CITY OF DUARTE
PLANNING COMMISSION
M I N U T E S
October 19, 2015

1. CALL TO ORDER AND NOTATION OF ABSENCES

Chairperson Lefmann called the meeting to order at 7:01 p.m.

The following were in attendance:

PRESENT:	Lefmann, Pierce, Lawrence, Vasquez, Watson-Gardner
ABSENT:	None
STAFF:	Hensley, Eoff, Golding, Hernandez, Tachiki
DEPUTY CITY ATTORNEY:	Alisha Patterson

2. WELCOME AND INTRODUCTION OF NEW COMMISSIONERS

Chairperson Lefmann opened the Planning Commission meeting by welcoming the two new Commissioners Sara Vasquez and Paula Watson-Gardner.

3. PLEDGE OF ALLEGIANCE

Commissioner Lawrence led the Pledge of Allegiance.

4. COMMISSION REORGANIZATION

Director Hensley swore in Commissioner Vasquez and stated that Commissioner Watson-Gardner was swore in already at a previous Council meeting.

Chairperson Lefmann opened nominations for Vice-chair. Chairperson Lefmann nominated Commissioner Pierce for Vice-Chair. Commissioner Watson-Gardner seconded the nomination. Chairperson Lefmann called for the roll call vote on Commissioner Pierce:

Ayes: Lefmann, Pierce, Lawrence, Vasquez, Watson-Gardner

The vote carried unanimously for Commissioner Pierce to be Vice-Chair, 5-0-0-0.

5. APPROVAL OF MINUTES – June 16, 2015

Commissioner Lawrence moved to approve the minutes, seconded by **Commissioner Pierce**. Motion was approved 3-0-0-2. (Abstained: Vasquez and Watson-Gardner)

6. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

None

7. COMMUNITY WORKSHOP – EIR SCOPING MEETING

Notice of Preparations of Draft Environment Impact Report and Public Scoping Meeting (General Plan Amendment & Zone Change 15-01).

Senior Planner Golding provided an overview of the City of Hope's EIR Scoping Campus Plan and indicated that the agenda will be as follows:

a. Nick Pergakes, Consultant, PlaceWorks Consulting Group will provide the project overview and discuss the process of the Specific Plan, campus plan, and scope of proposed project.
b. Nicole Morse, Consultant, PlaceWorks will be discuss the California Environmental Quality Act (CEQA) process.
c. Discussed Opportunities for public participation, Notice of Preparation (NOP).
d. Open Public and Commission Comments.

Golding turned over the presentation to Nick Pergakes, PlaceWorks Consultant. He provided a slide presentation and an overview on the following topics: Relocation map for City of Hope, General Plan Amendment Zone Change, Campus Plan Details. Build out Projections – (Campus, Plan Charts).

Nick Pergakes introduced Nicole Morse to discuss the CEQA process and provide an opportunity for public input. She discussed the following topics: The purpose of the EIR, Initial Study, the Notice of Preparation (NOP) that is ending November 16, 2015, the seventeen topics analyzed in the initial study and named each of the topics for the record. She stated that hard copies of the EIR overview were available at City Hall, Duarte Library, Public Safety Office, and in the City's Website as well as the current meeting.

Nicole Morse concluded her presentation and turned over the meeting to **Golding**. He stated at this point, they were happy to answer any question to the Commission regarding the presentation and also available for public input.

Chairperson Lefmann opened Commissioners comments.

Commissioner Lawrence inquired about the total of parking spaces and percentage of green spaces available. **Golding** stated that both inquiries would be review in the process of formulating the Specific Plan. However, his comments are duly noted and indicated that the City of Hope has submitted a parking study as part of the package for this process.

Commissioner Watson-Gardner asked if there was any consideration given on the draught season for any new development. **Golding** responded that notations have been made in the process of sustainability issues that will address several items in the environmental impact report, such as water quality issues. He indicated that Commissioner's comments are noted and will be included in the analysis.

Chairperson Lefmann inquired about the reduction of the assembly in the warehouse and concern over the water wells. **Golding** indicated that there is no plan to remove any of those spaces and added that the idea of what's being demolished specifically under the assembly category is yet to be defined. He added that this is the first step of many in trying to comprehend the process of a very large project over a significant period of time. He also indicated that the water issue is vital, therefore analysis are done according to State law that requires water supply assessment, and added that California American Water is working together with the City to apprehend the requirement process.

Chairperson Lefmann closed Commissioners Comments and opened Public Comments.

John Reuter, Vice President of Supply Chain Facilities and Construction Management for City of Hope. Spoke about the City of Hope's objectives. He also indicated that the City of Hope has created a website to keep the community inform and welcome to visit www.cityofhopecampusplan.com for updates regarding the City of Hope Campus Plan.

Gus Romo, City of Irwindale, Community Director indicated that the City of Irwindale has been involved in the process over a year and are very grateful and supportive of the project. He also added that more comments would be provided as closer to the EIR preparation. **Romo** concluded his comments and thanked City of Hope and Jason Golding for involving the City of Irwindale in this process.

Chairperson Lefmann closed Public Comments. And called for a recess to resume meeting as noted in the Agenda and begin Public Hearings at 8:00 P.M.

8. PUBLIC HEARINGS – (TO BEGIN NO EARLIER THEN 8:00 P.M.)

Chairperson Lefmann resumed the meeting at 7:58 P.M. also **Hensley** requested Item B to be presented first as a courtesy to the present Applicant who is in attendance.

B. Conditional Use Permit 15-05 – New tattoo and body piercing studio

Senior Planner Golding presented details of Staff Report in regards to CUP 15-05 for a proposed new tattoo and body-piercing studio located in the corner of Huntington Drive and Highland Avenue.

Golding provided information on the business location and proposed layout, along with number of employees, hours of operation, and appointment operation with limited "walk-in" service.

Golding indicated that Staff reviewed the Personal Services, Restricted use category in the C-G Zone and added that a Conditional Use Permit (CUP) is required as well as approval of the Planning Commission before the establishment operates.

Golding provided information on the few items that were particularly reviewed and reference to the Security Settings, Signage, Customer Privacy and Public Safety Department Concerns. Adding that staff carefully reviewed the Health Department Coordination item in order to meet regulations and requirements by the California Safe Body Art Act. .

Golding stated that based on the information provided in the Staff report, Staff recommends the Planning Commission adopt PC Resolution 15-09, approving Conditional Use Permit 15-05. Stating that in the event the business operation begins to create adverse impacts or becomes detrimental to the community, a potential modification and/or revocation of the conditional use permit through a public hearing before the Planning Commission could be used to achieve compliance. He also indicated that no public comments were received on the matter.

Golding made reference for the record to Exhibit C-1, and requested highlights of conditions 3 through 6, and 9 through 11 for the most important conditions as follow: **Condition 3:** reiterated coverage for the Supplemental Security Plan, **Condition 4:** Concerns in proving tattoos to people under age of 18, **Condition 5:** Persons under the age of 18 not permitted within the establishment, **Condition 6:** Signage review of posted signs in location, **Condition 9:** Written approval from the LA County Health Department prior to issuance of City business license, **Condition 10:** Storefront window clearance, and **Condition 11:** Approval of any signage proposed for the business, in addition to a set of plans review by the City before the installation.

Golding concluded his presentation and stated that the Applicant is present and available for Commissioners questions.

Chairperson Lefmann opened Commissioners Comments.

Chairperson Lefmann inquired clarification on the provided service by appointment only. **Golding** responded that after several discussions with the Applicant it was determined that his business service is mainly by appointment; however there are no guarantees that Mr. Sun will reject walk-in traffic. Golding indicated that it was agreed to limit his business for hours but not restricted to appointments only.

Chairperson Lefmann inquired about the retention timeframe of the video system indicated in Exhibit C1. **Golding** stated that a 30-day retention on a digital system with access provided and added that it is a divert condition that more then likely the same condition will be use as for the alcohol Conditional Use Permits already issued in the city.

Chairperson Lefmann inquired on the number of Artist that would be in the establishment. **Golding** responded that Mr. Sun would be more suitable to answer the question.

Commissioner Vasquez asked for clarification on the hours of operation. **Golding** confirmed the hours of operation to be from 12:00 P.M. to 9:00 P.M. and noted the modification in the Exhibit C-1, CUP 15-05; Item 2.

Commissioner Vasquez expressed her concerns of the establishment closeness to the near by schools. **Golding** indicated that in the research done there were no specific state or local category restriction requirement on that matter.

Chairperson Lefmann opened the Pubic Hearing.

Mr. Sun addressed Chairperson Lefmann's question on regards to the number of Artists in the establishments, he stated that he is not able to give an exact count on when a new student be added to his business since they come and go form time to time. He reference to having volunteers vs. artists, in which he currently has only one.

Mr. Sun addressed Commissioner Vasquez's concerns in regards to the establishment closeness to near by schools. He stated that according to his Thirteen years of good record with the City of Pasadena, he never had any problems with the surrounded schools or in his establishment.

Mr. Sun stated that he is the owner of the Resurrection Tattoo business and expressed the reasons on opening his business in the City of Duarte, adding that he specializes on the Tattoo Art. He indicated he has over 20 years experience and good reputation track record with the City of Pasadena for the last 13 years. He stated that his shop abides by all rules and regulations and all details in the Safe Body Art Act. He also added that his clients are from all backgrounds and profession, in which some of my clients are present. He ended his comments by stating that he runs a small business but has the highest standards and pride in the artwork, and his passion for bodywork is unmatched.

There was discussion between **Commissioner Vasquez** and **Mr. Sun** on the owner procedures to avoid kids walking into his shop and the proper identification process for customers that appeared to be under age.

Commissioner Pierce inquired about the art display in the establishment windows. **Mr. Sun** indicated that there would not be any art display in the windows.

Ms. Tracy AL Andrade, License Marriage Therapist from Orange County, spoke highly of Mr. Sun and commended him for his outstanding artwork and professionalism.

Denny Jong expressed his support towards Mr. Sun and his business. He praised the quality of work, professionalism, hygienic facility and confortable atmosphere. Mr. Jong provided a brief introduction of his occupation. He stated he is a Temple City resident, has two daughters and for 10 years has been a Police Officer in the City of Los Angeles under the Use of Force Review Division. He also commented on Commissioner Vasquez's concerns and stated he has never seen any person under age in the shop. He also addressed the concern of schools being too close to the shop and stated that San Marino Montessori and Jefferson Elementary Schools were near Mr. Sun previous shop and never had any issues with students in his shop.

Chairperson Lefmann closed the Pubic Hearing, and opened Commission Discussion.

Commissioner Vasquez reiterated her concerns of the shop being to close to the near by schools.

Commissioner Pierce inquired if the neighboring business were notified of the application. **Golding** stated that the regulations only required notification to the property owners.

Commissioner Pierce inquired if there would be any loud music in the establishment. **Mr. Sun** indicated that no loud music in his shop, and commented on his preference for classic music.

Commissioner Watson-Gardner commented on the letters of support given about Mr. Sun's for business, and asked for Commissioner's support to look at the big picture and not just the type of business.

Commissioner Lawrence made a motion to approve PC Resolution 15-09 and CUP 15-05. Seconded by **Commissioner Watson-Gardner.** Motion was approved 4-1-0-0 (Vote: Yes: Lefmann, Lawrence, Pierce, Watson-Gardner; No: Vasquez; Absent: None; Abstain: None) with modifications in the CUP for Item 2 - hours of operation, and for Item 3 – adding the modification of the 30-day video system retention timeframe.

A. Conditional Use Permit 15-04 – Massage Green Spa at 1008 Huntington Drive

Senior Planner Golding thanked Deborah Drasler, Consultant that assisted in the process of this project and gave kudos to Alex Tachiki, Community Development Technician for the research work done with other agencies.

Golding presented details of Staff Report and an overview of Conditional Use Permit 15-04 for a proposed massage establishment located in at 1008 Huntington Drive - Mountain Vista Plaza.

Golding provided background information on the massage businesses regulations that were passed in 2008 by the State legislatures (Senate Bill 731) and explained how city ordinances were affected by these new regulations. He also discussed the moratorium and ordinance adopted by the City Council.

Golding provided an overview of the requirements of the (DDC) Duarte Development Code Ch. 19.60.112, Massage Establishments and (DMC) Duarte Municipal Code Ch. 5.56 and indicated that many of the requirements were addressed and met during the preliminary of the project.

Golding indicated that City of Corona was contacted concerning the Massage Green Spa owned by Mr. Brown, and stated that Corona Code Enforcement staff reported no violations and that business is in compliance with current standards for massage establishments.

Golding concluded his presentation and stated that based on the information provided in the Staff report, Staff recommends the Planning Commission adopt PC Resolution 15-08, approving Conditional Use Permit 15-04. He also added that two comments on the proposed application were received, a phone call message by Ms. Jan Winston, opposing the project and a letter by Ed Mitchell 2003 Trust c/o Diane Bertsch, Trustee.

Chairperson Lefmann opened Commissioners Comments.

Commissioner Vasquez inquired about the doors to remain un-lock or with no locks for the massage rooms. **Golding** confirmed that doors are to remain unlock also covered under condition 2, and reference to Chapter 5.56.120C to reiterated as a condition.

Chairperson Lefmann asked for clarification on regards to providing service to minors. **Golding** reference to condition 7, were service to minors concern is addressed.

Chairperson Lefmann reference to CUP Exhibit E, and inquired about the procedure on securing patron records. **Golding** indicated that records are required to be retain for a period of time and referenced to Exhibit D, Chapter 5.56.230 -.240 and elaborated in the matter.

Chairperson Lefmann opened Pubic Hearing. There was none. **Chairperson Lefmann** closed Public Hearing.

Chairperson Lefmann motioned with the changes noted by Senior Planner Golding to approve PC Resolution 15-08 and CUP 15-04. Seconded by **Commissioner Pierce**. Motion was approved 5-0-0-0.

9. ITEMS FROM THE DIRECTOR

Hensley provided updates on the following projects:

- Town Center Specific EIR, meeting for November 4th at 6:30 p.m. welcomes Commissioners to attend the meeting.
- Announced the two new stores coming into the City, The Grocery Outlet store that will located in the old Mike's Food space shopping center and the Smart and Final Extra located in the old Ralphs shopping center.
- Starbucks drive-though in progress and construction to begin by end of the year.

10. ITEMS FROM COMMISSIONERS

Commissioner Pierce attended the ribbon-cutting event for the Metro Gold Line and expressed her excitement in seeing the outcome of the train testing in the City.

11. ADJOURNMENT

The meeting was adjourned at 9:18 P.M.

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Craig Hensley, Secretary

CITY OF DUARTE
PLANNING COMMISSION
M I N U T E S
October 19, 2015

Planning Commission
Commissioners
Chair, Sheryl Lefmann
Vice-Chair, Shauna Pierce
Paula Watson-Gardner
William Lawrence
Sara Vasquez

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Chairperson Lefmann opened nominations for Vice-chair. Chairperson Lefmann nominated Commissioner Pierce for Vice-Chair. Commissioner Watson-Gardner seconded the nomination. Chairperson Lefmann called for the roll call vote on Commissioner Pierce:

Ayes: Lefmann, Pierce, Lawrence, Vasquez, Watson-Gardner

The vote carried unanimously for Commissioner Pierce to be Vice-Chair, 5-0-0-0.

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Chairperson Lefmann opened Pubic Hearing. There was none. **Chairperson Lefmann** closed Public Hearing.

Chairperson Lefmann motioned with the changes noted by Senior Planner Golding to approve PC Resolution 15-08 and CUP 15-04. Seconded by **Commissioner Pierce**. Motion was approved 5-0-0-0.

9. ITEMS FROM THE DIRECTOR

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11. ADJOURNMENT

The meeting was adjourned at 9:18 P.M.

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Craig Hensley, Secretary

MEMORANDUM

TO: City Council

FROM: City Manager

DATE: November 19, 2015

SUBJECT: Comments on Agenda Items, Meeting of November 24, 2015

ITEM 4.A. The Oath of Office will be given by the City Clerk to the re-elected City Councilmembers.

ITEM 4.B. The reorganization of the City Council/Successor Agency/Housing Authority/Financing Authority will be held. The City Manager will preside over the election of the Mayor/Chairperson, and the Mayor will preside over the election of the Mayor Pro Tem/Vice Chairperson.

ITEM 5. A 15-minute reception will be held following the Moment of Reflection.

ITEM 10.D (Consent). During the week of November 2, 2015, the City hosted several hundred Chinese business people, by providing tours of the Senior Center and participating in a presentation and question-and-answer session of City business and economic development matters in Duarte and throughout the San Gabriel Valley. In recognition of this visit, Golden Eagle Aviation Service/Executive Travel wishes to donate $50,000 to the City for the reconstruction of the Civic Center courtyard fountain. A representative of Golden Eagle will attend the meeting to present the check.

ITEM 14. The meeting will be adjourned to the City Commission interviews, to be held Tuesday, December 1, 2015, beginning at 4:00 p.m., and (if necessary) on Wednesday, December 2, 2015.

Respectfully submitted,

Darrell J. George
City Manager

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 – NOVEMBER 10, 2015

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 Paras-Caracci called the meeting to order at 5:41 p.m.
RECORDATION OF ATTENDANCE	The following were in attendance: PRESENT: Fasana, Finlay, Kang (left at 8:38 p.m.), Reilly (left at 8:38 p.m.), Paras-Caracci ABSENT: None ADMINISTRATIVE STAFF PRESENT: City Manager George, City Attorney Melching
ADOPTION OF AGENDA	Finlay moved, Kang seconded to adopt the Agenda, and carried unanimously.
WORKSHOP City of Duarte Transit System Implementation	A workshop was held for a presentation and discussion about the City of Duarte transit system implementation. It was determined that the item would be agendized at a future Council Meeting for further discussion to include funding and consideration of a budget amendment, with a report of implemented recommended steps as outlined in the presentation. The workshop concluded at 6:55 p.m. City Council reconvened at 7:11 p.m., with all members present.
PLEDGE TO THE FLAG	Sgt. Tony Haynes led the Pledge of Allegiance to the Flag.
MOMENT OF REFLECTION	A moment of reflection was observed.
FITNESS/MENTAL WARM-UP	Reilly and Finlay provided the warm-up.
SPECIAL ITEMS Item Added – Recognition of Ranchero Restaurant	Finlay moved, Reilly seconded to add a Special Item recognizing Ranchero Restaurant, and carried unanimously. Mayor Paras-Caracci presented a Certificate of Appreciation to the Mejia family in recognition of 25 years of successfully operating Ranchero Restaurant and for being a key community partner for many Duarte community events.
Public Safety Update	Sgt. Tony Haynes and Brian Villalobos provided a report on recent incidents related to public safety.
Redevelopment Dissolution	There were no new items to report.
ANNOUNCEMENTS	Sheryl Lefmann announced upcoming Chamber events and the "Shop Duarte" program.

Karen Herrera presented community announcements about City events, programs, and workshops in November and December.

Ryan Ricchio, Duarte Library, announced events, story times, and classes in November.

Felipe Valdez announced upcoming Mayor's Youth Council and Teen Center events in November.

CONSENT CALENDAR

Finlay moved, Kang seconded to approve the Consent Calendar, as follows, and carried unanimously.
Approve Items A, B, C, E, F.
Remove Item D.

ITEM REMOVED
Item D – Resignation from Commission – W. Lawrence

City Council asked that Mr. Lawrence reconsider his resignation, and that he contact staff should he decide to rescind it.

Fasana requested a report within the next two months with some options pertaining to citizen involvement in the ARB, and a Planning Commission work plan, to include items the Commission could consider. Council concurred.

ITEM D – RECEIVE AND FILE

Reilly moved, Fasana seconded to receive and file the notice of resignation from the Planning Commission by William Lawrence, and carried unanimously.

BUSINESS ITEMS
Agreement – Kosmont Economic Development Services
Budget Amendment $27,500

Craig Hensley presented a staff report about the item, and introduced Ken Hira from Kosmont Companies, who answered questions from Councilmembers pertaining to the proposal, scope of service, and tasks, and provided an overview of Kosmont Companies.

Fasana moved, Kang seconded to authorize the City Manager to execute a Professional Services Agreement with Kosmont Companies for retail trade area and economic development services, and approved a related $27,500 budget amendment, and carried unanimously.

Paras-Caracci suggested the survey include local businesses also, not just residents.

Duarte Swimming Pool Project
Budget Amendment $227,000

Cesar Monsalve presented a staff report about the item, including an overview of pool usage, attendance statistics, and the renovation, repair, and replacement process.

Fasana moved, Paras-Caracci seconded to approve the Duarte Swimming Pool project budget amendment request, and asked that the City Manager meet with the School Superintendent to see if the School District would like to participate in the cost to install diving/starter blocks at the pool, and carried unanimously.

Discussion/Direction regarding Citywide Street Sweeping
(Continued to 12/8/15)

Reilly moved, Fasana seconded to continue the item "Discussion/ Direction regarding Citywide street sweeping" to the meeting of December 8, 2015, and carried unanimously.

ITEMS FROM CITY COUNCIL/ CITY MANAGER

KANG: Stated he and Councilmember Reilly will be going to Beijing pertaining to economic development and the creation of jobs for Southern California, he would like to expedite the Ham program in conjunction with the CERT program in preparation for El Niño, and noted he would donate Ham radios to the City.

REILLY: Stated she and Councilmember Kang will be going to China and no public funds will be used, noted the repair and renovation of the pool is highly needed, and stated it is good to have the School District's input regarding the starting blocks.

FASANA: Attended Monrovia-Duarte Black Alumni Association event, stated he has questions about the network and the Wi-Fi not working in the Community Center at times, asked that a conversation be held with the School Superintendent about televising School Board meetings, congratulated the new Board members, the Walk for Hope event was well-attended, attended Valley Light Industries luncheon and Friends of the Duarte library event, stated the 10/605 flyover is open, and the groundbreaking of the Grand Avenue ramp at the 57/60 was held.

FINLAY: Stated Veterans Day was originally Armistice Day, read a quote from John F. Kennedy, and stated she is grateful to veterans, service men, and service women.

PARAS-CARACCI: Stated she looks forward to working with the School Superintendent and Board Members, congratulated all who ran in the School Board election, asked that the Duarte Choir be invited to perform at a Council Meeting, stated the baby boogie class will perform on Saturday, and regarding the pool starting blocks, asked if they would be permanent or temporary, and she hopes the discussion with the School District is balanced.

ADJOURNMENT

The meeting was adjourned at 8:47 p.m.

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Mayor

ATTEST:

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City Clerk