CITY OF DUARTE
PLANNING COMMISSION
M I N U T E S
February 21, 2017

Planning Commission
Commissioners
Paula Watson-Gardner, Chair
Sara Vasquez, Vice-Chair
George K. Farra
Sheryl Lefmann
Shauna Pierce

1. CALL TO ORDER AND NOTATION OF ABSENCES

Chairperson Pierce called the meeting to order at 7:02 p.m.

The following were in attendance:

PRESENT:	Watson-Gardner, Vasquez, Farra, Lefmann, Pierce (arrived 7:05)
ABSENT:	None
STAFF:	Hensley, Golding, Eoff IV, Hernandez
DEPUTY CITY ATTORNEY:	Alisha Patterson

2. PLEDGE OF ALLEGIANCE

Commissioner Lefmann led the Pledge of Allegiance.

3. APPROVAL OF MINUTES – January 17, 2017

Commissioner Lefmann moved to approve the minutes, seconded by Commissioner Farra. Motion approved 4-0-1-0. (Vote: Yes: Watson-Gardner, Vasquez, Farra, Lefmann; No: None; Absent: Pierce; Abstain: None).

4. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Chairperson Watson-Gardner opened the Oral Communications Item, seeing none item was closed.

5. PUBLIC HEARINGS

A. ARB 15-16; PC RESOLUTION 17-06

Associate Planner Eoff IV presented the Staff Report indicating that the Duarte Nissan Dealership is requesting to modify the plans previously approved by the Planning Commission on February 16, 2016. Eoff IV stated Corporate Nissan has revised the contents of their image with changes to the style, color, and material. He also stated that the changes were presented to the Architectural Review Board (ARB) on February 13, 2017, and received a recommendation for approval, with conditions, for the Planning Commission's consideration.

Eoff IV went over the previously approved project, which included demolition and new construction, façade enhancements, new color/materials, landscape, and other site improvements. He stated that the most notable change to the exterior was the removal of the ribbed metal from the color/material palette which is being replaced with an additional smooth aluminum composite material (ACM), in either a light gray or dark gray color. Other changes include increasing the size of the showroom, decrease to the size of the service reception building, architectural design changes on the front elevation, and various site changes such as the relocation of the new vehicle display and upgrades to the perimeter fencing around the property.

Eoff IV concluded his presentation stating that Staff recommends that the Planning Commission adopt PC Resolution 17-06 approving the proposed changes to the site plan and design review case ARB 15-16, allowing the renovations to the Duarte Nissan Dealership subject to conditions of approval. He indicated that the Architect and Nissan Representative are available for any questions.

Chairperson Watson-Gardner opened Public Comments.

Architect Ron Phadnis introduced himself to the Commission. He stated he previously served as a Planning Commissioner for four years, and for the first time, he is on the other side as an applicant presenting a project.

Chairperson Watson-Gardner closed Public Comments and opened Commissioners Comments.

Farra inquired if the previous conditions of approval were included in the Commissioners' Agenda Packet, and the implementation of the new design. Eoff IV stated that the previous conditions were not included in the packet that the previous conditions still applied and discussed two conditions that were addressed through the new design.

Farra inquired on the previous condition to construct an art piece at the southwest corner and improvement of the west façade of the service building. Eoff IV stated that the same condition is still imposed for the project, however, the condition has been slightly modified to require the art piece on the Nissan property in a location to be determined, instead of at the corner of Buena Vista Street and Central Avenue. The other option to enhance the west elevation wall is still applicable. The art piece will require ARB review and approval.

Lefmann pointed out some typographical errors in the Resolution that was brought to staff's attention.

Chairperson Watson-Gardner called for a motion. Pierce motioned to approved ARB 15-16 and PC Resolution 17-06. Seconded by Lefmann. The motion was approved 5-0-0-0. (Vote: Yes: Watson-Gardner, Vasquez, Farra, Lefmann, Pierce; No: None; Absent: None; Abstain: None).

B. GENERAL PLAN AMENDMENT (GPA16-01), ZONE CHANGE (ZC16-01); TENTATIVE TRACT MAP 74365; PLANNED DEVELOPMENT PERMIT (PDP16-01); SITE PLAN DESIGN REVIEW (SPDR16-22); AND ASSOCIATED MITIGATED NEGATIVE DECLARATION; PC RESOLUTIONS 17-01 TO 17-05 AND 17-07.

City Planner Golding presented the Staff Report and PowerPoint presentation, discussing the project between the City of Duarte and Tipping Investments, LLC. along with the multiple entitlements associated with the project.

Golding indicated that the project consists of demolishing all existing buildings and associated parking areas, relocating the existing Third Street Park to the southwest corner of Third Street and Oak Avenue, the construction of 18, owner-occupied residential units, and the associated entitlements including the General Plan Amendment (GPA), Zone Change (ZC), Tentative Tract Map, Plan Development Permit (PDP) and the Site Plan Design Review (SPDR), and associated Mitigated Negative Declaration (MND) and Mitigation Monitoring Program.

Golding also provided a background history of the existing site, lot size, current buildings and accessory use parking lots. He also discussed the economic and viability analysis that the City conducted to determine the condition of the existing buildings, and the Purchase and Sale Agreement that was approved by the City Council on June 28, 2016, between the City and Tipping Investments, LLC.

Golding pointed out to the significant public outreach throughout the entitlement process. He went over the issues that were raised as major topics of discussion at the neighborhood meetings held in May 2015 and September 2016. He also stated that additional outreach was conducted with two advisory meetings held before the Planning Commission meeting, ARB and Parks and Recreation Commission on February 13, 2017, citing their recommendations for the Planning Commission.

Golding discussed the project details of the construction, the five entitlements (GPA, ZC, TTM, PDPP, and SPDR) that would be a recommendation from the Planning Commission to the City Council including the California Environmental Quality Act (CEQA) process.

Golding provided details on the relocation and reconstruction of Third Street Park. He indicated that the developer, Parks & Recreation Department and Planning Division worked on several designs to address resident interest, as well as to integrate responsible landscaping, safe park design, citrus-themed playground equipment, and adequate lighting. He indicated that additional recommendations were made for low growing landscape materials throughout the park for adequate visibility for residents and law enforcement purposes, relocation of the dog waste stations and trash receptacles. He indicated that Staff worked with the Historical Society to provide a unique streetscape image, using a river rock wall with four columns displaying historic Duarte citrus crate labels, and park identification signage.

Golding discussed the Initial Study and Mitigated Negative Declaration (MND) process as a component of the California Environmental Quality Act (CEQA) requirement. Also, he discussed the Traffic Analysis that was conducted by Albert Grover and Associates, and the Multi-Way Stop Study conducted by RKA Consulting Group for the intersection of Oak Avenue and Third Street.

Golding indicated that the project is consistent with the goals and policies of the Duarte General Plan, zoning designations, and the proposed subdivision is physically suitable for 18 owner-occupied residences. He discussed the conditions of approval that have been proposed for the Tract Map, PDP and Site Plan and Design Review process, in addition to implementing the required mitigation measures included in the MND.

Before he concluded his presentation, Golding reviewed the changes made to PC Resolutions 17-03, 17-04 and 17-05. Adding that Staff recommends that the Planning Commission review and recommend approval to the City Council the project entitlements, in the order of PC Resolutions 17-07, 17-01, 17-02, 17-03, 17-04 and 17-05.

Hensley commended Golding for this presentation and detail information of the project and reiterated the reasons why the City Council decided to sell the properties.

Chairperson Watson-Gardner opened Commissioners Comments.

Lefmann asked if there was any dedicated parking for the park, or if foreseeing the usage of the fourteen-visitor parking by the adjacent complex. Golding responded there was no dedicated parking for the park, and that the Home Owners Association will prohibit people parking in their visitor's parking spaces. He stated that the park is a neighborhood park, not a community park and identified the streets that are available for parking to be on both sides of Oak, north and south side of Third, in front of the project and adjacent to the Fire Department, however, is not anticipating a lot of commuters to visit the park.

Lefmann inquired clarification on the agency municipality for the Standard Specification for Public Works (Green Book) showing in Exhibit G; RESO 17-03; Page 7 or 9; Number 28. Golding stated it's an industry standard book; and does not believe there is a municipality behind it.

Lefmann pointed to some typographical errors and referenced to Exhibit H, number 11 not having a paragraph. Golding indicated that some of the documents conversion got distorted, however, corrections will be made accordingly.

Lefmann inquired about the fire hydrant locations not showing on the plans that were submitted. Golding stated that the hydrant locations are designed when the project is resubmitted to the Fire Department with additional details.

Lefmann inquired confirmation on the handicap entrance from Oak Ave. Golding indicated that there is no entrance from Oak, that the accessible entrance will be off Third Street.

Lefmann reference to the plans on sheets A:1-0-1 and A:1-0-3, inquiring the location for the washer and dryer door access opening right into the staircase. Golding turned over the matter to Mr. Tipping to answer the question and for an opportunity to introduced his project and team.

Richard Tipping, from Tipping Development, Inc., introduced himself and his company location being at 911 Primrose Avenue Monrovia, California. His stated he is very excited to present the over two-year development project. He discussed the meetings that were held with Staff and the neighborhood meetings' outcome throughout the development. He praised Staff for the hard work and the many meetings they had to attend to be able to accomplish this project. He stated that his Architect and Civil Engineer are available for any questions, and turned over to Architect Ms. Feng Xiao to answer Commissioner's Lefmann inquiry.

Ms. Xiao introduced herself as the Architect of the project, reiterating what Jason and Richard described of the hard work done with the City and the neighborhood to create a design of high-quality standard. She responded to Lefmann's inquiry and indicated that those are compact townhome plans, however, the design can be adjusted to address the concern.

Farra inquired if the partnership between the City and Tipping Development, Inc. Development was a legal partnership or if it's a loosely defined term. Golding explained the nature of the partnership and provided background information on the purchase and sale agreement between the City and Tipping Development, Inc.

Farra inquired if the City Council agreed to the terms while the sale has not been executed. Hensley addressed Farra's concern and explained the negotiating agreement process between Tipping Development, Inc. and the City Council, along with the signed Disposition Development Agreement (DDA) that was approved by the City Council.

Farra referred to page two of the Staff Report, inquired if there is any commitment from the City to allow two story houses versus single family, single-story residences. Hensley explained that when the project was presented to the City Council, they contemplated potential elements of the project and land use entitlements, along with conceptual plans for that contemplated 18 units, development of a park, and general size and style of the buildings.

Farra inquired about the current use and future options for Lot C. Golding explained that Lot C is currently used for a carport associated with a retaining wall that is associated with the development of the senior apartments buildings to the South of the project site. There was additional discussion on the future options for Lot C.

Farra inquired about the neighborhood meetings if there were concerns on the development of townhouses versus single-family residences. Golding stated that, to some degree, that concern exists in every type of development project, however, that was not one of the major factors addressed in the meetings.

Farra inquired about the river rock of the park being a common theme in the City. Golding stated that it has been a common theme in the past for the City, adding that based on the project that recognizes historical nature of the neighborhood, it was agreed by Staff, Parks and Recreation Commission and Parks and Recreation Department that type of wall will best display that image and allow that type of material to come back and view by the public in a positive manner.

Farra expressed his concerns about the project's potential impacts on the community. There was discussion about prior CEQA review for the Town Center Plan, including mitigation. Ms. Collette Morse from Morse Planning Group provided additional background on how the project's potential impacts to the community have were studied and addressed in the General Plan EIR and explained how those potential impacts were further addressed in the CEQA review associated with the project.

Farra asked if Edison would be able to handle the increase of the population without having to impose additional block out hours, or if there would be an increase water consumption reduction with the increasing number of residences. Ms. Morse stated she is not a representative of SCE or water agency, however, the demands of this project were already anticipated, adding that will-serve letters were received from various utility providers that indicated they would be able to accommodate for this new project.

Chairperson Watson-Gardner opened Public Hearing

Mr. Allen O'Neal Resident of 1643 Calle Coronado, Board Member of the Huntington Villas complex and DCTV. Stated he received this notification letter, however, does not remember received any previous notifications about the project. He indicated that after 18 years in the City is hoping to sale his unit that is behind the Montessori School. He inquired on when the project will start and finish to be able to plan for the change. Hensley provided an estimated time based on the process of the project that will start early August and ending within a year.

Tom Hacker, a neighbor of O'Neal's Residents and Member of the Board of Directors of the rental units that are 83 % owner occupied. He does not recall receiving any notice for this project, however, likes the fact that is going to be a development rather than an empty lot and supports the project. However, his main concern is the loss of the mountain views and seeing garage doors instead, also the negative impact of traffic on Third Street and Oak.

Golding addressed his concerns indicating that there are no illustrative or elevation samples that will show the impact from Mr. Hacker's property. Golding stated that the notification letters were only provided to residents of Third Street initially for the neighborhood meeting because it primarily affected Third Street residents.

Shara Skenna, Third Street Resident, indicated she is disappointed on the removal of the Chinese elm tree. She inquired on the purposes of the two unfinished frontage properties on Third Street, the impact and determination of the property line. Golding pointed out in his presentation to 1703 and 1709 Third Street properties being with unfinished frontage, no curb, gutter or street and explained the improvements that will match the developments to the west of the properties and the provision of the parking distribution.

Chairperson Watson-Gardner closed Public Comments and opened Commissioner discussion.

Farra stated his concerns about the development of the two-story houses versus single units and that he is in support of the project, however; if the City Council already have an expectation of the zone change to R3 verses R1, then — in his view — there is nothing left for the Planning Commission to recommend. He stated he would like to see more single-family residences for compatibility with Third Street residences versus southern commercial properties.

Alisha Patterson clarified for the record that the City Council has not made any final decision on the proposed zone change (or any other aspect of the project's land use entitlements). The Council will make its final decision after it receives the Planning Commission's recommendation and holds a public hearing on the project. The City Council's prior actions with respect to the purchase and sale agreement between the City and Tipping Development, Inc., do not constrain the Commission's recommendation on the proposed zone change. If Commissioner Farra or any other Commissioner is not supportive of the project, they are free to reflect that in their vote.

Lefmann expressed her support of the development and concerns of the continued problem of the use of Huntington Drive as an auxiliary to the 210 freeway and Third Street starting to be known as a shortcut regardless of the development. She also inquired on the current building's height and buildings' view difference of the new development.

Pierce commented on how the home buying market would be more attracted to purchasing a property as this project with less maintenance versus a single house with big yards to maintain. She asked on other projects the developer has done in the City. Mr. Tipping responded to several projects done in the city such as five single-family houses by Royal Oaks Park, The Trails Restaurant, the seventeen units by the senior housing at Pops Rd.

Vasquez stated she is very impressed with the project and concurred with Pierce's comments.

Hensley addressed he question that was made earlier on the proposed height of the new buildings and provided an estimate of the height.

Chairperson Watson-Gardner commented on the time she used to live in Third and Oak, and indicated that there are several two-story buildings; therefore, the view of the new development might not be as bad after all.

Chairperson Watson-Gardner called for a motion. Lefmann motioned to approve recommendation to the changes made on PC Resolutions 17-03, 17-04 and 17-05, The General Plan Amendment (GPA16-01), Zone Change (ZC16-01); Tentative Tract Map 74365; Planned Development Permit (PDP16-01); Site Plan Design Review (SPDR16-22); PC Resolutions 17-01, 17-02, 17-03, 17-04, 17-05 and 17-07. Seconded by Chairperson Watson-Gardner. The motion was approved 4-1-0-0. (Vote: Yes: Watson-Gardner, Vasquez, Lefmann, Pierce; No: Farra; Absent: None; Abstain: None).

C. MUNICIPAL CODE AMENDMENT 16-05; PC RESOLUTION 17-06

Hensley reviewed the item on behalf of Associate Planner Johnston, which was presented to the Commission a few months ago on the Second unit or the ADU Ordinance. He indicated that the City Council in their first reading of the ordinance voted to approve the commission's recommendation, however, on the second reading they chose to send back the item for additional consideration concerning larger properties and number of bedrooms being too many. He indicated that there are couple minor changes to section 18.160 C10 to allow a maximum of 1 bedroom for any accessory dwelling unit, and Section 18.160 C9 adding a section that on properties grader than 10,000 square feet in size that the maximum unit size can be 700 square feet versus the recommended 400 square feet. He concluded his presentation and stated Golding and himself were available for questions.

Lefmann inquired if Staff recommendation is appropriate for the 700 square feet. Hensley stated that for larger lots it is appropriate and discussed the State modifications and parking limitations.

Pierce inquired if a garage can be converted to a second unit. Hensley stated that a garage must be in place, and provided examples of conversion of detached garages.

Chairperson Watson-Gardner opened Public Comments, seeing none Public Comments closed.

Chairperson Watson-Gardner called for a motion since the item had been discussed. Lefmann motioned to approve Municipal Code Amendment 16-05 with the changes as indicated with Resolution 17-08. Seconded by Pierce. The motion was approved 5-0-0-0. (Vote: Yes: Watson-Gardner, Vasquez, Farra, Lefmann, Pierce; No: None; Absent: None; Abstain: None).

6. **<u>ITEMS FROM DIRECTOR</u>**

Hensley provided an update on the following projects:

- City Council meeting voted to acquire the Spars Liquor Store property located at Huntington Drive and Buena Vista, business closing April 9, 2017.
- Implementation of the Town Center Plan, with a disposition and development agreement that was signed for the mix use piece sale of the previous Burger King lot including Alex Romo Shop.
- Project update on Duarte Road sidewalk pedestrian improvements, lighting, landscaping almost at completion.

7. **ITEMS FROM COMMISSIONERS**

Farra suggested the City look into traffic mitigation at Huntington Drive more closely for Town Center projects.

Lefmann announced the Taste of Duarte event coming on May 24th, from 5:00 p.m. to 8:00 p.m. at Westminister Gardens, get early bird tickets of $25.00 vs. $40.00 before March 31st.

Pierce stated that the Northview Intermediate School is closing at the end of the school year, Therefore there will be a memorial celebration that everyone will be invited on April 7th. She also stated that the School District signed and agreement with ACTS Thrift Store to provide items free of charge to kids in the district and have donations drives.

Vasquez inquired if the City can impose HOA regulations for the upkeep maintenance of the businesses previously discussed of the shopping centers that are owned by several owners. Hensley explained that sometimes can be a legal process and economic challenge and discussed possible options to have property owners comply with the maintenance of their shopping centers.

Vasquez expressed her concern with traffic on Huntington Drive, especially with the light by Target. Hensley discussed the Traffic Peak Hours Study that was recently done to improve intersections circulation and future schedule improvements.

8. ADJOURNMENT

The meeting was adjourned at 9:12 p.m.

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Craig Hensley, Secretary