Services	7,660.00
100-1610-8100	Other Capital Improvem	10,418.51
100-1815-7632	Software Maintenance	726.00
100-1815-7965	Professional Services	8,700.00
100-1815-7980	Other Expenses	712.12
100-1825-7945	Operation Of Acq Prop	83.34
240-2405-7890	Repairs-Traffic Signal	846.32
240-2410-7915	Landscape-Citywide	7,500.00
240-2410-7917	Landscape-Medians	4,630.00
240-2420-7914	Landscape Maintenance	345.16
240-2421-7914	Landscape Maintenance	1,300.00
240-2422-7914	Landscape Maintenance	480.58
240-2423-7914	Landscape Maintenance	900.00
240-2424-7914	Landscape Maintenance	550.00
240-2425-7914	Landscape Maintenance	400.00
240-2426-7914	Landscape Maintenance	180.00
240-2427-7914	Landscape Maintenance	630.33
240-2431-7914	Landscape Maintenance	800.00
240-2432-7914	Landscape Maintenance	835.00
240-2433-7914	Landscape Maintenance	530.00
240-2434-7914	Landscape Maintenance	355.00
440-4405-7619	Fuel And Oil	5,563.86
440-4425-7965	Professional Services (A	70,308.22
620-6225-7965	Professional Services (A	105,814.59
680-6805-7312	Legal Counsel	1,100.00
Grand Total:		542,669.94

Project Account Summary

Project Account Key	Payment Amount
None	158,505.21
201406-Legal Fees-City of Hope EIR Reimb	4,191.50
201406-Prof Serv-City of Hope EIR Reimb	64,181.51
201604-Prof Svcs 440 (ATP)-ATP Design Goldline	70,308.22
201604-Prof Svcs 620 (ATP)-ATP Design Goldline	105,814.59
201621-Other Cap ImprovSCE A. Moore Park Landscape	10,418.51
201632-Deflection Wall-FishFire Complex	6,396.00
201632-Fish Fire - Contract Law	6,282.70
201632-Fish Fire K-Rail Maint (1410)	104,296.93
201632-Fish Fire-Vehicle Maint	7,741.43
201719-Engineering-Gas Co-Las Lomas/Calle Martos	4,450.00
250016-Oper of Acq Prop-1229 Pops Road	41.67
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
Grand Total:	542,669.94



City of Duarte

Council Warrant Register by Account By Fund

Payment Dates 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 100 - GENERAL FUND					
100-1005-7647	LIZ REILLY	Meeting Expense Reimbursement	207032		43.10
100-1010-7614	STAPLES ADVANTAGE	Office Supplies	207043		223.05
100-1010-7614	STAPLES ADVANTAGE	Office Supplies	207043		32.52
100-1010-7650	CITY OF MONROVIA	Fuel-City Manager 1/2017	207028		147.99
100-1010-7980	DUARTE PETTY CASH	Closed Session Mtg Dessert 2/23/17	207011		23.00
100-1010-7980	DUARTE PETTY CASH	Closed Session Mtg Dinner Gratuity 1/24/17	207011		36.00
100-1015-7680	RUTAN & TUCKER LLP	City Attorney (Retainer) 1/2017	207036		11,197.07
100-1015-7682	BURKE, WILLIAMS & SORENSEN LL	Labor Legal 12/2016	206997		3,665.86
100-1015-7682	BURKE, WILLIAMS & SORENSEN LL	Labor Legal 1/2017	206997		1,673.48
100-1015-7684	SILVER & WRIGHT LLP	Code Enforcement Litigation 1/2017	207039		2,801.60
100-1015-7684	RUTAN & TUCKER LLP	Code Enforcement Legal 1/2017	207036		2,857.50
100-1015-7686	RUTAN & TUCKER LLP	Environmental/Stormwater Litigation 1/2017	207036		4,296.00
100-1015-7686	RUTAN & TUCKER LLP	City of Hope EIR Legal 1/2017	207036	201406-Legal Fees-City of Hope EIR Reim	4,191.50
100-1020-7716	DUARTE RECREATION PETTY CASH	Moore Park Ribbon Cutting	207013		6.51
100-1020-7716	DANIEL FLORES	Golden Streets DJ	207016	201631-Spec Events-Golden Streets 626	200.00
100-1020-7716	STAPLES ADVANTAGE	Golden Streets Event Signs	207043	201631-Spec Events-Golden Streets 626	146.12
100-1020-7724	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvcs 2/2017	206995		115.00
100-1025-7702	NATIONAL LEAGUE OF CITIES	NLC Membership 4/1/17 - 3/31/18	207029		1,861.00
100-1205-7614	STAPLES ADVANTAGE	Office Supplies	207043		41.33
100-1205-7614	STAPLES ADVANTAGE	Office Supplies	207043		128.19
100-1205-7614	STAPLES ADVANTAGE	Office Supplies	207043		7.61
100-1205-7615	STAPLES ADVANTAGE	Winter Storm EOC Supplies 1/23/17	207043	201632-Fish Fire-Emergency Supplies	151.88
100-1205-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 27 Tail Light Assembly/Strobe Light	206989		508.20
100-1205-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 27 PM Service	206989		68.71
100-1205-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 35 U-Joint/Serpentine Belt Replacement	206989		499.74
100-1205-7650	CITY OF MONROVIA	Fuel-Public Safety 1/2017	207028		1,365.25
100-1205-7650	ADVANTAGE FORD LINCOLN	Veh 27 Gas Cap	206986		23.40
100-1205-7650	AUTOZONE	Veh 27 Floor Mats/Screws	206992		40.55
100-1205-7650	MCPEEKS DODGE OF ANAHEIM	Veh 24 Repair	207025	201632-Fish Fire-Vehicle Maint	7,741.43
100-1205-7761	DATA TICKET INC	Admin Citation Processing 1/2017	207007		4,693.00
100-1205-7761	DATA TICKET INC	Parking Citation Processing 1/2017	207007		1,394.30
100-1205-7779	DUARTE PIZZA COMPANY	DART Parks Flyer Delivery	207012		32.62
100-1205-7779	DUARTE PIZZA COMPANY	DART Event 2/22/17	207012		71.43
100-1205-7779	FSP DESIGNS	Youth Program Uniforms	206976	201716-Youth Prgms-CalGrip 2017-2018 {	1,086.41
100-1205-7781	CITY OF MONROVIA	Fuel-Sheriff's Dept 1/2017	207028		4,006.99
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Road Closures DSG 12/11/16	207024		633.04
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Winter Storm Flow Road Closures DSG 12/24/16	207024	201632-Fish Fire - Contract Law	3,798.72
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Winter Storm Flow Road Closures DSG 12/17/16	207024	201632-Fish Fire - Contract Law	1,107.82
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Road Closures DSG 12/2/16	207024		633.04
100-1205-7781	LOS ANGELES COUNTY SHERIFF'S D	Winter Storm Flow Road Closures B-1 12/24/16	207024	201632-Fish Fire - Contract Law	1,376.16
100-1211	ERWIN MENDEZ	Computer Loan	207026		489.35
100-1405-7610	DUARTE PETTY CASH	Craig Hensley Chamber Board Mtg 1/18/17	207011		11.00
100-1405-7612	AMERICAN PLANNING ASSOCIATIO	K Johnston APA Membership 4/1/17 - 3/31/18	206973		375.00
100-1405-7614	STAPLES ADVANTAGE	Office Supplies	207043		92.17
100-1405-7614	STAPLES ADVANTAGE	Office Supplies	207043		120.93
100-1405-7636	RAFAEL CASILLAS	Safety Boots	206975	201632-Fish Fire-Uniforms (1405)	114.18
100-1405-7650	CITY OF MONROVIA	Fuel-Cmty Development 1/2017	207028		235.23
100-1405-7801	COUNTY OF LOS ANGELES DEPART	Industrial Waste/Plan Check 1/2017	207002		4,421.79
100-1405-7802	CITY OF ARCADIA	NPDES-Revised EWMP FY 16/17	206991		57,413.49
100-1405-7965	SOUTHLAND CIVIL ENGINEERING &	Lot Line Adj/Cert of Compliance 3rd/Oak 1/2017	207042	201715-Prof Svc-3rd St and Oak Res	3,361.94
100-1405-7965	RKA CONSULTING GROUP	Speed Survey Engineering 1/2017	207035		584.50
100-1405-7965	RKA CONSULTING GROUP	Engineer-All Way Stop 3rd St & Oak Ave	207035		2,310.00
100-1405-7965	LDM ASSOCIATES INC	2016/17 CDBG Grant Administration1/2017	207023		680.00

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1405-7965	PLACEWORKS	COH Specific Plan/EIR 1/2017	207031	201406-Prof Serv-City of Hope EIR Reimb	64,181.51
100-1405-7969	RKA CONSULTING GROUP	PW Inspections-Las Lomas Gas Line 12/2016	207035	201719-Engineering-Gas Co-Las Lomas/C	4,450.00
100-1405-7969	RKA CONSULTING GROUP	City Engineer	207035		172.50
100-1405-7969	RKA CONSULTING GROUP	Royal Oaks Signal Engineering 1/2017	207035		2,600.00
100-1405-7980	DUARTE PETTY CASH	City Staff Event Napkins	207011		6.53
100-1405-7980	SECRETARY OF STATE	Cecilia Contreras Public Notary Renewal Fee	206980		40.00
100-1405-8100	HOWE WELDING	Winter Storm K-Rail End Deflector Brackets	206977	201632-Deflection Wall-FishFire Complex	5,886.00
100-1405-8100	HOWE WELDING	Winter Storm K-Rail Defector Connectors	206977	201632-Deflection Wall-FishFire Complex	510.00
100-1410-7612	PAPA	Efren Castro 2017 PAPA Membership	206979		45.00
100-1410-7612	PAPA	Manny Perez 2017 PAPA Membership	206979		45.00
100-1410-7612	PAPA	Patrick Olivas 2017 PAPA Membership	206979		45.00
100-1410-7612	PAPA	Mike Tarr 2017 PAPA Membership	206979		45.00
100-1410-7630	SUNSTATE EQUIPMENT LLC	Winter Storm Tractor Rental 2/17/17/ - 2/21/17	206983	201632-Equip Rental-Fish Fire	629.63
100-1410-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 7 Serpentine Belt Replacement	206989		201.90
100-1410-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 11 Front Tire Repair	206989		27.75
100-1410-7650	ALEX ROMO AUTO & TRUCK REPAI	SS Trailer Tire Repair	206989		54.42
100-1410-7650	CITY OF MONROVIA	Fuel-Field Services 1/2017	207028		1,171.58
100-1410-7810	A1 MAINTENANCE SERVICES CA	Las Brisas Sweeping 2/2017	206984		58.00
100-1410-7810	A1 MAINTENANCE SERVICES CA	Las Posadas Sweeping 2/2017	206984		58.00
100-1410-7900	RKA CONSULTING GROUP	Winter Storm Mud Flow Inspection 12/20/16	207035	201632-Fish Fire K-Rail Maint (1410)	105.00
100-1410-7900	RKA CONSULTING GROUP	Winter Storm On-Call Engineering 1/2017	207035	201632-Fish Fire K-Rail Maint (1410)	3,880.00
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/6/17	207045	201632-Fish Fire K-Rail Maint (1410)	2,221.80
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/13/17	207045	201632-Fish Fire K-Rail Maint (1410)	6,511.43
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/21/17	207045	201632-Fish Fire K-Rail Maint (1410)	24,836.31
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/24/17	207045	201632-Fish Fire K-Rail Maint (1410)	13,353.28
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/23/17	207045	201632-Fish Fire K-Rail Maint (1410)	381.80
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/27/17	207045	201632-Fish Fire K-Rail Maint (1410)	9,765.68
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/26/17	207045	201632-Fish Fire K-Rail Maint (1410)	11,033.08
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/25/17	207045	201632-Fish Fire K-Rail Maint (1410)	10,296.84
100-1410-7900	SULLY-MILLER CONTRACTING CO	Winter Storm Mud Flow Clean-up 1/30/17	207045	201632-Fish Fire K-Rail Maint (1410)	176.50
100-1410-7900	COUNTY OF LOS ANGELES DEPART	Winter Storm Road Clearance 12/16/16 & 12/17/16	207002	201632-Fish Fire K-Rail Maint (1410)	21,735.21
100-1415-7889	ARBOR NURSERY PLUS	Otis Gordon Park Tree Replacement	206990		107.66
100-1415-7916	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvcs 2/2017	206995		2,130.00
100-1500	MARGARET DIAMOND	Adv-SC Decorations Ck 206889	207009		-200.00
100-1605-7610	SOUTHERN CALIFORNIA MUNICIPA	George Dang SCMAF Institute	206981		30.00
100-1605-7614	STAPLES ADVANTAGE	Cardstock & Batteries	207043		73.10
100-1605-7614	STAPLES ADVANTAGE	Printer Ink	207043		80.67
100-1605-7614	STAPLES ADVANTAGE	SC High-Liters	207043		13.05
100-1605-7614	STAPLES ADVANTAGE	FC Printer Toner/Register Tape/3-Hole Punch	207043		181.96
100-1605-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 20 PM Service	206989		120.21
100-1605-7650	ALEX ROMO AUTO & TRUCK REPAI	Veh 16 Battery Test	206989		62.50
100-1605-7650	CITY OF MONROVIA	Fuel-Parks & Rec 1/2017	207028		458.25
100-1605-7653	ACTIVE NETWORK LLC	ActiveNet GIS Import	206985		1,400.00
100-1605-7728	CESAR CHAVEZ FOUNDATION	Cesar Chavez Day Speaker	206998	201709- Duarte's Promise - America's Pro	150.00
100-1605-7728	CMC LIVSCAN & NOTARY SERVICE	Livscan Services 2/2017	207000	201709- Duarte's Promise - America's Pro	20.00
100-1605-7733	TAMORA SCHOOD OF IRISH DANCE	SC St Patricks Day Entertainment	207047		250.00
100-1605-7733	DUARTE RECREATION PETTY CASH	SC Floral	207013		69.00
100-1605-7733	STAPLES ADVANTAGE	SC St Patricks Day Supplies	207043		9.98
100-1605-7733	THE BASHFUL BUTLER LLC	SC Chinese Auction Dinner	206974		885.08
100-1605-7733	SMART & FINAL	SC Dinner Supplies	207041		313.15
100-1605-7733	J & J SPORTS & TROPHIES	SC Softball Shirts	207020		478.50
100-1605-7733	THEODORE SIEGEL	'20,000 Leagues Under the Sea' Presentation	207038		150.00
100-1605-7733	STAPLES ADVANTAGE	SC Craft Supplies	207043		14.09
100-1605-7733	MARGARET DIAMOND	Senior Ctr Decorations	207009		210.04
100-1605-7735	DUARTE RECREATION PETTY CASH	TC Special Event Supplies	207013		26.20
100-1605-7735	DUARTE CHAMBER OF COMMERCE	TC Movie Tickets	207010		223.00
100-1605-7735	DUARTE PIZZA COMPANY	TC Battle of the Sexes Prize Party	207012		63.96
100-1605-7735	DANIEL FLORES	TC Club Duarte DJ	207016		175.00
100-1605-7735	STAPLES ADVANTAGE	TC Office Supplies	207043		102.20
100-1605-7735	STAPLES ADVANTAGE	TC Office Supplies	207043		237.04

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1605-7750	INLAND EMPIRE TOURS & TRANSP	Balance 'Gone but Not Forgotten' Excursion	207019		922.50
100-1605-7980	SOUTHLAND SPORTS OFFICIALS	Basketball Official 2/18/17 - 2/25/17	206982		240.00
100-1605-7980	CURO MANAGED PRINT PRODUCTI	Youth/Family Committee Annual Report Printing	207006		926.50
100-1605-7980	SMART & FINAL	Moore Park Ribbon Cutting Refreshments	207041		109.90
100-1605-7980	J & J SPORTS & TROPHIES	Ice Packs	207020		87.00
100-1605-7980	STAPLES ADVANTAGE	Posterboard	207043		65.14
100-1610-7618	DUARTE RECREATION PETTY CASH	FM Bug Spray	207013		9.02
100-1610-7618	SMART & FINAL	Janitorial Supplies	207041		173.55
100-1610-7618	SMART & FINAL	Janitorial Supplies	207041		125.61
100-1610-7618	MONROVIA LOCK SHOP	Keys	206978		60.49
100-1610-7618	WAXIE SANITARY SUPPLY	Janitorial Supplies	207051		3,220.39
100-1610-7618	WAXIE SANITARY SUPPLY	Janitorial Supplies	207051		385.33
100-1610-7618	WAXIE SANITARY SUPPLY	Floor Machine Repair	207051		223.29
100-1610-7618	WAXIE SANITARY SUPPLY	Janitorial Supplies	207051		64.54
100-1610-7618	WAXIE SANITARY SUPPLY	Janitorial Supplies	207051		1,691.43
100-1610-7618	SUMMIT SUPPLY CORP OF COLORA	Court Dry/Basketball Nets/Home Plate	207046		653.80
100-1610-7618	GRAINGER	Bathroom Faucet	207017		355.19
100-1610-7652	A TO Z CARPETS, FLOOR & WINDO	TC Blinds	206972		1,800.00
100-1610-7652	LARES CONSTRUCTION & ROOFING	Teen Ctr Roof Repair	207022		4,385.00
100-1610-7652	LARES CONSTRUCTION & ROOFING	ROP Bldg Roof Repair	207022		3,275.00
100-1610-7652	DEWEY PEST CONTROL INC	Pest Control Services	207008		38.00
100-1610-7652	UNITED SITE SERVICES	Portable Toilet Rent 1/31/17 - 2/27/17	207049		90.28
100-1610-7652	MERRY PLUMBING COMPANY	FC Tankless Water Heater Maintenance	207027		1,933.58
100-1610-7652	MONROVIA LOCK SHOP	SC Lock Repair	206978		137.00
100-1610-7652	AIR-TRO INC	PS HVAC Service Call	206987		177.00
100-1610-7652	COMMERCIAL DOOR METAL SYSTE	SC Door Repair	207001		352.50
100-1610-7652	ALBERTOS PLUMBING	FC Clogged Drain Clean	206988		130.00
100-1610-7652	ALBERTOS PLUMBING	SC New Restroom Faucets	206988		4,600.00
100-1610-7652	CINTAS CORPORATION #693	City Hall Mats	206999		56.40
100-1610-7652	CINTAS CORPORATION #693	City Hall Mats	206999		56.40
100-1610-7652	CINTAS CORPORATION #693	ROP Bldg Mats	206999		66.31
100-1610-7652	CINTAS CORPORATION #693	SC/FC/CC Mats	206999		210.96
100-1610-7652	CINTAS CORPORATION #693	Duarte Pk Bldg Mats	206999		32.03
100-1610-7652	CINTAS CORPORATION #693	Teen Ctr Mats	206999		108.74
100-1610-7652	CINTAS CORPORATION #693	City Hall Mats	206999		56.40
100-1610-7652	CINTAS CORPORATION #693	Public Safety Mats	206999		38.00
100-1610-7652	DEWEY PEST CONTROL INC	Pest Control Services 2/2017	207008		164.00
100-1610-7652	SIMON EQUIPMENT RENTALS	Roto Tiller Rental (Playgrounds)	207040		517.36
100-1610-7652	EXECUTIVE ELEVATOR INC	SC Elevator Maintenance	207015		130.00
100-1610-7652	EXECUTIVE ELEVATOR INC	SC Elevator Maintenance 2/2017	207015		130.00
100-1610-7830	THE TECHNOLOGY DEPOT INC	Phone Support 2/24/17 - 3/23/17	207048		422.00
100-1610-8100	A TO Z CARPETS, FLOOR & WINDO	CH Kitchen Blinds	206972		580.00
100-1610-8100	USA SHADE AND FABRIC STRUCTUR	20 ft x 20 ft Single Post Pyramid Shade Structure	207050	201621-Other Cap ImprovSCE A. Moore P	10,418.51
100-1805-7612	CSMFO	Roger Cathey 2017 CSMFO Membership	207005		110.00
100-1805-7614	STAPLES ADVANTAGE	Office Supplies	207043		9.76
100-1810-7610	DUARTE PETTY CASH	HR Intern Welcome	207011		18.30
100-1810-7610	MICHELLE BROWN	Public Retirement Seminar	206996		27.39
100-1810-7614	STAPLES ADVANTAGE	Office Supplies	207043		89.23
100-1810-7614	STAPLES ADVANTAGE	Office Supplies	207043		92.32
100-1810-7660	CMC LIVESCAN & NOTARY SERVICE	Livescan Services 2/2017	207000		40.00
100-1810-7980	DUARTE PETTY CASH	USPS 2nd Day Delivery	207011		10.00
100-1810-7980	NAVIA BENEFIT SOLUTIONS	FSA Processing Fee 2/2017	207030		75.00
100-1815-7632	MAXTREME INC	Office 365 Licenses 1/2017	37		363.00
100-1815-7632	MAXTREME INC	Office 365 Licenses 2/2017	37		363.00
100-1815-7821	THE TECHNOLOGY DEPOT INC	VITA Mgmt 3/2017	207048		578.00
100-1815-7965	MAXTREME INC	IT Helpdesk 2/2017	37		8,700.00
100-1815-7980	MAXTREME INC	UPS Battery-CC AV/Screen Cleaning	37		244.65
100-1815-7980	MAXTREME INC	Crash Recovery Plan 2/2017	37		200.00
100-1815-7980	MAXTREME INC	External Backup Drive Synology	37		152.24
100-1815-7980	MAXTREME INC	Laptop Bag/Adapter	37		115.23

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
100-1825-7614	STAPLES ADVANTAGE	Add'l 1099 Forms	207043		27.17
100-1825-7614	STAPLES ADVANTAGE	PS Printer Toner	207043		342.51
100-1825-7626	DUARTE PETTY CASH	USPS-Over Night Delivery	207011		28.55
100-1825-7626	DUARTE PETTY CASH	USPS-Package Delivery	207011		22.95
100-1825-7630	RICOH USA INC	Copier Lease-CH/SC/TC 3/19/17 - 4/18/17	207033		1,633.31
100-1825-7630	RICOH USA INC	Copier Lease-PS 2/19/17 - 3/18/17	207033		774.32
100-1825-7631	RICOH USA INC	Copier Maint-CH/TC/SC 2/19/17 - 3/18/17	207034		1,501.03
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995	990002 - Oper of Acq Prop - Duarte Tralle	41.67
100-1825-7945	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995	250016-Oper of Acq Prop-1229 Pops Roa	41.67
100-1825-7980	SHRED-IT USA LLC	On-Site Document Shredding	207037		243.00
100-2120	BE.GROUP	CC Lounge Rent Deposit Refund	206994		100.00
100-2120	JANE BAUMGARTHNER	Field Rent Deposit Refund	206993		100.00
100-2120	FEVIDA CRISOSTOMO	ROP Bldg Rent Deposit Refund	207004		150.00
100-4408	DUARTE UNIFIED SCHOOL DISTRICT	Nextel Lease 3/2017	207014	250004 - Property Rent - Nextel Rent (Oti	1,520.98
Fund 100 - GENERAL FUND Total:					382,430.52

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 240 - LIGHTING AND LANDSCAPE DISTRICT FUND					
240-2405-7890	COUNTY OF LOS ANGELES DEPART	Traffic Signal Maintenance 1/2017	207002		846.32
240-2410-7915	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		7,500.00
240-2410-7917	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		4,630.00
240-2420-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		345.16
240-2421-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		1,300.00
240-2422-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		480.58
240-2423-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		900.00
240-2424-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		550.00
240-2425-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		400.00
240-2426-7810	A1 MAINTENANCE SERVICES CA	Mikes Ctr Sweeping 2/2017	206984		747.00
240-2426-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		180.00
240-2427-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		630.33
240-2431-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		800.00
240-2432-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		835.00
240-2433-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		530.00
240-2434-7914	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Srvc 2/2017	206995		355.00
Fund 240 - LIGHTING AND LANDSCAPE DISTRICT FUND Total:					21,029.39

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 260 - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)					
260-2605-8061	LDM ASSOCIATES INC	ADA Ramp Project CDBG Admin 1/2017	207023	201701-Construct-ADA CURB RMP FY16/	765.00
260-2605-8070	LDM ASSOCIATES INC	Bradbourne St Improv Project Admin 1/2017	207023	201702-Street Imp-Bradbourne Ave Reha	595.00
Fund 260 - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) Total:					1,360.00

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 440 - PROPOSITION A TRANSIT FUND					
440-4405-7614	DUARTE PETTY CASH	Transit Office Clock	207011		23.75
440-4405-7619	CITY OF MONROVIA	Fuel-Transit Dept 1/2017	207028		5,563.86
440-4405-7887	ALEX ROMO AUTO & TRUCK REPAIR	Veh 26 PM Service/Alternator	206989		656.85
440-4405-7887	AUTOZONE	Veh 30 Wiper Blades	206992		50.00
440-4405-7887	CREATIVE BUS SALES	Bus Parts (Belts)	207003		364.76
440-4405-7887	LA MOBO BUS SERVICE INC	Bus 104 Engine Belt Replacement	207021		60.00
440-4425-7965	RKA CONSULTING GROUP	2016/17 ATP-Engineering 1/2017	207035	201604-Prof Svcs 440 (ATP)-ATP Design G	4,403.18
440-4425-7965	HUNT DESIGN ASSOCIATES INC	2919 ATP Gold Line Citywide Wayfinding 2/2017	207018	201604-Prof Svcs 440 (ATP)-ATP Design G	655.49
440-4425-7965	SULLY-MILLER CONTRACTING CO	Gold Line Station ATP LADRT	207044	201604-Prof Svcs 440 (ATP)-ATP Design G	65,905.04
Fund 440 - PROPOSITION A TRANSIT FUND Total:					77,682.93

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 620 - COMMUNITY IMPROVEMENT FUND					
620-6225-7965	RKA CONSULTING GROUP	2016/17 ATP-Engineering 1/2017	207035	201604-Prof Svcs 620 (ATP)-ATP Design G	6,626.82
620-6225-7965	HUNT DESIGN ASSOCIATES INC	2919 ATP Gold Line Citywide Wayfinding 2/2017	207018	201604-Prof Svcs 620 (ATP)-ATP Design G	986.51
620-6225-7965	SULLY-MILLER CONTRACTING CO	Gold Line Station ATP LADRT	207044	201604-Prof Svcs 620 (ATP)-ATP Design G	99,187.77
Fund 620 - COMMUNITY IMPROVEMENT FUND Total:					106,801.10

Council Warrant Register by Account

Payment Dates: 03/01/2017 - 03/14/2017

Account Number	Vendor Name	Description (Item)	Payment No	Project Key	Amount
Fund: 680 - Duarte Housing Authority					
680-6805-7312	RUTAN & TUCKER LLP	Housing Authority Legal 1/2017	207036		1,100.00
Fund 680 - Duarte Housing Authority Total:					1,100.00
Grand Total:					590,403.94

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL FUND	382,430.52
240 - LIGHTING AND LANDSCAPE DISTRICT FUND	21,029.39
260 - COMMUNITY DEVELOPMENT BLOCK GRANT (CDB	1,360.00
440 - PROPOSITION A TRANSIT FUND	77,682.93
620 - COMMUNITY IMPROVEMENT FUND	106,801.10
680 - Duarte Housing Authority	1,100.00
Grand Total:	590,403.94

Account Summary

Account Number	Account Name	Payment Amount
100-1005-7647	Travel & Exp - Reilly	43.10
100-1010-7614	Office Supplies	255.57
100-1010-7650	Vehicle Maintenance	147.99
100-1010-7980	Other Expenses	59.00
100-1015-7680	City Attorney	11,197.07
100-1015-7682	Labor Counsel	5,339.34
100-1015-7684	Code Enforcement	5,659.10
100-1015-7686	Other Legal Services	8,487.50
100-1020-7716	Special Community Even	352.63
100-1020-7724	Post Office Parking	115.00
100-1025-7702	Natn'L League Of Cities	1,861.00
100-1205-7614	Office Supplies	177.13
100-1205-7615	Emergency Supplies	151.88
100-1205-7650	Vehicle Maintenance	10,247.28
100-1205-7761	Parking Ticket Collect	6,087.30
100-1205-7779	Youth Programs	1,190.46
100-1205-7781	Contract Law Enforceme	11,555.77
100-1211	Computer Loan Program	489.35
100-1405-7610	Travel, Mtgs & Conf	11.00
100-1405-7612	Publications and Dues	375.00
100-1405-7614	Office Supplies	213.10
100-1405-7636	Uniforms	114.18
100-1405-7650	Vehicle Maintenance	235.23
100-1405-7801	Industrial Waste Inspecti	4,421.79
100-1405-7802	NPDES Requirements	57,413.49
100-1405-7965	Professional Services	71,117.95
100-1405-7969	City Engineer	7,222.50
100-1405-7980	Other Expenses	46.53
100-1405-8100	Other Capital Improvem	6,396.00
100-1410-7612	Publications and Dues	180.00
100-1410-7630	Equipment Rentals	629.63
100-1410-7650	Vehicle Maintenance	1,455.65
100-1410-7810	Street Sweeping	116.00
100-1410-7900	K-Rail Maintenance	104,296.93
100-1415-7889	Repairs-Sports Park	107.66
100-1415-7916	Landscape-Sport Park	2,130.00
100-1500	Advances	-200.00
100-1605-7610	Travel, Mtgs & Conf	30.00
100-1605-7614	Office Supplies	348.78
100-1605-7650	Vehicle Maintenance	640.96
100-1605-7653	Active Net Fees	1,400.00
100-1605-7728	Americorp's VIP Progra	170.00
100-1605-7733	Senior Center	2,379.84
100-1605-7735	Teen Center	827.40
100-1605-7750	Bus Rentals	922.50
100-1605-7980	Other Expenses	1,428.54
100-1610-7618	Building Supplies	6,962.64

Account Summary

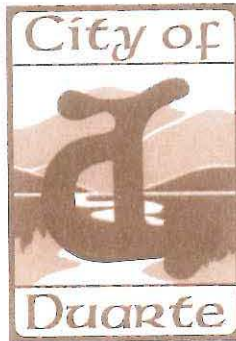
Account Number	Account Name	Payment Amount
100-1610-7652	Building Maint Services	18,484.96
100-1610-7830	Telephones	422.00
100-1610-8100	Other Capital Improvem	10,998.51
100-1805-7612	Publications and Dues	110.00
100-1805-7614	Office Supplies	9.76
100-1810-7610	Travel, Mtgs & Conf	45.69
100-1810-7614	Office Supplies	181.55
100-1810-7660	Other Services	40.00
100-1810-7980	Other Expenses	85.00
100-1815-7632	Software Maintenance	726.00
100-1815-7821	Personal Computer Sup	578.00
100-1815-7965	Professional Services	8,700.00
100-1815-7980	Other Expenses	712.12
100-1825-7614	Office Supplies	369.68
100-1825-7626	Postage	51.50
100-1825-7630	Equipment Lease	2,407.63
100-1825-7631	Equipment Maintenance	1,501.03
100-1825-7945	Operation Of Acq Prop	83.34
100-1825-7980	Other Expenses	243.00
100-2120	Refundable Deposits	350.00
100-4408	Property Rental	1,520.98
240-2405-7890	Repairs-Traffic Signal	846.32
240-2410-7915	Landscape-Citywide	7,500.00
240-2410-7917	Landscape-Medians	4,630.00
240-2420-7914	Landscape Maintenance	345.16
240-2421-7914	Landscape Maintenance	1,300.00
240-2422-7914	Landscape Maintenance	480.58
240-2423-7914	Landscape Maintenance	900.00
240-2424-7914	Landscape Maintenance	550.00
240-2425-7914	Landscape Maintenance	400.00
240-2426-7810	Street Sweeping	747.00
240-2426-7914	Landscape Maintenance	180.00
240-2427-7914	Landscape Maintenance	630.33
240-2431-7914	Landscape Maintenance	800.00
240-2432-7914	Landscape Maintenance	835.00
240-2433-7914	Landscape Maintenance	530.00
240-2434-7914	Landscape Maintenance	355.00
260-2605-8061	ADA Curb Ramps	765.00
260-2605-8070	Street Improvements	595.00
440-4405-7614	Office Supplies	23.75
440-4405-7619	Fuel And Oil	5,563.86
440-4405-7887	Repairs & Replacements	1,131.61
440-4425-7965	Professional Services (A	70,963.71
620-6225-7965	Professional Services (A	106,801.10
680-6805-7312	Legal Counsel	1,100.00
Grand Total:		590,403.94

Project Account Summary

Project Account Key	Payment Amount
None	195,856.07
201406-Legal Fees-City of Hope EIR Reimb	4,191.50
201406-Prof Serv-City of Hope EIR Reimb	64,181.51
201604-Prof Svcs 440 (ATP)-ATP Design Goldline	70,963.71
201604-Prof Svcs 620 (ATP)-ATP Design Goldline	106,801.10
201621-Other Cap ImprovSCE A. Moore Park Landscape	10,418.51
201631-Spec Events-Golden Streets 626	346.12
201632-Deflection Wall-FishFire Complex	6,396.00
201632-Equip Rental-Fish Fire	629.63

Project Account Summary

Project Account Key	Payment Amount
201632-Fish Fire - Contract Law	6,282.70
201632-Fish Fire K-Rail Maint (1410)	104,296.93
201632-Fish Fire-Emergency Supplies	151.88
201632-Fish Fire-Uniforms (1405)	114.18
201632-Fish Fire-Vehicle Maint	7,741.43
201701-Construct-ADA CURB RMP FY16/17 (601778-16	765.00
201702-Street Imp-Bradbourne Ave Rehab (601779-16)	595.00
201709- Duarte's Promise - America's Promise Exp	170.00
201715-Prof Svc-3rd St and Oak Res	3,361.94
201716-Youth Prgms-CalGrip 2017-2018 (3 of 3 MOU)	1,086.41
201719-Engineering-Gas Co-Las Lomas/Calle Martos	4,450.00
250004 - Property Rent - Nextel Rent (Otis Gordon)	1,520.98
250016-Oper of Acq Prop-1229 Pops Road	41.67
990002 - Oper of Acq Prop - Duarte Trailer Park	41.67
Grand Total:	590,403.94



Proclamation

SAFETY SEAT CHECKUP WEEK

WHEREAS, the number one preventable cause of death and injury to children and young adults is the automobile collision; and

WHEREAS, each year in California, more than 90 child passengers under 15 years old are killed, and more than 10,000 are injured in automobile collisions; and

WHEREAS, 71% of small children would be alive today if they had been properly restrained in child safety seats, and 45% of injuries to children ages four to eight could be prevented with the use of booster seats; and

WHEREAS, 90% of child safety seats are used incorrectly, and infants and young children are not capable of initiating action to use proper restraints; and

WHEREAS, the State of California requires that all occupants of motor vehicles be buckled up correctly on every ride, and that children be properly restrained in safety seats or safety belts, with children in the back seat until at least eight years of age; and

WHEREAS, crash-tested safety seats are moderately priced and widely available for purchase at retail stores, and at a low cost from safety seat distribution programs throughout California; and

WHEREAS, for over 37 years, Safety Belt Safe U.S.A. has been dedicated to protecting children from injury or death while being transported in a motor vehicle;

NOW, THEREFORE, BE IT RESOLVED that the City of Duarte hereby proclaims April 2-8, 2017, as SAFETY SEAT CHECKUP WEEK, and encourages the use of proper restraints for all children and young adults when riding in a motor vehicle.

Mayor Margaret Finlay

ATTEST:

City Clerk Marla Akana
Duarte, California

March 14, 2017



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Program Consultant

Heidi Heflin, RN, MN, CNS, CPSTI, Sp.Needs

Program Consultant

SafetyBeltSafe U.S.A.

514 North Prospect Avenue, L-6, Redondo Beach, CA 90277

Mailing address: P. O. Box 553, Altadena, CA 91003 www.carseat.org
(800) 745-SAFE 310/318-5111 (telephone & FAX) Spanish: (800) 747-SANO

February 14, 2017

Mayor Finlay
1600 Huntington Drive
Duarte, CA 91010

Dear Mayor Finlay:

I am sure you are aware that traffic collisions take a major toll on people in our communities, but did you know that:

- Motor vehicle collisions are the #1 cause of death and serious injury to children
- More than 80% of small children killed in California died from preventable injuries
- More than 90% of children ride incorrectly restrained in the car?

You can help save children from suffering tragic injuries by making Safety Seat Checkup Week, April 2 – 8, a major event in your city. Here are some suggestions for promoting child passenger safety in your area:

- Issue a proclamation in recognition of Safety Seat Checkup Week (sample enclosed). Send your proclamation to us in advance for display at Safety Seat Checkup Day on April 8.
- Encourage targeted enforcement to increase the focus on violations of child safety seat and safety belt laws during Special Enforcement Week, March 26 – April 1, sponsored by the Peace Officers Association of Los Angeles County.
- Distribute posters and pamphlets through city agencies and employees. Resources are available from SafetyBeltSafe U.S.A.

We also invite families in your community to attend Safety Seat Checkup Day on Saturday, April 8, from 10:00 a.m. to 2:00 p.m. at USC Verdugo Hills Hospital in Glendale.

Trained volunteers will conduct detailed inspections of the installation and use of safety seats. Parents will be told if the safety seats have been recalled or need replacement parts and shown how to use them correctly.

Your support for this effort, reported to the press, may encourage them to publicize this subject more widely. Please share your plans for Safety Seat Checkup Week with us.

Sincerely yours,



Stephanie M. Tombrello, LCSW, CPSTI
Executive Director

RECEIVED

FEB 21 2017

CITY OF DUARTE

The national non-profit organization dedicated to child passenger safety since 1980

Protect Young Passengers – Ride Rear Facing



Do you care about a child?

Then you need to know that the law on protecting young children in the car has changed.

From January 1, 2017, children under age 2 must ride **rear facing** in safety seats (except those 40 inches tall or more or weighing 40 lbs. or more).

Riding rear facing is 5 times safer than riding facing the front of the car. Safety experts recommend that children ride rear facing for as long as possible.

Penalty after 1/1/17: fine with court fees is \$500 & a point on the license (enforced against the parent, or the driver if the parent is not present).

Each one, teach one—or more!

Spread the word: share it, post it, tag it, tweet it...

Make sure the children you care about have the best possible protection.

For help and advice on the correct way to buckle up all children, visit www.carseat.org or call 800/745 SAFE or 800/747-SANO.

Congratulations to California Assembly member Cristina Garcia (Bell Gardens) whose successful introduction of the law will protect young children from the #1 cause of childhood death and injury.

SafetyBeltSafe U.S.A. P.O. Box 553, Altadena, CA 91003 www.carseat.org
310/318-5111 * 800/745-SAFE (English) * 800/747-SANO (Spanish)

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#664 (2-7-17)

SafetyBeltSafe U.S.A.

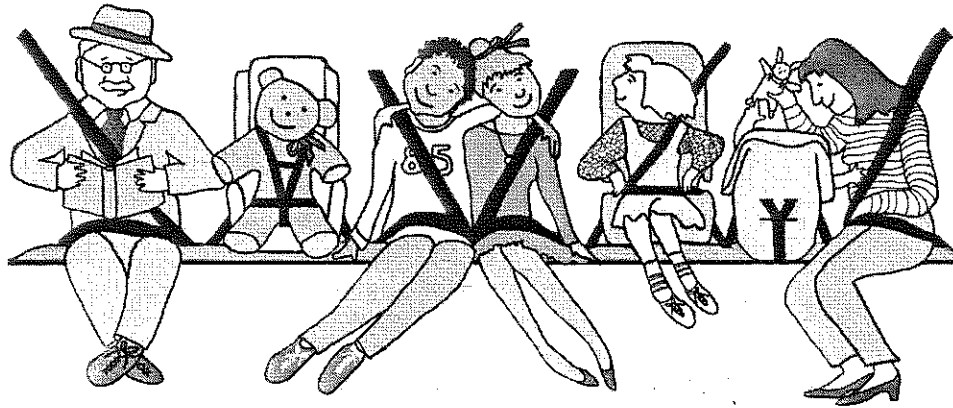
Safety Seat Checkup Day

Saturday, April 8 • 10:00 a.m. to 2:00 p.m.*

*For a checkup appointment, call 310/318-5111. If you do not have an appointment, there may be a wait of more than one hour or you may be turned away.

11:30 a.m. Welcome Ceremony and Recognition of Notable Guests

USC Verdugo Hills Hospital
1812 Verdugo Blvd, Glendale, CA 91208



Buckling up is a family affair.

Safety Seat Checkup Week April 2 – 8, 2017

***Sponsors: California Office of Traffic Safety, Pomona Police Dept.,
Toyota Motor Sales, U.S.A., USC Verdugo Hills Hospital***

Major Supporter: Peace Officers Association of Los Angeles County

FREE SAFETY SEAT CHECKUP

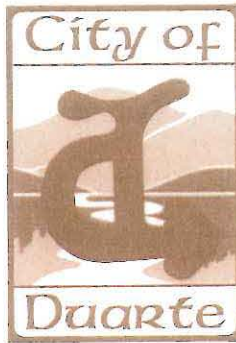
More than 90% of the car seats we check have one or more errors.
Meet Bucklebear and his friends.

Help save children's lives with your tax-deductible support.

SafetyBeltSafe U.S.A. Box 553 Altadena, CA 91003 310/310-5111 www.carseat.org

SafetyBeltSafe U.S.A. is the national, non-profit, member-supported organization for child passenger safety.

Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration



Proclamation

SOUTHERN CALIFORNIA AEROSPACE DAYS

WHEREAS, Southern California's Aerospace and Defense industry cluster is more than twice as concentrated here than the rest of the nation and continues to be a powerful driver of the state's output, contributing \$39.9 billion in value, accounting for 3.1 percent of the total state GDP in 2014; and

WHEREAS, Southern California's Aerospace and Defense industry is a dominant regional driver of employment and wages, supporting more than 245,000 direct, indirect and induced jobs, paying more than \$20 billion, which represents 2.7% of all labor income paid in the Southern California region in 2014; and

WHEREAS, Southern California is the nation's "go to" supplier in Aerospace and Defense industry systems and instruments, including extremely high concentrations of aircraft parts manufacturing, which is almost four times more concentrated here than the rest of the nation, and guided missile and space vehicle manufacturing, almost 2.5 times more concentrated, as well as in search, detection, navigation, guidance, and instrument manufacturing, which is more than three times more concentrated in Southern California than the rest of the nation; and

WHEREAS, Southern California's Aerospace and Defense industry cluster support ecosystem is second to none, hosting a large number of globally-recognized research institutions and military installations, including two of the state's three National Aeronautics and Space Administration research and engineering centers (NASA Neil A. Armstrong Flight Research Center and the Jet Propulsion Laboratory), where much of the world's spacecraft are being built, tested and operated; the Aerospace Corporation, which provides engineering support, acquisition management, and technical analysis to the likes of NASA, the National Oceanic and Atmospheric Administration, and the US Army and Navy; and 19 military bases, seven of which have airfield, space and/or missile operations, with vital R&D, national security and defense activities occurring at distinctive bases such as Edwards Air Force Base, Vandenberg Air Force Base, Space and Naval Warfare Systems Command, Los Angeles Air Force Base, (home of the Space and Missile Systems Center SMC), and Air Force Base Plant 42 in Palmdale; and

WHEREAS, Southern California is driving the world's next generation of Aerospace and Defense industry technologies, products and processes, combining new industry innovations in materials, design, digitization, robotics, and artificial intelligence with the forward-looking work of new local industry entrants and some of the industry's traditional stalwarts, such as Northrop Grumman Global Hawk Unmanned Aircraft System, and the Lockheed Martin "Skunk Works" Advanced Development Programs facility; and

WHEREAS, Southern California is leading the world in the modern-day "Space Race" with world-leading private space travel firms, such as SpaceX and Virgin Galactic, having base operations and manufacturing facilities located in the region and producing the future spacecraft that will launch the next generation of military, governmental, scientific, and commercial technologies into space.

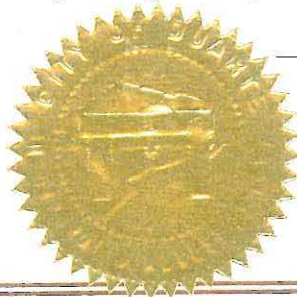
NOW, THEREFORE, BE IT RESOLVED that the City of Duarte hereby proclaims March 20-24, 2017, as "Southern California Aerospace Days," and celebrates the industry's "deep roots" here in Southern California, recognizing its current contributions to the communities, economy, and residents of Southern California, and in preparing the region and state to compete for and win the future research, development, production and export components of the next generation Aerospace and Defense industry.

ATTEST:

City Clerk Marla Akana
Duarte, California

March 14, 2017

Mayor Margaret Finlay





March 2, 2017

Hon. Margaret Finlay, Mayor
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Re: Southern California Aerospace Days

Dear Mayor,

On behalf of the Los Angeles Economic Development Corporation (LAEDC), I would first like to express our sincere appreciation for your active support, both past and present, of the tenure, activities, and continued operation of the aerospace industry not only in Southern California, but also specifically in the City of Duarte.

In light of the annual aerospace events held in Sacramento every March coordinated by the Aerospace State Association (ASA), the Southern California Aerospace Council (SCAC), an initiative of the LAEDC, is hosting a regional "LA Aerospace Days" events that serve as a precursor to the state-wide exhibition. **We would like to invite you review the attached Resolution, and encourage you to move forward with its passing through your council.** We are working to rally several of our local and regional jurisdictions to pass a similar resolution in honor and commendation of our regional industry.

Southern California remains at the center of America's aerospace industry with its ecosystem of large and small companies, research and education partners, and an active defense sector. The industry has deep and enduring local community, economic and labor roots here in the region. Southern California is one of the world's most competitive regions for aerospace innovation, as well as for aircraft parts and equipment manufacturing, which, continues to play a significant role in the region's economy, with employment growing by over 24 percent since 2004.

This LA regional "Aerospace Days" event, we hope to bring visibility and participation to the events that will highlight the many groundbreaking and innovative projects currently happening here in Southern California.

If you would like to participate in our efforts, or need more information, please do not hesitate to contact **Camille Stephens** via email at Camille.stephens@laedc.org.

I look forward to hearing from you soon.

Daina R. Moore | District Manager
Economic Development | Business Assistance
Los Angeles County Economic Development Corporation
444 S. Flower Street, 37th Floor, Los Angeles, CA 90071
T: (213) 399-5933 F: (213) 622-7100 | LAEDC.org |   

MEMORANDUM

TO: Mayor and Councilmembers
FROM: Darrell J. George, City Manager
DATE: March 9, 2017
SUBJECT: Conference Attendance – City Council Meeting of March 14, 2017

California Contract Cities Association
Annual Municipal Seminar
May 11-14, 2017
Renaissance Indian Wells Resort & Spa
Registration by 4/20/17 – \$600
Registration after 4/20/17 – \$700

Hotel: \$214 per night



58th Annual Municipal Seminar

May 11, 2017 @ 7:30 am – May 14, 2017 @ 10:00 am

Renaissance Indian Wells Resort & Spa

44400 Indian Wells Ln

Indian Wells, CA 92210

Registration Cost Information:

Member Registration (City, Associate Members and County)

Early Bird (Registered by 4/20/17) - \$600

After 4/20/17 – \$700

Refund Policy: If cancelled by 4/20/17 - \$500 refund

Non-Associate Member - \$850

Refund Policy: If cancelled by 4/20/17 - \$750 refund

Non-Member City - \$750

Refund Policy: If cancelled by 4/20/17 \$650 refund

Hotel Information:

Renaissance Indian Wells Resort and Spa – \$214 a night

For group rates, you must book your room reservations through the event website. The hotel will NOT accept reservations over the phone.

For additional information, contact CCCA staff: (562) 622-5533

Legal Notice

Legal Notice

Legal Notice

Legal Notice

**CITY COUNCIL
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to State Law, the City Council of the City of Duarte will hold a Public Hearing at 7:00 p.m., on Tuesday, March 14, 2017 in Council Chambers, 1600 Huntington Drive, Duarte, California, to consider the following:

Municipal Code Amendment 16-05:

A city-initiated request to amend Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.68.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050 and 19.160.200 of the Duarte Development Code, relating to the regulations and approval of accessory (second) dwelling units. On February 21, the Planning Commission held a public hearing and unanimously recommended City Council approval of Municipal Code Amendment 16-05.

This proposed municipal code amendment is exempt from review under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et al), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Sections 15061(b)(3); 15303; 15332; and 15378, in that it can be seen with certainty that the adoption of the Development Code amendments propose no activity that may have a significant effect on the environment and will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; pertain to new construction or conversion of small structures; and would qualify as infill development.

Any interested party may appear in person, or by agent, and be heard. If this matter is challenged in Court, there will be a limit to only those issues that were raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing. Written correspondence may be sent to Duarte City Hall, City Clerk's Office, at 1600 Huntington Drive, Duarte, CA 91010.

For further information regarding this application, please contact Kristen Johnston, Associate Planner in the Community Development Department, 1600 Huntington Drive, Duarte, CA., 91010, Monday through Thursday at (626) 357-7931, ext. 238, between the hours of 7:30 a.m. and 6:00 p.m.

Marla Akana
City Clerk

PUBLISH: Duartean - Saturday, March 4, 2017
POST: Duarte City Hall, Duarte Public Safety Office, Duarte
Library - Thursday, March, 2 2017

Para información en Español, favor de llamar a City Hall de Duarte,
(626) 357-7931.

Published: San Gabriel Valley Tribune Mar 4, 2017 Ad#910055



CITY COUNCIL STAFF REPORT

Date: March 14, 2017

To: Mayor and Duarte City Council

From: Kristen Johnston, Associate Planner

Subject: **MUNICIPAL CODE AMENDMENT 16-05:** A City initiated request to amend Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code related to the regulation and approval of accessory (second) dwelling units within the City of Duarte.

SUMMARY

The State's Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and authorizes a local agency to provide by ordinance for the creation of second units in single-family and multi-family residential zones, as specified.

The Duarte Development Code (DDC) provides development standards (Section 19.60.160) for property owners to construct accessory (second) dwelling units, with the intent of providing an alternative housing option for residents. The current development standards for accessory (second) dwelling units allow for their construction within single-family zones, subject to certain development standards, which do not meet all requirements of two recently approved laws relating to accessory dwelling units: Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069").

As previously proposed at the January 24, 2017 City Council hearing, Municipal Code Amendment (MCA) 16-05 proposes modifications to various chapters within the Duarte Development Code, related to accessory (second) dwelling units, to align the City's development standards with new State laws that became effective on January 1, 2017.

BACKGROUND

On December 19, 2016, the Planning Commission made a recommendation to the City Council to review and approve Resolution PC 16-16 to amend the following Duarte Development Code Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200; and adopt Ordinance 17-O-01.

On January 10, 2017, the City Council considered the Planning Commission's recommendation and discussed several key points, including: allowable unit sizes for both attached and detached accessory dwelling units (ADU's), differences in unit size for larger lots, conversions to rentals, lot coverage and parking requirements, number of bedrooms, legal non-conforming and grandfathering issues, and impacts to existing residential neighborhoods. After much deliberation, the City Council voted 3-1-1 (Finlay-nay, Kang-absent) to approve the Planning Commission's recommendation, and return with proposed Ordinance 17-O-01 for second reading at the next scheduled City Council meeting.

At the City Council meeting held on January 24, 2017, for the second reading of Ordinance 17-O-01, Mayor Finlay requested that the Ordinance be sent back to the Planning Commission with direction to reconsider areas within the City that could accommodate larger ADU's. Councilmember Fasana motioned and Paras-Caracci seconded the recommendation – the motion was unanimous.

On February 21, 2017, the Planning Commission held a noticed public hearing to reconsider modifications to the proposed ordinance that would make allowances for larger ADU's on larger properties. The Commission unanimously approved Resolution PC 17-08 and recommended that the City Council adopt Ordinance 17-O-04.

ANALYSIS

Staff's previous amendment to the Duarte Development Code Section 19.60.160, in addition to all other amendments provided in Exhibit A, was to allow both attached and detached accessory dwelling units up to 400 square feet, not to exceed 50 percent of the existing dwelling unit, in all single-family and multiple-family residential zones that maintain a single-family residence. During the City Council meeting on January 24, 2017, City Council directed staff to evaluate surrounding cities proposed ADU amendments and to consider allowing larger ADU's for certain areas or zones throughout the City.

Survey of Surrounding Cities

Staff surveyed surrounding cities and discovered that many of the cities have yet to begin drafting amendments to their existing development standards. Four cities, which include the City of Arcadia, Temple City, Glendora, and Claremont, are currently working on their code amendments, but have yet to set these items for public hearing. The remaining cities either did not respond to our survey or are not considering changes to their ADU regulations at this time. Table A below has been provided to show the jurisdiction contacted, their current standards in regards to allowed accessory unit size, and the unit sizes they are considering as a part of their amendment.

Table A: Surrounding jurisdictions existing and proposed amendments

Jurisdiction	Current Unit Size Standards	Proposed Unit Size Amendments
Temple City	Attached 30% of primary maximum 640 sf / detached 640 sf	Considering 1,200 sf or 50% whichever is less
West Covina	Min 500 sf with Max of 640 sf	
Covina	Not to exceed 30% no less than 500 sf detached and not to exceed 800 attached	
Azusa	Not to exceed 50%, 2 beds; Carriage house not to exceed 640 sf;	
Glendora	30% of primary not to exceed 1,000 sf for attached / Detached up to 1,000 sf	Considering 900 sf for detached
Claremont	700 sf	Considering 700 sf
El Monte	Attached 650 or 30% whichever is less for attached; Detached no greater than 530 sf	
La Puente	35% of existing not to exceed 1,200 sf	
Arcadia	Detached only not to exceed 20% and no more than 600 sf	PRELIMINARY 800 sf for both attached and detached
Monrovia	No less than 150 not to exceed 640 for detached, attached not to exceed 30%	
Bradbury	7,500 sf lot – attached max 1200 sf 20,000 sf lot – 1200 sf A1-1 acre- 1500 sf A2-2 acre- 2000 sf A5-5 acre- 2500 sf	

Larger ADU's/Parcels

An analysis of the City's residential zones found that there are approximately 200 parcels that are larger than 10,000 square feet in area. These properties typically fall within the residential zones of R-1B, R-1D and R-1E. Subsequently, staff determined that these properties are better suited to accommodate larger ADU sizes, given that many of the properties are in zones with more restrictive development standards for setbacks, height and lot coverage. Staff recommends allowing ADU's up to 700 square feet, not to exceed 50% of the total existing dwelling unit living area, for parcels larger than 10,000 square feet. The recommended unit size of 700 square feet corresponds with the maximum ADU floor area allowed under the current Duarte Development Code.

Bedroom Number

In addition to amending Section 19.90.160.C.9.b to allow for larger ADU sizes, Section 19.60.160.C.10 has been modified to allow a maximum of one bedroom for all ADU's, regardless of the unit size. As previously discussed, recently adopted state law places

limitations on a jurisdiction's ability to place additional parking requirements for ADU's. Therefore, placing a limitation on the number of bedrooms an ADU may contain, will address potential on-street parking problems and help to maintain the feel of our residential neighborhoods.

Proposed Code Amendments

The proposed changes to ADU unit size for larger parcels (Section 19.60.160.C.9) and limitations on number of bedrooms (Section 19.60.160.C.10), are provided below and included in Exhibit A attached.

9. The maximum floor area of the second **accessory** dwelling unit shall comply with the following:
 - a. ~~The maximum floor area of the second dwelling unit shall not exceed 700 square feet.~~ **Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 400 square feet, for lot sizes up to 10,000 square feet.**
 - b. ~~The maximum floor area of the second dwelling unit may be allowed to increase up to 1,200 square feet, provided the unit is deed restricted to be affordable to low-income households.~~ **Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 700 square feet, for lot sizes greater than 10,000 square feet.**
10. **An accessory dwelling unit shall not contain more than one bedroom, which shall comply with the minimum bedroom size required by the Building Code.** ~~The maximum number of allowable bedrooms within the second dwelling unit shall comply with the following:~~
 - a. ~~The second dwelling unit shall not contain more than two bedrooms, which shall comply with the minimum bedroom size required by this Development Code.~~
 - b. ~~A maximum of three bedrooms shall be allowed for second dwelling units over 700 square feet in size, when deed restricted to be affordable to low-income households.~~

Other ADU modifications initially presented to the City Council on January 10, 2017 remain substantially unchanged and are included in the attached Ordinance for Council consideration. During the January 10, 2017 meeting, staff noted two areas where minor modifications were necessary to comply with State law: Section 19.60.160.C.3 and Section 19.60.160.C.11.a. The first noted modification was to Section 19.60.160.C.3, which added "unless the accessory dwelling unit is located entirely within an existing structure". The second noted modification was to Section 19.60.160.C.11.a, which included the removal of the definition of a "Major Transit Stop".

Staff has included the previous staff report from the January 10, 2017 meeting as an informational item (Exhibit C).

RECOMMENDATION

It is recommended that the City Council introduce and hold a first reading for proposed Ordinance 17-O-04 (Exhibit B); amending Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code.

ATTACHMENTS

- Exhibit A: Duarte Development Code Sections: 19.10.020.A (Table 2-1 and Table 2-2), 19.38.050.A (Table 3-4), 19.60.160, 19.160.020, 19.160.050, and 19.160.200
- Exhibit B: Ordinance No. 17-O-04
- Exhibit C: January 10, 2017 City Council Staff Report

EXHIBIT A

19.10.020 - Land use and permit requirements.

A. Allowed land uses.

1. Tables 2-1 and 2-2 indicate the uses allowed within each residential zone and any permits required to establish the use, pursuant to Article 7 (Permit Processing Procedures) and Article 8 (Development Code Administration).
2. Residential uses represent the primary allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the residential character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses. Accessory uses deemed appropriate may only be permitted when provided as a secondary use on property for which a legally permitted/allowed residential unit exists or is proposed in conjunction with establishment of the accessory use, except as may be otherwise allowed in Article 6 (Nonconformities).
3. Land uses that are not listed in Tables 2-1 and 2-2 or are not shown in a particular zone are not allowed (see Uses Not Classified in Section 19.04.040), except as otherwise provided by Section 19.04.020 (Rules of Interpretation).
4. Where the last column in the Tables 2-1 and 2-2 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this Development Code may also apply as indicated in Section 19.10.090 (Other Applicable Regulations).
5. See Article 9 (Definitions) for land use definitions and explanations.

TABLE 2-1 ALLOWED USES AND PERMIT REQUIREMENTS	Single-Family and Two-Family Residential Zone Permit Requirements							
	P = Permitted By Right A = Permitted as Accessory Use MUP = Minor Use Permit CUP = Conditional Use Permit — = Not Allowed							
Land Use	R-1	R-1A	R-1B	R-1D	R-1E	R-1F	R-2	Specific Use Regulations
Residential Uses								

EXHIBIT A

Single-Family Dwellings	P	P	P	P	P	P	P	See Table 7-2 (Article 7) for Site Plan Review Requirements. See 19.10.050 for R-1D zone special requirements. See 19.10.080 (Manufactured Homes)
Multi-Family Dwellings	—	—	—	—	—	—	—	
Two-Family Dwellings (Duplex)	—	—	—	—	—	—	P	
Mobile Housing Unit	—	—	—	—	—	—	—	
Second Accessory Dwelling Unit	A	A	A	A	A	A	A	See 19.60.160 (Second Accessory Dwelling Units)
Care Uses								
Child Care Home - Large Family	A	A	A	A	A	A	A	See 19.60.100 (Large and Small Family Child Day Care Facilities)
Child Care Home - Small Family	A	A	A	A	A	A	A	
Day Care General - 15 or more children	—	—	—	—	—	—	—	
Agriculture and Animal-Related								
Animal Keeping	A	A	A	A	A	A	A	As regulated by Title 8 (Animals) of the Municipal Code

EXHIBIT A

Horse Keeping	—	—	—	MUP	A	A	—	See 19.60.080 (Horse Keeping)
Horticulture - Private	A	A	A	A	A	A	A	
Other Uses								
Accessory Structures and Uses	A	A	A	A	A	A	A	See 19.60.020 (Accessory Uses)
Educational Institution - Private	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Golf Course, Country Club	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Home Occupations	A	A	A	A	A	A	A	See 19.60.070 (Home Occupations)
Places of Religious Assembly	CUP	CUP	CUP	CUP	CUP	CUP	CUP	See 19.60.140 (Places of Religious Assembly)
Recreational Vehicle Parking (Open/outdoor parking)	A	A	A	A	A	A	A	See 19.38.160 (Recreational Vehicle Parking in Residential Zones)
Temporary Uses	See Chapter 19.124 (Temporary Use Permits)							
Utilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	

EXHIBIT A

TABLE 2-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR MULTI- FAMILY RESIDENTIAL ZONES		P = Permitted by Right A = Permitted as Accessory Use MUP = Minor Use Permit CUP = Conditional Use Permit — = Not Allowed		
Land Use	R-3	R-4	R- MH	Specific Use Regulations
Residential Uses				
Single-Family Dwellings	P	P	—	See 19.10.080 for Manufactured Housing.
Multi-Family Dwellings	P	P	—	
Two-Family Dwellings (Duplex)	P	P	—	
Mobile Homes	—	—	P	Applies to establishment of a single mobile home in an existing mobile home park
Mobile Home Parks			CUP	Applies to establishment of a new mobile home park
Care Uses				
Child Care Home - Large Family	—	—	—	See 19.60.100 (Large and Small Family Child Day Care Facilities)
Child Care Home - Small Family	A	A	A	
Day Care Facility - 15 or more	CUP	CUP	—	
Residential Care	CUP	CUP	—	

EXHIBIT A

Facilities				
Agriculture and Animal-Related				
Animal Keeping	A	A	A	As regulated by Title 8 (Animals) of the Municipal Code.
Horticulture - Private	A	A	A	
Other Uses				
Accessory Structures and Uses	A	A	A	See 19.60.020 (Accessory Uses) See 19.60.160 (Accessory Dwelling Unit)
Educational Facilities - Private	CUP	CUP	CUP	
Golf Course, Country Club	CUP	CUP	CUP	
Home Occupations	A	A	A	See 19.60.070 (Home Occupations)
Places of Religious Assembly	CUP	CUP	CUP	See 19.60.140 (Places of Religious Assembly)
Recreational Vehicle Parking (open/outdoor parking)	—	—	A	See 19.38.160 (Recreational Vehicle Parking in Residential Zones)
Temporary Uses	See Chapter 19.124 (Temporary Use Permits)			
Utilities	CUP	CUP	CUP	

EXHIBIT A

19.38.050 - Off-street parking space requirements

TABLE 3-4 OFF-STREET PARKING REQUIREMENTS RESIDENTIAL USES	
Land Use	Parking Spaces Required
Single-Family Dwellings (Attached and Detached) and Two-Family Dwellings	2 per dwelling unit in a garage for units with up to 4 bedrooms; 3 per dwelling unit in a garage for units with 5 or more bedrooms. See also 19.38.050(I).
Second Accessory Dwelling Unit	1 per second accessory dwelling unit; a minimum of 2 enclosed per site a minimum of 2 – 3 enclosed parking spaces within a garage is required depending upon total number of bedrooms on the property (in association with primary unit).
Multi-Family Dwellings	2 per unit in a garage, plus overflow and guest parking as follows: 1 overflow parking space per each 4 units 1 guest parking space per each 4 units See also 19.38.050(F) and (I).
Mobile Home Parks	1 per mobile home space plus 1 for each mobile home space for guest parking; guest parking to be separate from mobile home spaces
Live/Work Units	2 spaces per unit in a garage plus customer parking as determined through the Conditional Use Permit.
Senior Housing (when restricted to age 62 and older)	1 space per 1-bedroom unit. 2 spaces for each 2-bedroom unit.
Conversions of Existing Covered Parking Spaces for Single-Unit Dwelling	2 per unit in garage
Large and Small Family Child Day Care Facilities	Spaces required for dwelling unit only, plus 1 per each permanent non-resident employee

EXHIBIT A

19.60.160 – Second **Accessory** dwelling units.

- A. Purpose. This Section provides locational, developmental, and operational standards for ~~second~~ **accessory** dwelling units.
- B. Applicability. The provisions in this Section shall apply to ~~second~~ **accessory** dwelling units as defined in Article 9 and where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development Standards) and the following standards.
- C. City standards. A ~~second~~ **accessory** dwelling unit as authorized by Government Code Section 65852.2 shall comply with all of the following locational and developmental standards:
 - 1. The ~~second~~ **accessory** dwelling unit shall comply with all of the development standards applicable to the specific residential zone in which it is located.
 - 2. ***The lot is zone for single-family or multifamily use and contains an existing, single-family dwelling.***
 - 3. The parcel proposed for the ~~second~~ **accessory** dwelling unit shall contain a minimum of 6,000 square feet, ***unless the accessory dwelling unit is located entirely within an existing structure.***
 - 4. Either the primary unit or the ~~second~~ **accessory** dwelling unit shall be occupied as a primary residence by the property owner.
 - 5. There shall not be more than one ~~second~~ **accessory** dwelling unit on each parcel.
 - 6. The ~~second~~ **accessory** dwelling unit shall be physically attached to the primary residence ~~and shall be designed so that it can revert back to being used as an integral portion of the attached single-family residence in the event that the unit is no longer used as a second dwelling unit~~ ***or located within the living area of the primary residence or detached from the primary residence and located on the same lot as the primary residence.***
 - 7. Colors, materials, roof form, windows, and window trim shall match those of the primary structure.
 - 8. The ~~attached~~ ~~second~~ **accessory** dwelling unit shall be designed to maintain the appearance of a single-family dwelling.
 - 9. The maximum floor area of the ~~second~~ **accessory** dwelling unit shall comply with the following:
 - a. ~~The maximum floor area of the second dwelling unit shall not exceed 700 square feet.~~ ***Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 400 square feet, for lot sizes up to 10,000 square feet.***

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- ~~b. The maximum floor area of the second dwelling unit may be allowed to increase up to 1,200 square feet, provided the unit is deed restricted to be affordable to low-income households. **Attached or detached accessory dwelling units, shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 700 square feet, for lot sizes greater than 10,000 square feet.**~~
- 10. **An accessory dwelling unit shall not contain more than one bedroom, which shall comply with the minimum bedroom size required by the Building Code.** ~~The maximum number of allowable bedrooms within the second dwelling unit shall comply with the following:~~
 - ~~a. The second dwelling unit shall not contain more than two bedrooms, which shall comply with the minimum bedroom size required by this Development Code.~~
 - ~~b. A maximum of three bedrooms shall be allowed for second dwelling units over 700 square feet in size, when deed restricted to be affordable to low-income households.~~
- 11. In addition to all other required off-street parking, there shall be at least one additional off-street parking space for the second **accessory** dwelling unit. The parking space may be uncovered and may be in tandem with the existing off-street parking facilities. **However, these parking standards shall not be imposed on accessory units in any of the following instances:**
 - a. The accessory dwelling unit is located within one-half mile of public transit. Public transit is hereafter defined as a "Major Transit Stop", pursuant to Public Resources Code 21094.5.5.**
 - b. The accessory dwelling unit is located within an architecturally and historically significant historic district.**
 - c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.**
 - d. When on-street parking permits are required but not offered to the occupancy of the accessory dwelling unit.**
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.**
- 12. At the time that the second **accessory** dwelling unit is assigned a street address, it may be given the primary residential numerical address with the alphabetical letter "A" following the numerical designation.
- 13. All gas, sewer, water, and other utility hook-ups shall be part of the primary dwelling unit.
- 14. **Approval by the local health officer where a private sewage disposal system is being used, if required.**

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15. The second **accessory** dwelling unit shall comply with all building, safety, fire and health codes, and all other applicable laws and regulations.
16. A site plan **Conceptual development plans** and elevations shall be subject to Site Plan and Design Review before the issuance of any Building Permits for the second **accessory** dwelling unit in compliance with Chapter 19.122 (Site Plan and Design Review).
17. A deed restriction, in a form satisfactory to the City Attorney, shall be recorded with the County Recorder to evidence and give notice of the requirements of this Section, and a conformed copy submitted to the City before final building (occupancy) approval.
18. A yearly administrative hearing and/or inspection, if warranted, shall be held by the Director to ensure compliance with all applicable conditions, standards, and terms.

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19.160.020 - "A" definitions.

Accessory Dwelling Unit. See "Dwelling Unit."

Accessory Use. See "Use."

Accessory Building or Structure. A structure that is physically detached from, secondary and incidental to, and commonly associated with the primary structure, and as may be further defined by the Building Code as requiring a Building Permit.

Acupuncture. A form of medical treatment involving the use of pressure, needles, or similar applications.

Administrative Variance. See "Variance."

Adult-Oriented Businesses. See Chapter 19.62 (Adult Business Uses).

Agriculture. All methods of production and management of crops, vegetation, and soil. This includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting and marketing. Horticulture is not included.

Alcohol Sales, Off-Sale. Any establishment in which alcoholic beverages are sold, served, or given away for consumption off the premises. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Alcohol Sales, On-Sale. Any establishment in which alcoholic beverages are sold, served, or given away for consumption on the premises and which is applying for or has obtained any ABC Licenses for on-site consumption. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Alcohol Sales, On-Sale, Accessory Only. Any establishment that has all of the following characteristics:

- A. Alcoholic beverages are sold, served, or given away for consumption on site.
- B. The establishment will sell or sells alcoholic beverages only as an accessory use to a commercial recreation use. Examples include snack bars and concession stands at facilities sport venues (e.g., baseball, football, rugby, soccer, etc.). For the purposes of this definition, a snack bar or concession stand is an establishment that sells confections, snacks, or other light meals for consumption on-site and that provides no inside seating or drive-through service for customers.

Alley. A public thoroughfare or lane (not more than 30 feet wide) that affords only a secondary means of access to abutting property (see Figure 9-1).

Amateur Radio Antenna. An amateur radio antenna is an antenna at a height and dimension sufficient to accommodate amateur radio service communications in compliance with Part 97 of Title 47 of the Code of Federal Regulations (or successor regulations).

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Ambulance Fleet Services. A base facility where ambulances and similar vehicles are parked and from which they are dispatched, and/or where ambulance vehicles and crews are not based at a hospital or fire department stand by for emergency calls.

Amendment. A change in the wording, context, or substance of this Development Code, or a change in the zone boundaries upon the zoning map which is a part of this Title, in the manner prescribed by the Development Code.

Animal Hospital/Clinic. See "Veterinary Services."

Animal Keeping. The keeping of domestic animals cared for and owned by the occupants of the residential property in accordance with the provisions of Title 8 of the Duarte Municipal Code.

Animal Sales and Services:

- **Animal Boarding/Kennels.** The commercial provision of shelter and care for dogs, cats, other household animals, and horses (where allowed), including activities associated with such shelter and care (e.g., feeding, exercising, grooming, and incidental medical care).
- **Animal Grooming.** The commercial provision of bathing and trimming services for dogs, cats, and other household animals permitted by this Development Code. Overnight boarding is not allowed.
- **Animal Retail Sales.** The retail sales of household animals within an entirely enclosed building. These uses include grooming, if incidental to the retail use, but specifically excludes boarding of animals other than those for sale.

Antenna Tower. See "Wireless Telecommunications Facilities."

Apiary. A facility where beehives of honey bees are housed (also known as a bee yard).

ARB. See "Architectural Review Board."

Arcade (Electronic Game Center). An establishment that provides more than four amusement devices, whether or not the devices constitute the primary use or an accessory or incidental use of the premises. Amusement devices mean an electronic or mechanical equipment, game, or machine that is played or used for amusement, which, when so played or used involves skill and which is activated by coin, key, or token, or for which the player or user pays money for the privilege of playing or using. See also "Internet/Cyber Cafe."

Architectural Review Board. The Architectural Review Board (ARB) of the City of Duarte.

Area Median Income. The median household income for Los Angeles County as provided by Section 50093(c) of the California Health and Safety Code.

Artist Studios. See "Studio - Art, Dance, Martial Arts, Music."

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Assembly/Meeting Facilities, Public or Private. A facility for public or private assembly and meetings, exclusive of "Places of Religious Assembly," which is defined separately. Examples of these uses include:

- banquet rooms
- civic and private auditoriums
- community centers
- conference/convention facilities
- meeting halls for clubs and other membership organizations

ATM (Automated Teller Machine). An automated device used by the public to conduct banking and financial transactions electronically (i.e., withdrawing cash from, or depositing cash or checks into, a bank, savings, credit union, credit card or similar account). Does not apply to retail point-of-sale transactions within a fully enclosed location. Also refers to machines located on properties separate from financial institutions.

Attic. The area located between the top plate and the roof or ridge of a building, as further defined in the Building Code (see Figure 9-2).

Auto Repair. See "Vehicle Repair and Service."

Auto Service or Servicing. See "Vehicle Repair and Service."

Auto Accessory Service. See "Vehicle Repair and Service."

Automatic Controller. A mechanical or solid-state irrigation system timer capable of operating irrigation valve stations to set the days and length of time of a water application.

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19.160.050 - "D" definitions.

Day Care, General. Establishments that provide nonmedical care for 15 or more persons on a less than a 24-hour basis, including nursery schools, preschools, and day care centers for children or adults. Such use must comply with all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a General Day Care facility. General Day Care establishments may be accessory to an industrial, commercial or institutional use, as may be allowed by Article 2 of this Development Code.

Day Care, Limited. Nonresidential, nonmedical care and supervision of 14 or fewer persons on a less than 24-hour basis.

- **Child Day Care:**
 - **Child Care Home, Small Family (8 or fewer children).** Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. Such use must comply all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a small family child care home.
 - **Child Care Home, Large Family (9 to 14 children).** Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for nine to 14 children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. Such use must comply all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a large family child care home.
 - **Fifteen or more children.** See "Day Care, General" for facilities serving 15 or more children.
- **Adult Day Care.** See "Day Care, General."

Developer. Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks city permits or approvals for all or part of a development.

Development Agreement. Means an agreement entered into between the city and a developer pursuant to Section 65864 of the California Government Code.

Discretionary Approval.

1. Any entitlement or approval required by Title 18 or Title 19 of this code, including but not limited to, conditional use permit, variance, and subdivision map, or

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2. Architectural design review approval, if no other entitlement or approval is required by Title 18 or Title 19 of this code.

Donation Box. A bin, storage shed, or similar facility measuring no more than eight feet wide by eight feet long and eight feet high, and established as an accessory use to a primary use for the purpose of providing a collection location for donated clothes, shoes, and small household items. Such facilities generally are established by a charitable or non-profit organization.

Drive-Through or Drive-Up Facilities. An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Examples include fast food restaurants, banks, and pharmacies.

Drip Irrigation. A method of micro-irrigation wherein water is applied to the soil surface as drops or small streams through emitters.

Drought-tolerant Plants. Plants that require less water because they are adapted to regions with frequent drought or to soils with low water-holding capacity.

Dwelling. A structure or portion thereof designed exclusively for permanent residential purposes, but not including hotels, motels, emergency shelters, or extended stay locations.

- ***Accessory Dwelling Unit. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as an existing qualified primary dwelling unit is situated.***
- **Dwelling Unit.** Any structure or portion thereof designed for living and sleeping purposes that contains independent cooking and sanitation facilities.
- **Multi-Family Dwelling Unit.** A structure or portion thereof containing three or more dwelling units designed for the independent occupancy of three or more households.
- **Primary Dwelling Unit.** An existing single-unit residential structure on a single lot with provisions for living, sleeping, eating, a single kitchen for cooking, and sanitation facilities, and occupied by one household.
- **Single-Family Dwelling Unit.** A detached structure containing no more than one dwelling unit which, regardless of form of ownership, is designed and/or used to house not more than one household, including all domestic employees for such household.
- ~~Second Dwelling Unit. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as an existing qualified primary dwelling unit is situated.~~

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- Two-Family Dwelling (Duplex) Unit. A building containing two complete dwelling units designed for the independent occupancy of two households.
- See also "Manufactured Housing" and "Mobile Housing Unit."

19.160.200 - "S" definitions.

Schools, Public and Private. A public or private academic educational institution, including boarding schools; colleges and universities; elementary, middle/junior, and high schools; military academies; and businesses providing instruction in arts and languages. This definition does not include trade schools or non-tuition part-time instruction at places of religious assembly. See "Education Facility."

~~Second Dwelling Unit. "See "Dwelling Unit."~~

Secondary Use. See "Use."

Secondhand Store. A business involved in the retail sale of used goods and merchandise, whereby the sale of such used goods and merchandise comprise 25 percent or more of total monthly sales volume. This definition does not include pawn shops.

Self-service Display. The display or storage of products in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

Senior Citizen. Generally, any person 62 years of age or older. However, for purposes of any State or federal housing programs, the age may be 55 years or older.

Sensitive Use. See "Use."

Setback. The distance from which a structure, parking area, or other development feature must be separated from a prescribed lot line, easement, or other structure or development feature (see Figure 9-7)

- Front Setback. The minimum distance required between a structure and the front property line.
- Primary Building Line. That portion of the front yard area defined by the space between the front property line and the entire building frontage of the primary structure, whether or not all facade portions of the primary structure coincide with the front setback line (see Figure 9-7).
- Side Setback. The minimum distance required between a structure and a side property line.

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- **Rear Setback.** The minimum distance required between a structure and the rear property line.

Shopping Center. Commercial sites that are primarily retail with two or more separate businesses managed as a total entity and sharing common access, circulation, signage and pedestrian and parking areas so that a public right-of-way does not need to be used to get from business to another. General guidelines follow, but the Director may make a determination on a case-by-case basis.

- **Neighborhood.** A shopping center that provides a limited number of frequent or recurrently needed personal items or services for residents in an immediate neighborhood that generally has up to 100,000 square feet of combined gross leasable area, without a significant anchor store, and draws its clientele from a five-minute driving radius from the center.
- **Community.** A shopping center that provides a variety of retail or personal services for patrons that contains approximately 100,000 to 250,000 square feet of combined gross leasable area, may have up to two anchor stores, has a site of 5 or more acres, and draws its clientele from about a 10-minute drive from the center.
- **Regional.** A shopping center that contains a wide range of retail and service establishments, including at least three anchor stores, having at least 250,000 square feet of combined gross leasable space, and draws its clientele from as much as a 45 minute drive from the center.

Sign. See Chapter 19.42 (Signs).

Single-family Dwelling. See "Dwelling, Single-family."

Site. A lot or group of contiguous lots not divided by any alley, street, other right-of-way or city limit that is proposed for development in accord with the provisions of this Development Code, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Special Events and Temporary Uses. Any activity of limited duration that is permitted through the issuance of a Temporary Use Permit, see Chapter 19.124 (Temporary Use Permits). This definition includes carnivals, farmers' markets, seasonal sales, and promotional events.

Specific Plan. Under Article 8 of the Government Code (Section 65450 et seq.), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s).

Static water pressure. The pipeline or municipal water supply pressure when water is not flowing.

Storage:

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- Storage—Accessory. The indoor storage of materials accessory and incidental to the primary use is not considered a land use separate from the primary use.
- Storage—Outdoor. The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.
- Storage—Personal Storage Facility. See "Personal Storage."

Story. The portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. See also "Basement" and "Attic."

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground (see Figure 9-8), except for walls and fences.

- Accessory Structure. See "Accessory Structure."
- Attached Structure. Any structure that has a wall or roof in common with another structure.
- Primary Structure. A structure that is conducted as the primary or predominant use of the lot and/or building site.

Studio - Art, Dance, Martial Arts, Music. Small-scale instructional facilities, typically accommodating one group of students at a time, in no more than one instructional space. Examples include: individual and group instruction and training in the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction. Also includes production studios for individual filmmakers, musicians, painters, sculptors, photographers, and other artists. These uses may also include accessory retail sales of products related to the services provided.

Substantial Rehabilitation or Substantially Rehabilitated. The substantial rehabilitation of a dwelling unit(s) as defined in Section 33413(b)(2)(iv) of the California Health and Safety Code.

Supermarket. A self-service grocery and associated consumer goods store divided into departments and also offering prepared foods and food service. May include secondary uses within the store for visitor convenience, such as banking services, retail sales of non-food items, and a pharmacy,

Swap Meet. Any event at which two or more persons offer personal property, new and/or used, for sale or exchange and at which a fee is charged for the privilege of offering or displaying personal property for sale or exchange, and/or at which a fee is generally charged to prospective buyers for admission to the area where personal property is offered or displayed for sale or exchange.

(Ord. No. 852, § 5, 8-26-2014)

ORDINANCE NO. 17-O-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA AMENDING SECTIONS 19.10.020.A (Table 2-1 and Table 2-2) ALLOWED USES AND PERMIT REQUIREMENTS FOR SINGLE FAMILY AND MULTIFAMILY ZONES; 19.38.050.A (TABLE 3-4) OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES; 19.60.160 SECOND DWELLING UNITS; AND MODIFICATIONS TO DEFINITIONS IN SECTIONS 19.160.020, 19.160.050 AND 19.160.200 OF THE DUARTE DEVELOPMENT CODE RELATING TO THE REGULATIONS AND APPROVAL OF ACCESSORY (SECOND) DWELLING UNITS WITHIN THE CITY OF DUARTE

WHEREAS, the City of Duarte ("City") seeks to ensure that the City's zoning laws are consistent with the goals, policies and standards set forth in the City's General Plan, federal law, and state law as it relates to the regulation and approval of second dwelling units within the City; and

WHEREAS, on September 27, 2016, Governor Brown approved California Assembly Bill 2299 ("AB 2299") and California Senate Bill 1069 ("SB 1069"), which change the manner in which second dwelling units (now called "accessory dwelling units") must be regulated and processed by local agencies;

WHEREAS, effective January 1, 2017, AB 2299 and SB 1069, codified at Gov. Code §§ 65852.2, 65582.1, 65583.1, 65589.4, 65852.150, and 66412.2, adopt new requirements for local agencies' regulation of accessory dwelling units and approval of applications for accessory dwelling units; and

WHEREAS, AB 2299 and SB 1069 further provide that in the event a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of the new legislation, any conflicting provisions shall be null and void upon January 1, 2017, unless and until the agency adopts an ordinance that complies with AB 2299 and SB 1069; and

WHEREAS, the proposed amendments to the Duarte Development Code are intended to ensure the City's procedural and substantive requirements for accessory dwelling units are consistent with the above-described recent changes to State law; and

WHEREAS, after the duly noticed public hearing, held on February 21, 2017, the Planning Commission adopted Resolution No. PC 17-08 recommending the City Council adopt and approve the proposed code amendments; and

WHEREAS, the proposed amendments to the Duarte Municipal Code are set forth in the attached Exhibit A to this Ordinance (the "Code Amendments")

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Recitals. The foregoing recitals are true and correct and are incorporated herein as through set forth in full.

SECTION 2: Adoption. Sections 19.10.020.A (Table 2-1 and Tale 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code are hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 3: No Changes to Permitted Uses/Density. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City's Zoning Code and General Plan.

SECTION 4: CEQA Determination. In adopting this Ordinance, the City Council finds that the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Sections 15061(b)(3); 15303; 15332; and 15378, in that it can be seen with certainty that the adoption of the Development Code amendments propose no activity that may have a significant effect on the environment and will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; pertain to new construction or conversion of small structures; and would qualify as infill development.

SECTION 5: Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

SECTION 6: Effective Date. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 7: Within fifteen (15) days of the date of adoption of this Ordinance, the City Clerk shall post a copy of said Ordinance in places designated for such posting and shall certify to the same. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be published as required by law.

PASSED AND APPROVED on this ____ day of _____, 2017.

Mayor Margaret Finlay

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

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance No. was adopted by the City Council of said City of Duarte at a regular meeting of said Council held on the day of , 2017, by the following Roll Call vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California



CITY COUNCIL STAFF REPORT

Date: January 10, 2017

To: Mayor and Duarte City Council

From: Kristen Johnston, Associate Planner

Subject: **MUNICIPAL CODE AMENDMENT 16-05:** A City initiated request to amend Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code related to the regulation and approval of accessory (second) dwelling units within the City of Duarte.

SUMMARY

The State's Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of second units in single-family and multi-family residential zones, as specified.

The Duarte Development Code (DDC) provides development standards (Section 19.60.160) for property owners to construct accessory (second) dwelling units, with the intent of providing an alternative housing option for residents. The current development standards for accessory (second) dwelling units allow for their construction within single-family zones, subject to certain development standards, which do not meet all of the requirements of two recently approved laws relating to accessory dwelling units: Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069").

At the December 19, 2016 meeting, the Planning Commission unanimously approved Resolution PC 16-16 and recommended that the City Council adopt the proposed ordinance 17-O-01 regarding accessory (second) dwelling units.

BACKGROUND

On September 27, 2016, Governor Brown approved Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069"), which replace the term "second unit" with "accessory dwelling unit," and place concrete limitations on the restrictions local agencies can place on accessory dwelling units within their jurisdictions, to those expressly enumerated in and allowed by AB 2299 and SB 1069. Moreover, these bills require ministerial, nondiscretionary approval of accessory dwelling units. They also specify that a local agency may reduce or eliminate parking requirements for

any accessory dwelling unit located within its jurisdiction, and delineate circumstances under which parking standards may not be imposed.

As currently written, the City's Second Dwelling Unit Ordinance (Section 19.60.160) does not meet the requirements of this new legislation. These new bills provide that in the event a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of the new legislation, that ordinance shall become null and void upon the effective date of the bills, and that agency shall thereafter apply the standards established in AB 2299 and SB 1069 for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section. AB 2299 and SB 1069 become effective on January 1, 2017.

ANALYSIS

The State of California recognizes the statewide housing crisis and has adopted accessory dwelling unit legislation (AB 2299 and SB 1069) to address these concerns. The accessory dwelling law imposes standards intended to create greater flexibility and to encourage the construction of affordable housing.

The City has allowed accessory (second) units since the adoption of Ordinance 686 in 1991. Since that time, approximately ten second units have been permitted. Subsequent revisions to the City's Zoning (Development) Code have maintained the same development standards and requirements for these types of units. A majority of the development standards applicable to accessory units will remain unchanged from current regulations, including a requirement that the property owner occupy either the primary or accessory dwelling unit. The following sections provide further discussion on the areas of the accessory dwelling unit development standards being amended by MCA 16-05 in order to meet the new State laws.

Development Standards

The Duarte Development Code currently allows for attached accessory (second) dwelling units on properties zoned for single-family residences, up to 700 square feet and designed so that the unit can revert back to being used as an integral portion of the main residence in the event that the unit is no longer used as an accessory (second) dwelling unit. Income-restricted units were previously allowed up to 1,200 square feet with a deed restriction for low-income households.

Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069") require cities to modify their current zoning ordinances to permit accessory (second) dwelling units in all single-family and multi-family residential zones (which contains an existing single-family house). Staff proposes modifying the current development standards to permit both detached and attached accessory (second) dwelling units, not to exceed fifty percent of the total floor area, excluding garages, up to a maximum of 400 square feet. This will allow property owners an alternative housing option for relatives or renters, in a reasonably sized dwelling unit that minimizes impacts and poses only small increases to land use intensity within existing neighborhoods. Furthermore, the proposed square footage (400 square feet) is considered to be viable since average lot sizes within the city are relatively small (most properties range between 5,500-7,500 square feet); the accessory unit size is relative to the typical square footage of a detached garage (400 square feet), offers property owners an option to legalize illegally converted detached structures to legal

accessory (second) dwelling units; and provides the ability for property owners to construct an accessory unit while complying with other required development standards, such as minimum setbacks between other structures and property lines, parking and lot coverage requirements.

Another modification to our current accessory dwelling unit regulations relate to approximately 100 to 200 homes within the City that remain on private sewage disposal systems. Staff has added a development standard that requires the local health officer to review accessory (second) dwelling units to ensure proper private sewage system sizing.

Parking

Off-street parking requirements for accessory (second) dwelling units currently require one additional space for the unit, in addition to maintaining required parking associated with the existing residence. Staff recommends that this requirement remain, in order to reduce on-street parking. However, additional off-street parking requirements for accessory (second) dwelling units would not be required for the following exceptions, based upon the new State laws: (a) the accessory dwelling unit is located within one-half mile of public transit, which is defined as a major transit stop such as the Duarte Gold Line Station or future high quality transit stops; (b) the accessory dwelling unit is located within an architecturally and historically significant historic district; (c) the accessory dwelling unit is part of the existing primary residence or an existing accessory structure; (d) when on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; and (e) when there is a car share vehicle located within one block of the accessory dwelling unit.

Other Modifications

In addition to the modifications to the development standards for accessory (second) dwelling units and off-street parking requirements, MCA 16-05 changes all references to "second" dwelling units with "accessory" dwelling units, and modifies the definitions in Sections 19.160.020, 19.160.050, and 19.160.200, to address the same (Exhibit A).

RECOMMENDATION

It is recommended that the City Council introduce and hold a first reading of proposed Ordinance 17-O-01 (Exhibit B); amending Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code.

ATTACHMENTS

- Exhibit A: Duarte Development Code Sections: 19.10.020.A (Table 2-1 and Table 2-2), 19.38.050.A (Table 3-4), 19.60.160, 19.160.020, 19.160.050, and 19.160.200
- Exhibit B: Ordinance No. 17-O-01

FEBRUARY 26 - MARCH 4, 2017

Legal Notice

Legal Notice

Legal Notice

Legal Notice

**CITY COUNCIL
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to State Law, the City Council of the City of Duarte will hold a Public Hearing at 7:00 p.m., on Tuesday, March 14, 2017 in Council Chambers, 1600 Huntington Drive, Duarte, California, to consider the following:

General Plan Amendment (GPA 16-01); Zone Change (ZC 16-01); Tentative Tract Map 74365; Planned Development Permit (PDP 16-01); and Site Plan and Design Review (SPDR 16-22): A request by Tipping Investment, LLC. for approval to construct an 18-unit, owner-occupied, two-story townhome project that includes the removal of the existing Third Street Park, and the relocation and complete reconstruction of a new Third Street Park at southwest corner of Oak Avenue and Third Street. The project requires multiple entitlements, including: a General Plan Amendment to modify the current land use designation from Public Facility and Open Space to Medium Density Residential and Open Space; a Zone Change to replace PF, Public Facility and O, Open Space zones with R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning; the subdivision of an 1.65 acre parcel into 21 parcels (18 residential lots, one common lot for the benefit of the development, a lot for the relocation of Third Street park, and a separate lot for future quitclaim to an adjacent property owner); a Planned Development Permit to allow customized development standards that provide for flexibility with proposed development projects under limited and unique circumstances; and a Site Plan and Design Review for the proposed architectural design of the two-story, multi-family development. On February 13, the Architectural Review Board recommended approval of Site Plan and Design Review 16-22 and Planned Development Permit 16-01; and the Parks and Recreation Commission recommended approval of the design and layout of the proposed park. On February 21, the Planning Commission held a public hearing and recommended (4-1) City Council approval of GPA, ZC and PDP 16-01, Tentative Tract Map 74365, SPDR 16-22 and the associated Mitigated Negative Declaration and Mitigation Monitoring Program.

In accordance with the California Environmental Quality Act (CEQA) Sections 21000-21177 and pursuant to CEQA Guidelines Sections 15063, the City is required to prepare an Initial Study to determine if the proposed project would have a significant environmental impact. An Initial Study was prepared for the project and determined that a Mitigated Negative Declaration is required, indicating that the proposed project would not have any significant environmental impacts with adopted mitigation measures. Implementation of these mitigation measures are expected to reduce identified potentially significant impacts to a level of less than significant as required by CEQA.

Any interested party may appear in person, or by agent, and be heard. If this matter is challenged in Court, there will be a limit to only those issues that were raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing. Written correspondence may be sent to Duarte City Hall, City Clerk's Office, at 1600 Huntington Drive, Duarte, CA 91010.

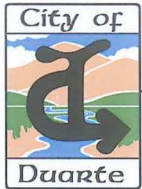
For further information regarding this application, please contact Kristen Johnston, Associate Planner in the Community Development Department, 1600 Huntington Drive, Duarte, CA., 91010, Monday through Thursday at (626) 357-7931, ext. 238, between the hours of 7:30 a.m. and 6:00 p.m.

Marla Akana, City Clerk

PUBLISH: Duartean - Saturday, March 4, 2017
POSTED: Duarte City Hall, Duarte Public Safety Office, Duarte Library, March 2, 2017

Para información en Español, favor de llamar a City Hall de Duarte, (626) 357-7931.

Published: Duartean Mar 4, 2017 Ad#910059



CITY COUNCIL STAFF REPORT

Date: March 14, 2017

To: Mayor and Duarte City Council

From: Kristen Johnston, Associate Planner

Subject: **General Plan Amendment (GPA 16-01); Zone Change (ZC 16-01); Tentative Tract Map 74365; Planned Development Permit (PDP 16-01); Site Plan Design Review (SPDR 16-22) and associated Mitigated Negative Declaration:** A request by Tipping Investments, LLC to demolish existing buildings and site work and allow the construction of an 18-unit, owner-occupied, two-story townhome project that includes the relocation and complete reconstruction of Third Street Park, at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street).

SUMMARY

The proposed project is a partnership project between the City of Duarte and Tipping Investments, LLC. The project site is 71,730 square feet (1.65 acres) and includes the existing Third Street Park, two buildings at 1101 Oak Avenue and 1634-1640 Third Street, and associated parking lots. The project proposes the demolition of all existing buildings and associated parking areas, relocation of the existing Third Street Park to the southwest corner of Third Street and Oak Avenue, the complete reconstruction of Third Street Park, and the construction of 18 residential units.

The project was reviewed by the Architectural Review Board (ARB) for design review and a planned development permit (PDP), as well as, the Parks and Recreation Commission for park design and layout. Both meetings were held on February 13, 2017 and received a recommendation to the Planning Commission and City Council.

On February 21, 2017, the Planning Commission reviewed the Architectural Review Board and Parks and Recreation Commission recommendation for the proposed project. After receiving public input, the Planning Commission debated the merits of the project and voted to recommend approval to the City Council.

BACKGROUND

The 71,730 square feet (1.65 acre) project site exists today as six (6) parcels with two (2) buildings. The properties are currently zoned Open Space (O) and Public Facility (PF). The westerly portion of the site is comprised of three (3) parcels, which contain the existing Third Street Park, 1634-1640 Third Street building, and associated parking lot. The building began as a warehouse and was later converted to the City's first City Hall. The Third Street building is

currently home to the Duarte Chamber of Commerce offices and was the former site of Duarte Montessori School. The easterly three (3) parcels contain the City's north yard and office building. The 1101 Oak Avenue building served as Cal-Am' Duarte field office for many years.

A Purchase and Sale Agreement was approved by the City Council on June 28, 2016, between Tipping Investments, LLC and the City (who owns the entire property). The agreement provided for the development of the site into a residential project using high-quality Spanish-colonial style architecture and the reconstruction or relocation of Third Street Park, in exchange for \$1.9 million. The significant reasons for the City's decision to sell this property were grounded in the condition of the existing buildings and the prospect of less than compatible uses (e.g. office, commercial or school) if the City were to have elected to rehabilitate the buildings. Prior to considering this agreement, the City ascertained the condition of the buildings. The building assessment showed that the site would need costly seismic, accessibility and architectural upgrades to make it marketable to future office, civic or school uses.

The project has had significant public outreach through the entitlement process. The neighborhood affected by the potential relocation of the park has been involved since early in the process, including two neighborhood meetings held in May 2015 and September 2016. At these meetings traffic, parking and park issues were raised as major topics of discussion. Most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography. These concepts have been integrated or addressed in the proposed park design. Traffic and on-street parking concerns were also discussed in the neighborhood meeting. Staff indicated that a traffic analysis that was being conducted by Albert Grover and Associates, and did not anticipate a significant impact on traffic. In addition, the restriction of on-street parking in front of the project was discussed by most of the attendees.

On February 13, 2017, the project received a recommendation for approval from the Architectural Review Board for Site Plan and Design Review 16-22 and PDP 16-01. On the same day, the Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk.

On February 21, 2017, at a duly noticed public hearing, the Planning Commission reviewed the Architectural Review Board and Parks and Recreation Commission recommendation for the proposed project. The Planning Commission's discussion of the project included: consideration of public input on views, sales price and street improvements; fire hydrant locations; partnership and sale agreement questions; tentative tract map processing – particularly Lot C; two-story townhomes compared to single-story, single-family residences; parking for the relocated park, ADA accessible entrance off Oak Avenue for the new park, river rock wall at the corner of the park, building height and views from adjacent properties to the south, and CEQA questions relating to the increase in demand for utilities and additional traffic congestion. After a

considerable amount of discussion, the Planning Commission voted 4-1-0 (Farra) to recommend City Council approval of General Plan Amendment, Zone Change and Planned Development Permit 16-01, Tentative Tract Map 74365, Site Plan and Design Review 16-22 and the associated Mitigated Negative Declaration and Mitigation Monitoring Program.

ANALYSIS

The applicant is proposing to remove all existing buildings (approximately 12,790 square feet); demolish all parking lots; remove, relocate and reconstruct Third Street Park to the south-east end of the project site at the corner of Third Street and Oak Avenue, and construct 18 owner-occupied, two-story attached residences (e.g. townhomes). The residences living area averages 1,616 square feet of floor area. All units will feature three bedrooms, 2 ½ baths, living and dining areas, and an attached two-car garage. The common area proposes 14 overflow and guest parking spaces, private yards and/or patios for 11 units and a 2,192 square-foot common open space located toward the center of the development. Proposed project density is 11 dwelling units per acre (du/ac).

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family townhome/condominium residences to the southwest; multi-family apartments to the northeast and southeast, and Fire Station #44 to the east of the subject property.

The proposed residential development requires a series of entitlement approvals in order to proceed, which include:

- General Plan Amendment (GPA 16-01) - modifying the current land use designation from Public Facility and Open Space to Medium Density Residential and Open Space;
- Zone Change (ZC 16-01) - replacing Public Facility (PF) zoning to R-3, Multi-Family Residential (Medium Density) and Open Space (OS) zoning;
- Tentative Tract Map 74365 – allowing the subdivision of six (6) existing parcels into 21 parcels to allow for the construction of an 18-unit, owner-occupied, two-story townhome project, park parcel, one common area lot, and a lot to be deeded to an abutting property;
- Planned Development Permit (PDP 16-01) - allowing customized development standards, that provide for flexibility with proposed development projects under limited and unique circumstances, in the following areas: front and rear setback, lot depth and common and private open space;
- Site Plan Design Review (SPDR 16-22) - reviewing building and site compatibility, architectural design and detail, and landscape, lighting and other aesthetic details; and
- Mitigated Negative Declaration (MND) - An associated environmental document reviewing the project's potential environmental impacts in compliance with the California Environmental Quality Act (CEQA). An MND was required based upon an Initial Study, indicating that the proposed project would not have any significant environmental impacts with adopted mitigation measures.

The following discussion further describes the required entitlements and highlights pertinent issues and topics related thereto.

General Plan Amendment

The proposed General Plan amendment would change the designations from Public Facility (PF) and Open Space (O) to Medium Density Residential (MDR) and Open Space (O) for all properties, except Lot C, as further described in the tract map section (below). Lot C would remain as a High Density Residential land use designation, which corresponds with the R-4 zoning associated with the senior apartment complex to the south of the project site. For the remaining five parcels involved in the subdivision, a PF designation is no longer necessary, since public buildings are being proposed for removal as a part of this project.

Medium Density Residential provides for denser multi-family dwelling developments and duplexes, up to 21 du/ac. Based upon historical records, project density is typically around 15 du/ac. This land use designation coincides with the R-3 zoning district.

The Open Space designation would apply to the easterly portion of the property that will be the location of the relocated Third Street Park. This designation allows recreational, park, and forest/wilderness land uses.

The recommended Medium Density Residential and Open Space General Plan designation would enable the this 18-unit residential project and park relocation to move forward, ensure land use compatibility with adjacent residential properties and assist in preserving the character of the existing residential neighborhood. If approved, the project site would be compatible with the high, medium and low-density residential land use designations for residential properties immediately to the north across Third Street, and properties to the east, south, and west.

Zone Change

Zoning on the project site would be changed from Public Facility (PF) and Open Space (O) to Multiple-Family Residential, Medium Density (R3) and Open Space (O) in conjunction with the General Plan Land Use designation amendments described above. This zone change would not affect the proposed Lot C, as further described in the tract map section (below). Lot C would remain as R-4, Multi-Family Residential (High Density) zoning associated with the senior apartment complex to the south of the project site. The assigned zoning classifications correspond to the General Plan Land Use designations described above.

The R-3 Multiple-Family (Medium Density) zone is established to accommodate residential development generally characterized by single structures or a collection of cohesive structures that house individual and/or multiple units, with common open space areas and amenities. The Open Space zone is established to set aside areas necessary to maintain and protect open space for the purpose of recreation.

Zoning classifications ensure that new and existing developments follow approved land uses and development standards assigned to each unique zone, such as density, scale, setbacks, height and open space. These standards help to define each zone and ensure new projects are compatible with adjacent uses.

Neighborhood Compatibility

The project density is 11 dwelling units per acre, which is well below the allowable maximum density of 21 dwelling units per acre for the R-3 zone. The properties to the north and west of the subject property are zoned for Single-family Residential (R-1) and Two-Family Residential (R-2), developed predominantly with single family residences and several smaller apartment buildings. Properties to the northeast and southeast are zoned Multiple-Family High Density (R-4) and include a large senior apartment facility and smaller duplex rental units. A 17-unit townhouse/PUD project is located directly south of the project site. Small lot single-family residential, zoned Duarte Gardens Specific Plan, is located to the southwest of the project. The Los Angeles County Fire Station #44 is located within the and Public Facility (P-F) zone to the east. The proposed 18-unit development and new park would be consistent with the surrounding uses and existing neighborhood; and replace office, school and municipal yard uses that are less than compatible with surrounding residential properties.

Tentative Tract Map

The Planning Commission has recommended that the City Council approve the proposed Tentative Tract Map. The site currently consists of six, City-owned, parcels, which contain two (2) buildings, Third Street Park, North City Yard and associated parking lots. The proposed project requires the subdivision of the existing site into 21 parcels, in order to create 18, owner-occupied parcels; a parcel dedicated to the City for the proposed relocation of the park (Lot A); one (1) common area parcel managed by a homeowner's association (Lot B); and Lot C. In addition to the tentative tract map, a lot line adjustment, shown as "Lot C", would need approval from the Community Development Director and City Engineer. Lot C involves the quitclaim of City-owned property south of the project site that currently contains an encroaching carport structure associated with the adjacent apartment development. The High Density Residential General Plan designation and R-4 zoning district would remain on Lot C, which corresponds with the existing residential density of the abutting apartment complex.

The tract map is intended to facilitate private property ownership in the residential project. Furthermore, the subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and fire access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. The developer will also be required to repair or reconstruct curbs, gutters and sidewalks around the development, including several unimproved street frontages on the north side of Third Street. Water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

Common areas that serve the entire development and managed by a future on-site homeowners' association, are located on the map as Lot B. These common areas will feature private driveways, designated as fire lanes; 14 guest parking spaces, internal walkways that link residences to the sidewalk along Third Street; landscaped pedestrian pathways throughout the development; and a centralized trash enclosure. A community recreation area, which includes a trellis cover, barbeque and walled seating area, is provided at the center of the project site.

Quimby (Park) Fees

Pursuant to Section 19.82 of the Duarte Development Code (DDC), as a condition of approval of a tentative tract map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, for park and recreational purposes. The amount of land to be dedicated or fees paid is based on the approved residential density of the project. An appraisal of the project was conducted early in the development process, which established the fair market value (FMV) of the land, per square foot. The in-lieu fee to be paid by the developer for the proposed subdivision is \$110,992.20. For your reference, the table below provides the calculation of the in-lieu fee.

Quimby In-Lieu Fee - 3rd and Oak	
Project Area	71,730 Sq. Ft. (1.65 acre)
Number of Units	18 units proposed
FMV Land - \$/Sq. Ft.	\$25.10
In-Lieu Ratio/Sq. Ft.	2,680 x 1.65 = 4,422
Quimby In-Lieu Fee	4,422 x \$25.10= \$110,992.20

Early in the process, rather than pay the in-lieu fee, the developer agreed to relocate and reconstruct Third Street Park with a high-quality, custom citrus-themed park. The developer's estimated cost for the complete reconstruction of the park is approximately \$172,000.00. The developer was receptive to this agreement, with the understanding that the park development costs may exceed the Quimby in-lieu fees; since the development would be allowed to use the deeper portion of the property (e.g. the current location of Third Street Park), while relocating the park to a more useable and visible location.

The proposed park provides many of the amenities the neighborhood had expressed during the neighborhood meetings held in May 2015 and September 2016. As shown on the tentative tract map, Lot A has been reserved for the proposed relocation and complete reconstruction of Third Street Park and is dedicated to the City for future ownership.

Planned Development Permit Process

Pursuant to Section 19.118 of the Duarte Development Code (DDC), a planned development permit (PDP) is required to allow for flexibility in development standards to create unique living environments through the efficient use of land, excellence of design, and/or provide for enhanced amenities and innovation in energy efficiency. This project contains PDP requests for several development standards: front and rear setbacks, lot depth and both private and common open space.

R-3 Zone Development Standards

With the rezoning of the property, the development will be required to comply with the R-3 zone development standards. The project meets all required development standards except for: 120-foot lot depth, 30-foot front setback and 20-foot rear setback. The project site maintains the existing lot depth range of 50 feet to 129 feet, proposes front setbacks in a range of 15 to 17-feet for all 16 units along third street, and a 10 to 12-foot rear setback for ten units.

A PDP is requested to allow for the non-conforming lot depth and requested setback reductions. As a part of the PDP, the development provides the following amenities and efficiencies. All 18-

units provide high-quality architecture, including the use of deep, recessed windows, Spanish tile accents, decorative iron work and a smooth-style stucco exterior. The 16-units with street frontage along Third Street provide an enhanced architectural streetscape, decorative colored concrete proposed for each entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each the unit. Setback concerns have been addressed by providing buffered private open space between all units that adjacent to existing residential uses.

Staff recommends that the applicant's request for a R-3 development standards PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, ranging from 50' to 129', there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Table A, provided below, show the development standards and requested deviations for the R-3, multiple-family residential zone standards.

Table A: R-3, Multiple-Family Residential Development Standards

Feature	Standard	Project Proposal	Analysis
Dwelling Units/Acre	21 units / acre		
Min. Lot Area Per Unit	1 unit / 2,074 sq. ft.	11 units per acre	<i>Complies</i>
Minimum Lot Size	9,000 sq. ft.	71,730 sq. ft.	<i>Complies</i>
Minimum Lot Width	80 ft.	Approx. 840 ft.	<i>Complies</i>
Minimum Lot Depth	120 ft.	50 ft. to 129 ft.	<i>Requires PDP</i>
Minimum Setbacks			
Front			
Third Street	30 ft.	12 ft. to 17 ft.	<i>Requires PDP</i>
Side			
(Third Street West P.L.)	5 ft.	10 ft. 2 in.	<i>Complies</i>
(Third Street East P.L.)	5 ft.	10 ft.	<i>Complies</i>
Rear	20 ft.	10 ft. to 12 ft.	<i>Requires PDP</i>
Height Limit	40' or 3 stories, whichever is less	30' max., 2 stories	<i>Complies</i>
Floor Area of Dwelling			
3 Bedroom	1,000 sq. ft.	1,584 sq. ft. to 1,674 sq. ft.	<i>Complies</i>
Lot Coverage	50%	29%	<i>Complies</i>
Parking			
Residence	2 / unit within a garage	36 spaces	<i>Complies</i>
Guest/Overflow	<u>1 guest and 1 overflow / 4 units</u>	<u>14 spaces</u>	
Total Required	45 spaces	50 spaces	

Open Space Plan

The applicant has requested an open space PDP due to unique dimensions and a shallow lot depth that restrict the ability to provide private yards for all units; and proximity to the new park and an enhanced, centralized common open space area.

The minimum required private open space area is 200 square feet per unit, which can include balconies, yards or decks. Private, ground-level, yards have been provided for 11 of the 18 lots, which range in size from 148 square feet to 592 square feet. The properties on the easterly portion of the site receive larger, private rear yards. The remaining seven units along Third Street, at the west end of the development do not provide private yards due to the unit location within the development. Units without private yards are a short distance to the common yard area.

The common area open space plan provides several enhanced elements, including: a large (2,192 sq. ft.) centralized recreation area which features a trellis covered seating and barbeque area, an accent Oak tree, and a walled and landscaped courtyard, buffered from Third Street and adjacent units; and internal paseos with decorative paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units.

Table B, shown below, provides a comparison of the private and common open space requirements and open space provided for the project.

Table B: Private and Common Open Space Requirements

	Minimum Required	Provided	Analysis
Private Open Space	200 sq. ft./unit Totaling 3,600 sq. ft.	3,118 sq. ft.	Reduction in <i>private</i> open space permitted w/ PDP approval
Common Open Space	200 sq. ft./unit or 3,600 sq. ft.	2,192 sq. ft. (useable common open space) & 1,550 sq. ft. (paseo's & enhanced walkways) <i>Combined 3,742 sq. ft.</i>	Reduction in <i>common</i> open space permitted w/ PDP approval
Overall Total	7,200 sq. ft.	6,860 sq. ft.	340 sq. ft. reduction

Site Plan and Design Review

Site Design and Architectural Style

Careful consideration has been integrated into this project to address compatibility with neighboring structures and to provide a high-quality design that provides unique and interesting architectural detail.

Comments from past neighborhood meetings included site plan and design concerns related to preserving portions of the southerly view from homes across the street from the project, massing and scale that complement the existing neighborhood, and the desire for a high-quality architectural design.

In working with the developer and architect, the site plan has been modified over time to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Architecturally, the development proposes a high-quality Spanish Colonial Revival design. All 18-units have distinct front entries with decorative colored stamped concrete. The proposed architectural style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finish, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, and wrought iron balconies and window covers. Additionally, Capistrano blend concrete roof tile and wood grain steel garage doors with a walnut finish bead board design are also proposed. Each unit will have dark bronze aluminum gutters to match the window trim color.

During the Planning Commission meeting held on February 21, 2017, property owners located at the development just south of the proposed project expressed concerns with the proposed building heights and loss of their views to the north. Staff analyzed the proposed project and took numerous site photos from the two developments located south of the project site to determine the level of view impacts potentially caused by the new development. Currently, the subject property is improved with a 9,000 square-foot building with no breaks in the building plane. Numerous trees are located along the property line wall and throughout the site including a large oak tree that limits views from properties to the south looking north. In Staff's opinion, the proposed site layout should improve existing views. The proposed project provides multiple view corridors between the proposed residences, ranging from 12 feet to 30 feet in width. Project architecture has also been proposed to create visual breaks in the roof lines and to provide window and material elements that create interest in the building.

In addition, the proposed setback from the south property line wall to the proposed residences will be approximately 40 feet. Landscaping will be planted along the property line between the two projects to provide an aesthetically pleasing boundary. The 40' setback and landscape edge will provide a significant separation between residential units and increase privacy between the two residential developments

Parking and Circulation

Two-car, attached garages have been provided for each of the eighteen units. Seventeen of the eighteen units maintain a vehicular free frontage, with access to all garages through four separate driveways which lead to the back/side/front of each unit. The eighteenth unit, located at the far east end of the project site, adjacent to the relocated park, will maintain vehicular access from Third Street. This unit has been designed so that the garage is recessed from Third Street with minimal public visibility. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking. Decorative paving will be used for each driveway entry, with colored concrete, stamped with a flagstone pattern.

Landscape, Lighting and Other Site Improvements

The common area within the project includes various site improvements that will be managed and maintained by a private homeowners' association. Drought-tolerant and climate adapted landscaping will be featured in front yards facing Third Street, in paseos between units, along driveways and in parking areas. Although demolition of the site includes the proposal to remove 21 trees, approximately 40 trees will be planted throughout the development. Decorative colored concrete paving will also be used at unit entries with a stamped finish to match the entry drives. A decorative, six-foot perimeter block wall is proposed along the south, east and west property lines.

A trash enclosure is proposed at a centralized location within the development, with tan colored, burnished CMU walls approximately six-feet in height, entry gates, and a wood trellis cover. Site lighting is proposed throughout the development with standard light poles painted bronze, as well as a censored down light within the trash enclosure area. A bike rack is proposed north of the trash enclosure.

A landscape and irrigation plan including site improvements, such as the trash enclosure and bicycle rack, detailed wall plan, site lighting will be required to be submitted for review and approval by the Planning Department prior to permit issuance, a condition of approval has been added to ensure compliance with this requirement.

Reconstruction of Third Street Park

Several neighborhood meetings were held to gather the opinions of residents, who would be most affected by the development. At these meetings, most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography.

The developer, Parks and Recreation Department and Planning Division worked on several designs to address resident interests, as well as to integrate responsible landscaping, safe park design and citrus-themed playground equipment. To achieve these goals, the proposed park will include a native plant garden and passive recreational area on the west-end of the park, a decomposed granite walking path surrounding a small lawn area at the center of the park, and a new, smaller-sized play equipment featuring a custom citrus orange theme, at the park's easterly side. The park will provide a unique street image using a river rock wall with a concrete cap approximately 20" in height, with four, five-foot high columns displaying four historic Duarte citrus crate labels, and park identification signage. The location of the proposed river rock wall near the intersection of Oak Avenue and Third Street provides adequate line-of-sight for vehicles and pedestrians while providing a barrier for children utilizing the play equipment from passing vehicle traffic. A decorative, six-foot high block wall will be installed along the southerly property line. Six low-light bollards, with a bronze finish have been placed throughout the native garden, decomposed granite walking path and lawn area. Two taller park light standards in a bronze finish are proposed on both the north and south side of the play equipment. Proposed lighting and selective placement of lower growing landscape materials throughout the park will

provide adequate visibility for residents and law enforcement purposes. Durable equipment and furnishings, including benches, trash receptacles and dog waste stations, are located throughout the park.

On February 13, the Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk. These elements will be integrated into a future redesign.

California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including a AQMD analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report and traffic analysis, including the multi-way stop application traffic study. The Initial Study identifies potentially significant impacts regarding geology/soils, hazardous materials, hydrology/water quality, noise and public services and utilities impacts and recommends the adoption of mitigation measures to reduce potential impacts to a less than significant level. A mitigation monitoring program is attached to the draft Resolution.

Traffic Analysis

A trip generation analysis was conducted by Albert Grover and Associates for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) *Trip Generation manual*, 9th Edition (2012). Table 1 shown below provides a summary of the existing site trip generation.

Table 1: Existing Site Trip Generation

Existing Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Duarte City Departments (government offices)	3,740 SF	258	18	4	22	11	11	22
Duarte Montessori (elementary school)	52 STU	67	13	11	24	7	8	15
Third Street Park (city park)	0.29 AC	1	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		326	31	15	46	18	19	37

* SF - Square Footage; STU - Enrolled Student; AC - Acreage

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

The project trip generation rates for the proposed 18 two-story development was also determined using the ITE 2012 *Trip General Manual*. Table 2 below, provides the anticipated project trip generation. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

Table 2: Anticipated Project Trip Generation

Proposed Project Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Housing Development (residential townhomes)	18 DU	105	2	6	8	3	3	6
Third Street Park (relocated city park)	0.22 AC	0	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		105	2	6	8	3	3	6

* DU - Dwelling Unit

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

As shown in the table above, the traffic analysis provided by Albert Grover and Associates indicates that the project will generate approximately 105 daily vehicle trips. Based on the trip generation analysis, the existing offices, montessori school and existing park produce heavier traffic volumes than those anticipated with the proposed residential development. The construction of 18 attached townhomes and relocation of Third Street Park is not expected to impact Third Street, Oak Avenue, or the surrounding residential area.

Multi-Way Stop

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this insterection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

Conclusion

The proposed development provides for a high-quality residential development and the creation of a new park that serves the wider community. The project is consistent with the goals and policies of the Duarte General Plan by providing development that compliments surrounding uses and offers a variety of housing types to accommodate a range of tastes and incomes. Project density is complimentary to single-family residences, while also transitioning between higher density apartments to the south and east. The proposed subdivision is physically suitable for 18, owner-occupied residences and provides surety that fire access, utility service and other public improvements are addressed. The site layout meets the standards of the R-3 Multiple-Family Residential zone, except for front and rear setbacks and lot depth. Through a PDP approval, flexibility would be given to these development standards because of existing lot configurations and through developer-provided enhancements to project architecture, site design and the upgraded common areas. The scale, massing and architectural character of the project preserves the integrity of the surrounding homes and compliments the greater community. The project location also provides pedestrian connectivity to commercial areas, public transportation options and recreational opportunities with the relocation of Third Street Park just east of the proposed development.

Conditions of approval have been proposed for the Tract Map, PDP and Site Plan and Design Review approvals. Adherence to these conditions, in addition to implementing the required mitigation measures included in the MND, will reduce impacts to the surrounding neighborhood and environment.

RECOMMENDATION

It is recommended that the City Council approve the following project entitlements, in the following order:

City Council
March 14, 2017



1. Resolution 17-R-23 – certifying the project's mitigated negative declaration (MND) and mitigation monitoring program (Exhibit D);
2. Resolution 17-R-19 – General Plan Amendment 16-01 (Exhibit E);
3. Ordinance 17-O-05 – Zone Change (Exhibit F);
4. Resolution 17-R-20 – Tentative Tract Map 74365, (Exhibit G);
5. Resolution 17-R-21 – Planned Development Permit, (Exhibit H);
6. Resolution 17-R-22 – Site Plan and Design Review, (Exhibit I)

Furthermore, it is recommended that the City Council introduce and hold a first reading of proposed Ordinance 17-O-05 (Exhibit F); approving Zone Change 16-01.

ATTACHMENTS

Exhibit A – Plans

Exhibit B – Photo Survey

Exhibit C – Engineering and Multi-Way Stop Application

Exhibit D – Resolution 17-R-23 MND/Mitigation Monitoring Program/Comments and Responses

Exhibit E – Resolution 17-R-19 General Plan Amendment, with land use diagram

Exhibit F – Ordinance 17-O-05 Zone Change, with zoning map

Exhibit G – Resolution 17-R-20 Tentative Tract Map 74365, with conditions

Exhibit H – Resolution 17-R-21 Planned Development Permit, with conditions

Exhibit I – Resolution 17-R-22 Site Plan and Design Review, with conditions

Exhibit J – Parks and Recreation Commission Recommendation Memo

Exhibit K – Signed Planning Commission Resolutions

EXHIBIT A

Hard Copy of Plans Provided

EXHIBIT B

Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

Views from south adjacent properties

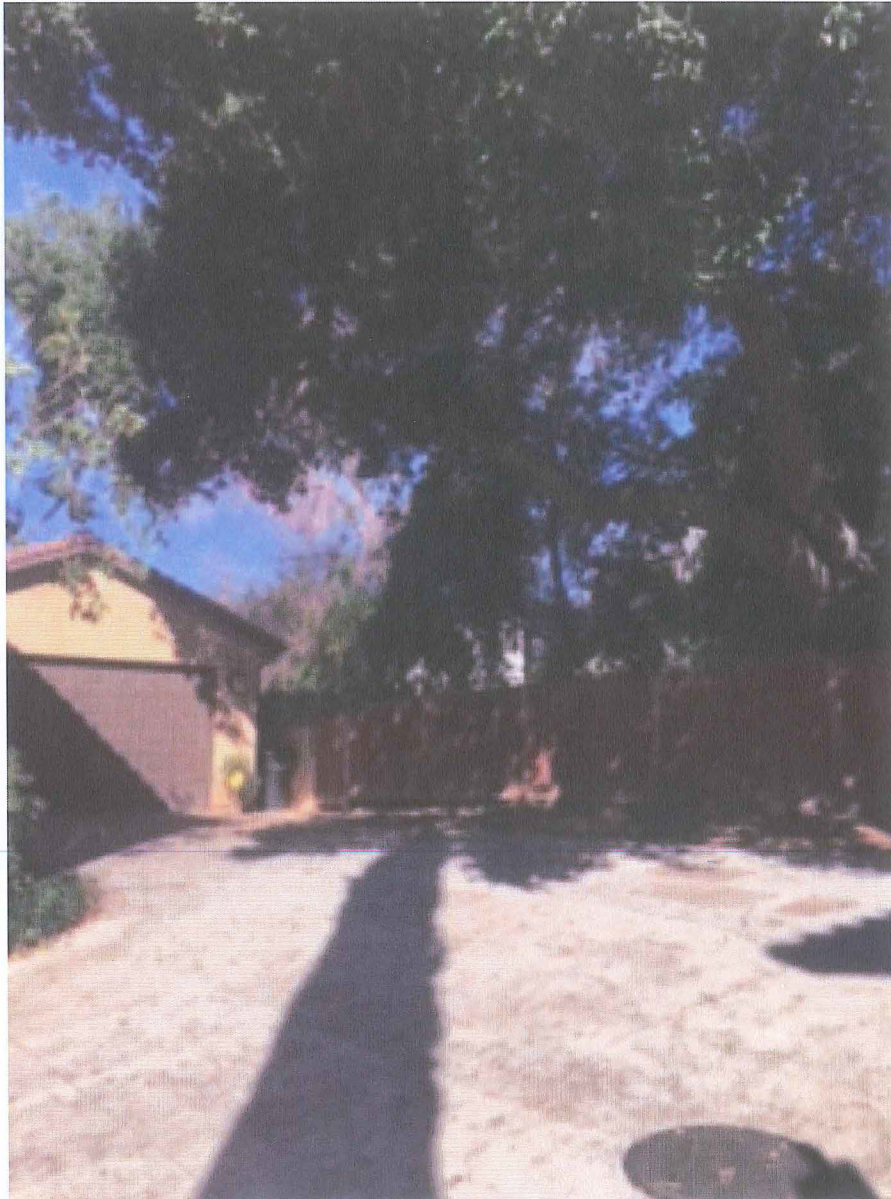


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

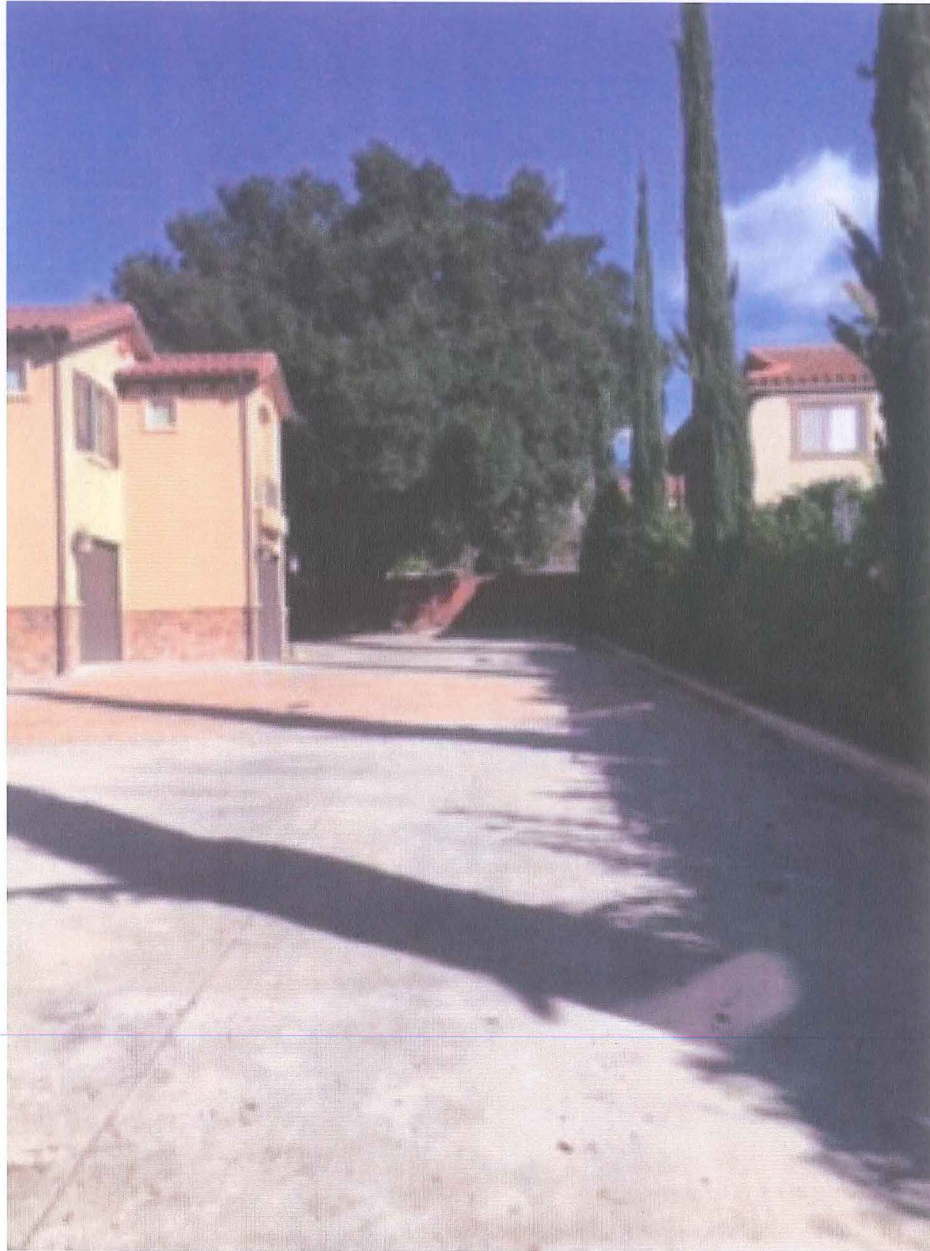


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

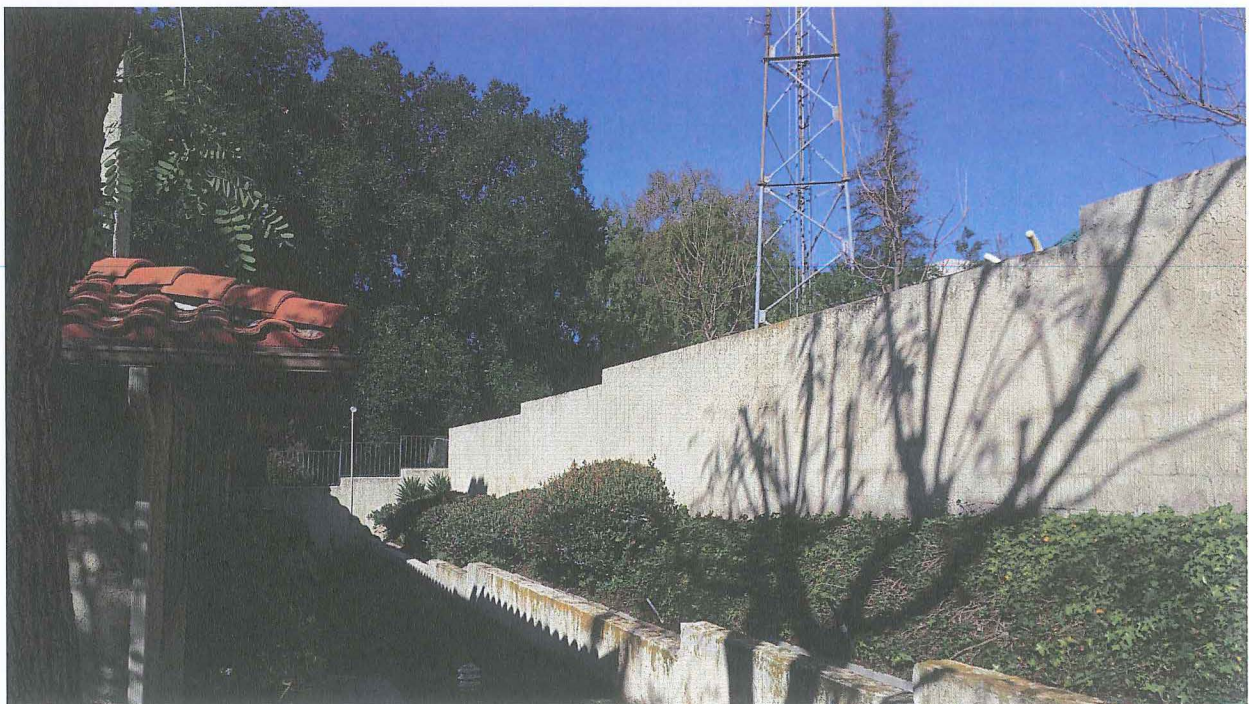


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

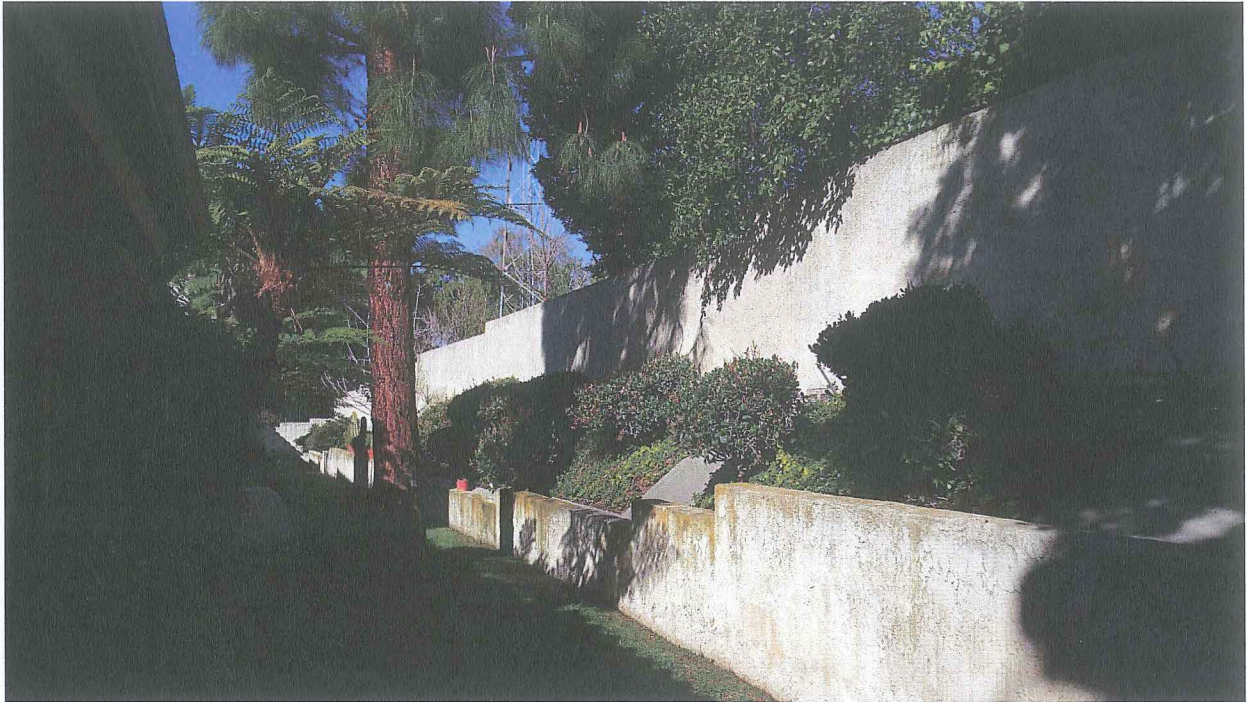


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



EXHIBIT C

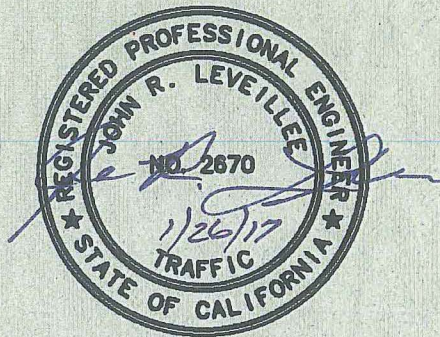
**Engineering and Traffic Study
Multi-Way Stop Application
For
Oak Avenue
and
Third Street**

January 26, 2017

Submitted to:

**City of Duarte
1600 Huntington Drive
Duarte, CA 91010**

Prepared by:



**398 Lemon Creek Drive, Suite E
Walnut, CA 91789
(909) 594-9702**

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4.	Intersection Safety History	3
5.	Intersection Volume Calculations	4
6.	Roadway Alignment and Other Issues	5
7.	Recommendations	6

Appendix A – Aerial Photograph

Appendix B – Traffic Volume Survey Data

Appendix C – Collision Summary Report

Appendix D – Site Photos

1. INTRODUCTION AND PURPOSE OF STUDY

The intersection of Oak Avenue and Third Street is a 4-way semi-stop controlled (in east/west direction) intersection located one block northwest of the intersection of Huntington Drive (Historic Route 66) with Highland Avenue, in the City of Duarte. The surrounding area is a mix of high density and single family residential to the north, with commercial development to the south. A Los Angeles County Fire Station is just east of the intersection on Highland Avenue. (See aerial photo in Appendix A).

There have been some recent inquiries related to the safety of the intersection and if additional stop signs should be installed to create an All-Way Stop condition. The City has hired RKA Consulting Group to perform an Engineering and Traffic Study to determine if this intersection meets the minimum requirements for a Multi-Way Stop application.

2. STUDY OVERVIEW

The installation and format for all traffic control devices in the State of California is governed by the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the California Vehicle Code (CVC). Those sections in the CVC which relate to signing and striping on California roadways, have been incorporated into the CA MUTCD, so this document is utilized to determine the validity and legality of existing and proposed traffic control devices.

Section 2B.07 of the CA MUTCD provides the guidance to determine if a Multi-Way Stop application is warranted. The first item under this guidance is that: *"The decision to install multi-way stop control should be based on an engineering study"*. This Engineering and Traffic Study (E&TS) examines the safety record of the intersection, traffic volumes through the intersection, and the existing vertical and horizontal alignment of the intersection. The findings of these studies are then compared to the requirements and guidance under Section 2B.07, to determine the legality of the Multi-Way Stop application.

3. EXISTING CONDITIONS

The intersection of Oak Avenue and Third Street is located between a residential area to the north and a commercial node to the south. There is an existing park on Third Street just west of the intersection and a Fire Station just east of the intersection on Third Street as mentioned above. Third Street, the east/west roadway, is currently stop

controlled at the intersection. Oak Avenue, the north/south roadway, currently has no control at the intersection. There is a significant slope along Oak Avenue from the north to the south which carries through the intersection and affects the line of sight for vehicles stopped on Third Street. On-street parking is allowed on both streets, with vehicles parking immediately adjacent to the intersection. This causes significant line of sight issues at the intersection. This impact will be discussed in more detail, later in the report.

Examining the traffic counts for the intersection (see Appendix B), indicates a consistent traffic flow pattern along Third Street throughout the day. Traditional morning and evening peaks occur in the east/west direction, with slightly higher volumes travelling in the eastbound direction.

The traffic patterns are different along Oaks Avenue, with over twice the volume through the intersection occurring in the afternoon period, especially south of Third Avenue. Given the fact that this leg of the intersection is closest to the commercial development in the area, it makes sense motorists would be using Oaks Avenue to frequent the stores during normal business hours. Except for this anomaly, there is nothing unusual with the traffic patterns through the intersection.

4. INTERSECTION SAFETY HISTORY

The first step in determining the relative safety of an intersection is to examine the traffic collision history of the intersection. The repository for traffic collision history in California is the Statewide Integrated Traffic Records System (SWITRS). In order for a Traffic Collision (TC) to be collected in SWITRS, it must be reported to a law enforcement agency and that agency must file a report. Many law enforcement agencies are extremely busy, or under-staffed and cannot respond to every traffic collision. Many minor collisions which result in property damage only, never have a report generated, and thus they never become part of the collision history of that roadway, or intersection.

The Los Angeles County Sheriff's Office was contacted to obtain the traffic collision history at the intersection. They examined the SWITRS report as well as their own records over the last five years for any reported traffic collisions in and around the intersection. There were 5 reported traffic collisions at this intersection over the last 5 years, with one minor injury (complained of pain) and no fatalities (See Appendix C).

In Section 2B.07 of the CA MUTCD, Subsection 04.B states that a history of 5 or more reported crashes in a 12-month period, would be justification for a Multi-Way Stop application. Based on this criteria alone, the intersection would not qualify for an All-Way Stop.

5. INTERSECTION VOLUME CALCULATIONS

National Data and Surveying Services (NDS) was contracted with to perform the 24-hour intersection vehicle counts. The counts were performed over two days, Tuesday, January 10th, and then on Wednesday, January 18, 2017. The counts were performed utilizing automated pneumatic counters at each leg of the intersection for vehicles travelling in both directions. The results of these traffic counts are presented in Appendix B.

Section 2B07 of the CA MUTCD once again defines the limits and guidance for the application of a Multi-Way Stop, based on traffic volumes. The first parameter which is defined in this section is:

"Multi-way Stop control is used where the volume of traffic on the intersecting roads is approximately equal."

Looking at the Average Daily Traffic (ADT) counts through the intersection, it becomes apparent that the traffic volumes at each leg of the intersection are very similar (excepting the anomaly for the commercial node), and thus the intersection does qualify for consideration based on this over-riding parameter (See Appendix B).

Subsection 04.C then defines the minimum traffic volumes under which the intersection should be considered for a Multi-Way Stop application. The major street approach (Oak Avenue in this case) needs to have an average of 300 vehicles per hour for an 8 hour period going through the intersection. In addition, the minor street (Third Street in this case) must have 200 vehicles per hour entering the intersection during this same 8 hour period.

Reviewing the traffic counts provided by NDS, the highest 8 hour volume period through the intersection occurs between 12 noon and 8:00 pm. The combined vehicle count on Oak Avenue entering the intersection is 38 vehicles per hour during this period, and the vehicles entering from Second Street average 23 vehicles per hour. These numbers are well below the minimum volumes required under Subsection 04.C, therefore the intersection would not qualify for a Multi-way Stop application based on this criteria.

Subsection 04.C.3 allows for a 30% reduction in the minimum required volumes based on higher approach speeds (above 40 mph), however the intersection volumes still would not meet the minimum requirement even at this lower threshold. There are no posted speed limits in the vicinity of the intersection, however Oak Avenue qualifies as a residential district (25 mph) north of the intersection, and Third Street qualifies as a residential district west of the intersection.

Lastly, Subsection 04.D allows the engineer to combine the safety and volume-based criteria, and make another finding. If the intersection meets 80% of the combine traffic collision requirement, AND meets 80% of the minimum volume requirement, it can still qualify for the Multi-way Stop application. Since there were only 4 reported collisions at the intersection, and the average traffic volumes are insignificant over the highest 8 hour period, the intersection would still not qualify.

6. ROADWAY ALIGNMENT AND OTHER ISSUES

There are situations where an existing intersection does not meet the requirements for a Multi-way Stop application based on traffic collisions, nor on minimum volumes through the intersection. However, this does not mean that an All-Way Stop isn't justified based on other criteria. Section 2B.07, Subsection 05., gives the engineer other parameters to examine, most notably Subsection 05.C, which covers the line of sight of the motorists travelling through the intersection.

The vertical and horizontal alignment of the intersection and the approaching streets has more of an impact on the motorists' line of sight than any variable at the intersection. Changes in grade, and on-street parking on the approach streets can limit the distance that a motorist can see approaching vehicles. This limited sight distance affects the timing of the vehicle executing their turn from the stop, and can lead to collisions.

The intersection at Oak Avenue and Third Street has a unique configuration. The approach along Oak Avenue from the north and through the intersection has a constant down-grade. This would result in an increase in the stopping distance should a vehicle pull out of Third Avenue unexpectedly.

The issue which has the greatest impact to line of sight at the intersection is the ability for motorists to park on the street along all approaches to the intersection. If a motorist stops at the stop bar on Third Street and there are vehicles parked along Oak Avenue, it is virtually impossible for the stopped motorist to see approaching vehicles on Oak Avenue without "creeping" well past the stop bar and into the intersection. The photos attached as Appendix D clearly show this condition.

There is another issue to consider at this intersection. Since Oak Avenue has a constant down-grade for nearly a quarter mile, it conveys a significant amount of storm water during rain events. In order to handle this storm water run-off, the curbs and longitudinal gutters along the roadway are deeper than standard. The gutters which

bisect Third Avenue through the intersection are significantly deeper than most, and impede the motorist who is trying to cross the intersection in an east/west direction. Once the motorist stops at the stop bar along Third Avenue, they must slowly negotiate the deep gutters, which diminishes their ability to accelerate through the intersection.

In the Caltrans Design Manual, the recommended sight distance for stopping at 25 mph is 150 feet. The distance increases to 430 feet at 50 mph. This distance is also based on the approaches to the intersection being level, or nearly level. The slope of Oak Avenue as it approaches the intersection from the north would greatly increase this recommended stopping site distance. In order to provide sufficient stopping distance line of sight, parking would have to be eliminated along Oak Avenue a minimum distance of 200 feet north of the intersection, and 150 feet south of the intersection.

7. RECOMMENDATIONS

There are several concerns at this intersection which when taken individually would not justify installing an All-Way Stop control. Installing too many stop controls along a roadway impedes motorists and leads to driver frustration. The end result is oftentimes the motorist will ignore the proliferation of stop signs and "roll through" them, or completely ignore them. This can lead to increased collision history, and an increase in the severity of these collisions. It is therefore very important to install All-Way Stop applications only where they will significantly benefit the safety on the motoring public.

The line of sight issue at this intersection could be resolved by eliminating parking along all the approaches to the intersection. While this would certainly benefit the intersection, a parking restriction in this area would have a significant impact on the neighborhood. Most of the lots in this area have been developed to fully utilize all available space on the lot, leaving little to no room for parking. In addition, the multi-family units near the intersection do not appear to have sufficient on-site parking, thus necessitating the on-street parking.

The grade of Oak Avenue through the intersection is a product of the existing topography in the area. Perhaps this could have been designed better when the road was first built, but since the area is completely developed, it would be economically infeasible to remedy this situation now. The same can be said of the deep gutters which impede east/west movement through the intersection. Wider and shallower gutters could be constructed, which would benefit movement across the intersection, however this would require a significant reconstruction of the intersection at a considerable expense.

This intersection does not meet the requirements for a Multi-way Stop application per the Guidance (previously known as "warrants") component of Section 2B.07. However under the Option component of Section 2B.07, a criteria which may be considered in an engineering study is:

Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop.

The on-street parking issue, the grade of Oak Avenue, and the deep gutters are all issues which would not justify a Multi-Way Stop control when taken individually. However, when their impacts are combined at the intersection, it becomes readily apparent that they meet the criteria above. Since it is also apparent that it is not economically feasible to mitigate these issues, the best alternative is to install a Multi-Way Stop application and require the traffic on Oak Avenue to stop.

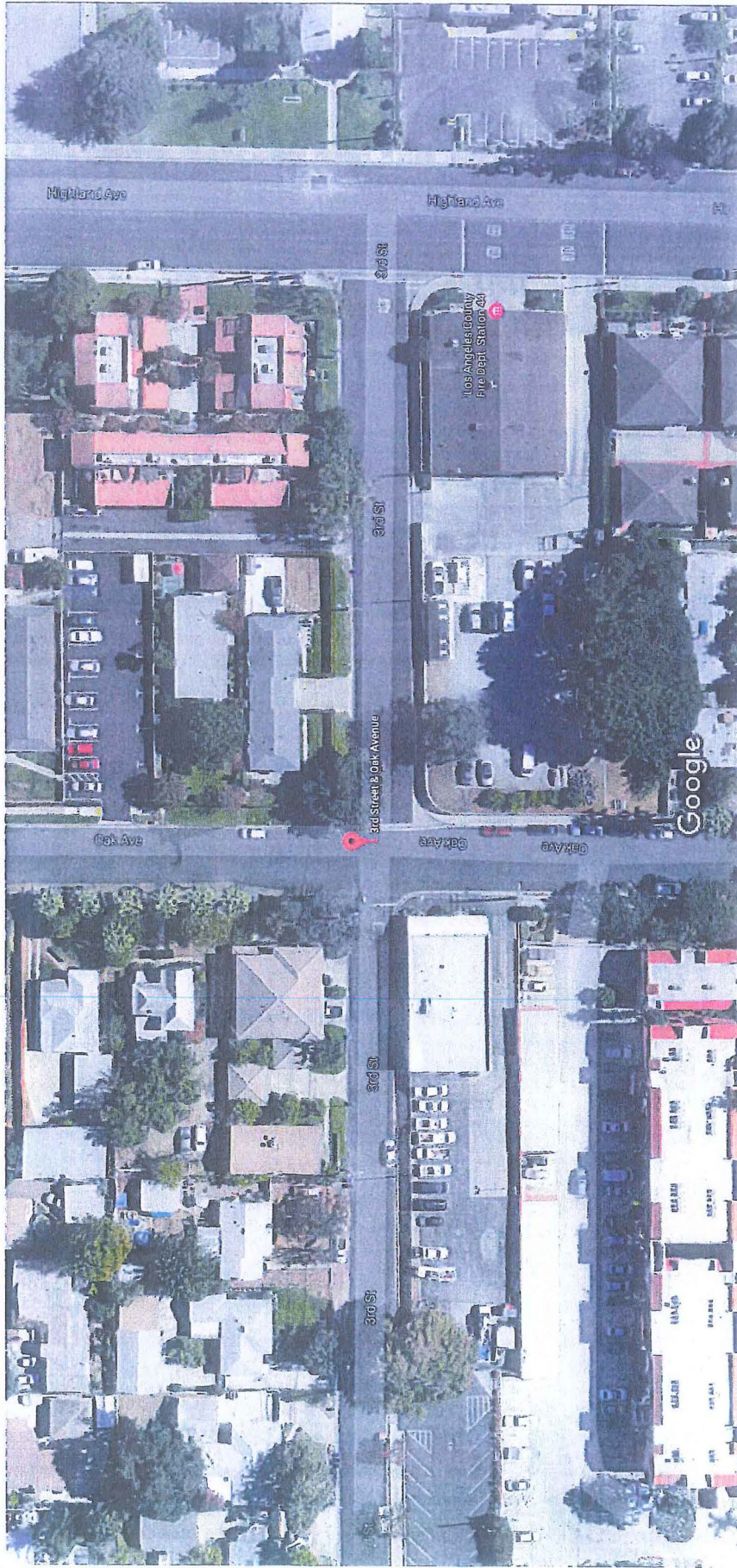
It is therefore the opinion of this engineer that the intersection of Oak Avenue and Third Street qualifies for a Multi-way Stop application under Section 2B.07, Subsection 05.C. of the 2014 California MUTCD, and an All-Way Stop configuration is recommended for this intersection. It is further recommended that a No Parking application be initiated along all approaches and departures to and from the intersection for a minimum of 50 feet from each curb return.

Appendix A
Aerial Photograph



3rd St & Oak Ave

All-Way Stop Application Study



Imagery ©2017 Google, Map data ©2017 Google 50 ft

Appendix B

Traffic Volume Survey Data

Prepared by NDS/ATD

VOLUME

Oak Ave S/O 3rd St

Day: Wednesday

Date: 1/18/2017

City: Duarte

Project #: CA17_5019_002

DAILY TOTALS					NB	SB	EB		WB		Total
					323	259	0		0		582
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	9	3			12
00:15	0	0			0	12:15	8	8			16
00:30	1	0			1	12:30	8	2			10
00:45	0	1	0		0	12:45	3	28	5	18	46
01:00	0	0			0	13:00	2	7			9
01:15	0	0			0	13:15	6	5			11
01:30	0	0			0	13:30	8	3			11
01:45	1	1	1	1	2	13:45	7	23	3	18	41
02:00	0	1			1	14:00	7	6			13
02:15	1	0			1	14:15	8	5			13
02:30	1	0			1	14:30	2	6			8
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03:00	0	1			1	15:00	6	6			12
03:15	0	2			2	15:15	3	3			6
03:30	2	0			2	15:30	8	3			11
03:45	0	2	0	3	0	15:45	6	23	3	15	38
04:00	0	0			0	16:00	5	5			10
04:15	0	1			1	16:15	10	8			18
04:30	0	0			0	16:30	9	9			18
04:45	0	0	1		0	16:45	9	33	7	29	62
05:00	0	1			1	17:00	6	8			14
05:15	0	1			1	17:15	8	7			15
05:30	1	1			2	17:30	7	3			10
05:45	0	1	2	5	2	17:45	4	25	2	20	45
06:00	2	2			4	18:00	9	2			11
06:15	2	1			3	18:15	8	5			13
06:30	3	3			6	18:30	5	6			11
06:45	1	8	5	11	6	18:45	5	27	3	16	43
07:00	3	1			4	19:00	5	2			7
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10:15	5	2			7	22:15	1	2			3
10:30	3	3			6	22:30	1	1			2
10:45	3	16	1	8	4	22:45	1	6	1	7	13
11:00	3	3			6	23:00	1	0			1
11:15	4	2			6	23:15	1	0			1
11:30	3	5			8	23:30	0	0			0
11:45	3	13	5	15	8	23:45	0	2	0		2
TOTALS	83	92			175	TOTALS	240	167			407
SPLIT %	47.4%	52.6%			30.1%	SPLIT %	59.0%	41.0%			69.9%

DAILY TOTALS					NB	SB	EB	WB	Total
					323	259	0	0	582
AM Peak Hour	11:45	07:30			11:45	PM Peak Hour	16:15	16:15	
AM Pk Volume	28	24			46	PM Pk Volume	34	32	66
Pk Hr Factor	0.778	0.750			0.719	Pk Hr Factor	0.850	0.889	0.917
7 - 9 Volume	25	38			63	4 - 6 Volume	58	49	107
7 - 9 Peak Hour	07:15	07:30			07:30	4 - 6 Peak Hour	16:15	16:15	16:15
7 - 9 Pk Volume	15	24			39	4 - 6 Pk Volume	34	32	66
Pk Hr Factor	0.750	0.750			0.886	Pk Hr Factor	0.850	0.889	0.917

Prepared by NDS/ATD

VOLUME

Oak Ave N/O 3rd St

Day: Tuesday
Date: 1/10/2017City: Duarte
Project #: CA17_5019_001

DAILY TOTALS					NB	SB	EB		WB		Total
					172	165	0		0		337
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	4	4			8
00:15	0	0			0	12:15	4	4			8
00:30	1	0			1	12:30	3	2			5
00:45	0	1	0		0	12:45	1	12	4	14	26
01:00	0	0			0	13:00	1	1			2
01:15	0	0			0	13:15	2	2			4
01:30	0	0			0	13:30	4	1			5
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07:30	6	3			9	19:30	1	2			3
07:45	5	18	2	5	7	19:45	1	8	2	10	18
08:00	2	0			2	20:00	1	1			2
08:15	2	2			4	20:15	2	1			3
08:30	2	4			6	20:30	0	1			1
08:45	2	8	2	8	4	20:45	2	5	1	4	9
09:00	3	0			3	21:00	0	3			3
09:15	1	2			3	21:15	1	4			5
09:30	2	1			3	21:30	1	0			1
09:45	2	8	1	4	3	21:45	2	4	1	8	12
10:00	2	2			4	22:00	0	0			0
10:15	3	1			4	22:15	0	2			2
10:30	1	0			1	22:30	0	1			1
10:45	3	9	3	6	6	22:45	0	2	5		5
11:00	3	2			5	23:00	0	2			2
11:15	0	1			1	23:15	0	0			0
11:30	2	4			6	23:30	0	0			0
11:45	2	7	1	8	3	23:45	0	2	4		4
TOTALS	56	44			100	TOTALS	116	121			237
SPLIT %	56.0%	44.0%			29.7%	SPLIT %	48.9%	51.1%			70.3%

DAILY TOTALS					NB	SB	EB	WB	Total
					172	165	0	0	337
AM Peak Hour	07:00	11:30		11:30			PM Peak Hour	13:45	16:15
AM Pk Volume	18	13		25			PM Pk Volume	22	26
Pk Hr Factor	0.750	0.813		0.781			Pk Hr Factor	0.917	0.591
7 - 9 Volume	26	13		39			4 - 6 Volume	32	37
7 - 9 Peak Hour	07:00	07:45		07:00			4 - 6 Peak Hour	16:15	16:15
7 - 9 Pk Volume	18	8		23			4 - 6 Pk Volume	21	26
Pk Hr Factor	0.750	0.500		0.639			Pk Hr Factor	0.750	0.591

VOLUME
3rd St E/O Oak Ave

City: Duarte
Project #: CA17_5019_003

DAILY TOTALS					NB	SB	EB		WB		Total
					0	0	211		148		359
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00			0	0	0	12:00			1	1	2
00:15			1	0	1	12:15			2	0	2
00:30			0	0	0	12:30			2	0	2
00:45			2	3	2	12:45			2	7	3
01:00			0	1	1	13:00			2	1	3
01:15			1	0	1	13:15			1	2	3
01:30			2	0	2	13:30			2	0	2
01:45			2	5	2	13:45			1	6	3
02:00			1	0	1	14:00			1	0	1
02:15			0	0	0	14:15			2	3	5
02:30			0	1	1	14:30			4	1	5
02:45			1	2	1	14:45			4	11	9
03:00			0	0	0	15:00			3	3	6
03:15			0	0	0	15:15			3	2	5
03:30			0	0	0	15:30			2	4	6
03:45			0	1	1	15:45			5	13	10
04:00			0	0	0	16:00			3	1	4
04:15			0	0	0	16:15			5	5	10
04:30			0	0	0	16:30			2	1	3
04:45			1	1	1	16:45			3	13	6
05:00			1	0	1	17:00			7	2	9
05:15			2	1	3	17:15			4	5	9
05:30			0	0	0	17:30			8	6	14
05:45			3	6	3	17:45			5	24	10
06:00			1	0	1	18:00			3	7	10
06:15			3	0	3	18:15			3	1	4
06:30			6	2	8	18:30			0	0	0
06:45			7	17	10	18:45			0	6	3
07:00			3	3	6	19:00			2	1	3
07:15			9	2	11	19:15			2	0	2
07:30			6	2	8	19:30			3	3	6
07:45			4	22	9	19:45			4	11	4
08:00			3	5	8	20:00			5	3	8
08:15			4	1	5	20:15			1	0	1
08:30			1	3	4	20:30			2	3	5
08:45			3	11	6	20:45			1	9	2
09:00			4	2	6	21:00			0	2	2
09:15			5	2	7	21:15			0	0	0
09:30			1	3	4	21:30			1	0	1
09:45			3	13	4	21:45			1	2	1
10:00			2	1	3	22:00			0	0	0
10:15			2	3	5	22:15			1	1	2
10:30			5	2	7	22:30			1	3	4
10:45			3	12	5	22:45			0	2	0
11:00			2	3	5	23:00			1	0	1
11:15			3	5	8	23:15			0	1	1
11:30			3	2	5	23:30			0	0	0
11:45			6	14	8	23:45			0	1	0
TOTALS			106	61	167	TOTALS			105	87	192
SPLIT %			63.5%	36.5%	46.5%	SPLIT %			54.7%	45.3%	53.5%

DAILY TOTALS				NB	SB	EB		WB	Total
				0	0	211		148	359
AM Peak Hour	06:30	07:15	07:15	PM Peak Hour	17:00	17:15	17:15		
AM Pk Volume	25	14	36	PM Pk Volume	24	23	43		
Pk Hr Factor	0.694	0.700	0.818	Pk Hr Factor	0.750	0.821	0.768		
7 - 9 Volume	33	24	57	4 - 6 Volume	37	28	65		
7 - 9 Peak Hour	07:00	07:15	07:15	4 - 6 Peak Hour	17:00	17:00	17:00		
7 - 9 Pk Volume	22	14	36	4 - 6 Pk Volume	24	18	42		
Pk Hr Factor	0.611	0.700	0.818	Pk Hr Factor	0.750	0.750	0.750		

Prepared by NDS/ATD

VOLUME

3rd St W/O Oak Ave

Day: Wednesday

Date: 1/18/2017

City: Duarte

Project #: CA17_5019_004

DAILY TOTALS					NB	SB	EB		WB		Total	
					0	0	214		157		371	
AM Period	NB	SB	EB	WB	TOTAL		PM Period	NB	SB	EB	WB	TOTAL
00:00			0	0	0		12:00			7	2	9
00:15			0	0	0		12:15			2	3	5
00:30			0	0	0		12:30			5	3	8
00:45			0	0	0		12:45			4	18	22
01:00			0	0	0		13:00			2	2	4
01:15			0	0	0		13:15			3	1	4
01:30			0	0	0		13:30			3	1	4
01:45			1	1	2		13:45			3	11	14
02:00			2	0	2		14:00			2	3	5
02:15			0	1	1		14:15			2	4	6
02:30			0	0	0		14:30			5	1	6
02:45			0	2	2		14:45			2	11	13
03:00			1	0	1		15:00			1	2	3
03:15			0	0	0		15:15			2	3	5
03:30			0	0	0		15:30			8	2	10
03:45			0	1	1		15:45			2	13	15
04:00			0	0	0		16:00			2	6	8
04:15			0	0	0		16:15			4	2	6
04:30			0	0	0		16:30			5	7	12
04:45			2	2	4		16:45			3	14	17
05:00			0	0	0		17:00			9	2	11
05:15			2	1	3		17:15			7	3	10
05:30			1	0	1		17:30			3	4	7
05:45			6	9	15		17:45			3	22	25
06:00			1	0	1		18:00			4	6	10
06:15			2	0	2		18:15			3	3	6
06:30			4	0	4		18:30			2	2	4
06:45			8	15	23		18:45			3	12	15
07:00			4	0	4		19:00			4	1	5
07:15			7	1	8		19:15			1	0	1
07:30			7	2	9		19:30			0	1	1
07:45			5	23	28		19:45			6	11	17
08:00			4	2	6		20:00			0	2	2
08:15			2	3	5		20:15			4	4	8
08:30			2	3	5		20:30			0	0	0
08:45			5	13	18		20:45			0	4	4
09:00			2	5	7		21:00			1	2	3
09:15			0	1	1		21:15			0	4	4
09:30			2	2	4		21:30			2	3	5
09:45			2	6	8		21:45			0	3	3
10:00			3	1	4		22:00			1	0	1
10:15			2	1	3		22:15			0	0	0
10:30			2	2	4		22:30			0	2	2
10:45			3	10	13		22:45			0	1	1
11:00			5	2	7		23:00			0	0	0
11:15			3	1	4		23:15			0	1	1
11:30			3	3	6		23:30			0	0	0
11:45			1	12	13		23:45			0	0	0
TOTALS			94	51	145		TOTALS			120	106	226
SPLIT %			64.8%	35.2%	39.1%		SPLIT %			53.1%	46.9%	60.9%

DAILY TOTALS			NB	SB				EB	WB	Total
			0	0				214	157	371
AM Peak Hour	06:45	08:15	07:15	PM Peak Hour	16:30	15:45	16:30			
AM Pk Volume	26	14	33	PM Pk Volume	24	21	39			
Pk Hr Factor	0.813	0.700	0.825	Pk Hr Factor	0.667	0.750	0.813			
7 - 9 Volume	36	19	55	4 - 6 Volume	36	30	66			
7 - 9 Peak Hour	07:00	07:45	07:15	4 - 6 Peak Hour	16:30	16:00	16:30			
7 - 9 Pk Volume	23	13	33	4 - 6 Pk Volume	24	18	39			
Pk Hr Factor	0.821	0.650	0.825	Pk Hr Factor	0.667	0.643	0.813			

Appendix C
Collision Summary Report

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
TEMPLE STATION

From 1/1/2012 to 1/11/2017

Total Collisions: 1

Injury Collisions: 1

Fatal Collisions: 0

Collision Summary Report

1/12/17

OAK AV from HUNTINGTON DR to 2ND ST

Page 1 of 1

912-09809-0541- 9/23/2012 10:25 Sunday OAK AV 3RD ST
471 Sideswipe Parked Motor Vehicle Improper Turning

175' Direction: South Daylight Clear Pty at Fault:1
22107 Hit & Run: No Complaint of Pain # Inj: 1 # Killed: 0

Party 1 Driver North
Veh Type: Sobriety: Assoc Factor:
Party 2 Parked Vehicle South
Veh Type: Sobriety: Assoc Factor:
Party 3 Parked Vehicle South
Veh Type: Sobriety: Assoc Factor:

Male Age: 46
Female Age:
Male Age:

Segment Length: 0.14 miles (736')

Settings for Query:

Street: OAK AV between HUNTINGTON DR and 2ND ST
Include Intersection Related: True
Sorted By: Date and Time

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TEMPLE STATION

From 1/1/2012 to 1/11/2017

Total Collisions: 4

Injury Collisions: 0

Fatal Collisions: 0

Collision Summary Report

1/12/17

3RD ST from HIGHLAND AV to COTTER AV

Page 1 of 2

912-01094-0541-472	1/30/2012	11:30	Monday	3RD ST OAK AV	8'	Direction: West	Daylight	Clear	Pty at Fault:1
Other			Other Motor Vehicle	Unsafe Starting or Backing	22106	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Male	Age: 41			
Veh Type:			Sobriety:	Assoc Factor:					
Party 2 Driver			East		Female	Age: 19			
Veh Type:			Sobriety:	Assoc Factor:					
912-02056-0541-472	2/23/2012	13:35	Thursday	3RD ST OAK AV	327'	Direction: West	Daylight	Clear	Pty at Fault:1
Sideswipe			Other Motor Vehicle	Unsafe Starting or Backing	22106	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Female	Age: 40			
Veh Type:			Sobriety:	Assoc Factor:	Lap/Shoulder Harness Used				
Party 2 Driver			East		Male	Age: 20			
Veh Type:			Sobriety:	Assoc Factor:	Lap/Shoulder Harness Used				
Party 3 Parked Vehicle			East			Age:			
Veh Type:			Sobriety:	Assoc Factor:					
913-07795-0541-250	8/16/2013	23:59	Friday	3RD ST OAK AV	345'	Direction: West			Pty at Fault:
						Hit & Run: Misde	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East			Age:			
Veh Type:			Sobriety:	Assoc Factor:					
Party 2 Parked Vehicle			East		Male	Age:			
Veh Type:			Sobriety:	Assoc Factor:					
Party 3 Parked Vehicle			East		Male	Age:			
Veh Type:			Sobriety:	Assoc Factor:					
916-10114-0541-472	9/4/2016	13:15	Sunday	3RD ST OAK AV	162'	Direction: East	Daylight	Clear	Pty at Fault:1
Rear-End			Parked Motor Vehicle	Improper Turning	22107	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Male	Age: 28			
Veh Type:			Sobriety:	Assoc Factor:	Lap/Shoulder Harness Used				
Party 2 Parked Vehicle			East			Age:			
Veh Type:			Sobriety:	Assoc Factor:					

3RD ST from HIGHLAND AV to COTTER AV

Page 2 of 2

Segment Length: 0.38 miles (1,995')

Settings for Query:

Street: 3RD ST between HIGHLAND AV and COTTER AV

Include Intersection Related: True

Sorted By: Date and Time

Appendix D

Site Photos



Eastbound approach to the intersection on 3rd St, looking north on Oak Ave from Stop bar.



Eastbound approach to the intersection on 3rd St, looking south on Oak Ave from Stop bar.



After "creeping" past Stop Bar on 3rd Street, looking south on Oak Avenue.



After "creeping" past Stop Bar on 3rd Street, looking north on Oak Avenue.



Westbound approach to the intersection on 3rd St; looking south on Oak Ave from Stop bar.



Westbound approach to the intersection on 3rd St, looking north on Oak Ave from Stop bar.



Northbound on Oak Avenue, looking west on 3rd Street.



Northbound on Oak Avenue, looking east on 3rd Street.



Southbound on Oak Avenue, looking west on 3rd Street.

EXHIBIT D

RESOLUTION NO. 17-R-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE CERTIFYING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING A MITIGATION MONITORING PROGRAM TO REDUCE IDENTIFIED “POTENTIALLY SIGNIFICANT” IMPACTS TO A LEVEL OF “LESS THAN SIGNIFICANT” FOR THE PROJECT GENRALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-07, which recommends that the City Council certify the Mitigated Negative Declaration and adopt the Mitigation Monitoring Program prepared for the project; and

WHEREAS, the City Council of the City of Duarte (“City Council”) has considered the Mitigated Negative Declaration (“MND”) and Mitigation and Monitoring Program (“MMP”) for the development of 18 owner-occupied, two-story townhome development and relocation of Third Street Park, on six parcels generally located at the southwest corner of Oak Avenue and Third Street (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905); and

WHEREAS, the MND for the proposed 18-unit development and relocation of Third Street Park provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in “Exhibit A”, attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on March 14, 2017, the City Council held a duly noticed public hearing on the proposed 18, owner-occupied, two-story townhome development and relocation of Third Street Park, whereupon the Planning Commission received public testimony; and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, written comments on the MND and MMP were received from the public and other public agencies during the 21-day public review period, which began on December 1, 2016 and ended on January 3, 2017; and

WHEREAS, such comments and testimony have been responded to through a Comments and Responses as part of the MND process for the Project; and,

WHEREAS, notice of public hearing before the City council concerning the adequacy and completeness of the MND and MMP was given in accordance with the laws and policies of the City of Duarte (City); and

WHEREAS, the MND and MMP have been independently reviewed by the City Council and reflects the independent judgment of the City Council; and

WHEREAS, the City Council has reviewed all documentation comprising the MND, and has found that the MND addresses all environmental effects of the proposed project, with mitigation measures, and that the MND and MMP fully comply with all requirements of CEQA and the CEQA Guidelines relating thereto.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The City Council finds that the MND and MMP fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto.

SECTION 3. The City Council has considered the potential environmental effects as shown in the MND and, on the basis of the whole record, finds that there is no substantial evidence that the project will have a significant effect on the environment, with the implementation of the MMP. The foregoing determination, which reflects the independent analysis and independent judgment of the City Council, is based on the information in the record.

SECTION 4. The City Council of the City of Duarte, hereby approves the MND and adopts the MMP, in accordance with Exhibit "A" attached hereto and made a part of this Resolution; and that the MND and MMP, including all elements listed above, be certified by the City, as lead agency for the proposed project.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit “A”

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto

Mitigation Monitoring Program

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
GEOLOGY AND SOILS						
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.	Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HYDROLOGY AND WATER QUALITY						
HYD-1	Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source	Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."					
HYD-2	Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			
NOISE						
NOI-1	To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: - Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.						
PUBLIC SERVICES & UTILITIES						
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)			

Initial Study Comments and Responses

8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED

DEC 05 2016

CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

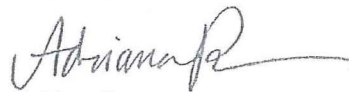
1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the [Table 1. Loadings for Each Class of Land Use](#) link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC: #3982336.D22

Recycled Paper





GABRIELENO BAND OF MISSION INDIANS – KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (Küt) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies of ten left behind signs of special use sites, usually grinding sticks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martínez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Kristen Johnston, Associate Planner
January 3, 2017
Page 2

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

Kristen Johnston, Associate Planner
January 3, 2017
Page 3

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

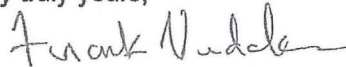
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area is Joint Outfall "B" Unit 8H include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road. The trunk sewer is 104 inches in diameter with a design capacity of 2.117 million gallons per day (mgd), and The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 2012), and The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.876 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458250 gpd of wastewater for a result of 1,145625 gpd or 0.8043 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, *Duarte Station Specific Plan Environmental Impact Report*, November 26, 2013, Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
<u>Residential (Single-Family)</u>		<u>2</u>	<u>260</u>	<u>gpd/unit</u>	<u>520</u>
<u>Residential (Duplex)</u>		<u>1648</u>	<u>312</u>	<u>gpd/duplex</u>	<u>2,4962,808</u>
<u>Total</u>					<u>3,016</u>
Net Change					+458250
1. Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145,625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

**HARD COPY
OF INITIAL STUDY/MND
PROVIDED**

EXHIBIT E

RESOLUTION NO. 17-R-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AN AMENDMENT TO THE LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN (GPA 16-01) FROM PUBLIC FACILITY AND OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL AND OPEN SPACE FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-01 and recommended that the City Council approve General Plan Amendment 16-01, subject to conditions of approval; and

WHEREAS, notice of a public hearing on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on March 14, 2017 the City Council held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the City Council received public testimony; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered General Plan Amendment 16-01 which provides, among other provisions, for Multiple-Family Residential and Open Space land use designations which facilitate in the development of an 18-unit, owner-occupied, two-story townhome development and relocation and reconstruction of Third Street Park; and

WHEREAS, the City Council has considered the proposed General Plan Amendment 16-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility and Open Space to Medium Density Residential and Open Space Land Use Designation ("General Plan Amendment"); and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers and hereby approves General Plan Amendment 16-01, amending the Land Use Policy Diagram of the City's General Plan designation of six parcels from Public Facility and Open Space to Medium Density Residential and Open Space.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds that the General Plan Amendment is internally consistent with all other provisions of the Duarte General Plan

SECTION 3. The City Council finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The City Council finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The City Council determines that the proposed change in land use designation from Public Facility and Open Space to Medium Density Residential and Open Space is the highest and best use for the subject property.

SECTION 6. The City Council determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. The City Council hereby approves the General Plan Amendment, which amends the City's General Plan Land Use Diagram, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In adoption of this Resolution for the General Plan Amendment, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding General Plan Amendment, and circulated for public review and comment, and is hereby certified by the City Council.

SECTION 9. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit “A”

General Plan Land Use Diagram attached hereto

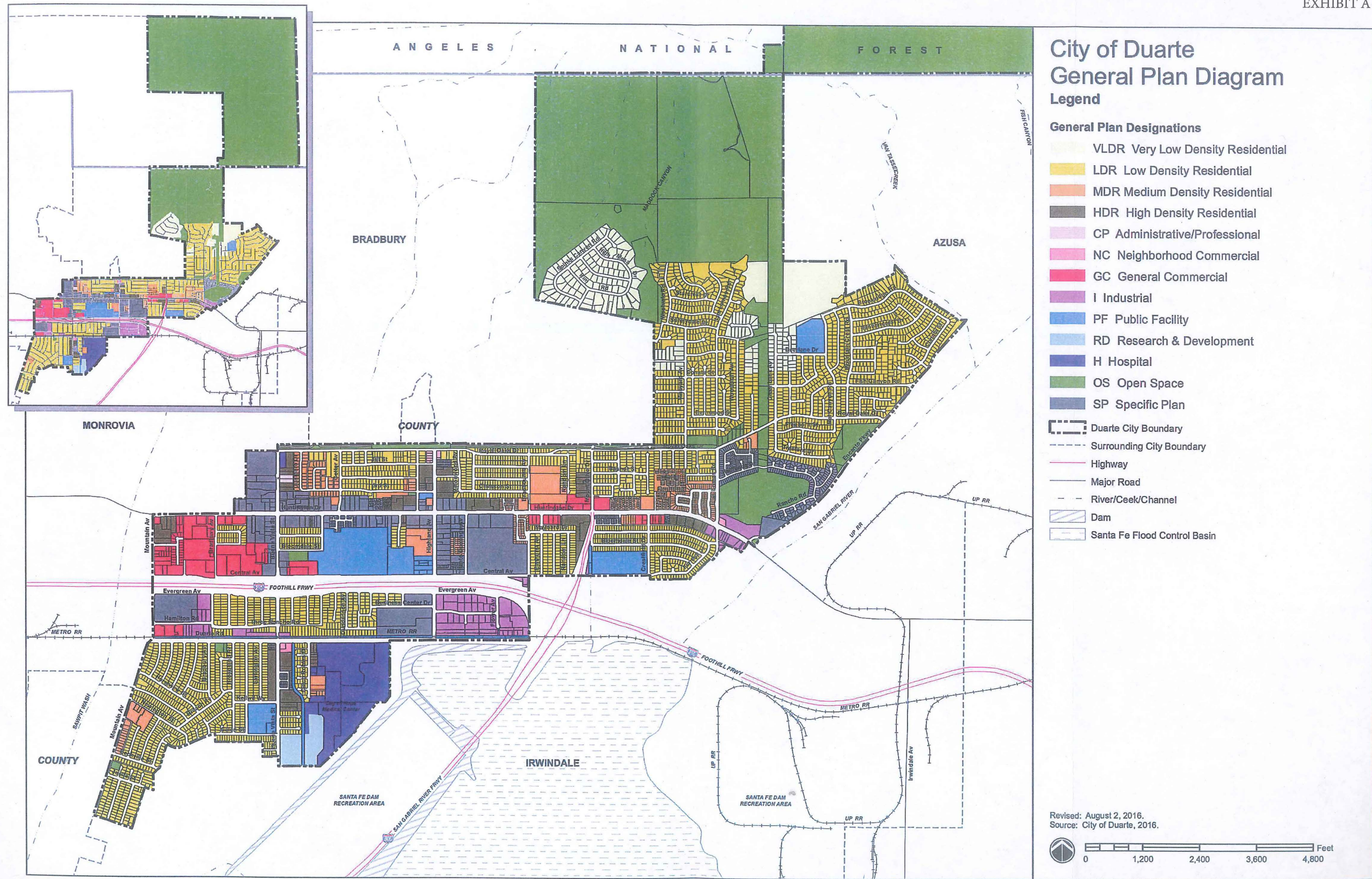


EXHIBIT F

ORDINANCE NO. 17-O-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING A ZONE CHANGE AND MODIFICATION OF THE CITY OF DUARTE ZONING MAP FROM PUBLIC FACILITY (PF) AND OPEN SPACE (O) ZONE TO MULTIPLE-FAMILY RESIDENTIAL, MEDIUM DENSITY (R-3) AND OPEN SPACE (O) FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission adopted Resolution PC 17-02 and recommended that the City Council approve Zone Change 16-01, subject to conditions of approval; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered Zone Change 16-01 which provides, among other provisions, for development of an 18-unit, owner occupied, two-story townhome development and relocation of Third Street Park.

WHEREAS, Zone Change 16-01 is contingent upon the approval of General Plan Amendment 16-01; and

WHEREAS, the City Council, has considered proposed Zone Change 16-01, changing the zoning designation and modifying the City of Duarte Zoning Map for six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from PF, Public Facility and O, Open Space to R-3, Multiple-Family Residential (Medium Density) and O, Open Space ("Zone Change"); and

WHEREAS, notice of a public hearing for the proposed Zone Change (ZC 16-01), was given in accordance with applicable law; and

WHEREAS, on March, 14, 2017, the City Council held a duly noticed public hearing on the proposed Zone Change 16-01, whereupon the City Council received public testimony; and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m., in the City Council Chambers and hereby approves Zone Change 16-01, modifying the zoning designation of six parcels of land from PF, Public Facility and O, Open Space to R-3, Multiple Family Residential (Medium-Density) and O, Open Space.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The foregoing recitals are true and correct and are incorporated herein as through set forth in full.

SECTION 2: The City Council finds that the Zone Change is consistent with the Duarte General Plan.

SECTION 3: The City Council finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4: The City Council finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5: The City Council determines that the proposed R-3, Multiple-Family Residential (Medium Density) and O, Open Space Zone is the highest and best use for the subject property.

SECTION 6: The City Council determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7: The City Council finds and determines that the Zone Change is consistent with the City's General Plan, and based thereon, the City Council hereby approves adoption of the Zone Change and the modification to the City of Duarte Zoning Map, in accordance with Exhibit "A" attached hereto and made a part of this Ordinance.

SECTION 8: In adoption of this Ordinance for the Zone Change, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Zone Change, and circulated for public review and comment, and is hereby certified by the City Council.

SECTION 9: That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

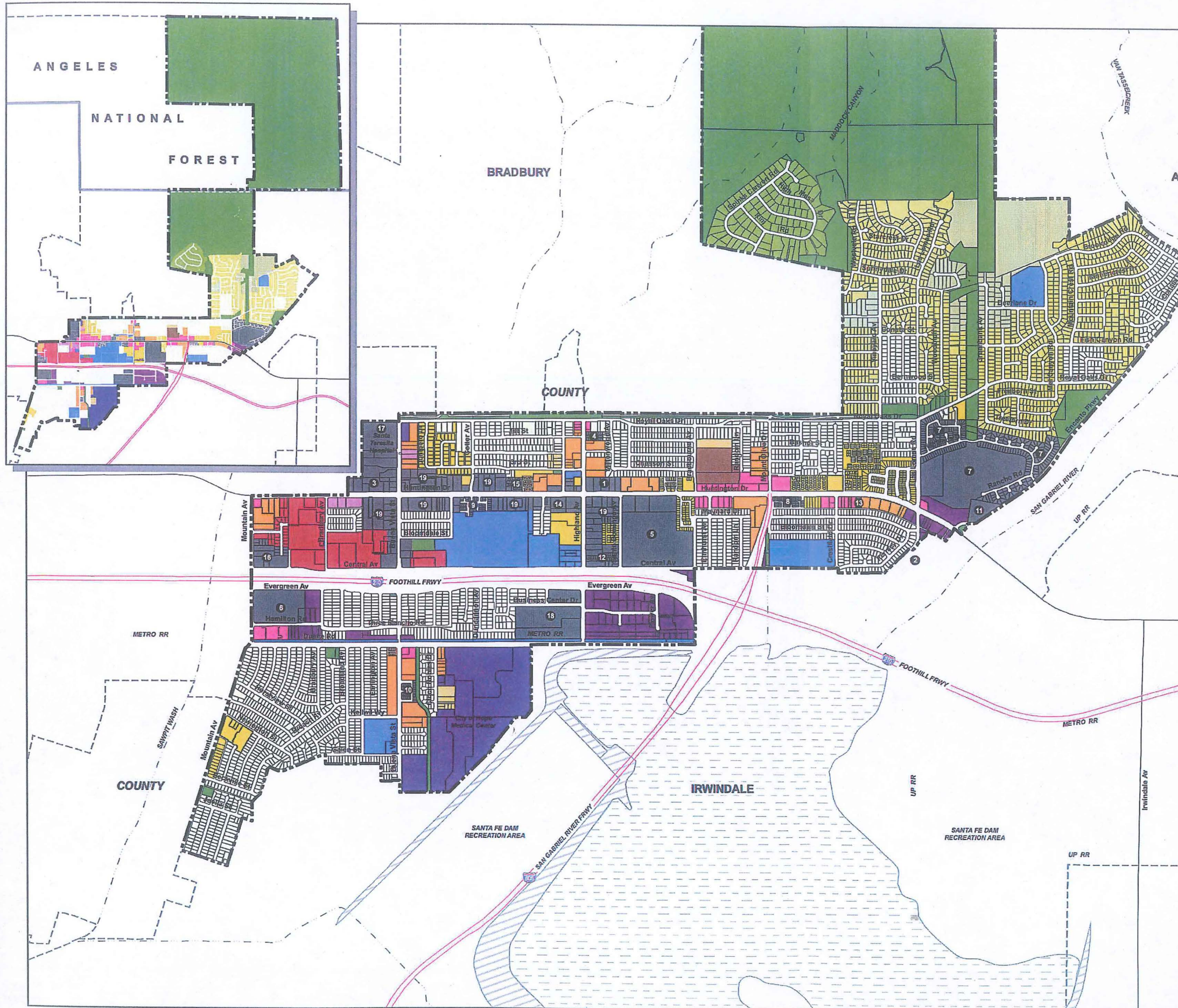
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. ____ which was introduced at a regular meeting on the ____ day of _____, 2017, and was adopted at a regular meeting held on the ____ day of _____, 2017, not being less than 5 days after the date of introduction thereof.

City Clerk Marla Akana
City of Duarte, California

Exhibit "A"

Zoning Map attached hereto



City of Duarte Final Zoning Map

Zoning Designations

- R-1 Single-Family Residential
- R-1A Single-Family Residential
- R-1B Single-Family Residential
- R-1D Single-Family Residential
- R-1E Single-Family Residential
- R-1F Single-Family Residential (Not Mapped)
- R-2 Two-Family Residential
- R-3 Multiple Family Residential Medium Density
- R-4 Multiple Family Residential High Density
- R-MH Mobile Home Residential
- C-G Commercial-General
- C-F Commercial-Freeway
- C-P Commercial-Professional
- M Manufacturing
- H Hospital
- PF Public Facility
- O Open Space
- # SP Specific Plan

(See Chapter 19.22 of the Development Code for a listing of the Specific Plans by name and number.)

Note: Some properties have approved Planned Development Permits (PDP) that supplement or supercede zoning standard. Appropriate files in the Planning Department should be consulted.

Adopted: November 23, 2010.
Updated: November 23, 2016
Sources: Parcel Data - Los Angeles County, 2007.
Zoning Data - City of Duarte, 2010.

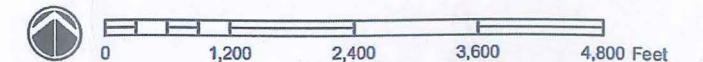


EXHIBIT G

RESOLUTION 17-R-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING TENTATIVE TRACT MAP NO. 74365 FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, Tipping Investments, LLC is requesting approval of Tentative Tract Map No. 74365 to allow the development of an 18-unit, owner-occupied, townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Tentative Tract Map No. 74365 is contingent upon the approval of General Plan Amendment 16-01 and Zone Change 16-01; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-03 and recommended that the City Council approve Tentative Tract Map No. 74365, subject to conditions of approval; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 74365, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development and the relocation and reconstruction of Third Street Park on certain property located at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds and determines that Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 3. The City Council finds and determines that the design of Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 4. The City Council finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development.

SECTION 5. The City Council finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development density allowed in the R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning designations.

SECTION 6. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as further examined and mitigated in the Mitigated Negative Declaration associated with this project.

SECTION 7. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause serious public health problems.

SECTION 8. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

SECTION 9. The City Council finds and determines that Tentative Tract Map No. 74365 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area because the development has been designed to be commensurate with said land uses and improvements are consistent with the General Plan and applicable land use zones.

SECTION 10. The City Council finds and determines that Tentative Tract Map No. 74365 is in the best interests and welfare of the City and its residents.

SECTION 11. The City Council hereby approves Tentative Tract Map No. 74365, and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 12. In adoption of this Resolution for Tentative Tract Map No. 74365, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Tentative Tract Map No. 74365, have been prepared and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit "A"

CONDITIONS OF APPROVAL

Tentative Tract Map No. 74365

1. The developer shall install curb, gutter, approaches, asphalt street and other street improvements as shown on Tentative Tract Map 74365, including said improvements to approximately two residences on the north side of Third Street, across from the project site (generally known as 1703 and 1709 Third Street).
2. Developer shall provide for the undergrounding of utilities along Oak Avenue, or pay an in-lieu fee, as determined by the City Engineer.
3. Developer shall dedicate parkland and/or pay an in-lieu fee for the same, pursuant to Chapter 19.82 of the Duarte Development Code ("Dedication of Land for Park and Recreational Purposes"). The developer shall dedicate land, known as Lot A, and the complete construction of park improvements (e.g. play equipment, landscaping, lighting, and other amenities) subject to approval by the City. The developer shall submit detailed park construction plans to the Community Development Department, prior to the issuance of building permits. The park shall be complete and fully operational prior to the issuance of the first certificate of occupancy for the associated residential development.
4. Codes, Covenants and Restrictions (CC&R's) must be reviewed and approved by the City Attorney and Community Development Department and be recorded prior to the sale of the first unit. Provisions for a homeowners' association shall be integrated into the CC&R's for the purposes of maintaining common areas.
5. Developer shall fund and install the signs, striping and other related traffic controls related to the unsignalized intersection improvements at Oak Avenue and Third Street, per the recommendations of the Engineering and Multi-way stop Application study and as approved by the City Engineer and/or Public Works/Engineering Division.
6. Decorative paving materials shall be integrated into driveways and/or driveway approaches as approved by the City Engineer and/or Public Works/Engineering Division.
7. The developer shall comply with the City's cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
8. All utilities for direct service to the project shall be installed underground.
9. The Applicant/Developer shall comply with the 2016 edition of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)

10. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
11. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.
12. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc.
13. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
14. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
15. The Applicant/Developer shall submit a Precise Grading Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
16. The applicant shall supply the City with one mylar and two printed copies of the recorded final tract map from the Los Angeles County Recorder's Office, prior to the issuance of the certificate of occupancy for the first residential unit.
17. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering/Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.
18. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.

19. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
20. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
21. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).
22. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. A connection fee is required by the County Sanitation District in order that necessary expansions and/or connections to the sewerage system can be constructed to accommodate new development. Said fees shall be paid prior to the issuance of building permits.
23. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
24. The Applicant/Developer shall provide sewer, drainage and Reciprocal Access Easements for the development to the satisfaction of the City Attorney and City Engineer.
25. The Applicant/Developer shall provide street lights, street name signs and stop signs in accordance with the standards of the City, if applicable.
26. The Applicant/Developer shall provide full street improvements on all street within the limits of the development. Improvements to include curbs and gutters, sidewalks, medians, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Oak Avenue and Third Street, adjacent to project	x	x	x	x	x	x				

1703 & 1709 Third Street	x	x		x						
Notes:										

27. The Applicant/Developer shall offer to dedicate all street right-of-way as shown on the Tentative Map (internal streets shall be private).
28. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
29. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and/or Public Works/Engineering Division.
30. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
31. For projects that disturb one (1) acre or greater of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, the project must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2012-0006-DWQ (as amended by all future adopted Construction General Permits). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Developer must submit a Notice of Intent and Waste Discharger's Identification (WDID) number as evidence of having applied with the Construction General Permit before the City will issue a grading permit. The project proponent is ultimately responsible to comply with the requirements of Order No. 2012-0006-DWQ, however, the City shall have the authority to enter the project site, review the project SWPPP, and require modifications and subsequent implementations to the SWPPP in order to prevent polluted runoff from leaving the project site onto public or private property.
32. The project is subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principals.
33. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an

exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices (BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:

- i. 8 1/2" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
34. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and equestrian trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
35. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
36. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
37. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
38. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
39. A preliminary title report and guaranteed is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.

40. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
41. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
42. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.
43. 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.
44. 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 H

RESOLUTION NO. 17-R-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING A REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR THE 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, WHERE FLEXIBILITY IN STANDARDS WILL ACHIEVE A HIGHER QUALITY PROJECT REFLECTING EXCELLENCE IN DESIGN, MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.118.050(B) AND THUS APPROVES PLANNED DEVELOPMENT PERMIT 16-01

WHEREAS, the applicant, Tipping Investments, LLC is requesting approval of a Planned Development Permit to allow flexibility in development standards related to lot-depth, front and rear setbacks and private and common open space requirements, for the proposed 18-unit, owner occupied, two-story townhome development at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, Planned Development Permit 16-01 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, and Tentative Tract Map No. 74365; and

WHEREAS, on February 13, 2017, the Architectural Review Board reviewed the plans for the proposed project, Planned Development Permit 16-01 and related Site Plan & Design Review application 16-22 and recommended approval to the Planning Commission and City Council for consideration; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-04 and recommended that the City Council approve Planned Development Permit 16-01, subject to conditions of approval; and

WHEREAS, notice of a public hearing on the proposed project and all related applications was given in accordance with applicable law; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Planned Development Permit 16-01 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council has made the findings for Planned Development Permit 16-01, as set forth in DDC Section 19.118.050 (B), and determines the proposed development is as follows:

1. The Planned Development Permit (PDP16-01) will accommodate a use that is allowed within the subject base zone, be consistent with the Duarte General Plan, be generally in compliance with all the applicable provisions of this Development Code, and ensure compatibility of uses in the surrounding neighborhood.

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and relocation of Third Street Park will not decrease the level of compatibility with the surrounding uses.

2. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications;

The project will use high quality architectural designs and materials, and incorporate high quality tile accents into the building elevations for enhanced architectural streetscape with colored concrete proposed for each unit entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each unit. With the addition of the paseos feature, enhanced paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units, the units without private yards are a short distance to the common yard area, and the common yard space is enhanced with features not typically integrated into a project of this scale, such as a built-in barbeque, and both landscaped and walled separation from the street and adjacent private units.

3. Appropriate standards and conditions of approval have been imposed to ensure the protection of the public health, safety and welfare;

Associated City Council Resolution 17-R-19 for General Plan Amendment 16-01, City Ordinance 17-O-05 for Zone Change 16-01, City Council Resolution 17-R-20 for Tentative Tract Map No. 74365, and City Council Resolution 17-R-22 for Site Plan & Design Review

Application 16-22 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

4. Appropriate onsite circulation and traffic control is designed into the development;

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from four locations off Third Street. Two-car, attached garages have been provided for each of the eighteen units. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. Furthermore, the project exceeds the required parking.

A trip generation analysis was conducted by Albert Grover and Associates, as part of the associated Mitigated Negative Declaration, for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 9th Edition (2012). The project trip generation rates for the proposed 18 two-story development will generate approximately 105 daily vehicle trips, also determined using the ITE 2012 Trip General Manual. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this intersection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;

The proposed 18-unit, owner-occupied, two-story townhome development and the relocation of Third Street Park is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features. The PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an

effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features.

6. Adequate public services and facilities exist, or will be provided in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health safety, and general welfare.

The proposed 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is a low intensity use that will have a minimal demand for public services. The subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and Los Angeles County Fire Department access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. Curbs, gutters and sidewalks around the development will be conditioned for repair or reconstruction, including several unimproved street frontages on the north side of Third Street. In correspondence with California American Water and Los Angeles County Sanitation Districts, water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or allowed uses.

The proposed residential development and relocation of Third Street Park is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GPA16-01, Zone Change 16-01, Tentative Tract Map No. 74365, Planned Development Permit 16-01, and Site Plan and Design Review 16-22. The proposed mitigation monitoring program and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community. The proposed 18-unit development and relocation of Third Street Park provides an optimal use of the site. It is not anticipated that it will cause a hazard to the public convenience or general welfare to the surrounding areas.

8. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Furthermore, the project will feature high quality materials and be designed to emulate Spanish Colonial Revival architecture.

SECTION 3. The City Council hereby approves the request for Planned Development Permit 16-01 for the properties located at 1101 Oak Avenue and 1634 Third Street, allowing customized development standards related to lot depth, front and rear setbacks, and private and common opens space requirements, by adopting Resolution 17-R-21, based on the findings listed in Sections 3 and the conditions of approval in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

SECTION 4. In adoption of this Resolution for Planned Development Permit, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit "A"

CONDITIONS OF APPROVAL Planned Development Permit PDP 16-01 Site Plan and Design Review 16-22

-
1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
 2. This approval recommendation is for the construction of 18 two-story, single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
 3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
 4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
 5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
 6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
 7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
 8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacture brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.

18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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 I

RESOLUTION 17-R-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW 16-22, A REQUEST BY TIPPING INVESTMENTS, LLC. FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENRALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, Tipping Investments, LLC submitted a design review application for an 18-unit, owner-occupied, two-story townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Site Plan and Design Review 16-22 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, Tentative Tract Map No. 74365, and Planned Development Permit 16-01; and

WHEREAS, On February 13, 2017, the Architectural Review Board reviewed the plans for Site Plan and Design Review 16-22 and recommended approval to the Planning Commission and City Council subject to conditions of approval; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-05 and recommended that the City Council approve Site Plan and Design Review 16-22, subject to conditions of approval; and

WHEREAS, the City Council of the City of Duarte has considered the project proposal, which provides, among other provisions, for the 18-unit townhome development and relocation and reconstruction of Third Street Park at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Site Plan and Design Review 16-22 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council has made the findings for Site Plan and Design Review 16-22, as set forth in DDC Section 19.122.050 (E), and determines the proposed development is as follows:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

General Plan Amendment and Zone Change 16-01 are included as part of the overall project

proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning districts, apart from the modifications associated with Planned Development Permit 16-01.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The proposed 18-unit, owner-occupied, two-story townhome development is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. Planned Development Permit (PDP) 16-01 provides flexibility in development standards through the efficient use of land and effective design responses to site features. The PDP was deemed appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Based on the project design and approval of PDP 16-01, the subject parcel is sufficient for accommodating the proposed 18-unit townhome development.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and
 - *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential and multiple-family residential uses. The proposed project will remove the existing commercial uses, relocate and reconstruct the existing park (Open Space, O) and construct multiple-family residential (R-3) which is compatible with the existing uses that surround the project site. Furthermore, the development has been designed to: limit the number of attached buildings to no more than duplexes, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. These design modifications increase architectural compatibility with surrounding residential properties.*
 - *Architectural Design and Detail. The project proposes a high-quality Spanish Colonial Revival architectural style. The proposed style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finished window and gutters, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, wrought iron balconies and window covers, Capistrano blend concrete roof tile, and wood grain steel garage doors with a walnut finish bead board design. All units have distinct front entries with decorative colored stamped concrete.*

- Landscape, Lighting, Parking, Signs, and Other Design Details.
 - a. Equipment and Utilities. *All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.*
 - b. Fences/Walls. *Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and block walls, and chain link fencing along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.*
 - c. Landscaping. *New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.*
 - d. Lighting. *A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.*
 - e. Parking. *The project meets the off-street parking requirements for the use by providing attached two-car garages for all 18-units, and exceeds the guest and overflow parking requirements, providing 14 on-site parking spaces. The project also allows adequate circulation into and throughout the property.*
- 4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

SECTION 3. The City Council approves Site Plan and Design Review 16-22 by adopting Resolution 17-R-22 based on the findings listed in Section 3 and conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 4. In adoption of this Resolution for Site Plan and Design Review, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Site Plan and Design Review, and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit 'A'

CONDITIONS OF APPROVAL
Planned Development Permit PDP 16-01
Site Plan and Design Review 16-22

-
1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
 2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
 3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
 4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
 5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
 6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
 7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
 8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground

mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.

19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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 J



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: PARKS AND RECREATION COMMISSION

SUBJECT: RECOMMENDATION TO APPROVE THE NEW THIRD STREET PARK DESIGN

DATE: FEBRUARY 4, 2017

At the February 13, 2017 meeting of the Duarte Parks and Recreation Commission, Commissioners were presented with information about the proposed Third Street residential development project and the relocation of the Third Street Park from its present location to the new location on the corner of Oak Ave and Third Street.

The proposed park will include a native plant garden and passive recreational area on the west-end of the park, a decomposed granite walking path surrounding a small lawn area at the center of the park, and new play equipment featuring a custom citrus orange theme that recognizes the citrus packing industry that is a major part of Duarte's history. The park will provide a unique street image using a river rock wall with a concrete cap approximately 20" in height, with four, five-foot high columns displaying four historic Duarte citrus crate labels, and park identification signage. The location of the proposed river rock wall provides adequate line-of-sight for vehicles and pedestrians while providing a barrier for children utilizing the play equipment from passing vehicle traffic. Six low-light bollards, with a bronze finish have been placed throughout the native garden, decomposed granite walking path and lawn area. Two park light standards in a bronze finish are proposed on both the north and south side of the play equipment. Proposed lighting and selective placement of lower growing landscape materials throughout the park will provide adequate visibility for residents and law enforcement purposes. Additionally, two dog waste/bag disposal stations have been placed on either side of the centralized lawn area.

Commissioner comments included the following requests:

- Locate the dog bag dispensers and trash cans more strategically for maximum effectiveness.
- Add an orange tree whether dwarf or other variety to complete the citrus packing theme and locate it away from the play equipment so that bees are not attracted to the blossoms.
- Add the installation of an informational sign or plaque that commemorates our local citrus heritage.

Commissioners praised the design and theme. Commissioner Dinsmore made a

motion to approve the project as proposed with minor modifications based on comments from the Commissioners that were reported to staff. Seconded by Bylsma-Houghton. The motion carried unanimously.

EXHIBIT K

RESOLUTION NO. PC 17-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THAT THE DUARTE CITY COUNCIL CERTIFY THE MITIGATED NEGATIVE DECLARATION AND ADOPT A MITIGATION MONITORING PROGRAM TO REDUCE IDENTIFIED "POTENTIALLY SIGNIFICANT" IMPACTS TO A LEVEL OF "LESS THAN SIGNIFICANT" FOR THE PROJECT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the Mitigated Negative Declaration ("MND") and Mitigation and Monitoring Program ("MMP") for the development of 18 owner-occupied, two-story townhome development and relocation of Third Street Park, on six parcels generally located at the southwest corner of Oak Avenue and Third Street (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905); and

WHEREAS, the MND for the proposed 18-unit development and relocation of Third Street Park provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in "Exhibit A", attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed 18 owner-occupied, two-story townhome development and relocation of Third Street Park, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, written comments on the MND and MMP were received from the public and other public agencies during the 21-day public review period, which began on December 1, 2016 and ended on January 3, 2017; and

WHEREAS, such comments and testimony have been responded to through a Comments and Responses as part of the MND process for the Project; and,

WHEREAS, notice of public hearing before the Planning Commission concerning the adequacy and completeness of the MND and MMP was given in accordance with the laws and policies of the City of Duarte (City); and

WHEREAS, the MND and MMP have been independently reviewed by the Planning Commission and reflects the independent judgment of the Planning Commission; and

WHEREAS, the Planning Commission has reviewed all documentation comprising the MND, and has found that the MND addresses all environmental effects of the proposed project, with mitigation measures, and that the MND and MMP fully comply with all requirements of CEQA and the CEQA Guidelines relating thereto.

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

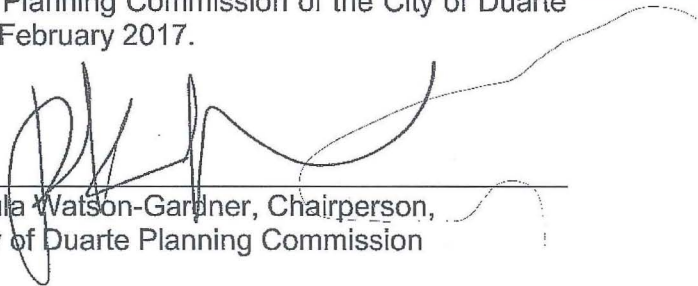
SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The Planning Commission finds that the MND and MMP fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto,

SECTION 3. The Planning Commission has considered the potential environmental effects as shown in the MND and, on the basis of the whole record, finds that there is no substantial evidence that the project will have a significant effect on the environment, with the implementation of the MMP. The foregoing determination, which reflects the independent analysis and independent judgment of the Planning Commission, is based on the information in the record.

SECTION 4. The Planning Commission recommends to the City Council of the City of Duarte that the MND and MMP be approved and adopted, in accordance with Exhibit "A" attached hereto and made a part of this Resolution; and that the MND and MMP, including all elements listed above, be certified by the City, as lead agency for the proposed project.

APPROVED AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, Chairperson,
City of Duarte Planning Commission

ATTEST:



Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a special meeting of the Planning Commission of the City of Duarte held on February 21, 2017, and carried by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT							
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION							
MITIGATION MONITORING AND REPORTING PROGRAM							
Mitigation Measure			Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
GEOLOGY AND SOILS							
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.		Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HAZARDS AND HAZARDOUS MATERIALS							
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.		Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HYDROLOGY AND WATER QUALITY							
HYD-1	Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source		Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."					
HYD-2	Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			
NOISE						
NOI-1	To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: - Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance			Remarks
			Initials	Date		
▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.						
PUBLIC SERVICES & UTILITIES						
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)			

8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED

DEC 05 2016

CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC: #3982336.D22



GABRIELENO BAND OF MISSION INDIANS – KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (Kic) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies of ten left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Kristen Johnston, Associate Planner
January 3, 2017
Page 2

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

Kristen Johnston, Associate Planner
January 3, 2017
Page 3

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

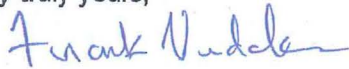
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area is Joint Outfall "B" Unit 8H ~~include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue, Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road.~~ The trunk sewer ~~is~~ are 1012-inches in diameter with has a design capacity of 2.117 million gallons per day (mgd), and ~~The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 2012).~~ The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.8766 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458250 gpd of wastewater for a result of 1,145625 gpd or 0.8043 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013, Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
Residential (Single-Family)		2	260	gpd/unit	520
Residential (Duplex)		1648	312	gpd/duplex	2,496,288
Total					3,016
Net Change					+458,250
1. Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145,625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

RESOLUTION NO. PC 17-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL AMEND THE LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN (GPA 16-01) FROM PUBLIC FACILITY AND OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL AND OPEN SPACE FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the General Plan Amendment (GPA 16-01) which provides, among other provisions, for the development of Multiple-Family Residential and Open Space for the development of an 18-unit, owner-occupied, two-story townhome development and relocation and reconstruction of Third Street Park; and

WHEREAS, the Planning Commission has considered proposed General Plan Amendment 16-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility and Open Space to Medium Density Residential and Open Space Land Use Designation ("General Plan Amendment"); and

WHEREAS, notice of a public hearing on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the General Plan Amendment, amending the Land Use Policy Diagram of the City's General Plan designation of six parcels from Public Facility and Open Space to Medium Density Residential and Open Space.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the General Plan Amendment is internally consistent with all other provisions of the Duarte General Plan

SECTION 3. The Planning Commission finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed change in land use designation from Public Facility and Open Space to Medium Density Residential and Open Space is the highest and best use for the subject property.

SECTION 6. The Planning Commission determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission hereby recommends the General Plan Amendment, which amends the City's General Plan Land Use Diagram, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In recommending adoption of this Resolution for the General Plan Amendment, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding General Plan Amendment, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding General Plan Amendment.

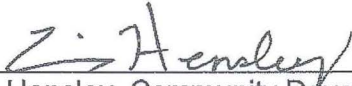
SECTION 9. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February, 2017.



Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:

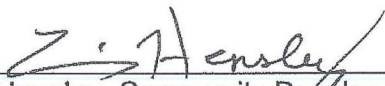


Craig Hensley, Community Development Director

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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

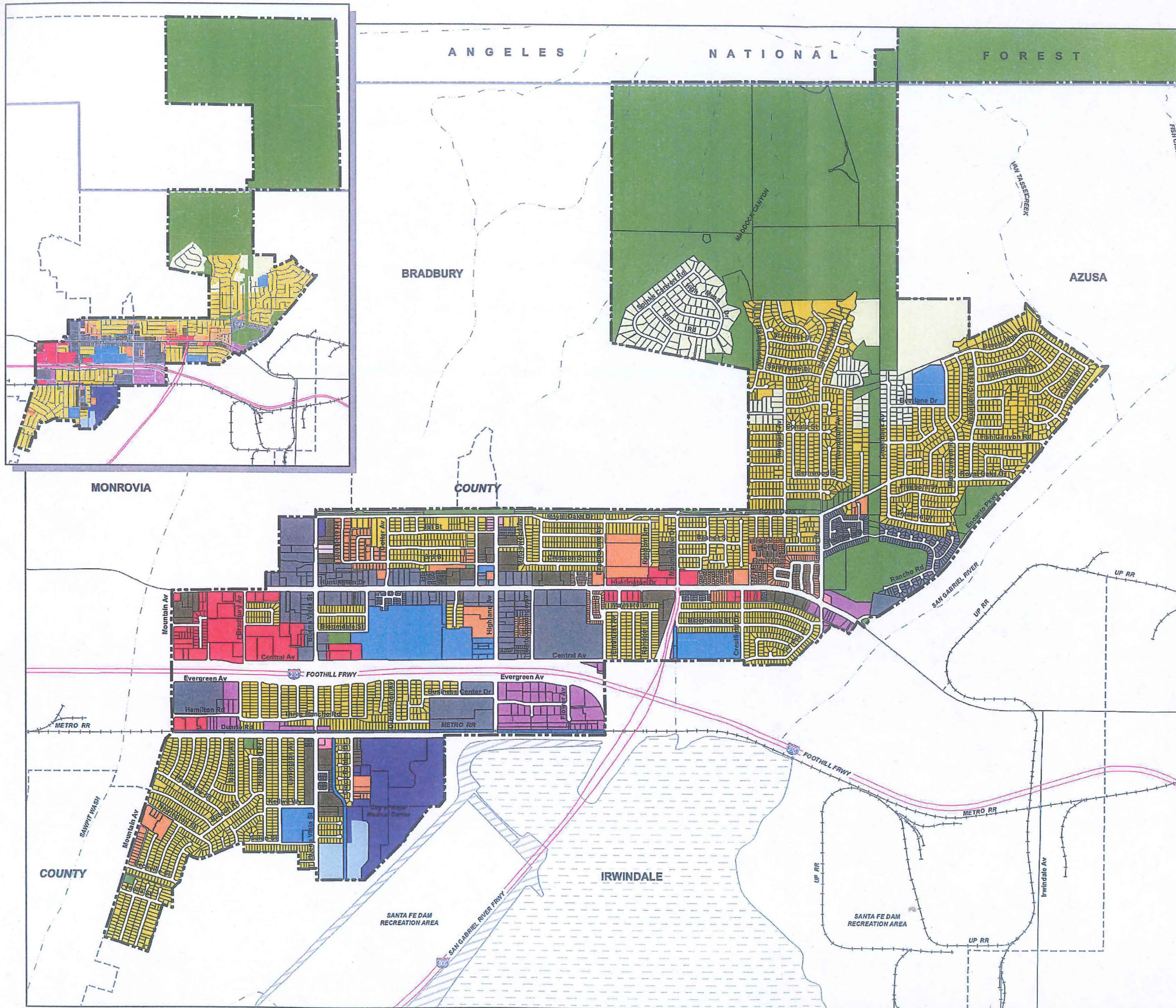
AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

General Plan Land Use Diagram attached hereto

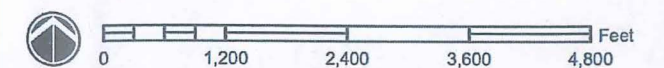


City of Duarte General Plan Diagram Legend

General Plan Designations

- VLDR Very Low Density Residential
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- CP Administrative/Professional
- NC Neighborhood Commercial
- GC General Commercial
- I Industrial
- PF Public Facility
- RD Research & Development
- H Hospital
- OS Open Space
- SP Specific Plan
- Duarte City Boundary
- Surrounding City Boundary
- Highway
- Major Road
- River/Creek/Channel
- Dam
- Santa Fe Flood Control Basin

Revised: August 2, 2016.
Source: City of Duarte, 2016.



RESOLUTION NO. PC 17-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE A ZONE CHANGE AND MODIFY THE CITY OF DUARTE ZONING MAP (ZC 16-01) FROM THE PUBLIC FACILITY (PF) AND OPEN SPACE (O) ZONE TO MULTIPLE-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (O) FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the Zone Change (ZC 16-01) which provides, among other provisions, for development of an 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park; and

WHEREAS, Zone Change 16-01 is contingent upon the approval of General Plan Amendment 16-01; and

WHEREAS, the Planning Commission, has considered proposed Zone Change 16-01, changing the zoning designation and modifying the City of Duarte Zoning Map for six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from PF, Public Facility and O, Open Space to R-3, Multiple-Family Residential (Medium Density) and O, Open Space ("Zone Change"); and

WHEREAS, notice of a public hearing for the proposed Zone Change, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed Zone Change, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the Zone Change, modifying the zoning designation of six parcels of land from PF, Public Facility and O, Open Space (O) to R-3, Multiple-Family Residential (Medium-Density) and O, Open Space .

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Zone Change is consistent with the Duarte General Plan.

SECTION 3. The Planning Commission finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

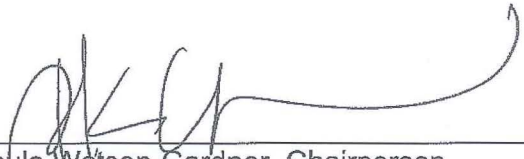
SECTION 5. The Planning Commission determines that the proposed R-3, Multiple-Family Residential (Medium Density) and O, Open Space Zone is the highest and best use for the subject property.

SECTION 6. The Planning Commission determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission finds and determines that the Zone Change is consistent with the City's General Plan, and based thereon, the Planning Commission hereby recommends the City Council adopt the Zone Change and the modification to the City of Duarte Zoning Map, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In recommending adoption of this Resolution for the Zone Change, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Zone Change, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the Zone Change.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, 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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

Zoning Map attached hereto

City of Duarte Final Zoning Map

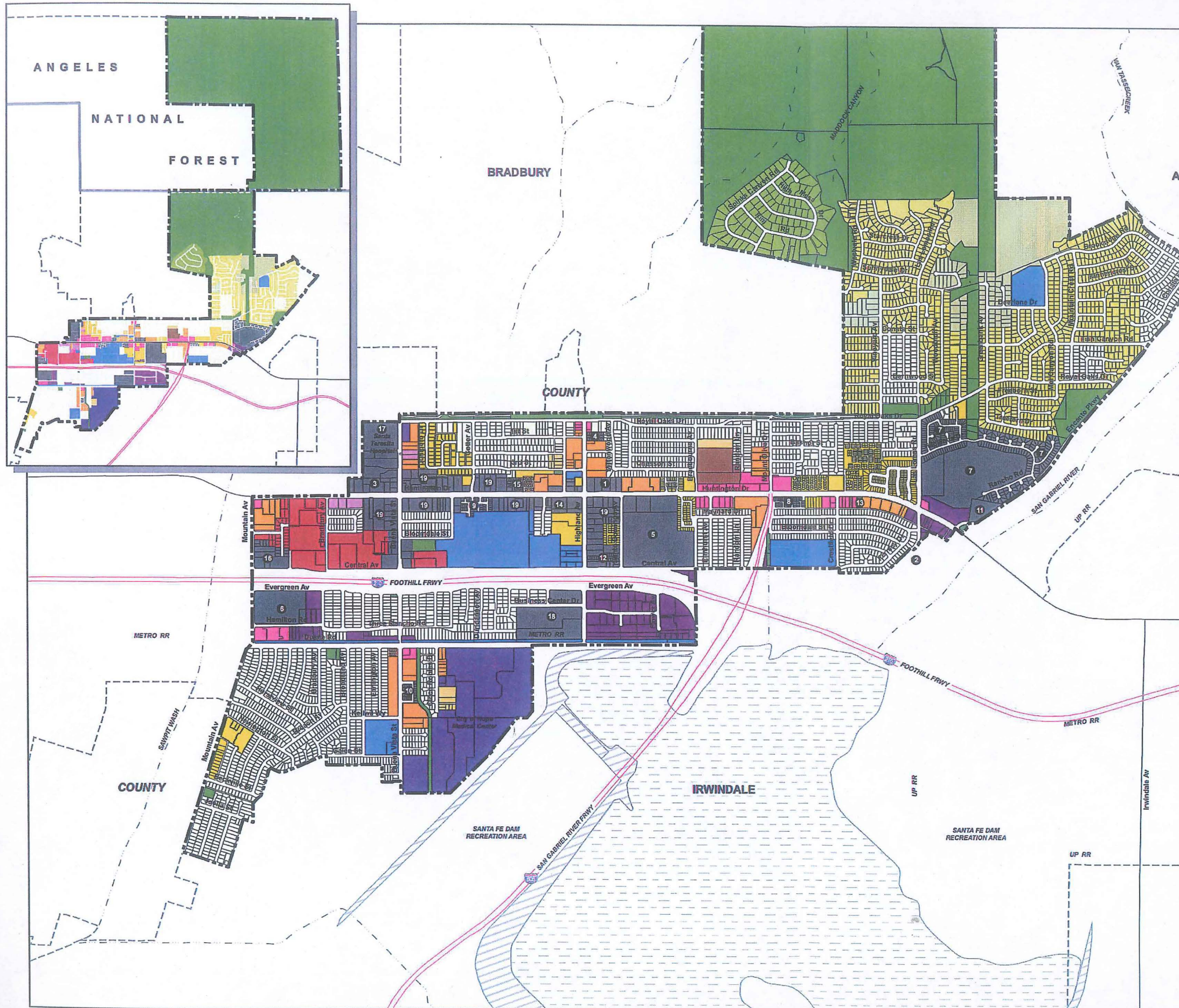
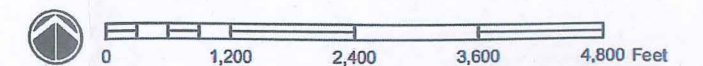
Zoning Designations

- R-1 Single-Family Residential
- R-1A Single-Family Residential
- R-1B Single-Family Residential
- R-1D Single-Family Residential
- R-1E Single-Family Residential
- R-1F Single-Family Residential (Not Mapped)
- R-2 Two-Family Residential
- R-3 Multiple Family Residential Medium Density
- R-4 Multiple Family Residential High Density
- R-MH Mobile Home Residential
- C-G Commercial-General
- C-F Commercial-Freeway
- C-P Commercial-Professional
- M Manufacturing
- H Hospital
- PF Public Facility
- O Open Space
- # SP Specific Plan

(See Chapter 19.22 of the Development Code for a listing of the Specific Plans by name and number.)

Note: Some properties have approved Planned Development Permits (PDP) that supplement or supercede zoning standard. Appropriate files in the Planning Department should be consulted.

Adopted: November 23, 2010.
Updated: November 23, 2016
Sources: Parcel Data - Los Angeles County, 2007.
Zoning Data - City of Duarte, 2010.



RESOLUTION PC 2017-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE TENTATIVE TRACT MAP NO. 74365 FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant is requesting approval of Tentative Tract Map No. 74365 to allow the development of an 18-unit, owner-occupied, townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Tentative Tract Map No. 74365 is contingent upon the approval of General Plan Amendment 16-01 and Zone Change 16-01; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 74365, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story development and the relocation and reconstruction of Third Street Park on certain property located at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 3. The Planning Commission finds and determines that the design of Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 4. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development.

SECTION 5. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development density allowed in the R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning designations.

SECTION 6. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as further examined and mitigated in the Mitigated Negative Declaration associated with this project.

SECTION 7. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause serious public health problems.

SECTION 8. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

SECTION 9. The Planning Commission finds and determines that Tentative Tract Map No. 74365 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area because the development has been designed to be commensurate with said land uses and improvements are consistent with the General Plan and applicable land use zones.

SECTION 10. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is in the best interests and welfare of the City and its residents.

SECTION 11. The Planning Commission hereby recommends the City Council approve Tentative Tract Map No. 74365, and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 12. In recommending adoption of this Resolution for Tentative Tract Map No. 74365, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Tentative Tract Map No. 74365, have been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Tentative Tract Map No. 74365.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte
at a regular meeting held on the 21st day of February, 2017.


Paula Watson-Gardner, 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
Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None


Craig Hensley, Community Development Director

Exhibit "A"

CONDITIONS OF APPROVAL

Tentative Tract Map No. 74365

1. The developer shall install curb, gutter, approaches, asphalt street and other street improvements as shown on Tentative Tract Map 74365, including said improvements to approximately two residences on the north side of Third Street, across from the project site (generally known as 1703 and 1709 Third Street).
2. Developer shall provide for the undergrounding of utilities along Oak Avenue, or pay an in-lieu fee, as determined by the City Engineer.
3. Codes, Covenants and Restrictions (CC&R's) must be reviewed and approved by the City Attorney and Community Development Department and be recorded prior to the sale of the first unit. Provisions for a homeowners association shall be integrated into the CC&R's for the purposes of maintaining common areas.
4. Developer shall fund and install the signs, striping and other related traffic controls related to the unsignalized intersection improvements at Oak Avenue and Third Street, per the recommendations of the Engineering and Multi-way stop Application study and as approved by the City Engineer and/or Public Works/Engineering Division.
5. Decorative paving materials shall be integrated into driveways and/or driveway approaches as approved by the City Engineer and/or Public Works/Engineering Division.
6. The developer shall comply with the City's cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
7. All utilities for direct service to the project shall be installed underground.
8. The Applicant/Developer shall comply with the 2016 edition of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)
9. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
10. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.

11. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc.
12. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
13. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
14. The Applicant/Developer shall submit a Precise Grading Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
15. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering/Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.
16. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.
17. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
18. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
19. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles

County as mandated by the National Pollutant Discharge Elimination System (NPDES).

20. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. A connection fee is required by the County Sanitation District in order that necessary expansions and/or connections to the sewerage system can be constructed to accommodate new development. Said fees shall be paid prior to the issuance of building permits.
21. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
22. The Applicant/Developer shall provide sewer, drainage and Reciprocal Access Easements for the development to the satisfaction of the City Attorney and City Engineer.
23. The Applicant/Developer shall provide street lights, street name signs and stop signs in accordance with the standards of the City, if applicable.
24. The Applicant/Developer shall provide full street improvements on all street within the limits of the development. Improvements to include curbs and gutters, sidewalks, medians, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Approach Drive	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Oak Avenue and Third Street, adjacent to project	x	x	x	x	x	x				
1703 & 1709 Third Street	x	x		x						
Notes:										

25. The Applicant/Developer shall offer to dedicate all street right-of-way as shown on the Tentative Map (internal streets shall be private).
26. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
27. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and/or Public Works/Engineering Division.
28. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
29. For projects that disturb one (1) acre or greater of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, the project must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2012-0006-DWQ (as amended by all future adopted Construction General Permits). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Developer must submit a Notice of Intent and Waste Discharger's Identification (WDID) number as evidence of having applied with the Construction General Permit before the City will issue a grading permit. The project proponent is ultimately responsible to comply with the requirements of Order No. 2012-0006-DWQ, however, the City shall have the authority to enter the project site, review the project SWPPP, and require modifications and subsequent implementations to the SWPPP in order to prevent polluted runoff from leaving the project site onto public or private property.
30. The project is subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principals.
31. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices

(BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:

- i. 8 1/2" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
32. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and equestrian trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
33. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
34. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
35. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
36. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
37. A preliminary title report and guaranteed is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement

holders. The account for this title report should remain open until the final map is filed with the County Recorder.

38. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
39. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
40. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.
41. 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.
42. 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.

RESOLUTION NO. PC 17-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE DETERMINING THAT THE PROPOSED REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR THE 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, WHERE FLEXIBILITY IN STANDARDS WILL ACHIEVE A HIGHER QUALITY PROJECT REFLECTING EXCELLENCE IN DESIGN, MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.118.050(B) AND THUS RECOMMENDS THE DUARTE CITY COUNCIL APPROVE PLANNED DEVELOPMENT PERMIT 16-01

WHEREAS, the applicant is requesting approval of a Planned Development Permit to allow flexibility in development standards related to lot-depth, front and rear setbacks and private and common open space requirements, for the proposed 18-unit, owner occupied, two-story townhome development at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, Planned Development Permit 16-01 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, and Tentative Tract Map No. 74365; and

WHEREAS, on February 13, 2017 the Architectural Review Board reviewed the plans for the proposed project and related Site Plan & Design Review application 16-22 and recommended approval to the Planning Commission and City Council for consideration; and

WHEREAS, notice of a public hearing on the proposed project and all related applications was given in accordance with applicable law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Planned Development Permit 16-01 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission has made the findings for Planned Development Permit 16-01, as set forth in DDC Section 19.118.050 (B), and determines the proposed development is as follows:

1. The Planned Development Permit 16-01 will accommodate a use that is allowed within the subject base zone, be consistent with the Duarte General Plan, be generally in compliance with all the applicable provisions of this Development Code, and ensure compatibility of uses in the surrounding neighborhood.

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and relocation of Third Street Park will not decrease the level of compatibility with the surrounding uses.

2. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications;

The project will use high quality architectural designs and materials, and incorporate high quality tile accents into the building elevations for enhanced architectural streetscape with colored concrete proposed for each unit entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each unit. With the addition of the paseos feature, enhanced paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units, the units without private yards are a short distance to the common yard area, and the common yard space is enhanced with features not typically integrated into a project of this scale, such as a built-in barbeque, and both landscaped and walled separation from the street and adjacent private units.

3. Appropriate standards and conditions of approval have been imposed to ensure the protection of the public health, safety and welfare;

Associated PC Resolution 17-01 for General Plan Amendment 16-01, PC Resolution 17-02 for Zone Change 16-01, PC Resolution 17-03 for Tentative Tract Map 74365, and PC Resolution 17-05 for Site Plan & Design Review Application 16-22 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

4. Appropriate onsite circulation and traffic control is designed into the development;

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from four locations off Third Street. Two-car, attached garages have been provided for each of the eighteen units. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking.

A trip generation analysis was conducted by Albert Grover and Associates, as part of the associated Mitigated Negative Declaration, for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 9th Edition (2012). The project trip generation rates for the proposed 18 two-story development will generate approximately 105 daily vehicle trips, also determined using the ITE 2012 Trip General Manual. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this intersection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;

The proposed 18-unit, owner-occupied, two-story townhome development and the relocation of Third Street Park is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features. The PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot

depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features.

6. Adequate public services and facilities exist, or will be provided in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health safety, and general welfare.

The proposed 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is a low intensity use that will have a minimal demand for public services. The subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and Los Angeles County Fire Department access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. Curbs, gutters and sidewalks around the development will be conditioned for repair or reconstruction, including several unimproved street frontages on the north side of Third Street. In correspondence with California American Water and Los Angeles County Sanitation Districts, water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or allowed uses.

The proposed residential development and relocation of Third Street Park is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GPA16-01, Zone Change 16-01, Tentative Tract Map No. 74365, Planned Development Permit 16-01, and Site Plan and Design Review 16-22. The proposed mitigation monitoring program and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community. The proposed 18-unit development and relocation of Third Street Park provides an optimal use of the site. It is not anticipated that it will cause a hazard to the public convenience or general welfare to the surrounding areas.

8. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

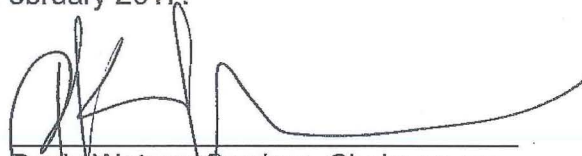
The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view

corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Furthermore, the project will feature high quality materials and be designed to emulate Spanish Colonial Revival architecture.

SECTION 3. The Planning Commission hereby recommends the Duarte City Council approve Planned Development Permit 16-01, the request for Planned Development Permit 16-01 at 1101 Oak Avenue and 1634 Third Street, allowing customized development standards related to lot depth, front and rear setbacks, and private and common opens space requirements, by adopting PC Resolution 17-04, based on the findings listed in Sections 3 and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

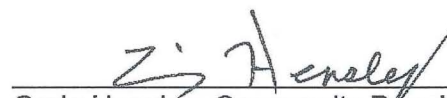
SECTION 4. In recommending adoption of this Resolution for Planned Development Permit, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Planned Development Permit.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:



Craig Hensley, Community Development Director

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

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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01
Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction.

Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
- 11.
12. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
13. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
14. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
15. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.

16. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
17. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
18. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
19. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
20. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
21. All utilities for direct service to the project shall be installed underground.
22. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
23. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
24. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
25. 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.
26. 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.

RESOLUTION PC 17-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE SITE PLAN AND DESIGN REVIEW 16-22, A REQUEST BY TIPPING INVESTMENTS, LLC. FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENRALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, submitted a design review application for an 18-unit, owner-occupied, two-story townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, Tentative Tract Map No. 74365, and Planned Development Permit 16-01; and

WHEREAS, new two-story, multiple-family residential construction requires recommendation from the Architectural Review Board to the Planning Commission, and since this project involves entitlements that also require consideration from the City Council, a recommendation from the Planning Commission to City Council, pursuant to Section 19.112.030 and Table 7-2 in Section 19.122.030 of the Duarte Development Code; and

WHEREAS, On February 13, 2017 the Architectural Review Board reviewed the plans for the Site Plan and Design Review Case 16-22 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, the Planning Commission of the City of Duarte has considered the project proposal, which provides, among other provisions, for the 18-unit townhome development and relocation and reconstruction of Third Street Park at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Site Plan and Design Review Case 16-22 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission has made the findings for Site Plan and Design Review 16-22, as set forth in DDC Section 19.122.050 (E), and determines the proposed development is as follows:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

General Plan Amendment and Zone Change 16-01 are included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning districts, apart from the modifications associated with Planned Development Permit 16-01.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The proposed 18-unit, owner-occupied, two-story townhome development is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. Planned Development Permit (PDP) 16-01 provides flexibility in development standards through the efficient use of land and effective design responses to site features. The PDP was deemed appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Based on the project design and approval of PDP 16-01, the subject parcel is sufficient for accommodating the proposed 18-unit townhome development.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and

- *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential and multiple-family residential uses. The proposed project will remove the existing commercial uses, relocate and reconstruct the existing park (Open Space, O) and construct multiple-family residential (R-3) which is compatible with the existing uses that surround the project site. Furthermore, the development has been designed to: limit the number of attached buildings to no more than duplexes, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing*

architectural elements that modulate the frontages of the units. These design modifications increase architectural compatibility with surrounding residential properties.

- *Architectural Design and Detail. The project proposes a high-quality Spanish Colonial Revival architectural style. The proposed style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finished window and gutters, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, wrought iron balconies and window covers, Capistrano blend concrete roof tile, and wood grain steel garage doors with a walnut finish bead board design. All units have distinct front entries with decorative colored stamped concrete.*
- *Landscape, Lighting, Parking, Signs, and Other Design Details.*
 - a. *Equipment and Utilities. All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.*
 - b. *Fences/Walls. Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and block walls, and chain link fencing along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.*
 - c. *Landscaping. New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.*
 - d. *Lighting. A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.*
 - e. *Parking. The project meets the off-street parking requirements for the use by providing attached two-car garages for all 18-units, and exceeds the guest and overflow parking requirements, providing 14 on-site parking spaces. The project also allows adequate circulation into and throughout the property.*

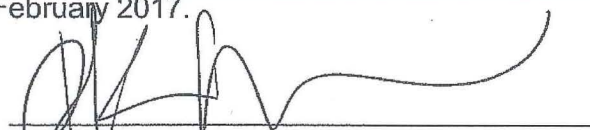
4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

SECTION 3. The Planning Commission recommends the Duarte City Council approve Site Plan and Design Review Case 16-22 by adopting PC Resolution 17-05, based on the findings listed in Section 3 and conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 4. In recommending adoption of this Resolution for Site Plan and Design Review, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Site Plan and Design Review, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the Site Plan and Design Review.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:



Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES

} ss.

STATE OF CALIFORNIA

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit 'A'

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01

Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the

conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan

related to the aforementioned, must be approved by the Planning Division prior to installation.

16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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.

FEBRUARY 26 - MARCH 4, 2017

Legal Notice

Legal Notice

Legal Notice

Legal Notice

**CITY COUNCIL
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to State Law, the City Council of the City of Duarte will hold a Public Hearing at 7:00 p.m., on Tuesday, March 14, 2017 in Council Chambers, 1600 Huntington Drive, Duarte, California, to consider the following:

General Plan Amendment (GPA 16-01); Zone Change (ZC 16-01); Tentative Tract Map 74365; Planned Development Permit (PDP 16-01); and Site Plan and Design Review (SPDR 16-22): A request by Tipping Investment, LLC. for approval to construct an 18-unit, owner-occupied, two-story townhome project that includes the removal of the existing Third Street Park, and the relocation and complete reconstruction of a new Third Street Park at southwest corner of Oak Avenue and Third Street. The project requires multiple entitlements, including: a General Plan Amendment to modify the current land use designation from Public Facility and Open Space to Medium Density Residential and Open Space; a Zone Change to replace PF, Public Facility and O, Open Space zones with R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning; the subdivision of an 1.65 acre parcel into 21 parcels (18 residential lots, one common lot for the benefit of the development, a lot for the relocation of Third Street park, and a separate lot for future quitclaim to an adjacent property owner); a Planned Development Permit to allow customized development standards that provide for flexibility with proposed development projects under limited and unique circumstances; and a Site Plan and Design Review for the proposed architectural design of the two-story, multi-family development. On February 13, the Architectural Review Board recommended approval of Site Plan and Design Review 16-22 and Planned Development Permit 16-01; and the Parks and Recreation Commission recommended approval of the design and layout of the proposed park. On February 21, the Planning Commission held a public hearing and recommended (4-1) City Council approval of GPA, ZC and PDP 16-01, Tentative Tract Map 74365, SPDR 16-22 and the associated Mitigated Negative Declaration and Mitigation Monitoring Program.

In accordance with the California Environmental Quality Act (CEQA) Sections 21000-21177 and pursuant to CEQA Guidelines Sections 15063, the City is required to prepare an Initial Study to determine if the proposed project would have a significant environmental impact. An Initial Study was prepared for the project and determined that a Mitigated Negative Declaration is required, indicating that the proposed project would not have any significant environmental impacts with adopted mitigation measures. Implementation of these mitigation measures are expected to reduce identified potentially significant impacts to a level of less than significant as required by CEQA.

Any interested party may appear in person, or by agent, and be heard. If this matter is challenged in Court, there will be a limit to only those issues that were raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing. Written correspondence may be sent to Duarte City Hall, City Clerk's Office, at 1600 Huntington Drive, Duarte, CA 91010.

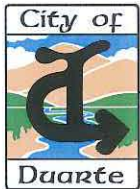
For further information regarding this application, please contact Kristen Johnston, Associate Planner in the Community Development Department, 1600 Huntington Drive, Duarte, CA., 91010, Monday through Thursday at (626) 357-7931, ext. 238, between the hours of 7:30 a.m. and 6:00 p.m.

Marla Akana, City Clerk

PUBLISH: Duartean - Saturday, March 4, 2017
POSTED: Duarte City Hall, Duarte Public Safety Office, Duarte Library, March 2, 2017

Para información en Español, favor de llamar a City Hall de Duarte, (626) 357-7931.

Published: Duartean Mar 4, 2017 Ad#910059



CITY COUNCIL STAFF REPORT

Date: March 14, 2017

To: Mayor and Duarte City Council

From: Kristen Johnston, Associate Planner

Subject: **General Plan Amendment (GPA 16-01); Zone Change (ZC 16-01); Tentative Tract Map 74365; Planned Development Permit (PDP 16-01); Site Plan Design Review (SPDR 16-22) and associated Mitigated Negative Declaration:** A request by Tipping Investments, LLC to demolish existing buildings and site work and allow the construction of an 18-unit, owner-occupied, two-story townhome project that includes the relocation and complete reconstruction of Third Street Park, at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street).

SUMMARY

The proposed project is a partnership project between the City of Duarte and Tipping Investments, LLC. The project site is 71,730 square feet (1.65 acres) and includes the existing Third Street Park, two buildings at 1101 Oak Avenue and 1634-1640 Third Street, and associated parking lots. The project proposes the demolition of all existing buildings and associated parking areas, relocation of the existing Third Street Park to the southwest corner of Third Street and Oak Avenue, the complete reconstruction of Third Street Park, and the construction of 18 residential units.

The project was reviewed by the Architectural Review Board (ARB) for design review and a planned development permit (PDP), as well as, the Parks and Recreation Commission for park design and layout. Both meetings were held on February 13, 2017 and received a recommendation to the Planning Commission and City Council.

On February 21, 2017, the Planning Commission reviewed the Architectural Review Board and Parks and Recreation Commission recommendation for the proposed project. After receiving public input, the Planning Commission debated the merits of the project and voted to recommend approval to the City Council.

BACKGROUND

The 71,730 square feet (1.65 acre) project site exists today as six (6) parcels with two (2) buildings. The properties are currently zoned Open Space (O) and Public Facility (PF). The westerly portion of the site is comprised of three (3) parcels, which contain the existing Third Street Park, 1634-1640 Third Street building, and associated parking lot. The building began as a warehouse and was later converted to the City's first City Hall. The Third Street building is

currently home to the Duarte Chamber of Commerce offices and was the former site of Duarte Montessori School. The easterly three (3) parcels contain the City's north yard and office building. The 1101 Oak Avenue building served as Cal-Am' Duarte field office for many years.

A Purchase and Sale Agreement was approved by the City Council on June 28, 2016, between Tipping Investments, LLC and the City (who owns the entire property). The agreement provided for the development of the site into a residential project using high-quality Spanish-colonial style architecture and the reconstruction or relocation of Third Street Park, in exchange for \$1.9 million. The significant reasons for the City's decision to sell this property were grounded in the condition of the existing buildings and the prospect of less than compatible uses (e.g. office, commercial or school) if the City were to have elected to rehabilitate the buildings. Prior to considering this agreement, the City ascertained the condition of the buildings. The building assessment showed that the site would need costly seismic, accessibility and architectural upgrades to make it marketable to future office, civic or school uses.

The project has had significant public outreach through the entitlement process. The neighborhood affected by the potential relocation of the park has been involved since early in the process, including two neighborhood meetings held in May 2015 and September 2016. At these meetings traffic, parking and park issues were raised as major topics of discussion. Most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography. These concepts have been integrated or addressed in the proposed park design. Traffic and on-street parking concerns were also discussed in the neighborhood meeting. Staff indicated that a traffic analysis that was being conducted by Albert Grover and Associates, and did not anticipate a significant impact on traffic. In addition, the restriction of on-street parking in front of the project was discussed by most of the attendees.

On February 13, 2017, the project received a recommendation for approval from the Architectural Review Board for Site Plan and Design Review 16-22 and PDP 16-01. On the same day, the Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk.

On February 21, 2017, at a duly noticed public hearing, the Planning Commission reviewed the Architectural Review Board and Parks and Recreation Commission recommendation for the proposed project. The Planning Commission's discussion of the project included: consideration of public input on views, sales price and street improvements; fire hydrant locations; partnership and sale agreement questions; tentative tract map processing – particularly Lot C; two-story townhomes compared to single-story, single-family residences; parking for the relocated park, ADA accessible entrance off Oak Avenue for the new park, river rock wall at the corner of the park, building height and views from adjacent properties to the south, and CEQA questions relating to the increase in demand for utilities and additional traffic congestion. After a

considerable amount of discussion, the Planning Commission voted 4-1-0 (Farra) to recommend City Council approval of General Plan Amendment, Zone Change and Planned Development Permit 16-01, Tentative Tract Map 74365, Site Plan and Design Review 16-22 and the associated Mitigated Negative Declaration and Mitigation Monitoring Program.

ANALYSIS

The applicant is proposing to remove all existing buildings (approximately 12,790 square feet); demolish all parking lots; remove, relocate and reconstruct Third Street Park to the south-east end of the project site at the corner of Third Street and Oak Avenue, and construct 18 owner-occupied, two-story attached residences (e.g. townhomes). The residences living area averages 1,616 square feet of floor area. All units will feature three bedrooms, 2 ½ baths, living and dining areas, and an attached two-car garage. The common area proposes 14 overflow and guest parking spaces, private yards and/or patios for 11 units and a 2,192 square-foot common open space located toward the center of the development. Proposed project density is 11 dwelling units per acre (du/ac).

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family townhome/condominium residences to the southwest; multi-family apartments to the northeast and southeast, and Fire Station #44 to the east of the subject property.

The proposed residential development requires a series of entitlement approvals in order to proceed, which include:

- General Plan Amendment (GPA 16-01) - modifying the current land use designation from Public Facility and Open Space to Medium Density Residential and Open Space;
- Zone Change (ZC 16-01) - replacing Public Facility (PF) zoning to R-3, Multi-Family Residential (Medium Density) and Open Space (OS) zoning;
- Tentative Tract Map 74365 – allowing the subdivision of six (6) existing parcels into 21 parcels to allow for the construction of an 18-unit, owner-occupied, two-story townhome project, park parcel, one common area lot, and a lot to be deeded to an abutting property;
- Planned Development Permit (PDP 16-01) - allowing customized development standards, that provide for flexibility with proposed development projects under limited and unique circumstances, in the following areas: front and rear setback, lot depth and common and private open space;
- Site Plan Design Review (SPDR 16-22) - reviewing building and site compatibility, architectural design and detail, and landscape, lighting and other aesthetic details; and
- Mitigated Negative Declaration (MND) - An associated environmental document reviewing the project's potential environmental impacts in compliance with the California Environmental Quality Act (CEQA). An MND was required based upon an Initial Study, indicating that the proposed project would not have any significant environmental impacts with adopted mitigation measures.

The following discussion further describes the required entitlements and highlights pertinent issues and topics related thereto.

General Plan Amendment

The proposed General Plan amendment would change the designations from Public Facility (PF) and Open Space (O) to Medium Density Residential (MDR) and Open Space (O) for all properties, except Lot C, as further described in the tract map section (below). Lot C would remain as a High Density Residential land use designation, which corresponds with the R-4 zoning associated with the senior apartment complex to the south of the project site. For the remaining five parcels involved in the subdivision, a PF designation is no longer necessary, since public buildings are being proposed for removal as a part of this project.

Medium Density Residential provides for denser multi-family dwelling developments and duplexes, up to 21 du/ac. Based upon historical records, project density is typically around 15 du/ac. This land use designation coincides with the R-3 zoning district.

The Open Space designation would apply to the easterly portion of the property that will be the location of the relocated Third Street Park. This designation allows recreational, park, and forest/wilderness land uses.

The recommended Medium Density Residential and Open Space General Plan designation would enable the this 18-unit residential project and park relocation to move forward, ensure land use compatibility with adjacent residential properties and assist in preserving the character of the existing residential neighborhood. If approved, the project site would be compatible with the high, medium and low-density residential land use designations for residential properties immediately to the north across Third Street, and properties to the east, south, and west.

Zone Change

Zoning on the project site would be changed from Public Facility (PF) and Open Space (O) to Multiple-Family Residential, Medium Density (R3) and Open Space (O) in conjunction with the General Plan Land Use designation amendments described above. This zone change would not affect the proposed Lot C, as further described in the tract map section (below). Lot C would remain as R-4, Multi-Family Residential (High Density) zoning associated with the senior apartment complex to the south of the project site. The assigned zoning classifications correspond to the General Plan Land Use designations described above.

The R-3 Multiple-Family (Medium Density) zone is established to accommodate residential development generally characterized by single structures or a collection of cohesive structures that house individual and/or multiple units, with common open space areas and amenities. The Open Space zone is established to set aside areas necessary to maintain and protect open space for the purpose of recreation.

Zoning classifications ensure that new and existing developments follow approved land uses and development standards assigned to each unique zone, such as density, scale, setbacks, height and open space. These standards help to define each zone and ensure new projects are compatible with adjacent uses.

Neighborhood Compatibility

The project density is 11 dwelling units per acre, which is well below the allowable maximum density of 21 dwelling units per acre for the R-3 zone. The properties to the north and west of the subject property are zoned for Single-family Residential (R-1) and Two-Family Residential (R-2), developed predominantly with single family residences and several smaller apartment buildings. Properties to the northeast and southeast are zoned Multiple-Family High Density (R-4) and include a large senior apartment facility and smaller duplex rental units. A 17-unit townhouse/PUD project is located directly south of the project site. Small lot single-family residential, zoned Duarte Gardens Specific Plan, is located to the southwest of the project. The Los Angeles County Fire Station #44 is located within the and Public Facility (P-F) zone to the east. The proposed 18-unit development and new park would be consistent with the surrounding uses and existing neighborhood; and replace office, school and municipal yard uses that are less than compatible with surrounding residential properties.

Tentative Tract Map

The Planning Commission has recommended that the City Council approve the proposed Tentative Tract Map. The site currently consists of six, City-owned, parcels, which contain two (2) buildings, Third Street Park, North City Yard and associated parking lots. The proposed project requires the subdivision of the existing site into 21 parcels, in order to create 18, owner-occupied parcels; a parcel dedicated to the City for the proposed relocation of the park (Lot A); one (1) common area parcel managed by a homeowner's association (Lot B); and Lot C. In addition to the tentative tract map, a lot line adjustment, shown as "Lot C", would need approval from the Community Development Director and City Engineer. Lot C involves the quitclaim of City-owned property south of the project site that currently contains an encroaching carport structure associated with the adjacent apartment development. The High Density Residential General Plan designation and R-4 zoning district would remain on Lot C, which corresponds with the existing residential density of the abutting apartment complex.

The tract map is intended to facilitate private property ownership in the residential project. Furthermore, the subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and fire access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. The developer will also be required to repair or reconstruct curbs, gutters and sidewalks around the development, including several unimproved street frontages on the north side of Third Street. Water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

Common areas that serve the entire development and managed by a future on-site homeowners' association, are located on the map as Lot B. These common areas will feature private driveways, designated as fire lanes; 14 guest parking spaces, internal walkways that link residences to the sidewalk along Third Street; landscaped pedestrian pathways throughout the development; and a centralized trash enclosure. A community recreation area, which includes a trellis cover, barbeque and walled seating area, is provided at the center of the project site.

Quimby (Park) Fees

Pursuant to Section 19.82 of the Duarte Development Code (DDC), as a condition of approval of a tentative tract map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, for park and recreational purposes. The amount of land to be dedicated or fees paid is based on the approved residential density of the project. An appraisal of the project was conducted early in the development process, which established the fair market value (FMV) of the land, per square foot. The in-lieu fee to be paid by the developer for the proposed subdivision is \$110,992.20. For your reference, the table below provides the calculation of the in-lieu fee.

Quimby In-Lieu Fee - 3rd and Oak	
Project Area	71,730 Sq. Ft. (1.65 acre)
Number of Units	18 units proposed
FMV Land - \$/Sq. Ft.	\$25.10
In-Lieu Ratio/Sq. Ft.	2,680 x 1.65 = 4,422
Quimby In-Lieu Fee	4,422 x \$25.10 = \$110,992.20

Early in the process, rather than pay the in-lieu fee, the developer agreed to relocate and reconstruct Third Street Park with a high-quality, custom citrus-themed park. The developer's estimated cost for the complete reconstruction of the park is approximately \$172,000.00. The developer was receptive to this agreement, with the understanding that the park development costs may exceed the Quimby in-lieu fees; since the development would be allowed to use the deeper portion of the property (e.g. the current location of Third Street Park), while relocating the park to a more useable and visible location.

The proposed park provides many of the amenities the neighborhood had expressed during the neighborhood meetings held in May 2015 and September 2016. As shown on the tentative tract map, Lot A has been reserved for the proposed relocation and complete reconstruction of Third Street Park and is dedicated to the City for future ownership.

Planned Development Permit Process

Pursuant to Section 19.118 of the Duarte Development Code (DDC), a planned development permit (PDP) is required to allow for flexibility in development standards to create unique living environments through the efficient use of land, excellence of design, and/or provide for enhanced amenities and innovation in energy efficiency. This project contains PDP requests for several development standards: front and rear setbacks, lot depth and both private and common open space.

R-3 Zone Development Standards

With the rezoning of the property, the development will be required to comply with the R-3 zone development standards. The project meets all required development standards except for: 120-foot lot depth, 30-foot front setback and 20-foot rear setback. The project site maintains the existing lot depth range of 50 feet to 129 feet, proposes front setbacks in a range of 15 to 17-feet for all 16 units along third street, and a 10 to 12-foot rear setback for ten units.

A PDP is requested to allow for the non-conforming lot depth and requested setback reductions. As a part of the PDP, the development provides the following amenities and efficiencies. All 18-

units provide high-quality architecture, including the use of deep, recessed windows, Spanish tile accents, decorative iron work and a smooth-style stucco exterior. The 16-units with street frontage along Third Street provide an enhanced architectural streetscape, decorative colored concrete proposed for each entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each the unit. Setback concerns have been addressed by providing buffered private open space between all units that adjacent to existing residential uses.

Staff recommends that the applicant's request for a R-3 development standards PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, ranging from 50' to 129', there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Table A, provided below, show the development standards and requested deviations for the R-3, multiple-family residential zone standards.

Table A: R-3, Multiple-Family Residential Development Standards

Feature	Standard	Project Proposal	Analysis
Dwelling Units/Acre	21 units / acre		
Min. Lot Area Per Unit	1 unit / 2,074 sq. ft.	11 units per acre	<i>Complies</i>
Minimum Lot Size	9,000 sq. ft.	71,730 sq. ft.	<i>Complies</i>
Minimum Lot Width	80 ft.	Approx. 840 ft.	<i>Complies</i>
Minimum Lot Depth	120 ft.	50 ft. to 129 ft.	<i>Requires PDP</i>
Minimum Setbacks			
Front			
Third Street	30 ft.	12 ft. to 17 ft.	<i>Requires PDP</i>
Side			
(Third Street West P.L.)	5 ft.	10 ft. 2 in.	<i>Complies</i>
(Third Street East P.L.)	5 ft.	10 ft.	<i>Complies</i>
Rear	20 ft.	10 ft. to 12 ft.	<i>Requires PDP</i>
Height Limit	40' or 3 stories, whichever is less	30' max., 2 stories	<i>Complies</i>
Floor Area of Dwelling			
3 Bedroom	1,000 sq. ft.	1,584 sq. ft. to 1,674 sq. ft.	<i>Complies</i>
Lot Coverage	50%	29%	<i>Complies</i>
Parking			
Residence	2 / unit within a garage	36 spaces	<i>Complies</i>
Guest/Overflow	<u>1 guest and 1 overflow / 4 units</u>	<u>14 spaces</u>	
Total Required	45 spaces	50 spaces	

Open Space Plan

The applicant has requested an open space PDP due to unique dimensions and a shallow lot depth that restrict the ability to provide private yards for all units; and proximity to the new park and an enhanced, centralized common open space area.

The minimum required private open space area is 200 square feet per unit, which can include balconies, yards or decks. Private, ground-level, yards have been provided for 11 of the 18 lots, which range in size from 148 square feet to 592 square feet. The properties on the easterly portion of the site receive larger, private rear yards. The remaining seven units along Third Street, at the west end of the development do not provide private yards due to the unit location within the development. Units without private yards are a short distance to the common yard area.

The common area open space plan provides several enhanced elements, including: a large (2,192 sq. ft.) centralized recreation area which features a trellis covered seating and barbeque area, an accent Oak tree, and a walled and landscaped courtyard, buffered from Third Street and adjacent units; and internal paseos with decorative paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units.

Table B, shown below, provides a comparison of the private and common open space requirements and open space provided for the project.

Table B: Private and Common Open Space Requirements

	Minimum Required	Provided	Analysis
Private Open Space	200 sq. ft./unit Totaling 3,600 sq. ft.	3,118 sq. ft.	Reduction in <i>private</i> open space permitted w/ PDP approval
Common Open Space	200 sq. ft./unit or 3,600 sq. ft.	2,192 sq. ft. (useable common open space) & 1,550 sq. ft. (paseo's & enhanced walkways) <i>Combined 3,742 sq. ft.</i>	Reduction in <i>common</i> open space permitted w/ PDP approval
Overall Total	7,200 sq. ft.	6,860 sq. ft.	340 sq. ft. reduction

Site Plan and Design Review

Site Design and Architectural Style

Careful consideration has been integrated into this project to address compatibility with neighboring structures and to provide a high-quality design that provides unique and interesting architectural detail.

Comments from past neighborhood meetings included site plan and design concerns related to preserving portions of the southerly view from homes across the street from the project, massing and scale that complement the existing neighborhood, and the desire for a high-quality architectural design.

In working with the developer and architect, the site plan has been modified over time to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Architecturally, the development proposes a high-quality Spanish Colonial Revival design. All 18-units have distinct front entries with decorative colored stamped concrete. The proposed architectural style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finish, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, and wrought iron balconies and window covers. Additionally, Capistrano blend concrete roof tile and wood grain steel garage doors with a walnut finish bead board design are also proposed. Each unit will have dark bronze aluminum gutters to match the window trim color.

During the Planning Commission meeting held on February 21, 2017, property owners located at the development just south of the proposed project expressed concerns with the proposed building heights and loss of their views to the north. Staff analyzed the proposed project and took numerous site photos from the two developments located south of the project site to determine the level of view impacts potentially caused by the new development. Currently, the subject property is improved with a 9,000 square-foot building with no breaks in the building plane. Numerous trees are located along the property line wall and throughout the site including a large oak tree that limits views from properties to the south looking north. In Staff's opinion, the proposed site layout should improve existing views. The proposed project provides multiple view corridors between the proposed residences, ranging from 12 feet to 30 feet in width. Project architecture has also been proposed to create visual breaks in the roof lines and to provide window and material elements that create interest in the building.

In addition, the proposed setback from the south property line wall to the proposed residences will be approximately 40 feet. Landscaping will be planted along the property line between the two projects to provide an aesthetically pleasing boundary. The 40' setback and landscape edge will provide a significant separation between residential units and increase privacy between the two residential developments

Parking and Circulation

Two-car, attached garages have been provided for each of the eighteen units. Seventeen of the eighteen units maintain a vehicular free frontage, with access to all garages through four separate driveways which lead to the back/side/front of each unit. The eighteenth unit, located at the far east end of the project site, adjacent to the relocated park, will maintain vehicular access from Third Street. This unit has been designed so that the garage is recessed from Third Street with minimal public visibility. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking. Decorative paving will be used for each driveway entry, with colored concrete, stamped with a flagstone pattern.

Landscape, Lighting and Other Site Improvements

The common area within the project includes various site improvements that will be managed and maintained by a private homeowners' association. Drought-tolerant and climate adapted landscaping will be featured in front yards facing Third Street, in paseos between units, along driveways and in parking areas. Although demolition of the site includes the proposal to remove 21 trees, approximately 40 trees will be planted throughout the development. Decorative colored concrete paving will also be used at unit entries with a stamped finish to match the entry drives. A decorative, six-foot perimeter block wall is proposed along the south, east and west property lines.

A trash enclosure is proposed at a centralized location within the development, with tan colored, burnished CMU walls approximately six-feet in height, entry gates, and a wood trellis cover. Site lighting is proposed throughout the development with standard light poles painted bronze, as well as a censored down light within the trash enclosure area. A bike rack is proposed north of the trash enclosure.

A landscape and irrigation plan including site improvements, such as the trash enclosure and bicycle rack, detailed wall plan, site lighting will be required to be submitted for review and approval by the Planning Department prior to permit issuance, a condition of approval has been added to ensure compliance with this requirement.

Reconstruction of Third Street Park

Several neighborhood meetings were held to gather the opinions of residents, who would be most affected by the development. At these meetings, most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography.

The developer, Parks and Recreation Department and Planning Division worked on several designs to address resident interests, as well as to integrate responsible landscaping, safe park design and citrus-themed playground equipment. To achieve these goals, the proposed park will include a native plant garden and passive recreational area on the west-end of the park, a decomposed granite walking path surrounding a small lawn area at the center of the park, and a new, smaller-sized play equipment featuring a custom citrus orange theme, at the park's easterly side. The park will provide a unique street image using a river rock wall with a concrete cap approximately 20" in height, with four, five-foot high columns displaying four historic Duarte citrus crate labels, and park identification signage. The location of the proposed river rock wall near the intersection of Oak Avenue and Third Street provides adequate line-of-sight for vehicles and pedestrians while providing a barrier for children utilizing the play equipment from passing vehicle traffic. A decorative, six-foot high block wall will be installed along the southerly property line. Six low-light bollards, with a bronze finish have been placed throughout the native garden, decomposed granite walking path and lawn area. Two taller park light standards in a bronze finish are proposed on both the north and south side of the play equipment. Proposed lighting and selective placement of lower growing landscape materials throughout the park will

provide adequate visibility for residents and law enforcement purposes. Durable equipment and furnishings, including benches, trash receptacles and dog waste stations, are located throughout the park.

On February 13, the Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk. These elements will be integrated into a future redesign.

California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including a AQMD analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report and traffic analysis, including the multi-way stop application traffic study. The Initial Study identifies potentially significant impacts regarding geology/soils, hazardous materials, hydrology/water quality, noise and public services and utilities impacts and recommends the adoption of mitigation measures to reduce potential impacts to a less than significant level. A mitigation monitoring program is attached to the draft Resolution.

Traffic Analysis

A trip generation analysis was conducted by Albert Grover and Associates for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) *Trip Generation manual*, 9th Edition (2012). Table 1 shown below provides a summary of the existing site trip generation.

Table 1: Existing Site Trip Generation

Existing Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Duarte City Departments (government offices)	3,740 SF	258	18	4	22	11	11	22
Duarte Montessori (elementary school)	52 STU	67	13	11	24	7	8	15
Third Street Park (city park)	0.29 AC	1	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		326	31	15	46	18	19	37

* SF - Square Footage; STU - Enrolled Student; AC - Acreage

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

The project trip generation rates for the proposed 18 two-story development was also determined using the ITE 2012 *Trip General Manual*. Table 2 below, provides the anticipated project trip generation. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

Table 2: Anticipated Project Trip Generation

Proposed Project Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Housing Development (residential townhomes)	18 DU	105	2	6	8	3	3	6
Third Street Park (relocated city park)	0.22 AC	0	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		105	2	6	8	3	3	6

* DU - Dwelling Unit

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

As shown in the table above, the traffic analysis provided by Albert Grover and Associates indicates that the project will generate approximately 105 daily vehicle trips. Based on the trip generation analysis, the existing offices, montessori school and existing park produce heavier traffic volumes than those anticipated with the proposed residential development. The construction of 18 attached townhomes and relocation of Third Street Park is not expected to impact Third Street, Oak Avenue, or the surrounding residential area.

Multi-Way Stop

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this insterection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

Conclusion

The proposed development provides for a high-quality residential development and the creation of a new park that serves the wider community. The project is consistent with the goals and policies of the Duarte General Plan by providing development that compliments surrounding uses and offers a variety of housing types to accommodate a range of tastes and incomes. Project density is complimentary to single-family residences, while also transitioning between higher density apartments to the south and east. The proposed subdivision is physically suitable for 18, owner-occupied residences and provides surety that fire access, utility service and other public improvements are addressed. The site layout meets the standards of the R-3 Multiple-Family Residential zone, except for front and rear setbacks and lot depth. Through a PDP approval, flexibility would be given to these development standards because of existing lot configurations and through developer-provided enhancements to project architecture, site design and the upgraded common areas. The scale, massing and architectural character of the project preserves the integrity of the surrounding homes and compliments the greater community. The project location also provides pedestrian connectivity to commercial areas, public transportation options and recreational opportunities with the relocation of Third Street Park just east of the proposed development.

Conditions of approval have been proposed for the Tract Map, PDP and Site Plan and Design Review approvals. Adherence to these conditions, in addition to implementing the required mitigation measures included in the MND, will reduce impacts to the surrounding neighborhood and environment.

RECOMMENDATION

It is recommended that the City Council approve the following project entitlements, in the following order:

City Council
March 14, 2017



1. Resolution 17-R-23 – certifying the project's mitigated negative declaration (MND) and mitigation monitoring program (Exhibit D);
2. Resolution 17-R-19 – General Plan Amendment 16-01 (Exhibit E);
3. Ordinance 17-O-05 – Zone Change (Exhibit F);
4. Resolution 17-R-20 – Tentative Tract Map 74365, (Exhibit G);
5. Resolution 17-R-21 – Planned Development Permit, (Exhibit H);
6. Resolution 17-R-22 – Site Plan and Design Review, (Exhibit I)

Furthermore, it is recommended that the City Council introduce and hold a first reading of proposed Ordinance 17-O-05 (Exhibit F); approving Zone Change 16-01.

ATTACHMENTS

Exhibit A – Plans

Exhibit B – Photo Survey

Exhibit C – Engineering and Multi-Way Stop Application

Exhibit D – Resolution 17-R-23 MND/Mitigation Monitoring Program/Comments and Responses

Exhibit E – Resolution 17-R-19 General Plan Amendment, with land use diagram

Exhibit F – Ordinance 17-O-05 Zone Change, with zoning map

Exhibit G – Resolution 17-R-20 Tentative Tract Map 74365, with conditions

Exhibit H – Resolution 17-R-21 Planned Development Permit, with conditions

Exhibit I – Resolution 17-R-22 Site Plan and Design Review, with conditions

Exhibit J – Parks and Recreation Commission Recommendation Memo

Exhibit K – Signed Planning Commission Resolutions

EXHIBIT A

**Hard Copy
of Plans Provided**

EXHIBIT B

Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

Views from south adjacent properties



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

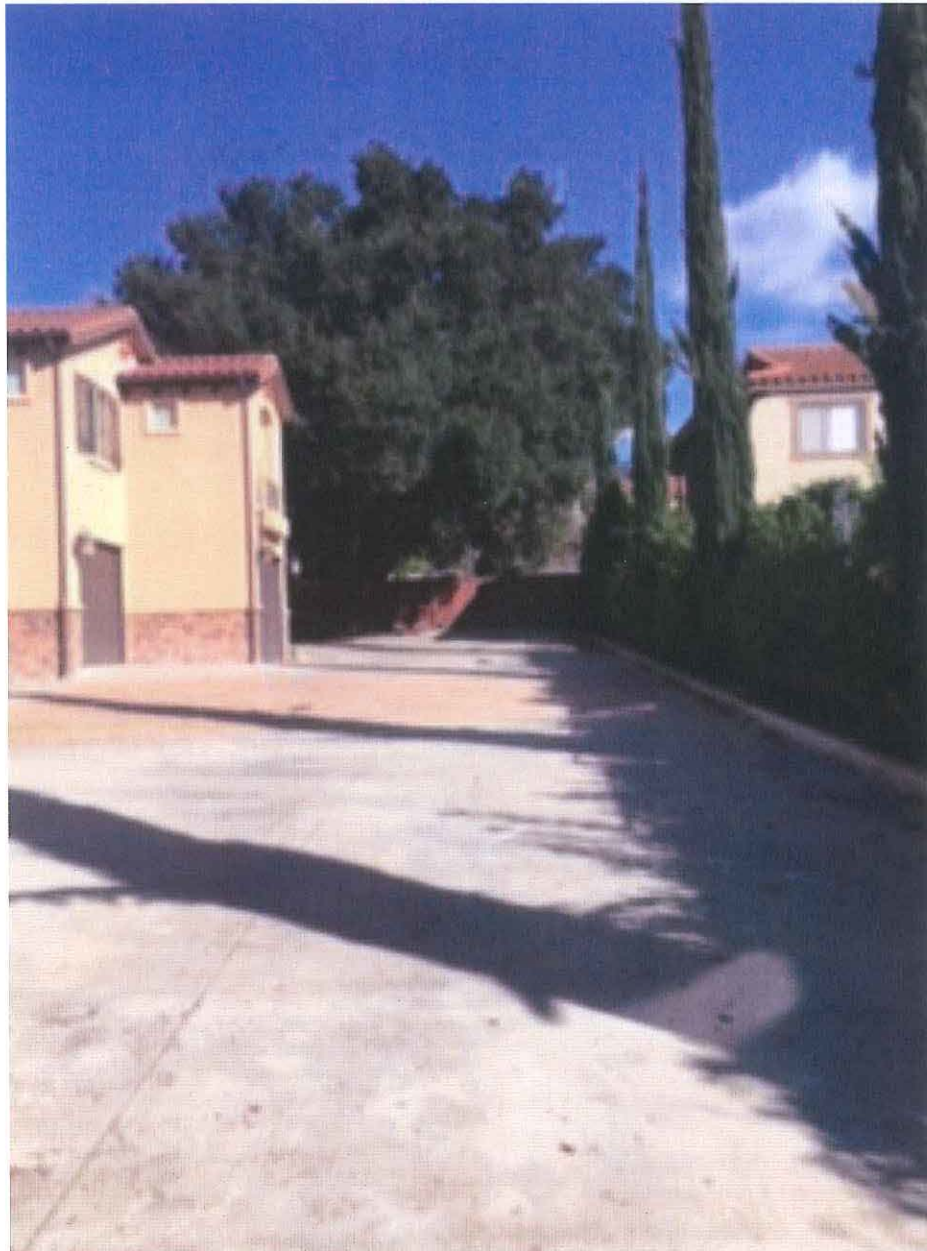


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street

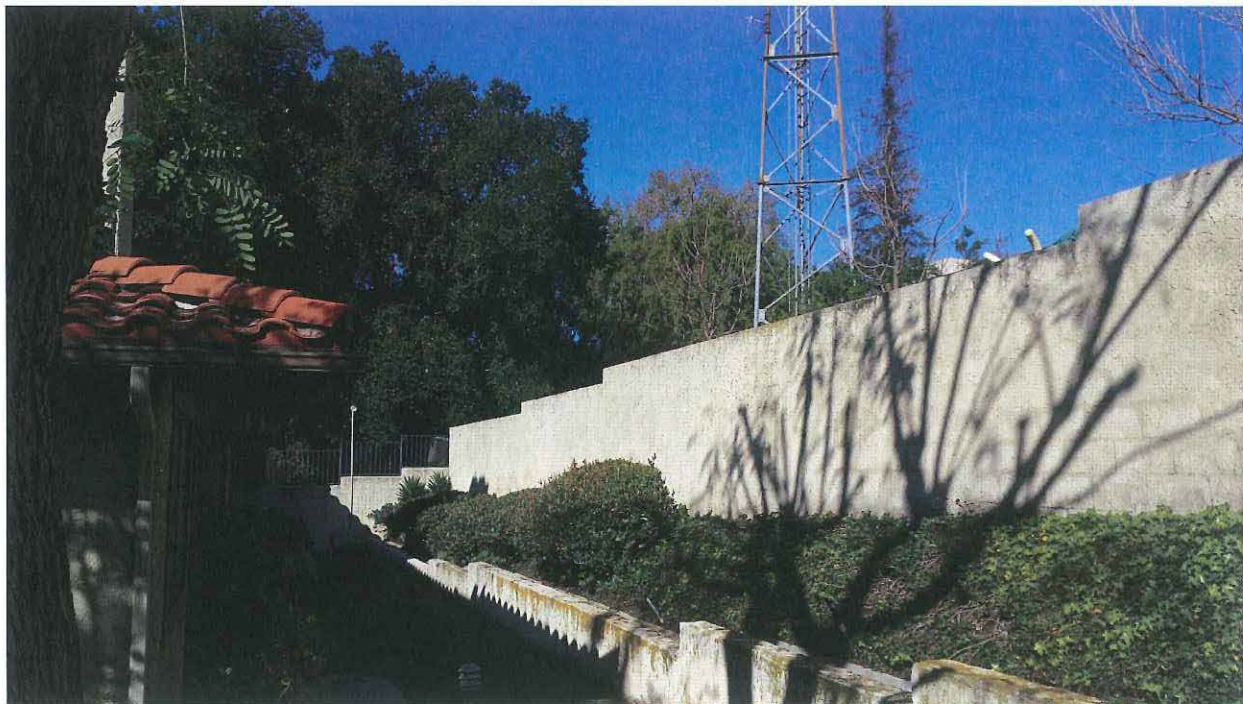


Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



Exhibit B
Photo Survey
1101 Oak Avenue & 1634 Third Street



EXHIBIT C

**Engineering and Traffic Study
Multi-Way Stop Application
For**

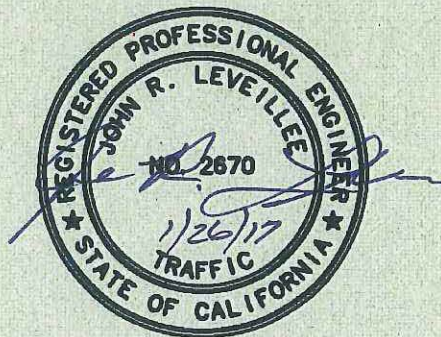
**Oak Avenue
and
Third Street**

January 26, 2017

Submitted to:

**City of Duarte
1600 Huntington Drive
Duarte, CA 91010**

Prepared by:



**398 Lemon Creek Drive, Suite E
Walnut, CA 91789
(909) 594-9702**

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Appendix A – Aerial Photograph

Appendix B – Traffic Volume Survey Data

Appendix C – Collision Summary Report

Appendix D – Site Photos

1. INTRODUCTION AND PURPOSE OF STUDY

The intersection of Oak Avenue and Third Street is a 4-way semi-stop controlled (in east/west direction) intersection located one block northwest of the intersection of Huntington Drive (Historic Route 66) with Highland Avenue, in the City of Duarte. The surrounding area is a mix of high density and single family residential to the north, with commercial development to the south. A Los Angeles County Fire Station is just east of the intersection on Highland Avenue. (See aerial photo in Appendix A).

There have been some recent inquiries related to the safety of the intersection and if additional stop signs should be installed to create an All-Way Stop condition. The City has hired RKA Consulting Group to perform an Engineering and Traffic Study to determine if this intersection meets the minimum requirements for a Multi-Way Stop application.

2. STUDY OVERVIEW

The installation and format for all traffic control devices in the State of California is governed by the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the California Vehicle Code (CVC). Those sections in the CVC which relate to signing and striping on California roadways, have been incorporated into the CA MUTCD, so this document is utilized to determine the validity and legality of existing and proposed traffic control devices.

Section 2B.07 of the CA MUTCD provides the guidance to determine if a Multi-Way Stop application is warranted. The first item under this guidance is that: *"The decision to install multi-way stop control should be based on an engineering study"*. This Engineering and Traffic Study (E&TS) examines the safety record of the intersection, traffic volumes through the intersection, and the existing vertical and horizontal alignment of the intersection. The findings of these studies are then compared to the requirements and guidance under Section 2B.07, to determine the legality of the Multi-Way Stop application.

3. EXISTING CONDITIONS

The intersection of Oak Avenue and Third Street is located between a residential area to the north and a commercial node to the south. There is an existing park on Third Street just west of the intersection and a Fire Station just east of the intersection on Third Street as mentioned above. Third Street, the east/west roadway, is currently stop

controlled at the intersection. Oak Avenue, the north/south roadway, currently has no control at the intersection. There is a significant slope along Oak Avenue from the north to the south which carries through the intersection and affects the line of sight for vehicles stopped on Third Street. On-street parking is allowed on both streets, with vehicles parking immediately adjacent to the intersection. This causes significant line of sight issues at the intersection. This impact will be discussed in more detail, later in the report.

Examining the traffic counts for the intersection (see Appendix B), indicates a consistent traffic flow pattern along Third Street throughout the day. Traditional morning and evening peaks occur in the east/west direction, with slightly higher volumes travelling in the eastbound direction.

The traffic patterns are different along Oaks Avenue, with over twice the volume through the intersection occurring in the afternoon period, especially south of Third Avenue. Given the fact that this leg of the intersection is closest to the commercial development in the area, it makes sense motorists would be using Oaks Avenue to frequent the stores during normal business hours. Except for this anomaly, there is nothing unusual with the traffic patterns through the intersection.

4. INTERSECTION SAFETY HISTORY

The first step in determining the relative safety of an intersection is to examine the traffic collision history of the intersection. The repository for traffic collision history in California is the Statewide Integrated Traffic Records System (SWITRS). In order for a Traffic Collision (TC) to be collected in SWITRS, it must be reported to a law enforcement agency and that agency must file a report. Many law enforcement agencies are extremely busy, or under-staffed and cannot respond to every traffic collision. Many minor collisions which result in property damage only, never have a report generated, and thus they never become part of the collision history of that roadway, or intersection.

The Los Angeles County Sherriff's Office was contacted to obtain the traffic collision history at the intersection. They examined the SWITRS report as well as their own records over the last five years for any reported traffic collisions in and around the intersection. There were 5 reported traffic collisions at this intersection over the last 5 years, with one minor injury (complained of pain) and no fatalities (See Appendix C).

In Section 2B.07 of the CA MUTCD, Subsection 04.B states that a history of 5 or more reported crashes in a 12-month period, would be justification for a Multi-Way Stop application. Based on this criteria alone, the intersection would not qualify for an All-Way Stop.

5. INTERSECTION VOLUME CALCULATIONS

National Data and Surveying Services (NDS) was contracted with to perform the 24-hour intersection vehicle counts. The counts were performed over two days, Tuesday, January 10th, and then on Wednesday, January 18, 2017. The counts were performed utilizing automated pneumatic counters at each leg of the intersection for vehicles travelling in both directions. The results of these traffic counts are presented in Appendix B.

Section 2B07 of the CA MUTCD once again defines the limits and guidance for the application of a Multi-Way Stop, based on traffic volumes. The first parameter which is defined in this section is:

"Multi-way Stop control is used where the volume of traffic on the intersecting roads is approximately equal."

Looking at the Average Daily Traffic (ADT) counts through the intersection, it becomes apparent that the traffic volumes at each leg of the intersection are very similar (excepting the anomaly for the commercial node), and thus the intersection does qualify for consideration based on this over-riding parameter (See Appendix B).

Subsection 04.C then defines the minimum traffic volumes under which the intersection should be considered for a Multi-Way Stop application. The major street approach (Oak Avenue in this case) needs to have an average of 300 vehicles per hour for an 8 hour period going through the intersection. In addition, the minor street (Third Street in this case) must have 200 vehicles per hour entering the intersection during this same 8 hour period.

Reviewing the traffic counts provided by NDS, the highest 8 hour volume period through the intersection occurs between 12 noon and 8:00 pm. The combined vehicle count on Oak Avenue entering the intersection is 38 vehicles per hour during this period, and the vehicles entering from Second Street average 23 vehicles per hour. These numbers are well below the minimum volumes required under Subsection 04.C, therefore the intersection would not qualify for a Multi-way Stop application based on this criteria.

Subsection 04.C.3 allows for a 30% reduction in the minimum required volumes based on higher approach speeds (above 40 mph), however the intersection volumes still would not meet the minimum requirement even at this lower threshold. There are no posted speed limits in the vicinity of the intersection, however Oak Avenue qualifies as a residential district (25 mph) north of the intersection, and Third Street qualifies as a residential district west of the intersection.

Lastly, Subsection 04.D allows the engineer to combine the safety and volume-based criteria, and make another finding. If the intersection meets 80% of the combine traffic collision requirement, AND meets 80% of the minimum volume requirement, it can still qualify for the Multi-way Stop application. Since there were only 4 reported collisions at the intersection, and the average traffic volumes are insignificant over the highest 8 hour period, the intersection would still not qualify.

6. ROADWAY ALIGNMENT AND OTHER ISSUES

There are situations where an existing intersection does not meet the requirements for a Multi-way Stop application based on traffic collisions, nor on minimum volumes through the intersection. However, this does not mean that an All-Way Stop isn't justified based on other criteria. Section 2B.07, Subsection 05., gives the engineer other parameters to examine, most notably Subsection 05.C, which covers the line of sight of the motorists travelling through the intersection.

The vertical and horizontal alignment of the intersection and the approaching streets has more of an impact on the motorists' line of sight than any variable at the intersection. Changes in grade, and on-street parking on the approach streets can limit the distance that a motorist can see approaching vehicles. This limited sight distance affects the timing of the vehicle executing their turn from the stop, and can lead to collisions.

The intersection at Oak Avenue and Third Street has a unique configuration. The approach along Oak Avenue from the north and through the intersection has a constant down-grade. This would result in an increase in the stopping distance should a vehicle pull out of Third Avenue unexpectedly.

The issue which has the greatest impact to line of sight at the intersection is the ability for motorists to park on the street along all approaches to the intersection. If a motorist stops at the stop bar on Third Street and there are vehicles parked along Oak Avenue, it is virtually impossible for the stopped motorist to see approaching vehicles on Oak Avenue without "creeping" well past the stop bar and into the intersection. The photos attached as Appendix D clearly show this condition.

There is another issue to consider at this intersection. Since Oak Avenue has a constant down-grade for nearly a quarter mile, it conveys a significant amount of storm water during rain events. In order to handle this storm water run-off, the curbs and longitudinal gutters along the roadway are deeper than standard. The gutters which

bisect Third Avenue through the intersection are significantly deeper than most, and impede the motorist who is trying to cross the intersection in an east/west direction. Once the motorist stops at the stop bar along Third Avenue, they must slowly negotiate the deep gutters, which diminishes their ability to accelerate through the intersection.

In the Caltrans Design Manual, the recommended sight distance for stopping at 25 mph is 150 feet. The distance increases to 430 feet at 50 mph. This distance is also based on the approaches to the intersection being level, or nearly level. The slope of Oak Avenue as it approaches the intersection from the north would greatly increase this recommended stopping site distance. In order to provide sufficient stopping distance line of sight, parking would have to be eliminated along Oak Avenue a minimum distance of 200 feet north of the intersection, and 150 feet south of the intersection.

7. RECOMMENDATIONS

There are several concerns at this intersection which when taken individually would not justify installing an All-Way Stop control. Installing too many stop controls along a roadway impedes motorists and leads to driver frustration. The end result is oftentimes the motorist will ignore the proliferation of stop signs and "roll through" them, or completely ignore them. This can lead to increased collision history, and an increase in the severity of these collisions. It is therefore very important to install All-Way Stop applications only where they will significantly benefit the safety on the motoring public.

The line of sight issue at this intersection could be resolved by eliminating parking along all the approaches to the intersection. While this would certainly benefit the intersection, a parking restriction in this area would have a significant impact on the neighborhood. Most of the lots in this area have been developed to fully utilize all available space on the lot, leaving little to no room for parking. In addition, the multi-family units near the intersection do not appear to have sufficient on-site parking, thus necessitating the on-street parking.

The grade of Oak Avenue through the intersection is a product of the existing topography in the area. Perhaps this could have been designed better when the road was first built, but since the area is completely developed, it would be economically infeasible to remedy this situation now. The same can be said of the deep gutters which impede east/west movement through the intersection. Wider and shallower gutters could be constructed, which would benefit movement across the intersection, however this would require a significant reconstruction of the intersection at a considerable expense.

This intersection does not meet the requirements for a Multi-way Stop application per the Guidance (previously known as "warrants") component of Section 2B.07. However under the Option component of Section 2B.07, a criteria which may be considered in an engineering study is:

Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop.

The on-street parking issue, the grade of Oak Avenue, and the deep gutters are all issues which would not justify a Multi-Way Stop control when taken individually. However, when their impacts are combined at the intersection, it becomes readily apparent that they meet the criteria above. Since it is also apparent that it is not economically feasible to mitigate these issues, the best alternative is to install a Multi-Way Stop application and require the traffic on Oak Avenue to stop.

It is therefore the opinion of this engineer that the intersection of Oak Avenue and Third Street qualifies for a Multi-way Stop application under Section 2B.07, Subsection 05.C. of the 2014 California MUTCD, and an All-Way Stop configuration is recommended for this intersection. It is further recommended that a No Parking application be initiated along all approaches and departures to and from the intersection for a minimum of 50 feet from each curb return.

Appendix A
Aerial Photograph



3rd St & Oak Ave

All-Way Stop Application Study



Imagery ©2017 Google, Map data ©2017 Google 50 ft

Appendix B
Traffic Volume Survey Data

Prepared by NDS/ATD

VOLUME

Oak Ave S/O 3rd St

Day: Wednesday
Date: 1/18/2017City: Duarte
Project #: CA17_5019_002

DAILY TOTALS					NB	SB	EB		WB	Total	
					323	259	0		0	582	
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	9	3			12
00:15	0	0			0	12:15	8	8			16
00:30	1	0			1	12:30	8	2			10
00:45	0	1	0		0	12:45	3	28	5	18	46
01:00	0	0			0	13:00	2	7			9
01:15	0	0			0	13:15	6	5			11
01:30	0	0			0	13:30	8	3			11
01:45	1	1	1	1	2	13:45	7	23	3	18	41
02:00	0	1			1	14:00	7	6			13
02:15	1	0			1	14:15	8	5			13
02:30	1	0			1	14:30	2	6			8
02:45	0	2	0	1	0	14:45	6	23	3	20	43
03:00	0	1			1	15:00	6	6			12
03:15	0	2			2	15:15	3	3			6
03:30	2	0			2	15:30	8	3			11
03:45	0	2	0	3	0	15:45	6	23	3	15	38
04:00	0	0			0	16:00	5	5			10
04:15	0	1			1	16:15	10	8			18
04:30	0	0			0	16:30	9	9			18
04:45	0	0	1		0	16:45	9	33	7	29	62
05:00	0	1			1	17:00	6	8			14
05:15	0	1			1	17:15	8	7			15
05:30	1	1			2	17:30	7	3			10
05:45	0	1	2	5	2	17:45	4	25	2	20	45
06:00	2	2			4	18:00	9	2			11
06:15	2	1			3	18:15	8	5			13
06:30	3	3			6	18:30	5	6			11
06:45	1	8	5	11	6	18:45	5	27	3	16	43
07:00	3	1			4	19:00	5	2			7
07:15	3	5			8	19:15	3	0			3
07:30	5	6			11	19:30	6	2			8
07:45	3	14	5	17	8	19:45	5	19	8	12	31
08:00	4	5			9	20:00	3	2			5
08:15	3	8			11	20:15	5	2			7
08:30	2	0			2	20:30	6	5			11
08:45	2	11	8	21	10	20:45	3	17	1	10	27
09:00	3	2			5	21:00	3	0			3
09:15	6	0			6	21:15	3	0			3
09:30	2	1			3	21:30	4	1			5
09:45	3	14	6	9	9	21:45	4	14	1	2	16
10:00	5	2			7	22:00	3	3			6
10:15	5	2			7	22:15	1	2			3
10:30	3	3			6	22:30	1	1			2
10:45	3	16	1	8	4	22:45	1	6	1	7	13
11:00	3	3			6	23:00	1	0			1
11:15	4	2			6	23:15	1	0			1
11:30	3	5			8	23:30	0	0			0
11:45	3	13	5	15	8	23:45	0	2	0		2
TOTALS	83	92			175	TOTALS	240	167			407
SPLIT %	47.4%	52.6%			30.1%	SPLIT %	59.0%	41.0%			69.9%

DAILY TOTALS					NB	SB	EB	WB	Total
					323	259	0	0	582
AM Peak Hour	11:45	07:30			11:45	PM Peak Hour	16:15	16:15	16:15
AM Pk Volume	28	24			46	PM Pk Volume	34	32	66
Pk Hr Factor	0.778	0.750			0.719	Pk Hr Factor	0.850	0.889	0.917
7 - 9 Volume	25	38			63	4 - 6 Volume	58	49	107
7 - 9 Peak Hour	07:15	07:30			07:30	4 - 6 Peak Hour	16:15	16:15	16:15
7 - 9 Pk Volume	15	24			39	4 - 6 Pk Volume	34	32	66
Pk Hr Factor	0.750	0.750			0.886	Pk Hr Factor	0.850	0.889	0.917

Prepared by NDS/ATD

VOLUME

Oak Ave N/O 3rd St

Day: Tuesday
Date: 1/10/2017City: Duarte
Project #: CA17_5019_001

DAILY TOTALS					NB	SB	EB		WB		Total
					172	165	0		0		337
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	4	4			8
00:15	0	0			0	12:15	4	4			8
00:30	1	0			1	12:30	3	2			5
00:45	0	1	0		0	12:45	1	12	4	14	5
01:00	0	0			0	13:00	1	1			2
01:15	0	0			0	13:15	2	2			4
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05:00	0	0			0	17:00	5	7			12
05:15	0	3			3	17:15	3	3			6
05:30	0	1			1	17:30	1	4			5
05:45	0	3	7		3	17:45	3	12	2	16	5
06:00	1	0			1	18:00	3	2			5
06:15	0	1			1	18:15	2	2			4
06:30	2	1			3	18:30	3	1			4
06:45	0	3	0	2	0	18:45	3	11	2	7	5
07:00	2	0			2	19:00	3	4			7
07:15	5	0			5	19:15	3	2			5
07:30	6	3			9	19:30	1	2			3
07:45	5	18	2	5	7	19:45	1	8	2	10	3
08:00	2	0			2	20:00	1	1			2
08:15	2	2			4	20:15	2	1			3
08:30	2	4			6	20:30	0	1			1
08:45	2	8	2	8	4	20:45	2	5	1	4	3
09:00	3	0			3	21:00	0	3			3
09:15	1	2			3	21:15	1	4			5
09:30	2	1			3	21:30	1	0			1
09:45	2	8	1	4	3	21:45	2	4	1	8	3
10:00	2	2			4	22:00	0	0			0
10:15	3	1			4	22:15	0	2			2
10:30	1	0			1	22:30	0	1			1
10:45	3	9	3	6	6	22:45	0	2	5		2
11:00	3	2			5	23:00	0	2			2
11:15	0	1			1	23:15	0	0			0
11:30	2	4			6	23:30	0	0			0
11:45	2	7	1	8	3	23:45	0	2	4		2
TOTALS	56	44			100	TOTALS	116	121			237
SPLIT %	56.0%	44.0%			29.7%	SPLIT %	48.9%	51.1%			70.3%

DAILY TOTALS					NB	SB	EB	WB	Total
					172	165	0	0	337
AM Peak Hour	07:00	11:30							
AM Pk Volume	18	13			25				16:15
Pk Hr Factor	0.750	0.813			0.781				47
7 - 9 Volume	26	13			39				0.653
7 - 9 Peak Hour	07:00	07:45							69
7 - 9 Pk Volume	18	8			23				16:15
Pk Hr Factor	0.750	0.500			0.639				47
PM Peak Hour	13:45	16:15							0.653
PM Pk Volume	22	26							
Pk Hr Factor	0.917	0.591							
4 - 6 Volume	32	37							
4 - 6 Peak Hour	16:15	16:15							
4 - 6 Pk Volume	21	26							
Pk Hr Factor	0.750	0.591							

Prepared by NDS/ATD

VOLUME

3rd St E/O Oak Ave

Day: Tuesday
Date: 1/10/2017City: Duarte
Project #: CA17_5019_003

DAILY TOTALS					NB	SB	EB				WB	Total			
					0	0	211				148	359			
AM Period	NB	SB	EB	WB	TOTAL		PM Period	NB	SB	EB	WB	TOTAL			
00:00			0	0	0		12:00			1	1	2			
00:15			1	0	1		12:15			2	0	2			
00:30			0	0	0		12:30			2	0	2			
00:45			2	3	2	3	12:45			2	7	3	9		
01:00			0	1	1		13:00			2	1	3			
01:15			1	0	1		13:15			1	2	3			
01:30			2	0	2		13:30			2	0	2			
01:45			2	5	0	1	13:45			1	6	2	5	3	11
02:00			1	0	1		14:00			1	0	1			
02:15			0	0	0		14:15			2	3	5			
02:30			0	1	1		14:30			4	1	5			
02:45			1	2	0	1	14:45			4	11	5	9	9	20
03:00			0	0	0		15:00			3	3	6			
03:15			0	0	0		15:15			3	2	5			
03:30			0	0	0		15:30			2	4	6			
03:45			0	1	1	1	15:45			5	13	5	14	10	27
04:00			0	0	0		16:00			3	1	4			
04:15			0	0	0		16:15			5	5	10			
04:30			0	0	0		16:30			2	1	3			
04:45			1	1	0	1	16:45			3	13	3	10	6	23
05:00			1	0	1		17:00			7	2	9			
05:15			2	1	3		17:15			4	5	9			
05:30			0	0	0		17:30			8	6	14			
05:45			3	6	0	1	17:45			5	24	5	18	10	42
06:00			1	0	1		18:00			3	7	10			
06:15			3	0	3		18:15			3	1	4			
06:30			6	2	8		18:30			0	0	0			
06:45			7	17	3	5	18:45			0	6	3	11	3	17
07:00			3	3	6		19:00			2	1	3			
07:15			9	2	11		19:15			2	0	2			
07:30			6	2	8		19:30			3	3	6			
07:45			4	22	5	12	19:45			4	11	0	4	4	15
08:00			3	5	8		20:00			5	3	8			
08:15			4	1	5		20:15			1	0	1			
08:30			1	3	4		20:30			2	3	5			
08:45			3	11	3	12	20:45			1	9	1	7	2	16
09:00			4	2	6		21:00			0	2	2			
09:15			5	2	7		21:15			0	0	0			
09:30			1	3	4		21:30			1	0	1			
09:45			3	13	1	8	21:45			1	2	0	2	1	4
10:00			2	1	3		22:00			0	0	0			
10:15			2	3	5		22:15			1	1	2			
10:30			5	2	7		22:30			1	3	4			
10:45			3	12	2	8	22:45			0	2	0	4	0	6
11:00			2	3	5		23:00			1	0	1			
11:15			3	5	8		23:15			0	1	1			
11:30			3	2	5		23:30			0	0	0			
11:45			6	14	2	12	23:45			0	1	0	1	0	2
TOTALS			106	61	167		TOTALS			105	87	192			
SPLIT %			63.5%	36.5%	46.5%		SPLIT %			54.7%	45.3%	53.5%			

DAILY TOTALS					NB	SB	EB	WB	Total
					0	0	211	148	359
AM Peak Hour	06:30	07:15	07:15	PM Peak Hour	17:00	17:15	17:15		
AM Pk Volume	25	14	36	PM Pk Volume	24	23	43		
Pk Hr Factor	0.694	0.700	0.818	Pk Hr Factor	0.750	0.821	0.768		
7 - 9 Volume	33	24	57	4 - 6 Volume	37	28	65		
7 - 9 Peak Hour	07:00	07:15	07:15	4 - 6 Peak Hour	17:00	17:00	17:00		
7 - 9 Pk Volume	22	14	36	4 - 6 Pk Volume	24	18	42		
Pk Hr Factor	0.611	0.700	0.818	Pk Hr Factor	0.750	0.750	0.750		

Prepared by NDS/ATD

VOLUME

3rd St W/O Oak Ave

Day: Wednesday
Date: 1/18/2017City: Duarte
Project #: CA17_5019_004

DAILY TOTALS					NB	SB	EB	WB	Total				
					0	0	214	157	371				
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL		
00:00			0	0	0	12:00			7	2	9		
00:15			0	0	0	12:15			2	3	5		
00:30			0	0	0	12:30			5	3	8		
00:45			0	0	0	12:45			4	18	2	28	
01:00			0	0	0	13:00			2	2	4		
01:15			0	0	0	13:15			3	1	4		
01:30			0	0	0	13:30			3	1	4		
01:45			1	1	0	13:45			3	11	3	7	18
02:00			2	0	2	14:00			2	3	5		
02:15			0	1	1	14:15			2	4	6		
02:30			0	0	0	14:30			5	1	6		
02:45			0	2	0	14:45			2	11	4	12	23
03:00			1	0	1	15:00			1	2	3		
03:15			0	0	0	15:15			2	3	5		
03:30			0	0	0	15:30			8	2	10		
03:45			0	1	0	15:45			2	13	6	13	26
04:00			0	0	0	16:00			2	6	8		
04:15			0	0	0	16:15			4	2	6		
04:30			0	0	0	16:30			5	7	12		
04:45			2	2	0	16:45			3	14	3	18	32
05:00			0	0	0	17:00			9	2	11		
05:15			2	1	3	17:15			7	3	10		
05:30			1	0	1	17:30			3	4	7		
05:45			6	9	0	17:45			3	22	3	12	34
06:00			1	0	1	18:00			4	6	10		
06:15			2	0	2	18:15			3	3	6		
06:30			4	0	4	18:30			2	2	4		
06:45			8	15	2	18:45			3	12	1	12	24
07:00			4	0	4	19:00			4	1	5		
07:15			7	1	8	19:15			1	0	1		
07:30			7	2	9	19:30			0	1	1		
07:45			5	23	5	19:45			6	11	1	3	14
08:00			4	2	6	20:00			0	2	2		
08:15			2	3	5	20:15			4	4	8		
08:30			2	3	5	20:30			0	0	0		
08:45			5	13	3	20:45			0	4	1	7	11
09:00			2	5	7	21:00			1	2	3		
09:15			0	1	1	21:15			0	4	4		
09:30			2	2	4	21:30			2	3	5		
09:45			2	6	6	21:45			0	3	0	9	12
10:00			3	1	4	22:00			1	0	1		
10:15			2	1	3	22:15			0	0	0		
10:30			2	2	4	22:30			0	2	2		
10:45			3	10	3	22:45			0	1	0	2	3
11:00			5	2	7	23:00			0	0	0		
11:15			3	1	4	23:15			0	1	1		
11:30			3	3	6	23:30			0	0	0		
11:45			1	12	1	23:45			0	0	1	1	
TOTALS			94	51	145	TOTALS			120	106	226		
SPLIT %			64.8%	35.2%	39.1%	SPLIT %			53.1%	46.9%	60.9%		

DAILY TOTALS					NB	SB	EB	WB	Total
					0	0	214	157	371
AM Peak Hour		06:45	08:15	07:15	PM Peak Hour		16:30	15:45	16:30
AM Pk Volume		26	14	33	PM Pk Volume		24	21	39
Pk Hr Factor		0.813	0.700	0.825	Pk Hr Factor		0.667	0.750	0.813
7 - 9 Volume		36	19	55	4 - 6 Volume		36	30	66
7 - 9 Peak Hour		07:00	07:45	07:15	4 - 6 Peak Hour		16:30	16:00	16:30
7 - 9 Pk Volume		23	13	33	4 - 6 Pk Volume		24	18	39
Pk Hr Factor		0.821	0.650	0.825	Pk Hr Factor		0.667	0.643	0.813

Appendix C
Collision Summary Report

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
TEMPLE STATION

From 1/1/2012 to 1/11/2017

Total Collisions: 1

Injury Collisions: 1

Fatal Collisions: 0

Collision Summary Report

1/12/17

OAK AV from HUNTINGTON DR to 2ND ST

Page 1 of 1

912-09809-0541- 471	9/23/2012	10:25	Sunday	OAK AV 3RD ST	175'	Direction: South	Daylight	Clear	Pty at Fault:1
	Sideswipe	Parked Motor Vehicle	Improper Turning	22107	Hit & Run: No	Complaint of Pain	# Inj: 1	# Killed: 0	
Party 1	Driver	North		Male	Age: 46				
	Veh Type:	Sobriety:	Assoc Factor:						
Party 2	Parked Vehicle	South		Female	Age:				
	Veh Type:	Sobriety:	Assoc Factor:						
Party 3	Parked Vehicle	South		Male	Age:				
	Veh Type:	Sobriety:	Assoc Factor:						

Segment Length: 0.14 miles (736')

Settings for Query:

Street: OAK AV between HUNTINGTON DR and 2ND ST

Include Intersection Related: True

Sorted By: Date and Time

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TEMPLE STATION

From 1/1/2012 to 1/11/2017

Total Collisions: 4

Injury Collisions: 0

Fatal Collisions: 0

Collision Summary Report

1/12/17

3RD ST from HIGHLAND AV to COTTER AV

Page 1 of 2

912-01094-0541-472	1/30/2012	11:30	Monday	3RD ST OAK AV	8'	Direction: West	Daylight	Clear	Pty at Fault:1
Other			Other Motor Vehicle	Unsafe Starting or Backing	22106	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Male	Age: 41			
Veh Type:		Sobriety:		Assoc Factor:					
Party 2 Driver			East		Female	Age: 19			
Veh Type:		Sobriety:		Assoc Factor:					
912-02056-0541-472	2/23/2012	13:35	Thursday	3RD ST OAK AV	327'	Direction: West	Daylight	Clear	Pty at Fault:1
Sideswipe			Other Motor Vehicle	Unsafe Starting or Backing	22106	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Female	Age: 40			
Veh Type:		Sobriety:		Assoc Factor:	Lap/Shoulder Harness Used				
Party 2 Driver			East		Male	Age: 20			
Veh Type:		Sobriety:		Assoc Factor:	Lap/Shoulder Harness Used				
Party 3 Parked Vehicle			East			Age:			
Veh Type:		Sobriety:		Assoc Factor:					
913-07795-0541-250	8/16/2013	23:59	Friday	3RD ST OAK AV	345'	Direction: West			Pty at Fault:
						Hit & Run: Misde	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East			Age:			
Veh Type:		Sobriety:		Assoc Factor:					
Party 2 Parked Vehicle			East		Male	Age:			
Veh Type:		Sobriety:		Assoc Factor:					
Party 3 Parked Vehicle			East		Male	Age:			
Veh Type:		Sobriety:		Assoc Factor:					
916-10114-0541-472	9/4/2016	13:15	Sunday	3RD ST OAK AV	162'	Direction: East	Daylight	Clear	Pty at Fault:1
Rear-End			Parked Motor Vehicle	Improper Turning	22107	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1 Driver			East		Male	Age: 28			
Veh Type:		Sobriety:		Assoc Factor:	Lap/Shoulder Harness Used				
Party 2 Parked Vehicle			East			Age:			
Veh Type:		Sobriety:		Assoc Factor:					

3RD ST from HIGHLAND AV to COTTER AV

Page 2 of 2

Segment Length: 0.38 miles (1,995')

Settings for Query:

Street: 3RD ST between HIGHLAND AV and COTTER AV

Include Intersection Related: True

Sorted By: Date and Time

Appendix D

Site Photos



Eastbound approach to the intersection on 3rd St, looking north on Oak Ave from Stop bar.



Eastbound approach to the intersection on 3rd St, looking south on Oak Ave from Stop bar.



After "creeping" past Stop Bar on 3rd Street, looking south on Oak Avenue.



After "creeping" past Stop Bar on 3rd Street, looking north on Oak Avenue.



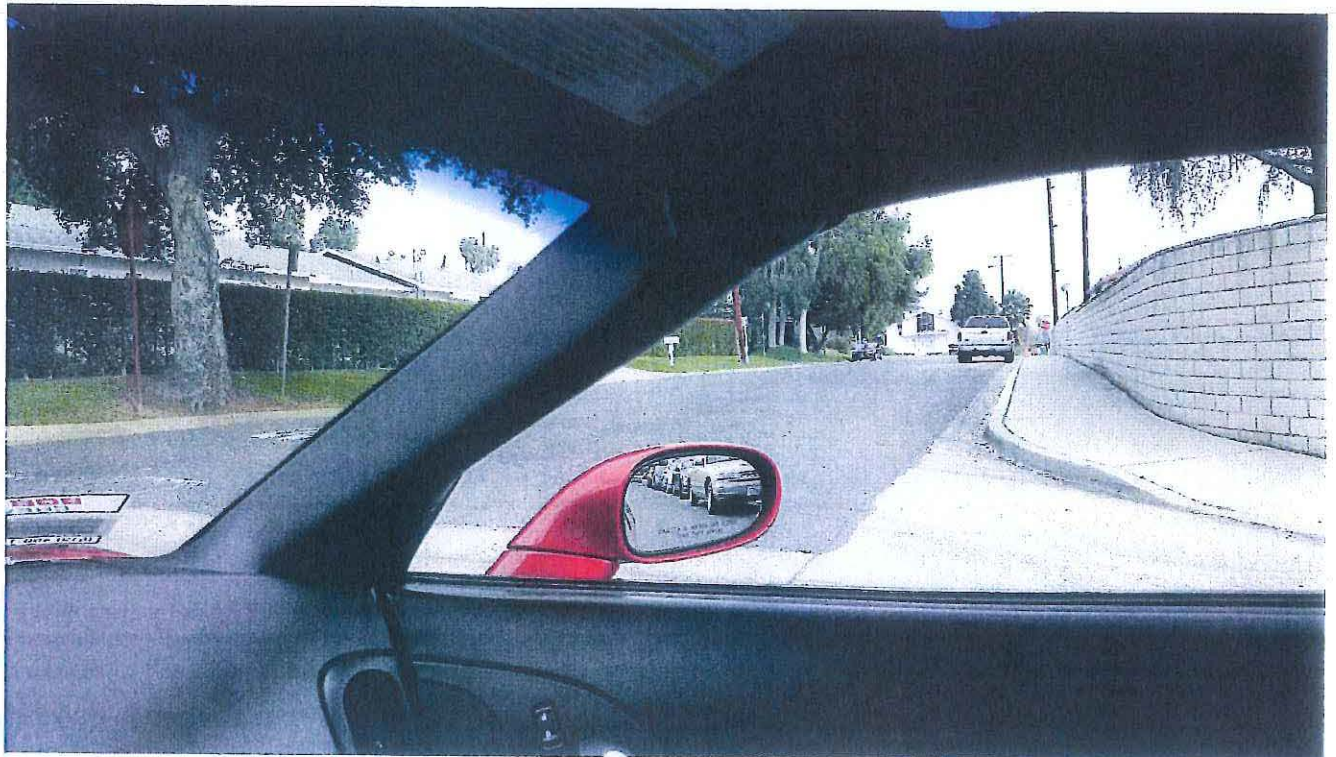
Westbound approach to the intersection on 3rd St; looking south on Oak Ave from Stop bar.



Westbound approach to the intersection on 3rd St; looking north on Oak Ave from Stop bar.



Northbound on Oak Avenue, looking west on 3rd Street.



Northbound on Oak Avenue, looking east on 3rd Street.



Southbound on Oak Avenue, looking west on 3rd Street.

EXHIBIT D

RESOLUTION NO. 17-R-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE CERTIFYING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING A MITIGATION MONITORING PROGRAM TO REDUCE IDENTIFIED “POTENTIALLY SIGNIFICANT” IMPACTS TO A LEVEL OF “LESS THAN SIGNIFICANT” FOR THE PROJECT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-07, which recommends that the City Council certify the Mitigated Negative Declaration and adopt the Mitigation Monitoring Program prepared for the project; and

WHEREAS, the City Council of the City of Duarte (“City Council”) has considered the Mitigated Negative Declaration (“MND”) and Mitigation and Monitoring Program (“MMP”) for the development of 18 owner-occupied, two-story townhome development and relocation of Third Street Park, on six parcels generally located at the southwest corner of Oak Avenue and Third Street (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905); and

WHEREAS, the MND for the proposed 18-unit development and relocation of Third Street Park provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in “Exhibit A”, attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on March 14, 2017, the City Council held a duly noticed public hearing on the proposed 18, owner-occupied, two-story townhome development and relocation of Third Street Park, whereupon the Planning Commission received public testimony; and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, written comments on the MND and MMP were received from the public and other public agencies during the 21-day public review period, which began on December 1, 2016 and ended on January 3, 2017; and

WHEREAS, such comments and testimony have been responded to through a Comments and Responses as part of the MND process for the Project; and,

WHEREAS, notice of public hearing before the City council concerning the adequacy and completeness of the MND and MMP was given in accordance with the laws and policies of the City of Duarte (City); and

WHEREAS, the MND and MMP have been independently reviewed by the City Council and reflects the independent judgment of the City Council; and

WHEREAS, the City Council has reviewed all documentation comprising the MND, and has found that the MND addresses all environmental effects of the proposed project, with mitigation measures, and that the MND and MMP fully comply with all requirements of CEQA and the CEQA Guidelines relating thereto.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The City Council finds that the MND and MMP fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto.

SECTION 3. The City Council has considered the potential environmental effects as shown in the MND and, on the basis of the whole record, finds that there is no substantial evidence that the project will have a significant effect on the environment, with the implementation of the MMP. The foregoing determination, which reflects the independent analysis and independent judgment of the City Council, is based on the information in the record.

SECTION 4. The City Council of the City of Duarte, hereby approves the MND and adopts the MMP, in accordance with Exhibit "A" attached hereto and made a part of this Resolution; and that the MND and MMP, including all elements listed above, be certified by the City, as lead agency for the proposed project.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit "A"

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto

Mitigation Monitoring Program

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
GEOLOGY AND SOILS						
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.	Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HYDROLOGY AND WATER QUALITY						
HYD-1	Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source	Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance			Remarks
			Initials	Date		
control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."						
HYD-2 Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)				
NOISE						
NOI-1 To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: ▪ Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. ▪ The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)				

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.						
PUBLIC SERVICES & UTILITIES						
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)			

Initial Study Comments and Responses

8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED

DEC 05 2016

CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC: #3982336.D22



GABRIELENO BAND OF MISSION INDIANS -- KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (Kite) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies of ten left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts - to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by
the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous
Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water
system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Kristen Johnston, Associate Planner
January 3, 2017
Page 2

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

Kristen Johnston, Associate Planner

January 3, 2017

Page 3

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

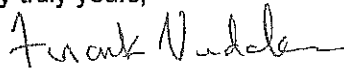
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area is Joint Outfall "B" Unit 8H include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road. The trunk sewer ~~is~~ are 1012-inches in diameter with has a design capacity of 2.117 million gallons per day (mgd), and The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 2012¹⁴). The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.8766 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458259 gpd of wastewater for a result of 1,145625 gpd or 0.8043 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013. Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
Residential (Single-Family)		2	260	gpd/unit	520
Residential (Duplex)		1648	312	gpd/duplex	2,4962,808
Total					3,016
Net Change					+458250
1. Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145,625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

**HARD COPY
OF INITIAL STUDY/MND
PROVIDED**

EXHIBIT E

RESOLUTION NO. 17-R-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING AN AMENDMENT TO THE LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN (GPA 16-01) FROM PUBLIC FACILITY AND OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL AND OPEN SPACE FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-01 and recommended that the City Council approve General Plan Amendment 16-01, subject to conditions of approval; and

WHEREAS, notice of a public hearing on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on March 14, 2017 the City Council held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the City Council received public testimony; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered General Plan Amendment 16-01 which provides, among other provisions, for Multiple-Family Residential and Open Space land use designations which facilitate in the development of an 18-unit, owner-occupied, two-story townhome development and relocation and reconstruction of Third Street Park; and

WHEREAS, the City Council has considered the proposed General Plan Amendment 16-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility and Open Space to Medium Density Residential and Open Space Land Use Designation ("General Plan Amendment"); and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers and hereby approves General Plan Amendment 16-01, amending the Land Use Policy Diagram of the City's General Plan designation of six parcels from Public Facility and Open Space to Medium Density Residential and Open Space.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds that the General Plan Amendment is internally consistent with all other provisions of the Duarte General Plan

SECTION 3. The City Council finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The City Council finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The City Council determines that the proposed change in land use designation from Public Facility and Open Space to Medium Density Residential and Open Space is the highest and best use for the subject property.

SECTION 6. The City Council determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. The City Council hereby approves the General Plan Amendment, which amends the City's General Plan Land Use Diagram, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In adoption of this Resolution for the General Plan Amendment, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding General Plan Amendment, and circulated for public review and comment, and is hereby certified by the City Council.

SECTION 9. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit “A”

General Plan Land Use Diagram attached hereto

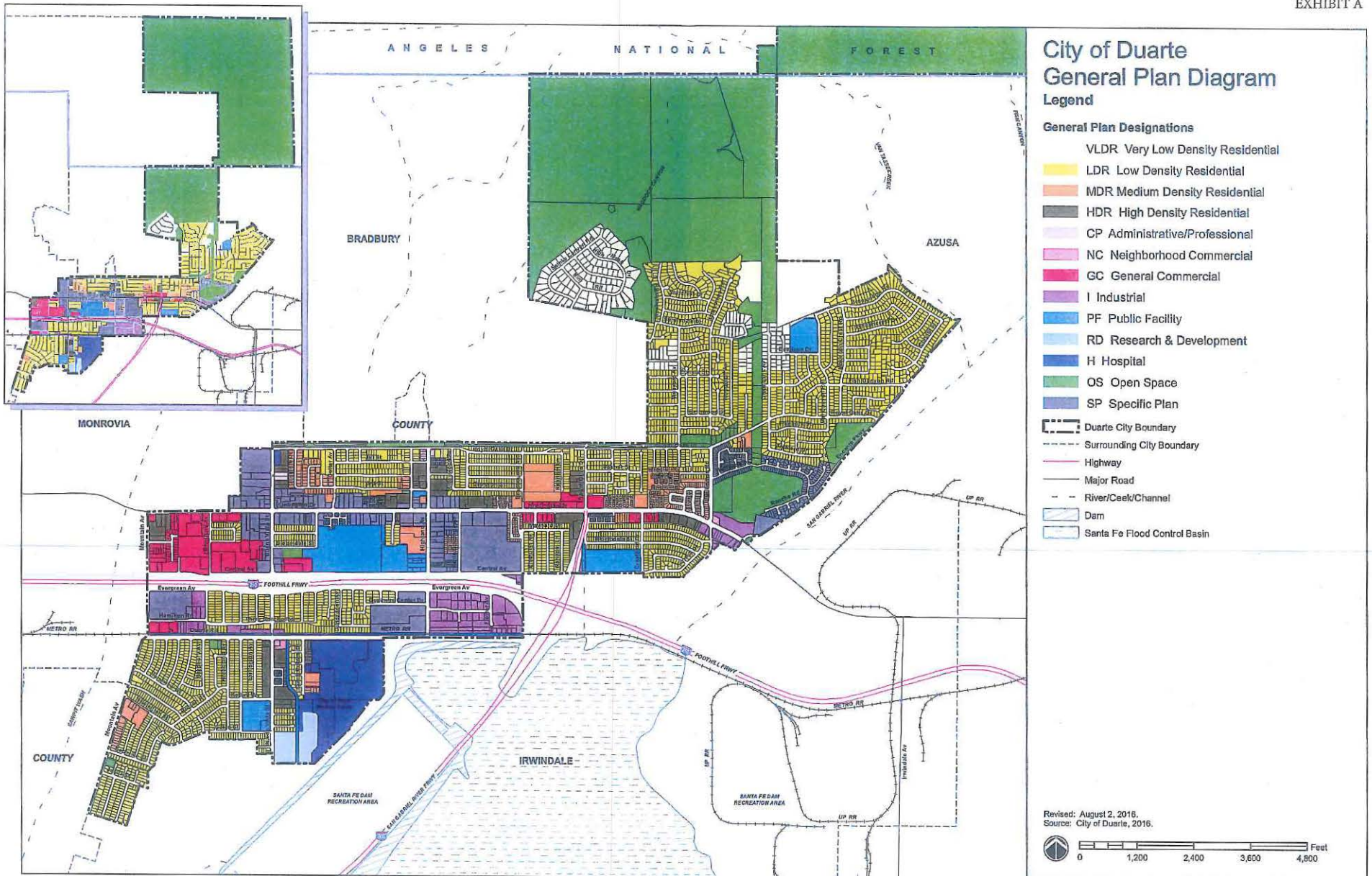


EXHIBIT F

ORDINANCE NO. 17-O-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, APPROVING A ZONE CHANGE AND MODIFICATION OF THE CITY OF DUARTE ZONING MAP FROM PUBLIC FACILITY (PF) AND OPEN SPACE (O) ZONE TO MULTIPLE-FAMILY RESIDENTIAL, MEDIUM DENSITY (R-3) AND OPEN SPACE (O) FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission adopted Resolution PC 17-02 and recommended that the City Council approve Zone Change 16-01, subject to conditions of approval; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered Zone Change 16-01 which provides, among other provisions, for development of an 18-unit, owner occupied, two-story townhome development and relocation of Third Street Park.

WHEREAS, Zone Change 16-01 is contingent upon the approval of General Plan Amendment 16-01; and

WHEREAS, the City Council, has considered proposed Zone Change 16-01, changing the zoning designation and modifying the City of Duarte Zoning Map for six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from PF, Public Facility and O, Open Space to R-3, Multiple-Family Residential (Medium Density) and O, Open Space ("Zone Change"); and

WHEREAS, notice of a public hearing for the proposed Zone Change (ZC 16-01), was given in accordance with applicable law; and

WHEREAS, on March, 14, 2017, the City Council held a duly noticed public hearing on the proposed Zone Change 16-01, whereupon the City Council received public testimony; and

WHEREAS, the City Council received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m., in the City Council Chambers and hereby approves Zone Change 16-01, modifying the zoning designation of six parcels of land from PF, Public Facility and O, Open Space to R-3, Multiple Family Residential (Medium-Density) and O, Open Space.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The foregoing recitals are true and correct and are incorporated herein as through set forth in full.

SECTION 2: The City Council finds that the Zone Change is consistent with the Duarte General Plan.

SECTION 3: The City Council finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4: The City Council finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5: The City Council determines that the proposed R-3, Multiple-Family Residential (Medium Density) and O, Open Space Zone is the highest and best use for the subject property.

SECTION 6: The City Council determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7: The City Council finds and determines that the Zone Change is consistent with the City's General Plan, and based thereon, the City Council hereby approves adoption of the Zone Change and the modification to the City of Duarte Zoning Map, in accordance with Exhibit "A" attached hereto and made a part of this Ordinance.

SECTION 8: In adoption of this Ordinance for the Zone Change, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Zone Change, and circulated for public review and comment, and is hereby certified by the City Council.

SECTION 9: That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

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

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. ____ which was introduced at a regular meeting on the ____ day of _____, 2017, and was adopted at a regular meeting held on the ____ day of _____, 2017, not being less than 5 days after the date of introduction thereof.

City Clerk Marla Akana
City of Duarte, California

Exhibit “A”

Zoning Map attached hereto

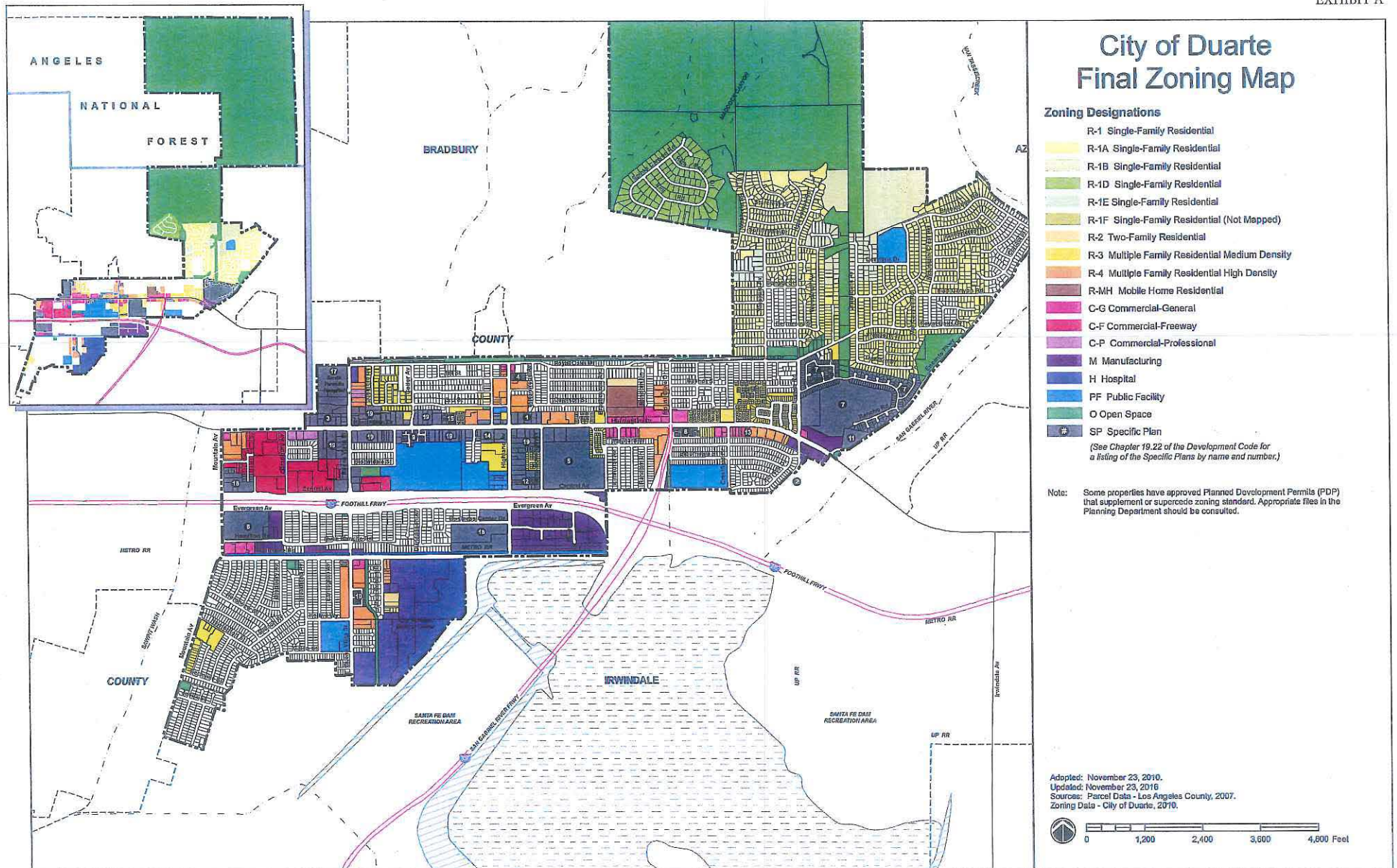


EXHIBIT G

RESOLUTION 17-R-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING TENTATIVE TRACT MAP NO. 74365 FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, Tipping Investments, LLC is requesting approval of Tentative Tract Map No. 74365 to allow the development of an 18-unit, owner-occupied, townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Tentative Tract Map No. 74365 is contingent upon the approval of General Plan Amendment 16-01 and Zone Change 16-01; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-03 and recommended that the City Council approve Tentative Tract Map No. 74365, subject to conditions of approval; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 74365, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the City Council of the City of Duarte ("City Council") has considered Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development and the relocation and reconstruction of Third Street Park on certain property located at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds and determines that Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 3. The City Council finds and determines that the design of Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 4. The City Council finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development.

SECTION 5. The City Council finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development density allowed in the R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning designations.

SECTION 6. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as further examined and mitigated in the Mitigated Negative Declaration associated with this project.

SECTION 7. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause serious public health problems.

SECTION 8. The City Council finds and determines that Tentative Tract Map No. 74365 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

SECTION 9. The City Council finds and determines that Tentative Tract Map No. 74365 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area because the development has been designed to be commensurate with said land uses and improvements are consistent with the General Plan and applicable land use zones.

SECTION 10. The City Council finds and determines that Tentative Tract Map No. 74365 is in the best interests and welfare of the City and its residents.

SECTION 11. The City Council hereby approves Tentative Tract Map No. 74365, and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 12. In adoption of this Resolution for Tentative Tract Map No. 74365, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Tentative Tract Map No. 74365, have been prepared and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit “A”

CONDITIONS OF APPROVAL

Tentative Tract Map No. 74365

-
1. The developer shall install curb, gutter, approaches, asphalt street and other street improvements as shown on Tentative Tract Map 74365, including said improvements to approximately two residences on the north side of Third Street, across from the project site (generally known as 1703 and 1709 Third Street).
 2. Developer shall provide for the undergrounding of utilities along Oak Avenue, or pay an in-lieu fee, as determined by the City Engineer.
 3. Developer shall dedicate parkland and/or pay an in-lieu fee for the same, pursuant to Chapter 19.82 of the Duarte Development Code (“Dedication of Land for Park and Recreational Purposes”). The developer shall dedicate land, known as Lot A, and the complete construction of park improvements (e.g. play equipment, landscaping, lighting, and other amenities) subject to approval by the City. The developer shall submit detailed park construction plans to the Community Development Department, prior to the issuance of building permits. The park shall be complete and fully operational prior to the issuance of the first certificate of occupancy for the associated residential development.
 4. Codes, Covenants and Restrictions (CC&R’s) must be reviewed and approved by the City Attorney and Community Development Department and be recorded prior to the sale of the first unit. Provisions for a homeowners’ association shall be integrated into the CC&R’s for the purposes of maintaining common areas.
 5. Developer shall fund and install the signs, striping and other related traffic controls related to the unsignalized intersection improvements at Oak Avenue and Third Street, per the recommendations of the Engineering and Multi-way stop Application study and as approved by the City Engineer and/or Public Works/Engineering Division.
 6. Decorative paving materials shall be integrated into driveways and/or driveway approaches as approved by the City Engineer and/or Public Works/Engineering Division.
 7. The developer shall comply with the City’s cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
 8. All utilities for direct service to the project shall be installed underground.
 9. The Applicant/Developer shall comply with the 2016 edition of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)

10. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
11. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.
12. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc.
13. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
14. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
15. The Applicant/Developer shall submit a Precise Grading Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
16. The applicant shall supply the City with one mylar and two printed copies of the recorded final tract map from the Los Angeles County Recorder's Office, prior to the issuance of the certificate of occupancy for the first residential unit.
17. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering/Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.
18. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.

19. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
20. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
21. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).
22. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. A connection fee is required by the County Sanitation District in order that necessary expansions and/or connections to the sewerage system can be constructed to accommodate new development. Said fees shall be paid prior to the issuance of building permits.
23. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
24. The Applicant/Developer shall provide sewer, drainage and Reciprocal Access Easements for the development to the satisfaction of the City Attorney and City Engineer.
25. The Applicant/Developer shall provide street lights, street name signs and stop signs in accordance with the standards of the City, if applicable.
26. The Applicant/Developer shall provide full street improvements on all street within the limits of the development. Improvements to include curbs and gutters, sidewalks, medians, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Oak Avenue and Third Street, adjacent to project	x	x	x	x	x	x				

1703 & 1709 Third Street	x	x		x						
Notes:										

27. The Applicant/Developer shall offer to dedicate all street right-of-way as shown on the Tentative Map (internal streets shall be private).
28. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
29. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and/or Public Works/Engineering Division.
30. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
31. For projects that disturb one (1) acre or greater of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, the project must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2012-0006-DWQ (as amended by all future adopted Construction General Permits). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Developer must submit a Notice of Intent and Waste Discharger's Identification (WDID) number as evidence of having applied with the Construction General Permit before the City will issue a grading permit. The project proponent is ultimately responsible to comply with the requirements of Order No. 2012-0006-DWQ, however, the City shall have the authority to enter the project site, review the project SWPPP, and require modifications and subsequent implementations to the SWPPP in order to prevent polluted runoff from leaving the project site onto public or private property.
32. The project is subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principals.
33. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an

exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices (BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:

- i. 8 1/2" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
34. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and equestrian trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
35. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
36. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
37. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
38. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
39. A preliminary title report and guaranteed is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.

40. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
41. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
42. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.
43. 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.
44. 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 H

RESOLUTION NO. 17-R-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING A REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR THE 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, WHERE FLEXIBILITY IN STANDARDS WILL ACHIEVE A HIGHER QUALITY PROJECT REFLECTING EXCELLENCE IN DESIGN, MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.118.050(B) AND THUS APPROVES PLANNED DEVELOPMENT PERMIT 16-01

WHEREAS, the applicant, Tipping Investments, LLC is requesting approval of a Planned Development Permit to allow flexibility in development standards related to lot-depth, front and rear setbacks and private and common open space requirements, for the proposed 18-unit, owner occupied, two-story townhome development at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, Planned Development Permit 16-01 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, and Tentative Tract Map No. 74365; and

WHEREAS, on February 13, 2017, the Architectural Review Board reviewed the plans for the proposed project, Planned Development Permit 16-01 and related Site Plan & Design Review application 16-22 and recommended approval to the Planning Commission and City Council for consideration; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-04 and recommended that the City Council approve Planned Development Permit 16-01, subject to conditions of approval; and

WHEREAS, notice of a public hearing on the proposed project and all related applications was given in accordance with applicable law; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Planned Development Permit 16-01 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council has made the findings for Planned Development Permit 16-01, as set forth in DDC Section 19.118.050 (B), and determines the proposed development is as follows:

1. The Planned Development Permit (PDP16-01) will accommodate a use that is allowed within the subject base zone, be consistent with the Duarte General Plan, be generally in compliance with all the applicable provisions of this Development Code, and ensure compatibility of uses in the surrounding neighborhood.

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and relocation of Third Street Park will not decrease the level of compatibility with the surrounding uses.

2. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications;

The project will use high quality architectural designs and materials, and incorporate high quality tile accents into the building elevations for enhanced architectural streetscape with colored concrete proposed for each unit entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each unit. With the addition of the paseos feature, enhanced paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units, the units without private yards are a short distance to the common yard area, and the common yard space is enhanced with features not typically integrated into a project of this scale, such as a built-in barbeque, and both landscaped and walled separation from the street and adjacent private units.

3. Appropriate standards and conditions of approval have been imposed to ensure the protection of the public health, safety and welfare;

Associated City Council Resolution 17-R-19 for General Plan Amendment 16-01, City Ordinance 17-O-05 for Zone Change 16-01, City Council Resolution 17-R-20 for Tentative Tract Map No. 74365, and City Council Resolution 17-R-22 for Site Plan & Design Review

Application 16-22 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

4. Appropriate onsite circulation and traffic control is designed into the development;

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from four locations off Third Street. Two-car, attached garages have been provided for each of the eighteen units. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. Furthermore, the project exceeds the required parking.

A trip generation analysis was conducted by Albert Grover and Associates, as part of the associated Mitigated Negative Declaration, for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 9th Edition (2012). The project trip generation rates for the proposed 18 two-story development will generate approximately 105 daily vehicle trips, also determined using the ITE 2012 Trip General Manual. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this intersection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;

The proposed 18-unit, owner-occupied, two-story townhome development and the relocation of Third Street Park is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features. The PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an

effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features.

6. Adequate public services and facilities exist, or will be provided in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health safety, and general welfare.

The proposed 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is a low intensity use that will have a minimal demand for public services. The subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and Los Angeles County Fire Department access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. Curbs, gutters and sidewalks around the development will be conditioned for repair or reconstruction, including several unimproved street frontages on the north side of Third Street. In correspondence with California American Water and Los Angeles County Sanitation Districts, water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or allowed uses.

The proposed residential development and relocation of Third Street Park is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GPA16-01, Zone Change 16-01, Tentative Tract Map No. 74365, Planned Development Permit 16-01, and Site Plan and Design Review 16-22. The proposed mitigation monitoring program and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community. The proposed 18-unit development and relocation of Third Street Park provides an optimal use of the site. It is not anticipated that it will cause a hazard to the public convenience or general welfare to the surrounding areas.

8. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Furthermore, the project will feature high quality materials and be designed to emulate Spanish Colonial Revival architecture.

SECTION 3. The City Council hereby approves the request for Planned Development Permit 16-01 for the properties located at 1101 Oak Avenue and 1634 Third Street, allowing customized development standards related to lot depth, front and rear setbacks, and private and common opens space requirements, by adopting Resolution 17-R-21, based on the findings listed in Sections 3 and the conditions of approval in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

SECTION 4. In adoption of this Resolution for Planned Development Permit, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit "A"

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01

Site Plan and Design Review 16-22

-
1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
 2. This approval recommendation is for the construction of 18 two-story, single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
 3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
 4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
 5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
 6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
 7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
 8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacture brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.

18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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 I

RESOLUTION 17-R-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW 16-22, A REQUEST BY TIPPING INVESTMENTS, LLC. FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENRALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, Tipping Investments, LLC submitted a design review application for an 18-unit, owner-occupied, two-story townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Site Plan and Design Review 16-22 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, Tentative Tract Map No. 74365, and Planned Development Permit 16-01; and

WHEREAS, On February 13, 2017, the Architectural Review Board reviewed the plans for Site Plan and Design Review 16-22 and recommended approval to the Planning Commission and City Council subject to conditions of approval; and

WHEREAS, after a duly noticed public hearing, held on February 21, 2017, the Planning Commission approved Resolution PC 17-05 and recommended that the City Council approve Site Plan and Design Review 16-22, subject to conditions of approval; and

WHEREAS, the City Council of the City of Duarte has considered the project proposal, which provides, among other provisions, for the 18-unit townhome development and relocation and reconstruction of Third Street Park at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the City Council has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on March 14, 2017 at 7:00 p.m. in the City Council Chambers, and hereby approves Site Plan and Design Review 16-22 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The City Council has made the findings for Site Plan and Design Review 16-22, as set forth in DDC Section 19.122.050 (E), and determines the proposed development is as follows:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

General Plan Amendment and Zone Change 16-01 are included as part of the overall project

proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning districts, apart from the modifications associated with Planned Development Permit 16-01.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The proposed 18-unit, owner-occupied, two-story townhome development is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. Planned Development Permit (PDP) 16-01 provides flexibility in development standards through the efficient use of land and effective design responses to site features. The PDP was deemed appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Based on the project design and approval of PDP 16-01, the subject parcel is sufficient for accommodating the proposed 18-unit townhome development.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and
 - *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential and multiple-family residential uses. The proposed project will remove the existing commercial uses, relocate and reconstruct the existing park (Open Space, O) and construct multiple-family residential (R-3) which is compatible with the existing uses that surround the project site. Furthermore, the development has been designed to: limit the number of attached buildings to no more than duplexes, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. These design modifications increase architectural compatibility with surrounding residential properties.*
 - *Architectural Design and Detail. The project proposes a high-quality Spanish Colonial Revival architectural style. The proposed style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finished window and gutters, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, wrought iron balconies and window covers, Capistrano blend concrete roof tile, and wood grain steel garage doors with a walnut finish bead board design. All units have distinct front entries with decorative colored stamped concrete.*

- Landscape, Lighting, Parking, Signs, and Other Design Details.
 - a. Equipment and Utilities. *All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.*
 - b. Fences/Walls. *Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and block walls, and chain link fencing along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.*
 - c. Landscaping. *New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.*
 - d. Lighting. *A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.*
 - e. Parking. *The project meets the off-street parking requirements for the use by providing attached two-car garages for all 18-units, and exceeds the guest and overflow parking requirements, providing 14 on-site parking spaces. The project also allows adequate circulation into and throughout the property.*
- 4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

SECTION 3. The City Council approves Site Plan and Design Review 16-22 by adopting Resolution 17-R-22 based on the findings listed in Section 3 and conditions of approval in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

SECTION 4. In adoption of this Resolution for Site Plan and Design Review, the City Council finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Site Plan and Design Review, and circulated for public review and comment, and is hereby certified by the City Council.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David Cosgrove, City Attorney
City of Duarte, California

Exhibit 'A'

CONDITIONS OF APPROVAL Planned Development Permit PDP 16-01 Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground

mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.

19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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 J



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: PARKS AND RECREATION COMMISSION

SUBJECT: RECOMMENDATION TO APPROVE THE NEW THIRD STREET PARK DESIGN

DATE: FEBRUARY 4, 2017

At the February 13, 2017 meeting of the Duarte Parks and Recreation Commission, Commissioners were presented with information about the proposed Third Street residential development project and the relocation of the Third Street Park from its present location to the new location on the corner of Oak Ave and Third Street.

The proposed park will include a native plant garden and passive recreational area on the west-end of the park, a decomposed granite walking path surrounding a small lawn area at the center of the park, and new play equipment featuring a custom citrus orange theme that recognizes the citrus packing industry that is a major part of Duarte's history. The park will provide a unique street image using a river rock wall with a concrete cap approximately 20" in height, with four, five-foot high columns displaying four historic Duarte citrus crate labels, and park identification signage. The location of the proposed river rock wall provides adequate line-of-sight for vehicles and pedestrians while providing a barrier for children utilizing the play equipment from passing vehicle traffic. Six low-light bollards, with a bronze finish have been placed throughout the native garden, decomposed granite walking path and lawn area. Two park light standards in a bronze finish are proposed on both the north and south side of the play equipment. Proposed lighting and selective placement of lower growing landscape materials throughout the park will provide adequate visibility for residents and law enforcement purposes. Additionally, two dog waste/bag disposal stations have been placed on either side of the centralized lawn area.

Commissioner comments included the following requests:

- Locate the dog bag dispensers and trash cans more strategically for maximum effectiveness.
- Add an orange tree whether dwarf or other variety to complete the citrus packing theme and locate it away from the play equipment so that bees are not attracted to the blossoms.
- Add the installation of an informational sign or plaque that commemorates our local citrus heritage.

Commissioners praised the design and theme. Commissioner Dinsmore made a

motion to approve the project as proposed with minor modifications based on comments from the Commissioners that were reported to staff. Seconded by Bylsma-Houghton. The motion carried unanimously.

EXHIBIT K

RESOLUTION NO. PC 17-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THAT THE DUARTE CITY COUNCIL CERTIFY THE MITIGATED NEGATIVE DECLARATION AND ADOPT A MITIGATION MONITORING PROGRAM TO REDUCE IDENTIFIED "POTENTIALLY SIGNIFICANT" IMPACTS TO A LEVEL OF "LESS THAN SIGNIFICANT" FOR THE PROJECT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the Mitigated Negative Declaration ("MND") and Mitigation and Monitoring Program ("MMP") for the development of 18 owner-occupied, two-story townhome development and relocation of Third Street Park, on six parcels generally located at the southwest corner of Oak Avenue and Third Street (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905); and

WHEREAS, the MND for the proposed 18-unit development and relocation of Third Street Park provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in "Exhibit A", attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed 18 owner-occupied, two-story townhome development and relocation of Third Street Park, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, written comments on the MND and MMP were received from the public and other public agencies during the 21-day public review period, which began on December 1, 2016 and ended on January 3, 2017; and

WHEREAS, such comments and testimony have been responded to through a Comments and Responses as part of the MND process for the Project; and,

WHEREAS, notice of public hearing before the Planning Commission concerning the adequacy and completeness of the MND and MMP was given in accordance with the laws and policies of the City of Duarte (City); and

WHEREAS, the MND and MMP have been independently reviewed by the Planning Commission and reflects the independent judgment of the Planning Commission; and

WHEREAS, the Planning Commission has reviewed all documentation comprising the MND, and has found that the MND addresses all environmental effects of the proposed project, with mitigation measures, and that the MND and MMP fully comply with all requirements of CEQA and the CEQA Guidelines relating thereto.

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

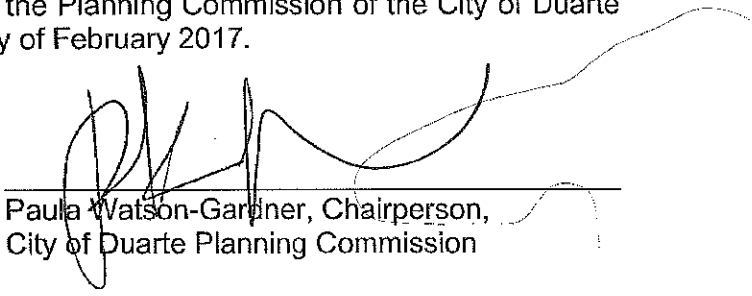
SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The Planning Commission finds that the MND and MMP fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto,

SECTION 3. The Planning Commission has considered the potential environmental effects as shown in the MND and, on the basis of the whole record, finds that there is no substantial evidence that the project will have a significant effect on the environment, with the implementation of the MMP. The foregoing determination, which reflects the independent analysis and independent judgment of the Planning Commission, is based on the information in the record.

SECTION 4. The Planning Commission recommends to the City Council of the City of Duarte that the MND and MMP be approved and adopted, in accordance with Exhibit "A" attached hereto and made a part of this Resolution; and that the MND and MMP, including all elements listed above, be certified by the City, as lead agency for the proposed project.

APPROVED AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, Chairperson,
City of Duarte Planning Commission

ATTEST:



Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a special meeting of the Planning Commission of the City of Duarte held on February 21, 2017, and carried by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
GEOLOGY AND SOILS						
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.	Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HYDROLOGY AND WATER QUALITY						
HYD-1	Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source	Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance			Remarks
			Initials	Date		
	control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."					
HYD-2	Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			
NOISE						
NOI-1	To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: - Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)			

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.						
PUBLIC SERVICES & UTILITIES						
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)			

8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED
DEC 05 2016
CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1. Loadings for Each Class of Land Use link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

DOC: #3960366.D22

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC: #3982336.D22



GABRIELENO BAND OF MISSION INDIANS – KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (Kile) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by
the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous
Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water
system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Kristen Johnston, Associate Planner
January 3, 2017
Page 2

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

Kristen Johnston, Associate Planner
January 3, 2017
Page 3

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

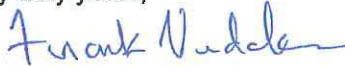
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serves the project area is Joint Outfall "B" Unit 8H include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road. The trunk sewer iss are 1042-inches in diameter with has a design capacity of 2.11.7 million gallons per day (mgd), and . The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 20120). The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.876.6 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458250 gpd of wastewater for a result of 1,145625 gpd or 0.8043 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013. Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
Residential (Single-Family)		2	260	gpd/unit	520
Residential (Duplex)		1648	312	gpd/duplex	2,4962,808
Total					3,016
Net Change					+458250
1. Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145,625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

RESOLUTION NO. PC 17-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL AMEND THE LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN (GPA 16-01) FROM PUBLIC FACILITY AND OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL AND OPEN SPACE FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the General Plan Amendment (GPA 16-01) which provides, among other provisions, for the development of Multiple-Family Residential and Open Space for the development of an 18-unit, owner-occupied, two-story townhome development and relocation and reconstruction of Third Street Park; and

WHEREAS, the Planning Commission has considered proposed General Plan Amendment 16-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility and Open Space to Medium Density Residential and Open Space Land Use Designation ("General Plan Amendment"); and

WHEREAS, notice of a public hearing on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the General Plan Amendment, amending the Land Use Policy Diagram of the City's General Plan designation of six parcels from Public Facility and Open Space to Medium Density Residential and Open Space.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the General Plan Amendment is internally consistent with all other provisions of the Duarte General Plan

SECTION 3. The Planning Commission finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed change in land use designation from Public Facility and Open Space to Medium Density Residential and Open Space is the highest and best use for the subject property.

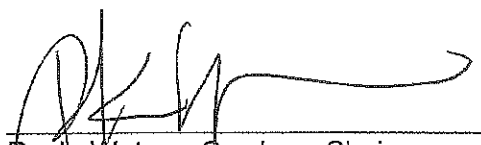
SECTION 6. The Planning Commission determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission hereby recommends the General Plan Amendment, which amends the City's General Plan Land Use Diagram, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In recommending adoption of this Resolution for the General Plan Amendment, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding General Plan Amendment, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding General Plan Amendment.

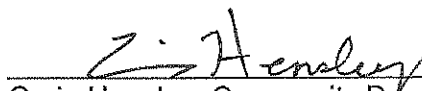
SECTION 9. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February, 2017.



Paula Watson-Gardner, 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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

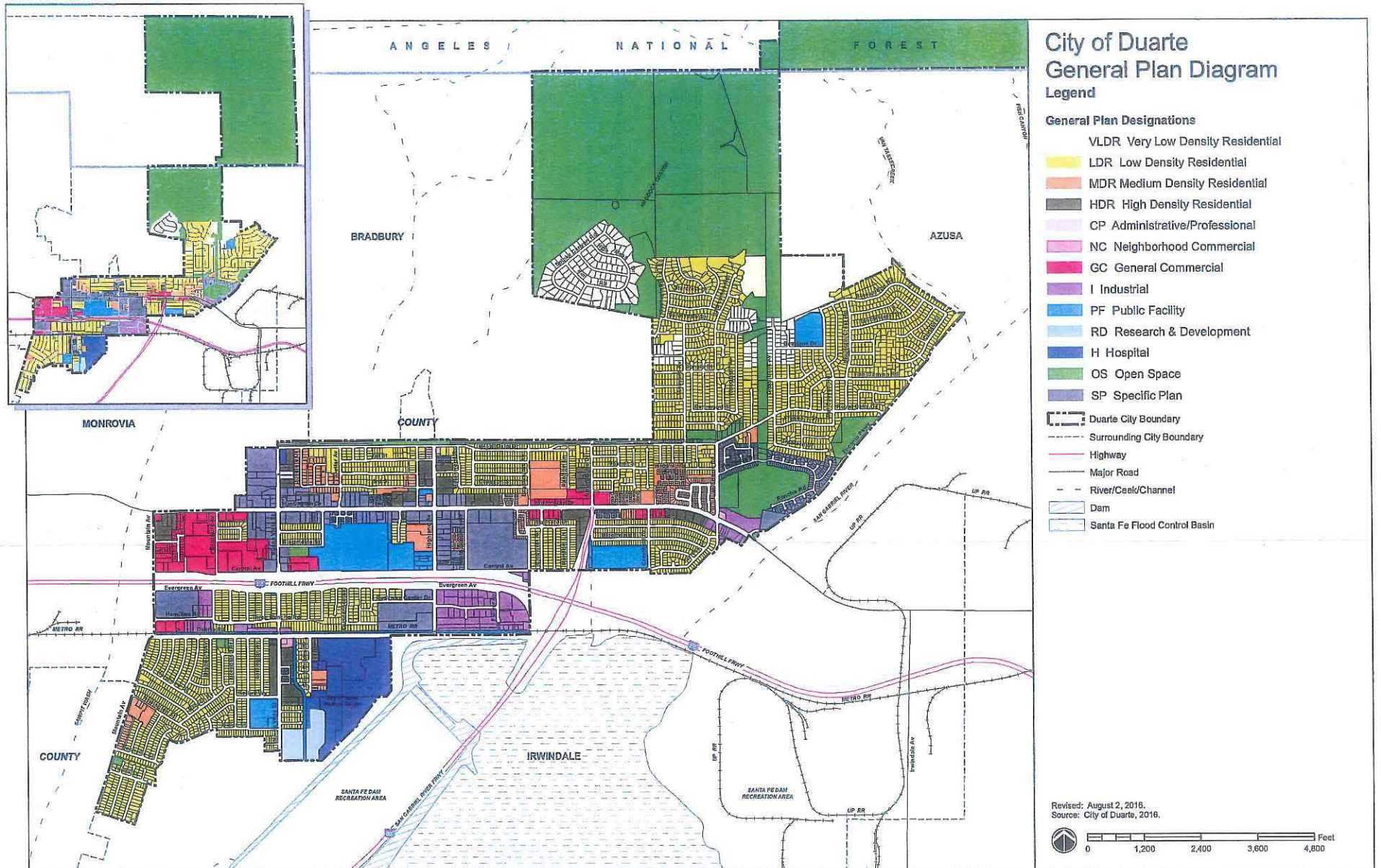
AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

General Plan Land Use Diagram attached hereto



RESOLUTION NO. PC 17-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE A ZONE CHANGE AND MODIFY THE CITY OF DUARTE ZONING MAP (ZC 16-01) FROM THE PUBLIC FACILITY (PF) AND OPEN SPACE (O) ZONE TO MULTIPLE-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (O) FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the Zone Change (ZC 16-01) which provides, among other provisions, for development of an 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park; and

WHEREAS, Zone Change 16-01 is contingent upon the approval of General Plan Amendment 16-01; and

WHEREAS, the Planning Commission, has considered proposed Zone Change 16-01, changing the zoning designation and modifying the City of Duarte Zoning Map for six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from PF, Public Facility and O, Open Space to R-3, Multiple-Family Residential (Medium Density) and O, Open Space ("Zone Change"); and

WHEREAS, notice of a public hearing for the proposed Zone Change, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed Zone Change, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the Zone Change, modifying the zoning designation of six parcels of land from PF, Public Facility and O, Open Space (O) to R-3, Multiple-Family Residential (Medium-Density) and O, Open Space .

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Zone Change is consistent with the Duarte General Plan.

SECTION 3. The Planning Commission finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

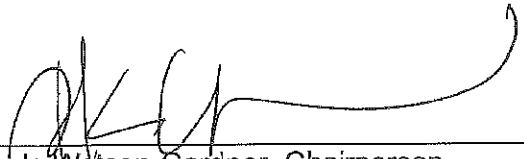
SECTION 5. The Planning Commission determines that the proposed R-3, Multiple-Family Residential (Medium Density) and O, Open Space Zone is the highest and best use for the subject property.

SECTION 6. The Planning Commission determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission finds and determines that the Zone Change is consistent with the City's General Plan, and based thereon, the Planning Commission hereby recommends the City Council adopt the Zone Change and the modification to the City of Duarte Zoning Map, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

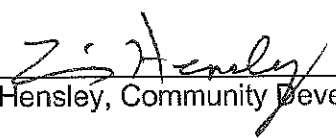
SECTION 8. In recommending adoption of this Resolution for the Zone Change, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Zone Change, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the Zone Change.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, 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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

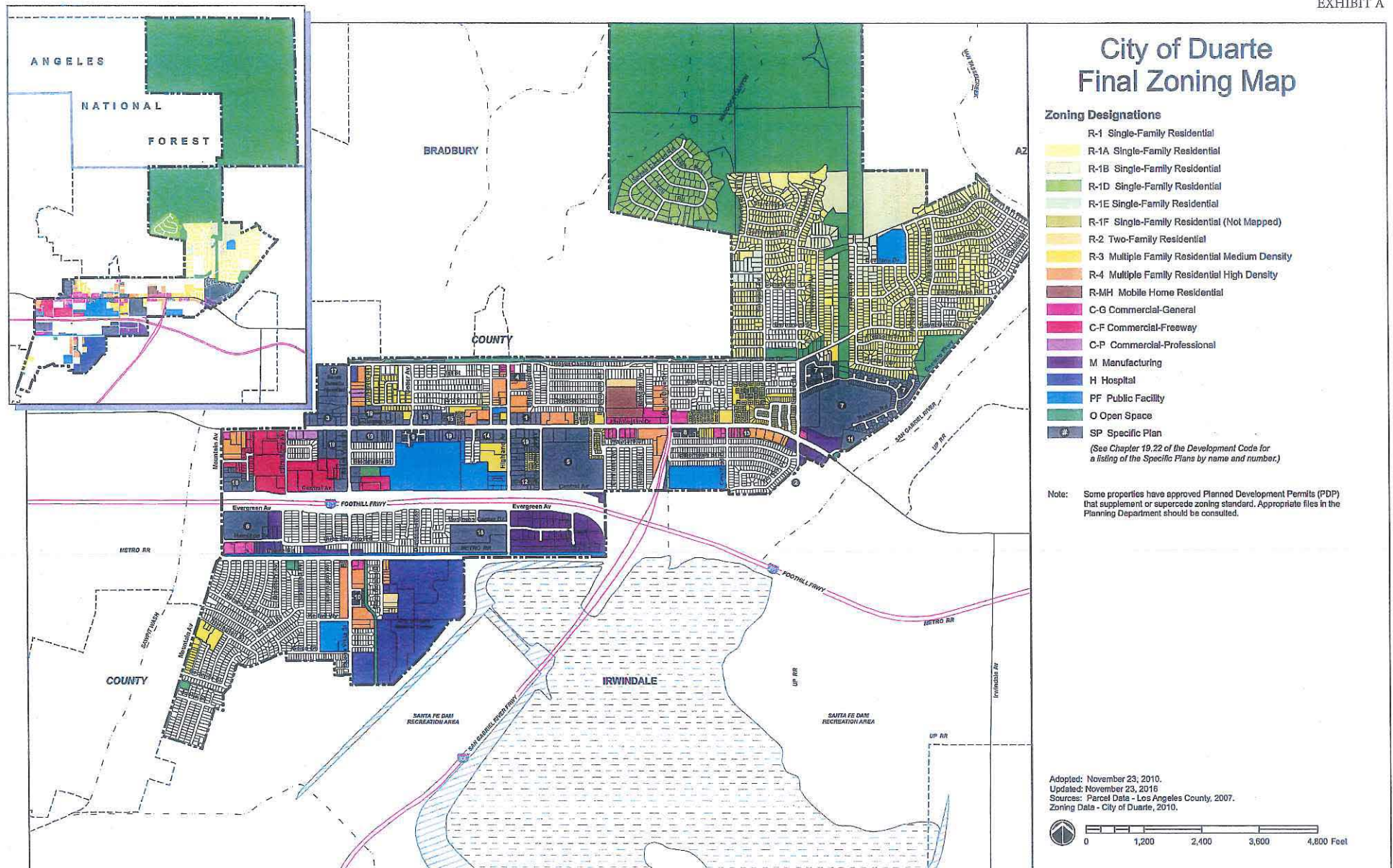
AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

Zoning Map attached hereto



RESOLUTION PC 2017-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE TENTATIVE TRACT MAP NO. 74365 FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant is requesting approval of Tentative Tract Map No. 74365 to allow the development of an 18-unit, owner-occupied, townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Tentative Tract Map No. 74365 is contingent upon the approval of General Plan Amendment 16-01 and Zone Change 16-01; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 74365, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story development and the relocation and reconstruction of Third Street Park on certain property located at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 3. The Planning Commission finds and determines that the design of Tentative Tract Map No. 74365 is consistent with the applicable General Plan.

SECTION 4. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development.

SECTION 5. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is physically suitable for the proposed development density allowed in the R-3, Multi-Family Residential (Medium Density) and O, Open Space zoning designations.

SECTION 6. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as further examined and mitigated in the Mitigated Negative Declaration associated with this project.

SECTION 7. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements are not likely to cause serious public health problems.

SECTION 8. The Planning Commission finds and determines that Tentative Tract Map No. 74365 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

SECTION 9. The Planning Commission finds and determines that Tentative Tract Map No. 74365 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area because the development has been designed to be commensurate with said land uses and improvements are consistent with the General Plan and applicable land use zones.

SECTION 10. The Planning Commission finds and determines that Tentative Tract Map No. 74365 is in the best interests and welfare of the City and its residents.

SECTION 11. The Planning Commission hereby recommends the City Council approve Tentative Tract Map No. 74365, and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 12. In recommending adoption of this Resolution for Tentative Tract Map No. 74365, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Tentative Tract Map No. 74365, have been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Tentative Tract Map No. 74365.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte
at a regular meeting held on the 21st day of February, 2017.



Paula Watson-Gardner, 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
Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

CONDITIONS OF APPROVAL Tentative Tract Map No. 74365

1. The developer shall install curb, gutter, approaches, asphalt street and other street improvements as shown on Tentative Tract Map 74365, including said improvements to approximately two residences on the north side of Third Street, across from the project site (generally known as 1703 and 1709 Third Street).
2. Developer shall provide for the undergrounding of utilities along Oak Avenue, or pay an in-lieu fee, as determined by the City Engineer.
3. Codes, Covenants and Restrictions (CC&R's) must be reviewed and approved by the City Attorney and Community Development Department and be recorded prior to the sale of the first unit. Provisions for a homeowners association shall be integrated into the CC&R's for the purposes of maintaining common areas.
4. Developer shall fund and install the signs, striping and other related traffic controls related to the unsignalized intersection improvements at Oak Avenue and Third Street, per the recommendations of the Engineering and Multi-way stop Application study and as approved by the City Engineer and/or Public Works/Engineering Division.
5. Decorative paving materials shall be integrated into driveways and/or driveway approaches as approved by the City Engineer and/or Public Works/Engineering Division.
6. The developer shall comply with the City's cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
7. All utilities for direct service to the project shall be installed underground.
8. The Applicant/Developer shall comply with the 2016 edition of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)
9. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
10. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.

11. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc.
12. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
13. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
14. The Applicant/Developer shall submit a Precise Grading Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
15. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering/Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.
16. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.
17. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
18. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
19. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles

County as mandated by the National Pollutant Discharge Elimination System (NPDES).

20. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. A connection fee is required by the County Sanitation District in order that necessary expansions and/or connections to the sewerage system can be constructed to accommodate new development. Said fees shall be paid prior to the issuance of building permits.
21. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
22. The Applicant/Developer shall provide sewer, drainage and Reciprocal Access Easements for the development to the satisfaction of the City Attorney and City Engineer.
23. The Applicant/Developer shall provide street lights, street name signs and stop signs in accordance with the standards of the City, if applicable.
24. The Applicant/Developer shall provide full street improvements on all street within the limits of the development. Improvements to include curbs and gutters, sidewalks, medians, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Oak Avenue and Third Street, adjacent to project	x	x	x	x	x	x				
1703 & 1709 Third Street	x	x		x						
Notes:										

25. The Applicant/Developer shall offer to dedicate all street right-of-way as shown on the Tentative Map (internal streets shall be private).
26. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
27. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and/or Public Works/Engineering Division.
28. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
29. For projects that disturb one (1) acre or greater of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, the project must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2012-0006-DWQ (as amended by all future adopted Construction General Permits). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Developer must submit a Notice of Intent and Waste Discharger's Identification (WDID) number as evidence of having applied with the Construction General Permit before the City will issue a grading permit. The project proponent is ultimately responsible to comply with the requirements of Order No. 2012-0006-DWQ, however, the City shall have the authority to enter the project site, review the project SWPPP, and require modifications and subsequent implementations to the SWPPP in order to prevent polluted runoff from leaving the project site onto public or private property.
30. The project is subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principals.
31. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices

(BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:

- i. 8 1/2" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
32. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and equestrian trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
33. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
34. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
35. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
36. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
37. A preliminary title report and guaranteed is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement

holders. The account for this title report should remain open until the final map is filed with the County Recorder.

38. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
39. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
40. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.
41. 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.
42. 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.

RESOLUTION NO. PC 17-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE DETERMINING THAT THE PROPOSED REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR THE 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, WHERE FLEXIBILITY IN STANDARDS WILL ACHIEVE A HIGHER QUALITY PROJECT REFLECTING EXCELLENCE IN DESIGN, MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.118.050(B) AND THUS RECOMMENDS THE DUARTE CITY COUNCIL APPROVE PLANNED DEVELOPMENT PERMIT 16-01

WHEREAS, the applicant is requesting approval of a Planned Development Permit to allow flexibility in development standards related to lot-depth, front and rear setbacks and private and common open space requirements, for the proposed 18-unit, owner occupied, two-story townhome development at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, Planned Development Permit 16-01 is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, and Tentative Tract Map No. 74365; and

WHEREAS, on February 13, 2017 the Architectural Review Board reviewed the plans for the proposed project and related Site Plan & Design Review application 16-22 and recommended approval to the Planning Commission and City Council for consideration; and

WHEREAS, notice of a public hearing on the proposed project and all related applications was given in accordance with applicable law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Planned Development Permit 16-01 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission has made the findings for Planned Development Permit 16-01, as set forth in DDC Section 19.118.050 (B), and determines the proposed development is as follows:

1. The Planned Development Permit 16-01 will accommodate a use that is allowed within the subject base zone, be consistent with the Duarte General Plan, be generally in compliance with all the applicable provisions of this Development Code, and ensure compatibility of uses in the surrounding neighborhood.

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and relocation of Third Street Park will not decrease the level of compatibility with the surrounding uses.

2. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications;

The project will use high quality architectural designs and materials, and incorporate high quality tile accents into the building elevations for enhanced architectural streetscape with colored concrete proposed for each unit entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each unit. With the addition of the paseos feature, enhanced paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units, the units without private yards are a short distance to the common yard area, and the common yard space is enhanced with features not typically integrated into a project of this scale, such as a built-in barbeque, and both landscaped and walled separation from the street and adjacent private units.

3. Appropriate standards and conditions of approval have been imposed to ensure the protection of the public health, safety and welfare;

Associated PC Resolution 17-01 for General Plan Amendment 16-01, PC Resolution 17-02 for Zone Change 16-01, PC Resolution 17-03 for Tentative Tract Map 74365, and PC Resolution 17-05 for Site Plan & Design Review Application 16-22 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

4. Appropriate onsite circulation and traffic control is designed into the development;

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from four locations off Third Street. Two-car, attached garages have been provided for each of the eighteen units. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking.

A trip generation analysis was conducted by Albert Grover and Associates, as part of the associated Mitigated Negative Declaration, for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 9th Edition (2012). The project trip generation rates for the proposed 18 two-story development will generate approximately 105 daily vehicle trips, also determined using the ITE 2012 Trip General Manual. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this intersection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;

The proposed 18-unit, owner-occupied, two-story townhome development and the relocation of Third Street Park is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features. The PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot

depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features.

6. Adequate public services and facilities exist, or will be provided in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health safety, and general welfare.

The proposed 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is a low intensity use that will have a minimal demand for public services. The subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and Los Angeles County Fire Department access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. Curbs, gutters and sidewalks around the development will be conditioned for repair or reconstruction, including several unimproved street frontages on the north side of Third Street. In correspondence with California American Water and Los Angeles County Sanitation Districts, water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or allowed uses.

The proposed residential development and relocation of Third Street Park is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GPA16-01, Zone Change 16-01, Tentative Tract Map No. 74365, Planned Development Permit 16-01, and Site Plan and Design Review 16-22. The proposed mitigation monitoring program and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community. The proposed 18-unit development and relocation of Third Street Park provides an optimal use of the site. It is not anticipated that it will cause a hazard to the public convenience or general welfare to the surrounding areas.

8. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

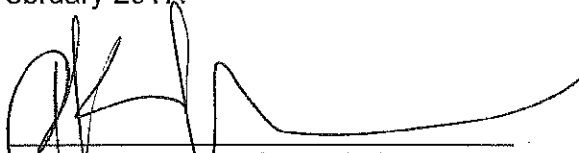
The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view

corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Furthermore, the project will feature high quality materials and be designed to emulate Spanish Colonial Revival architecture.

SECTION 3. The Planning Commission hereby recommends the Duarte City Council approve Planned Development Permit 16-01, the request for Planned Development Permit 16-01 at 1101 Oak Avenue and 1634 Third Street, allowing customized development standards related to lot depth, front and rear setbacks, and private and common opens space requirements, by adopting PC Resolution 17-04, based on the findings listed in Sections 3 and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 4. In recommending adoption of this Resolution for Planned Development Permit, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Planned Development Permit.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.



Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:



Craig Hensley, Community Development Director

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

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 Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit "A"

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01
Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction.

Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
- 11.
12. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
13. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
14. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
15. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.

16. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan related to the aforementioned, must be approved by the Planning Division prior to installation.
17. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
18. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
19. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
20. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
21. All utilities for direct service to the project shall be installed underground.
22. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
23. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
24. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
25. 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.
26. 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.

RESOLUTION PC 17-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL APPROVE SITE PLAN AND DESIGN REVIEW 16-22, A REQUEST BY TIPPING INVESTMENTS, LLC. FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GERNALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, submitted a design review application for an 18-unit, owner-occupied, two-story townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, is contingent upon the approval of General Plan Amendment 16-01, Zone Change 16-01, Tentative Tract Map No. 74365, and Planned Development Permit 16-01; and

WHEREAS, new two-story, multiple-family residential construction requires recommendation from the Architectural Review Board to the Planning Commission, and since this project involves entitlements that also require consideration from the City Council, a recommendation from the Planning Commission to City Council, pursuant to Section 19.112.030 and Table 7-2 in Section 19.122.030 of the Duarte Development Code; and

WHEREAS, On February 13, 2017 the Architectural Review Board reviewed the plans for the Site Plan and Design Review Case 16-22 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, the Planning Commission of the City of Duarte has considered the project proposal, which provides, among other provisions, for the 18-unit townhome development and relocation and reconstruction of Third Street Park at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers, and recommends the City Council approve Site Plan and Design Review Case 16-22 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

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

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission has made the findings for Site Plan and Design Review 16-22, as set forth in DDC Section 19.122.050 (E), and determines the proposed development is as follows:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

General Plan Amendment and Zone Change 16-01 are included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning districts, apart from the modifications associated with Planned Development Permit 16-01.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The proposed 18-unit, owner-occupied, two-story townhome development is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. Planned Development Permit (PDP) 16-01 provides flexibility in development standards through the efficient use of land and effective design responses to site features. The PDP was deemed appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Based on the project design and approval of PDP 16-01, the subject parcel is sufficient for accommodating the proposed 18-unit townhome development.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and

- *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential and multiple-family residential uses. The proposed project will remove the existing commercial uses, relocate and reconstruct the existing park (Open Space, O) and construct multiple-family residential (R-3) which is compatible with the existing uses that surround the project site. Furthermore, the development has been designed to: limit the number of attached buildings to no more than duplexes, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing*

architectural elements that modulate the frontages of the units. These design modifications increase architectural compatibility with surrounding residential properties.

- *Architectural Design and Detail. The project proposes a high-quality Spanish Colonial Revival architectural style. The proposed style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finished window and gutters, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, wrought iron balconies and window covers, Capistrano blend concrete roof tile, and wood grain steel garage doors with a walnut finish bead board design. All units have distinct front entries with decorative colored stamped concrete.*
- *Landscape, Lighting, Parking, Signs, and Other Design Details.*
 - a. *Equipment and Utilities. All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.*
 - b. *Fences/Walls. Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and block walls, and chain link fencing along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.*
 - c. *Landscaping. New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.*
 - d. *Lighting. A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.*
 - e. *Parking. The project meets the off-street parking requirements for the use by providing attached two-car garages for all 18-units, and exceeds the guest and overflow parking requirements, providing 14 on-site parking spaces. The project also allows adequate circulation into and throughout the property.*

4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

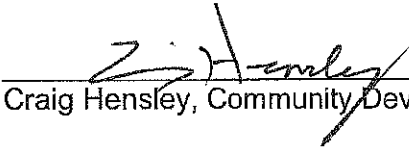
SECTION 3. The Planning Commission recommends the Duarte City Council approve Site Plan and Design Review Case 16-22 by adopting PC Resolution 17-05, based on the findings listed in Section 3 and conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 4. In recommending adoption of this Resolution for Site Plan and Design Review, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Site Plan and Design Review, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the Site Plan and Design Review.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.


Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:


Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES } ss.

STATE OF CALIFORNIA

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES: Watson-Gardner, Vasquez, Lefmann, Pierce
NOES: Farra
ABSTAIN: None
ABSENT: None



Craig Hensley, Community Development Director

Exhibit 'A'

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01

Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the

conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan

related to the aforementioned, must be approved by the Planning Division prior to installation.

16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. 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.
25. 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.

MEMORANDUM

TO: Darrell George, City Manager

FROM: Kristen Petersen, Assistant City Manager and
Roger Cathey, Financial Services Manager

DATE: March 9, 2017

SUBJECT: CONTRACT AWARD FOR INDEPENDENT AUDITOR

Background

For the past seven years, the City has contracted with the firm of Lance, Soll and Lunghard, LLP for its annual independent audit. The most recent contract concluded with fiscal year 15-16 audit. At that time, the City Council indicated a desire to solicit proposals for future audit work.

In keeping with Council direction, staff issued a Request for Proposals (RFP) in February of 2017. The RFPs were mailed to nine firms, six of which responded.

- Brown Armstrong
- Lance, Soll and Lunghard
- Moss, Levy & Hartzheim
- Rogers, Anderson, Malody & Scott
- Vavrinek, Trine, Day & Company
- White, Nelson, Diehl, Evans

The Assistant City Manager and the Financial Services Manager reviewed the proposals. The review process entailed an analysis of proposal documents, oral interviews with firm representatives and a check of references. Proposals were rated based on twelve separate criteria, including price. The criteria were set forth in the RFP.

Analysis of Proposals

Staff found that all six of the firms submitting proposals were qualified to do the work. All six had substantial governmental experience, capable staff assigned to the project and good references. The amounts proposed for a not-to-exceed cost of a three-year contract ranged from a low of \$78,750 to a high of \$138,930. The two most important factors in distinguishing between firms was audit approach and demonstrated experience with clients of similar size and composition. Staff determined that the two factors distinguishing these firms from one another was their audit approach and demonstrated experience with clients of similar size and composition. With that in mind, we were able to reduce our list to four firms. And then finally given that we have already utilized the services of Lance, Soll & Lunghard for several years, we eliminated them and reduced our final list to three firms.

- Moss, Levy & Hartzheim
- Rogers, Anderson, Malody & Scott
- Vavrinek, Trine, Day & Company

Staff interviewed all three firms and extensively checked references and ultimately is recommending the firm of Moss, Levy & Hartzheim.

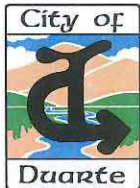
Conclusion

Moss, Levy & Hartzheim, LLP is a smaller firm with 12 professional staff members. Their offices are located in Culver City. As a smaller firm, they obviously have a smaller number of clients, but many are like our size and composition. Some are even located in San Gabriel Valley such as Covina and La Canada. The staff being assigned to the City of Duarte appear to be mature and seasoned. Unlike other firms, the Audit Partner will be on site most the time that the staff is here for the audit. Discussions with referenced cities indicated that while they are comprehensive in their audit process, they are very familiar with the small City structure and thus, they are cognizant of smaller staffing levels and work efficiently and effectively to limit the disruption to the ongoing day-to-day operations of the City while conducting their audits.

While not our primary reason for selection, the audit costs proposed by Moss, Levy & Hartzheim, LLP are the lowest of the six firms that submitted bids. This would be a three-year contract with two additional one-year options. The first year of the contract will cost \$25,500 going up to \$27,000 in year three. For comparison, our most recent audit of fiscal year 2015/16 cost \$29,000. As a business model, Moss, Levy & Hartzheim wants to stay on the small side, focusing on the smaller cities and special assignment RFP's issued by LA County. Based on their model, the interview and discussions with referenced cities, staff believes that Moss, Levy & Hartzheim will be the best fit for our organization. We feel that they will be responsive, comprehensive and less disruptive than other firms.

Recommendation

It is recommended that the City Council select Moss, Levy and Hartzheim, LLP for the award of a three-year contract for services as the City's independent auditor and authorize the City Manager to sign the three-year contract in the amount of \$78,750.



MEMORANDUM

To: Mayor and City Council

From: Yesenia Serna, Community Development Technician

Date: March 14, 2017

Subject: **ADOPTION OF A LOCAL HONORARY STREET NAMING POLICY AND DESIGNATION OF SANTO DOMINGO AVENUE, SOUTH OF BUSINESS CENTER DRIVE, AS VIA D'AQUINO HONORING GAETANO D'AQUINO**

RECOMMENDATION

Staff recommends that the City Council take the following action:

- 1) Approve Resolution 17-R-24 adopting a local honorary street name designation policy; and
- 2) Approve Resolution 17-R-25 to designate Santo Domingo Avenue, south of Business Center Drive, as Via D'Aquino in honor of Gaetano D'Aquino.

ANALYSIS

Recently, Staff was requested to research the possibility of renaming a street to honor Mr. D'Aquino for his years of exemplary service to the community. The result of the research was that some cities have instituted an honorary street name policy that allows the honorary renaming of a street and the installation of an honorary sign without an official street name change. With this method, the official name of a street would not change; the street name would remain for addressing purposes; and a new honorary street name sign would be added. This option may be the most effective way to address this issue, because of the complexity of a complete street name change. In this case, Cosmo Fiber has a Santo Domingo address and a street name change would create impact to the business. An honorary street name designation would allow recognition without requiring an official address change.

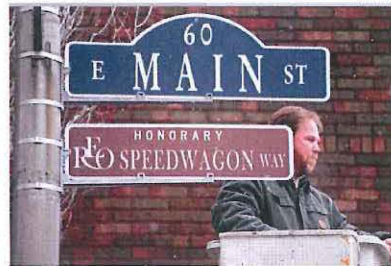
Recently, the City of Monrovia developed a process for honorary street naming and designated a portion of Royal Oaks Dr. for one of its former Mayors. An example of that sign is shown on the next page.

The City of Duarte does not currently have a formal process for honorary street designations that recognize distinguished community members. It is not uncommon for cities to have

such a policy. Attached Resolution 17-R-24 would set forth an Honorary Street Name Policy that would set a City Council policy for designating streets, or portions of streets, in honor.



Example from Monrovia



Example from Champaign, IL

Gaetano D'Aquino has been involved in the community providing his support and leadership in many ways. D'Aquino Italian Importing Company has been in business at 1850 Business Center Drive for many years importing and distributing wines, olive oil and pasta. D'Aquino products are distributed to Vons, Albertsons, Safeway, Stater Brothers, Trader Joe's, Bristol Farms, Royal Caribbean Cruise Lines, TWA Airlines, Marriott Hotels, US. Navy, Army, Air Force and others. D'Aquino wines are distributed in 22 states, Mexico and Canada. Mr. D'Aquino certainly meets the standards set in the honorary street name policy

If Council desires a full street name change for this portion of Santo Domingo Avenue and directs Staff to do so, additional input can be gathered from the impacted business, public safety resources, Post Office and other parties and bring that information back to the Council for action. A full street name process would take several months to complete.

FISCAL IMPACT

The cost to produce and install street signs is estimated at less than \$400.00 per sign.

RESOLUTION 17-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE ESTABLISHING AN
HONORARY STREET NAME DESIGNATION POLICY

WHEREAS, the City of Duarte City Council desires to set a policy that sets forth a process and guidelines to designate honorary street names; and

WHEREAS, the addition of the honorary street name signs will not change the official street name nor street addresses;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Duarte as follows:

SECTION 1. The City Council adopts the Honorary Street Name Designation Policy as provided in attached Exhibit A.

PASSED, APPROVED, AND ADOPTED this 14th day of March, 2017.

Mayor Margaret Finlay

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution 17-24 was adopted by the City Council of the City of Duarte at a regular meeting of said Council held on the 14th day of March, 2017, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California

Exhibit A

Honorary Street Name Designation Policy**Purpose**

To provide for a process for the honorary naming of streets so that City Council may honor individuals and organizations who have made significant contributions to the Community.

Policy Guidelines

The City Council may make honorary street name designations based on the following guidelines:

- Honorary street name designations shall be limited to individuals and organizations that have had a significant cultural, historical impact on the City.
- The location for the honorary street designation must have a geographical relationship to the honoree (e.g. honoree lived or worked near the location requested for recognition).
- Honorary designations shall be limited to one block in length.
- All honorary street names shall be approved by the City Council by Resolution
- The honorary designation shall be valid for a five year period unless specifically specified by the City Council in the approval Resolution. At the end of the designation period, the City Council may re-designate the honorary street name.
- The honorary street name sign shall be similar to the standard street name sign in size, color and type font and shall have the words "Honorary."
- The City Council will make no more than five honorary street name designations each year.

RESOLUTION 17-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE PLACING AN HONORARY STREET DESIGNATION ON SANTO DOMINGO AVENUE, SOUTH OF BUSINESS CENTER DRIVE WITH THE NAME "VIA D'AQUINO", HONORING GAETANO D'AQUINO

WHEREAS, the City of Duarte City Council adopted an Honorary Street Name Designation Policy providing a process to make honorary street name designations to recognize notable Duarte residents, business owners and those that have made notable contributions to the community; and

WHEREAS, Gaetano D'Aquino has made notable and significant lifelong contributions to the City of Duarte; Mr. D'Aquino has been involved in the community providing his support and leadership in many ways. D'Aquino Italian Importing Company has been in business at 1850 Business Center Drive for many years importing and distributing wines, olive oil and pasta. D'Aquino products are distributed to Vons, Albertsons, Safeway, Stater Brothers, Trader Joe's, Bristol Farms, Royal Caribbean Cruise Lines, TWA Airlines, Marriott Hotels, US. Navy, Army, Air Force and others. D'Aquino wines are distributed in 22 states, Mexico and Canada.

WHEREAS, the addition of the honorary street name sign will not change the official street name nor street addresses;

WHEREAS, the City Council finds that adding an honorary street sign will not be materially detrimental to the public wellbeing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Duarte as follows:

Santo Domingo Avenue, south of Business Center Drive shall be designated Via D'Aquino and a street sign noting this honorary designation shall be placed on the street.

PASSED, APPROVED, AND ADOPTED this 14th day of March, 2017.

Mayor Margaret Finlay

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, hereby attest to the above signature and certify that Resolution 17-25 was adopted by the City Council of the City of Duarte at a regular meeting of said Council held on the 14th day of March, 2017, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk Marla Akana
City of Duarte, California