

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

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

**Duarte Community Center
1600 Huntington Drive
Duarte, CA 91010
Monday, October 21, 2024
7:00 PM**

MISSION STATEMENT

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

ADA ACCESSIBILITY NOTICE:

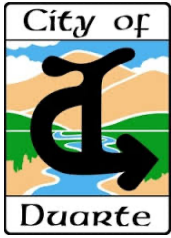
In compliance with the Americans with Disabilities Act, if you need assistance participating in this meeting, contact the Community Development Department at (626) 357-7931 Ext.230 or 235. Notification no later than 1:00 p.m. on the day preceding the meeting will enable the City to make reasonable arrangements to assist your accessibility to this meeting.

Notice:

Planning and Economic Development meetings are audio-recorded for later broadcast. Attendance at the meeting constitutes consent by members of the public to the City's and any third party's use in any media, without compensation or further notice, of audio, and/or pictures of meeting attendees.

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES
 - A. Minutes
4. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA
5. PUBLIC HEARINGS
 - A. **Conditional Use Permit 24-04** for approval of a Type-41 alcohol license to allow the sale of beer and wine for on-site consumption in connection with a sit-down restaurant.

6. BUSINESS ITEMS
7. ITEMS FROM DIRECTOR
8. ITEMS FROM COMMISSIONERS
9. ADJOURNMENT



MINUTES
CITY OF DUARTE
PLANNING AND ECONOMIC
DEVELOPMENT COMMISSION

September 16, 2024

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

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES:

Chair Heany called the meeting to order at 7:01 p.m. The following were in attendance:

PRESENT:	Heany, Wolff, Quandt, Paez, Beckner
ABSENT:	None
STAFF:	Hensley, Abdul-Ahad, Nash, Bautista, Grigorian
CITY ATTORNEY:	Jeffrey Melching

2. PLEDGE OF ALLEGIANCE:

Chair Heany led the pledge.

3. APPROVAL OF MINUTES:

Commissioner Paez motioned to approve the July 15, 2024 minutes. Seconded by Commissioner Becker. The motion carried 5-0-0-0. (Yes: Heany, Wolff, Quandt, Paez, Beckner; No: None; Abstain: None; Absent: None).

4. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA:

None

5. PUBLIC HEARINGS:

A. Annexation of 1763 Royal Oaks Drive North to the City of Duarte, including:

Pre-zone of the property;

General Plan Amendment 24-01. Amending the Land Use Element (Chapter 5) by adding the Institutional land use designation, updating tables LU-3 & LU-4, and updating the land use diagram;

Municipal Code Amendment 24-01. Amending Article 2 by adding Chapter 19.24 Institutional (I) Zone to the Duarte Development Code;

Zone Change 24-01. Rezoning the property to Institutional (I), and modifying Chapter 19.06 of the Duarte Development Code, including Table 1-1; and

Adopt a negative declaration for the project.

RESOLUTION PC 24-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THAT THE DUARTE CITY COUNCIL PREZONE THE PROPERTY AT 1763 ROYAL OAKS DRIVE NORTH TO THE INSTITUTIONAL ZONING DESIGNATION

RESOLUTION PC 24-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 24-01, AMENDING THE LAND USE ELEMENT (CHAPTER 5) BY ADDING THE INSTITUTIONAL LAND USE DESIGNATION, UPDATING TABLES LU-3 AND LU-4 AND UPDATING THE LAND USE DIAGRAM TO ADD THE PROPERTY AT 1763 ROYAL OAKS NORTH TO THE CITY'S GENERAL PLAN MAP WITH THE INSTITUTIONAL DESIGNATION.

RESOLUTION PC 24-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL OF THE CITY OF DUARTE APPROVAL OF MUNICIPAL CODE AMENDMENT 24-01, AMENDING ARTICLE 2 BY ADDING CHAPTER 19.24 INSTITUTIONAL (I) ZONE TO THE DUARTE DEVELOPMENT CODE.

RESOLUTION PC 24-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE DUARTE CITY COUNCIL ADOPT ZONE CHANGE 24-01 REZONING THE PROPERTY AT 1763 ROYAL OAKS DRIVE NORTH TO THE INSTITUTIONAL ZONING DESIGNATION AND MODIFY CHAPTER 19.06 OF THE DUARTE DEVELOPMENT CODE INCLUDING TABLE 1-1 AND THE CITY OF DUARTE ZONING MAP TO INDICATE THE CHANGE

RESOLUTION PC 24-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THAT THE DUARTE CITY COUNCIL ADOPT A NEGATIVE DECLARATION FOR THE ROYAL OAKS ANNEXATION AND ASSOCIATED GENERAL PLAN AMENDMENT, MUNICIPAL CODE AMENDMENT AND ZONE CHANGE FOR THE PROPERTY AT 1763 ROYAL OAKS DRIVE NORTH

Associate Planner Abdul-Ahad presented the staff report for the annexation of 1763 Royal Oaks Drive North to the City of Duarte. Abdul-Ahad explained how this property, commonly known as Royal Oaks Manor, currently sits in an unincorporated island within Los Angeles County. The Royal Oaks Manor will be annexed into the City of Duarte, which will affect the general plan and zoning map. 1763 Royal Oaks Drive is to be rezoned as Institutional (I). Abdul-Ahad continued to explain how most annexations are exempt from CEQA, however, an initial environmental study will be required for this property due to the general plan and zoning changes. Additionally, Abdul-Ahad mentioned that two correspondences were received from residents of Bradbury concerning the annexation.

Commissioner Quandt inquired about the environmental analysis mentioned in Abdul-Ahad's report. Abdul-Ahad deferred the question to John Morland, a consultant from Rincon, to explain the process and terminology.

Commissioner Paez questioned if there was another way to zone the land for other potential uses separate from Institutional. Director Hensley opted to answer, stating the Institutional Zoning would best fit the needs for the Royal Oaks Manor senior living facility.

Director Hensley spoke discussed the request by the City of Bradbury to reduce the maximum wall height from 8-feet to 6-feet. He explained that there is no current request to increase wall heights and while an 8 foot wall is not an unreasonable height in some cases, that a 6 foot maximum is also reasonable. He said that this item was staff initiated, and advised the Commission that making the suggested change is the neighborly thing to do.

Chair Heany opened Public Hearing at 7:13 p.m.

Kevin Kearny, the City Manager of Bradbury, reiterated the concern about the allowed 8-foot wall height. Kearny asked that commissioners and the City of Duarte consider the request of decreasing the allowed wall height for this address to 6 feet.

Andrew Smith, a representative of HumanGood, stated they do not have any objections to the 6-foot wall height for the senior living facility. Smith requested, however, that the City and commissioners be open to allowing 8-foot walls in the future as there are some instances where it is useful in protecting the safety of residents and addressing their special needs.

Aracelli Ruano, a Bradbury resident, stepped up to the podium to express concern for potential issues regarding noise late at night due to deliveries to the facility. Ruano stated that it is critical for new zoning to align with the characteristics of the surrounding neighborhood, and urged the commissioners and the City to consider the possible impacts that re-zoning may have on Bradbury residents' property values, parking, building height, and quiet hours. Ruano requested that Duarte and Bradbury work together to communicate a plan to address the noise impacts from deliveries and brought up the possibility of hedge walls being installed. Director Hensley responded to these comments, stating that all deliveries would need to adhere to city code which would address and prevent potential noise issues during the night.

Ruano then inquired about whether or not the current code would allow for 24-hour deliveries. Ruano requested that the code be amended to limit delivery times to during business hours only. Director Hensley stated this is a possibility but will require deliberation.

Action

Motion made by Commissioner Paez to approve Resolution 24-07. Seconded by Commissioner Beckner. The motion carried 5-0-0-0. (Yes: Paez, Wolff, Heany, Quandt, Beckner; No: None; Abstain: None; Absent: None).

Motion made by Commissioner Beckner to approve Resolutions 24-03, 24-04, 24-05, and 24-06. Seconded by Commissioner Quandt. The motion carried 5-0-0-0. (Yes: Paez, Wolff, Heany, Quandt, Beckner; No: None; Abstain: None; Absent: None).

- B. **Municipal Code Amendment 24-02.** A City-initiated request to establish an Affordable Housing Overlay Zone by adding Chapter 19.26 to the Duarte Development Code.

RESOLUTION PC 24-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, RECOMMENDING THE DUARTE CITY COUNCIL ADOPT MUNICIPAL CODE AMENDMENT 24-02, ESTABLISHING AN AFFORDABLE HOUSING OVERLAY ZONE, CHAPTER 19.26, WITHIN THE DUARTE DEVELOPMENT CODE

Karen Warner, a housing consultant, presented a PowerPoint explaining the proposed locations for Affordable Housing Overlay zones in Duarte. Warner explained the benefits and impacts that implementing AFO would have in the 4 sites listed. Director Hensley provided additional comments on the topic.

Chair Heany opened Public Hearing at 7:56 p.m.

Andrew Smith stepped to the podium once again and commended the City of Duarte on their efforts to add affordable housing units in the city.

Action

Motion made by Commissioner Paez to approve Municipal Code Amendment 24-02 and Resolution 24-08. Seconded by Commissioner Quandt. The motion carried 5-0-0-0. (Yes: Paez, Wolff, Heany, Quandt, Beckner; No: None; Abstain: None; Absent: None).

6. ITEMS FROM DIRECTOR

- A. Update on Revocation of Conditional Use Permit 11-04.** Following failure to adequately maintain the equipment at the 1720 Flower Avenue cell site, this CUP was called for a revocation hearing before the Planning and Economic Development Commission on June 17, 2024. Remaining correction items identified at this meeting have now been completed and the item is no longer being considered for revocation at this time.

Associate Planner Scott Nash provided an update on the revocation of Conditional Use Permit 11-04 which was presented during the July 15th Planning and Economic Development Commission meeting. Nash explained that the cell tower is now in full compliance and has pulled the proper permits by the given August 31st deadline. Because of this, Nash stated the project site is no longer up for revocation, however, the Conditional Use Permit will need to be renewed when it is time.

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

7. ITEMS FROM COMMISSIONERS

None

8. ADJOURNMENT:

Chair Heany motioned to adjourn at 8:17 p.m. The next meeting is scheduled for October 19, 2024.

Craig Hensley, Secretary



PLANNING AND ECONOMIC DEVELOPMENT COMMISSION STAFF REPORT

Date: October 21, 2024

Subject: Conditional Use Permit 24-04 for approval of a Type-41 alcohol license to allow the sale of beer and wine for on-site consumption in connection with a sit-down restaurant

Location: 1020 Huntington Drive

Applicant: Koki + Ku Japanese Restaurant

SUMMARY

The applicant, Fnu Iwan, is requesting approval of a Conditional Use Permit (CUP) to allow the sale of beer and wine for on-site consumption at Koki-Ku Japanese Restaurant, which is a new restaurant which will be located at 1020 Huntington Drive within the Mountain Vista Plaza north of Target. The new restaurant is taking the place of the former “Factory Tea Bar” and will serve Japanese cuisine such as sushi, sashimi, gyoza, and ramen. The Type-41 alcohol license will allow them to serve drinks like soju, sake, and beer with their food options. As part of the new restaurant, they have a Building Permit for minor improvements such as plumbing and electrical.

The project site is located within the Commercial Freeway (C-F) zone, which permits sit-down restaurants without late-night hours by right and conditionally permits on-site alcohol consumption that is incidental to an eating and drinking establishment. The CUP for the on-sale of alcohol requires review and approval by the Planning and Economic Development Commission. As such, staff recommends the Planning Commission adopt PC Resolution 24-09 to approve the sale of beer and wine for on-site consumption as an accessory component of the full-service restaurant operation, based on the information provided in the staff report and subject to conditions of approval.

BACKGROUND

The proposed tenant space (1020 Huntington Drive) is an approximately 1,400 square foot suite that is part of the “Target” retail complex built in 1985 within the Mountain Vista Plaza located at the corner of Huntington Drive and Bradbury Avenue. The tenant space was previously occupied by “Factory Tea Bar” from 2022-2024. Koki+Ku is currently making

necessary tenant improvements before opening their new business. The operation of the restaurant is a permitted use within the Commercial Freeway Zone (C-F).

The State Department of Alcoholic Beverage Control (ABC) allows on-site consumption of alcohol with various license types. The applicant is requesting approval for a Type-41 license – on-sale beer and wine (eating place). According to ABC, an application for an alcohol license has never been filed or granted for the subject property. Currently, there are nine (9) restaurant establishments within the City with an active Type-41 license. Two restaurant establishments with an active Type-41 license are close to Koki+ku – Grano Italian which is next door at 1028 Huntington Drive operating under CUP 99-2, and Heemo Sushi located within the Buena Vista shopping center at 1221 Huntington Drive operating under CUP 21-01.

An application for a Type-41 license has been submitted to ABC for Koki+Ku Japanese. The status of the application is pending approval of the CUP.



PROJECT DESCRIPTION

Koki+Ku Japanese operates as a full-service restaurant offering a variety of dishes primarily focused on Japanese Cuisine. The restaurant staff will typically consists of 6-8 employees on two shifts each day (morning and evening) and their hours of operation will be everyday 11 AM to 11 PM, which is typical of other businesses within the Mountain Vista Plaza.

The alcoholic beverages proposed to be offered, which include soju, sake, and beer, will only be available to customers who have ordered a meal for dine-in. Beer will be served within it's bottle, while soju and sake will be poured in to glassware and brought to the table. All alcoholic beverages will be stored within the walk-in cooler. Both storage areas and alcohol preparation areas are accessible only to employees.

The applicant currently has active building permits for some minor tenant improvements associated with the new business such as a new sink and electrical outlets. This work will be inspected and signed-off prior to business opening.

ANALYSIS

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

The DDC operational standards for an ABC license also restrict any lounge/bar areas designed for exclusive alcohol service to a maximum aggregate area. In this proposal, alcoholic beverages will be limited to the only customer dining areas; service areas for alcohol preparation; and alcohol storage and cooler areas. While there is a *sushi* bar available for people to enjoy their food, the bar is not for the exclusive service of alcohol. The serving area is separated from the dining area by walls or countertops keeping alcohol storage and alcohol preparation areas inaccessible to customers seated in the dining area.

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

Alcohol Sales Training

Employees of Koki+Ku will verify patrons' age using an electronic verification device which scans ID's to prevent unlawful sales of alcohol to minors. Alcohol specific training through

ABC's Licensee Education on Alcohol and Drugs (LEAD) program will be provided to reinforce this policy and to prevent other potential concerns related to alcohol. The proposed conditions of approval will require that all restaurant employees serving or selling alcohol participate in an alcohol sales training program prior to serving or selling alcohol. The proposed conditions of approval also require that the applicant obtain information on alcohol sales training programs and materials from the local ABC district office. Furthermore, all newly hired employees shall participate in the training before completion of their hiring process and all regular employees shall complete the training program annually or on a more frequent basis, if needed. Updates to the training materials shall occur as necessary in accordance with ABC district office guidelines.

Security

Koki+Ku Japanese will be equipped with an eight (8) camera closed-circuit television (CCTV). These cameras are throughout the interior of the restaurant as shown in the Security Floor Plan in Exhibit C. All CCTV cameras will remain on a continuous loop and footage for all cameras will be retained for fifteen (15) days. The security camera control center and storage hard-drive will be located in a locked location only accessible to employees. Public Safety Department approval of the security plan and corresponding inspection to ensure proper implementation must occur before the City provides approval correspondence to ABC.

ENVIRONMENTAL

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

RECOMMENDATION

Based on the information provided in the Staff report, Staff recommends the Planning Commission adopt PC Resolution 24-09 (Exhibit A), approving Conditional Use Permit 24-04 for the project proposal at 1020 Huntington Drive.

Respectfully Submitted,

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

Scott Nash
Associate Planner

Attachments

- Exhibit A: Resolution PC 24-09, Conditional Use Permit 24-04
- Exhibit B: Business Operations Plan (Provided by Applicant)
- Exhibit C: Floor and Security Plan
- Exhibit D: Photos of Site and Vicinity
- Exhibit E: ABC License Map

RESOLUTION PC 24-09

A RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 24-04 FOR A TYPE-41 ALCOHOL LICENSE FOR KOKI+KU JAPANESE RESTAURANT LOCATED AT 1020 HUNTINGTON DRIVE

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

WHEREAS, the applicant has submitted an application requesting approval of a Conditional Use Permit for a Type-41 alcohol license allowing the sale of beer and wine for on-site consumption at the “Koki+Ku Japanese Restaurant” located at 1020 Huntington Drive; and

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

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

WHEREAS, notice of a public hearing on the Conditional Use Permit 24-04 was given pursuant to Duarte Development Code Chapter 19.146 and in accordance with applicable State law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report for Conditional Use Permit application 24-04 and all of the information, evidence and public testimony received at the public meeting held on October 21, 2024 at 7:00 p.m. in the City Council Chambers Conference Room;

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

SECTION 1. RECITALS

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

SECTION 2. FINDINGS

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

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

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

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

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

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

Koki+Ku Japanese is located within the existing "Mountain Vista Plaza" shopping center. It is located within a multi-tenant building that is an integral part of the shopping center. Surrounding businesses include commercial/retail, health/fitness, and other restaurant/food establishments within the shopping center. Commercial and retail developments are located to the east, north, and south of the project site, and multi-family residential is located to the west of the project site. The restaurant is compatible with the project site, uses within the commercial shopping center, and surrounding developments.

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

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

5. *The subject site is:*

- a. *Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities; and*
- b. *Served by highways and streets adequate in width and improvement to carry the*

kind and quantity of traffic the proposed use would likely generate.

Koki+Ku Japanese restaurant is located within the “Mountain Vista Plaza”, in a portion of one of the retail buildings that comprises an integral part of the overall shopping center. The City’s main arterial street, Huntington Drive, as well as Mountain Vista Plz. and Bradbury Ave., provide multiple access points to the property, which can efficiently accommodate the demand generated by the business use and operations. The circulation of the shopping center is suitable for efficient access for public and emergency vehicles. The addition of alcohol sales will be accessory to the primary use as a restaurant and should not generate additional traffic to a point that is detrimental to the site and surrounding developments.

SECTION 3. CEQA DETERMINATION

In recommending adoption of this PC Resolution 24-09 for the proposed use, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act (CEQA), and State regulations in Title 14 of the California Code of Regulations, (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Section 15301.

SECTION 4. RECOMMENDATION

Staff recommends that the Planning Commission approves PC Resolution 24-09 based on the findings listed in Section 2, and the conditions listed in “Exhibit A-1”, for a Type-41 Alcohol License at 1020 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of October, 2024.

Tina Heany, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning and Economic Development Commission of the City of Duarte held on October 21, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

EXHIBIT A-1

Conditions of Approval Conditional Use Permit 24-04

1020 Huntington (Type-41 Alcohol License at Sit-down Restaurant)

1. This approval allows a Type-41 alcohol license issued by the Department of Alcoholic Beverage Control for the on-site sale of beer and wine in conjunction with a bona fide eating place located at 1020 Huntington Drive. Under this Type 41 license, the restaurant may offer alcoholic beverages as an accessory component of the primary operations selling meals for consumption on the premises, as stated in the staff report, described in the applicant's business operational statement, and demonstrated on the Floor Plan on file with the Planning Division.
2. Alcohol sales shall be limited to the hours of 11:00 AM to 11:00 PM. Modification to operating hours may be approved by the Community Development Director.
3. The business owner shall provide a Security Plan to the Community Development and Public Safety Departments for review and approval prior to the City provides correspondence to the Department of Alcoholic Beverage Control informing them of the City's approval of the Conditional Use Permit. Said plan may require security monitoring, a sophisticated camera system, signage, operational contacts, and other requirements that ensure the property is properly monitored and actively managed by the business owner. Cameras shall be installed in locations throughout the property and buildings, as approved by the Community Development and Public Safety Departments. The security plan shall include details on a closed circuit television system consisting of interior and exterior surveillance cameras and a digital video recorder (DVR) for recording surveillance camera footage. The security system hard drive shall save footage/data for a minimum of 30 days. The hard drive shall be locked, secured, and accessible only to the business owner and/or designees. All saved data shall be made available to the Public Safety Department and/or City personnel upon reasonable request. All components of the approved security plan shall be operational prior to implementing any new services allowed by this CUP and shall remain fully operational at all times. Any changes to the security system shall require review from the Community Development Department and Public Safety Department prior to implementing.
4. "Sushi Bar" seating indicated by seats #10-17 of the approved floor plan shall be used the same as any other customer seating. At no point shall this area become exclusive for alcohol service or be staffed by a dedicated bartender.
5. Alcoholic beverage consumption, storage, service, and preparation area shall only be allowed in areas designated on the approved plans on file with the Community Development Department (Exhibit C of the Planning Commission Staff Report).
6. Incidental alcohol sales shall be limited to beer and wine only. All State of California Department of Alcoholic Beverage Control (ABC) laws and requirements shall be fully complied with. Such requirements shall become conditions of this approval.

7. The sale of alcohol shall remain as an accessory use to the establishment's primary use as a full-service restaurant. Service of lunch and/or dinner shall be available to guests for compensation during all hours of operation.
8. The applicant and successors shall operate the subject premises in a safe and sanitary manner at all times, including compliance with curfew and daytime loitering regulations pursuant to the provision of Section 9.56 of the Duarte Municipal Code (DMC). Problems or continued/repeated violations of any municipal, Health Code, or other violations associated with the sale of alcoholic beverages, conditions of approval, or any other governmental regulations, as determined by the City of Duarte, Los Angeles County Health Services Department, ABC, or Los Angeles County Fire Department, may be grounds for initiation of proceedings for the revocation of this Conditional Use Permit before the Planning Commission pursuant to Section 19.152.030 of the Duarte Development Code (DDC).
9. Prior to commencing alcohol sales, the applicant shall obtain the appropriate license from ABC, comply with all of the licensing requirements, and provide evidence of said license to the Planning Division. In the event that there is a conflict between the conditions imposed by the City as part of this Conditional Use Permit approval and those imposed by ABC in relation to the Type-41 license, the more restrictive provisions shall apply.
10. All employees serving or selling alcohol shall be required to participate in an alcohol sales training program prior to serving/selling alcohol. The alcohol sales training program shall include a component related to age verification to prevent the unlawful sale of alcohol to minors. All employees serving or selling alcohol shall verify the age of any patron appearing to be thirty (30) years old or younger. Contact the ABC district office for more information on alcohol sales training programs and materials. Satisfactory proof of completion of the alcohol sales training materials provided by ABC shall be provided to the City prior to sales of alcoholic beverages. The applicant shall also provide current proof of employee training certifications within twenty-four (24) hours of City request.
11. All laws of the Alcoholic Beverage Control Act, as defined by Division 9 of the California Business Professions Code, shall be complied with at all times. Should at any time the Alcoholic Beverage license issued to the applicant be revoked for any purpose, this Conditional Use Permit shall become invalid.
12. All signage related to alcohol sales and/or consumption shall be displayed in accordance with the laws and requirements of ABC.
13. Storefront windows at the east building elevation shall remain clear for visibility and safety purposes, except as otherwise allowed by permitted window signage, as regulated under Ch. 19.42 of the Duarte Development Code.
14. Music, noise-generating equipment, or any other business activities shall be operated at reasonable audible levels, not to exceed City Noise Regulations outlined in Chapter

9.68 of the Duarte Municipal Code or be detrimental to the operations of adjoining businesses. Furthermore, music shall not be played at a volume that is audible outside the business. In no case shall live music or DJ's be permitted in association with this business.

15. Outdoor speakers or other exterior audible devices are prohibited, unless approved by the Community Development Director.
16. In the event of substantiated noise issues, the Community Development Director may require the applicant to pay for the preparation of a noise study, prepared by a professional noise or acoustics consultant of the City's selection. Adherence to the study's recommendations will be required of the applicant. Failure to promptly comply with this requirement will result in a modification/revocation hearing before the Planning Commission.
17. Approval of a conditional use permit is required for any business that operates between the hours of 12:00 a.m. (midnight) and 6:00 a.m.
18. Any signage associated with the business is not included as part of this approval; a separate review and approval process will be required for all proposed signage. All signage shall comply with the Sign Guidelines of the Duarte Development Code.
19. Any outdoor storage associated with this use is prohibited.
20. Operations shall be conducted in a manner that does not create a nuisance. Any such nuisance must be abated immediately upon notice by the City.
21. Any expansion or modification to the approved use authorized as part of Conditional Use Permit 24-04 shall require an application for the modification of the existing permit, or an entirely new Conditional Use Permit.
22. A new or modified conditional use permit will be required at the time of change of business owner when the subsequent business owner/operator proposes changes to the area, configuration, or manner in which the original conditional use permit was approved.
23. The applicant must obtain Planning Division approval as well as Building & Safety Division approval and permits for any tenant improvements and other associated site improvements that may be involved with the proposed use.
24. This entitlement shall be contingent upon the privileges being utilized within twelve (12) months from the effective approval date. Discontinuance of the approved use for twelve (12) consecutive months or more shall constitute an abandonment of the permits and the Conditional Use Permit shall become invalid.
25. The project shall comply with all the regulations of Chapter 19.12 (Commercial Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections.

26. 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.
27. The CUP may be called for review or revocation at any time by City Staff, City Council, or Planning Commission if a violation of the approved conditions is alleged, or if it is alleged that the health & fitness facility, or its patrons, are creating a public nuisance, as substantiated by the LA County Sheriff's Department, Public Safety Department, or any other City Department. The applicant and successors shall operate the subject premises in a safe and sanitary manner at all times. Such review of the CUP may include any remedy available to the City that will prevent negative impacts on the property and surrounding developments. Problems or continued/repeated violations of any Municipal Code, conditions of approval or any other governmental regulations may be grounds for initiation of proceedings for the revocation of this CUP before the Planning Commission pursuant to Section 19.152.030 of the Duarte Development Code.
28. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

Exhibit B

KOKI + KU JAPANESE RESTAURANT

Project Description

KOKI + KU Restaurant is a concept created by Iwan Fnu and Franky Wijaya. Over the past twelve years, Iwan has worked as a sushi chef at more than five Japanese restaurants. The experience Franky has as a sushi chef and a teppan chef spans over eight years.

In terms of the target audience, the main focus is on people who love to eat sushi, sashimi, and Japanese food such as gyoza, ramen, and donburi. To serve our clients in the best way possible, we strive to provide them with the highest quality fish and sauces. One of the specialties of our restaurant is that 80 percent of the sauces we serve will be made from scratch to give the dishes a unique taste that is enhanced by our homemade sauces. We also use premium vinegar for our sushi rice to make it different from our competitors in the area.

The restaurant will be open from 11 a.m. to 11 p.m. on a daily basis, like other businesses in Mountain Vista Plaza. There is plenty of parking available at the shopping center, and it is conveniently located close to the freeway for easy access to it.

The employees will be working two shifts each day, a morning shift and an evening shift. There will be 6-8 employees covering the shifts that we expect to have.

The floor layout consists of tables for groups of 2 or more and also offers quick food service at a food counter with eight (8) individual seats.

KoKi+Ku restaurant is in the process of filing an application with ABC for a type 41 license, which allows onsite sales of beer and wine. The type of alcoholic beverages on the menu will be sake, soju, and beer. Beer will be served in single bottles, while sake and soju will be served in glasses and brought to the table by a waiter/waitress. As will be required by ABC there will be a notice posted near the exit informing customers that No alcohol will be allowed past that point.

The restaurant will be equipped with a eight camera security system that can be viewed by management either remotely or onsite. Cameras will monitor the entry/exit door, dining areas, and Point of Sale systems. Footage is saved for fifteen (15) days so that previous periods can be reviewed. Customers enter and exit through the main front door only.

Every day at the close of business, all doors will be locked.

Our employee training protocol reminds employees to stay aware of and take note of people loitering in or near the premises for no reason or who are acting suspiciously and to report such people to management. An electronic verification device will be used to check IDs for anyone ordering alcohol. All employees handling alcohol and management will undergo the Responsible Beverage System Training Program required by ABC.

The closing manager is responsible for tallying the day's credit card receipts and cash earnings each night. The morning manager is responsible for verifying that the previous day's funds match the deposit slip and then taking out the appropriate amount to place in the register for change. The morning manager will take that deposit to the bank to ensure there is never a larger than necessary amount of cash on the premises.

The business we run is a family business, and we will serve our customers in the same way that we would like to be served by our family, and let them enjoy the taste of Japanese cuisine.

KOKI+KU Japanese Restaurant

Appetizer:

Edamame	Garlic Edamame	Gyoza
Spring roll	Crispy rice spicy tuna	Crispy rice spicy albacore
Baked green mussel 5pcs	Pumpkin Tempura	Green bean tempura
Shishito Pepper	Chicken karaage	Shrimp tempura
Vegetable tempura	Shrimp and Vegetable tempura	Yellowtail Collar
Salmon Collar	Agedashi Tofu	Eggplant Miso
Takoyaki	Jalapeno popper	Calamari Ring
Mozzarella cheese	Grilled Whole Squid (minced ginger)	Grilled Mackerel lemon

Skewer/Yakitori (2Pcs):

- Tsukune: Chicken meatball with egg yolk
- Negima: Chicken thigh with onion, yuzu kosho
- Wagyu A5
- Zucchini chili garlic oil
- Scallop Togarashi

Salad:

Seaweed salad	Cucumber salad	Spicy tuna salad
Salmon Skin salad	Sashimi salad	Poke salad
Tofu salad	Chicken salad	

Kitchen Entree

Chicken Teriyaki	Chicken Katsu
Beef sukiyaki	Shrimp/Vegetable tempura
Salmon Teriyaki	

Gyudon bowl: Thinly slice beef and tender onion simmered in sweet savory dashi broth, egg yolk, scallion over the rice

Unagi Don Bowl

Chicken Katsu Curry

Pork Katsu Curry

Sukiyaki Curry

Ramen Selections:

Shoyu Ramen

Miso Ramen

Tonkotsu Ramen

Spicy Tonkotsu Ramen

Kuro Black Ramen (Squid Ink)

Mazemen (no broth)

Sushi/Nigiri

Tuna

Seared tuna

Yellow Tail

Salmon

Albacore

Escolar

Seared albacore

Hotate

Octopus

Fresh water eel

Tamago

Ikura

Masago

Tobiko

Quail Egg

Shrimp/Ebi

Smoked salmon

Saba

Premium Sushi/Nigiri

Blue Fin tuna

Blue Fin Toro

Aji/Spanish Mackerel

Kanpachi/Amber Jack

Hirame/Halibut

Tai/Red snapper

Kurodai/Black Snapper

Suzuki/Sea bass

Uni/Sea Urchin

Kinmedai/Golden Eye Snapper

Wagyu sushi

Ama-Ebi/Sweet Shrimp

Umi-Masu/Ocean Trout

Sushi/Nigiri Special

Trio Belly Sushi (Toro, Salmon belly and Yellow tail belly)

Trio Tuna Sushi (Blue fin Tuna, Blue fin Toro and Seared Garlic Tuna)

Triple seared Sushi

Premium Nigiri Chef Choice of 6

Signature Special Sashimi

Salmon Truffle

Yellow Tail Jalapeno

Albacore Crispy Onion

Seared Garlic tuna

Spicy Seared Garlic Albacore

Halibut Carpaccio

Truffle Snapper

Basic/Small Roll:

California R

California Real Crab

Spicy Tuna R

Tuna R

Yellow Tail R

Albacore R

Salmon R

Salmon + Avo R

Avocado R

Cucumber R

Vegetable R

Salmon Skin R

Philadelphia

Scallop R

Eel + Avo R

Special common R

911 R: Spicy Tuna, Cucumber topped with Avocado.

Spider R: Soft shell crab, avocado, cucumber, Gobo, kaiware, spring mix. Ponzu Green onion.

Rainbow R: California R topped with Tuna, Salmon, albacore, escolar avocado

BSC R: California R with baked scallop

Caterpillar R: Eel, Cucumber topped with Avocado and eel sauce

Dragon R: Cal R topped with unagi, avocado eel sauce

Red Dragon R: Spicy tuna, cucumber topped with Tuna and avocado

Shrimp temp R: avocado, mayo shrimp tempura

Kokiku Crunch R: avocado, cucumber shrimp tempura topped with spicy tuna, tempura flakes

Baked salmon R: Crab meat, avocado topped with salmon (baked) eel sauce

Snow R: Crab meat, Avo, Cream cheese topped with White fish

Special Hand R:

1. Kokiku HR: Chopped blue fin Toro with Uni, Caviar and Black nikiri vinaigrette
2. Salmon dream HR: Spicy creamy salmon with avocado and salmon caviar.
3. Oishi HR: Dice yellow tail mixed chopped jalapeno, green onion, cucumber, masago with special sauce
4. Rock and Roll HR: Chopped Creamy spicy shrimp tempura with avocado and crispy onion, micro green.
5. Chilly Garlic Albacore: Albacore, cucumber, garlic chili, green onion, cucumber, crispy onion and micro green with ponzu dressing.
6. Truffle white fish: White fish, oba, kaiware, truffle, sea salt, lemon, salmon caviar.

Special Signature Roll

1. Lemon R:
Salmon, avocado and cucumber topped with tuna and lemon (special Ponzu and chili flakes)
2. Matrix R:
Shrimp temp, avocado and cucumber topped with Crab meat + Tuna (chili oil, Eel sauce, GO)
3. Tuna Jalapeno R:
Spicy Albacore, avocado and cucumber topped with Tuna and Jalapeno and Garlic.
4. Seared tuna special R:
Real crab, avocado, cucumber and shrimp tempura topped with tuna (chili oil, garlic ponzu)
5. Sunlight R: (northern light)
Spicy tuna, avocado and cucumber topped with salmon. (lemon breeze)
6. Wind breeze R
Crab meat, avocado and shrimp tempura topped with seared salmon and flakes (lemon breeze, eel sauce)
7. Salmon special R:
Spicy tuna, avocado and cucumber topped with salmon (ceviche, ponzu dressing.
8. Kara R
Crab meat, Cream cheese and avocado topped with salmon, spicy tuna and baked
9. Blue Crab Yellow Tail R
Blue Crab, avocado and cucumber topped with Yellow Tail and Crispy Onion
10. Yellowtail Jalapeno R:

Spicy tuna and Cucumber topped with Yellowtail and Jalapeno (??)

11. Albacore Lover

Spicy tuna, cucumber topped with seared albacore, spicy crunch garlic, ponzu, scallions

12. Chef Albacore R:

Crab Meat, Avocado, Cucumber and shrimp temp with albacore on top (garlic ponzu + crispy onion

13. Chef's R:

Crab Meat, Cream cheese and Shrimp Tempura topped with seared scallop and green onion

14. Godzilla R:

Crab stick, Deep friend Green Onion, Cucumber topped with Crab meat, ebi and avocado

15. Greenhaven R:

Spicy tuna and shrimp tempura topped with tuna, yellowtail and slice avocado green onion.

16. Pocket R:

Crab meat and Shrimp tempura topped with seared salmon with special sauce.

17. HOT R

Spicy tuna, Crab meat, Avocado, Cream Cheese (Deep Fried) with Eel sauce, Spicy Mayo.

18. Fire R

Crab Meat, Salmon, Tuna, Yellow Tail, avocado (Deep Fried) with Ceviche, Eel Sauce.

19. Kokiku Naruto (cucumber wrap, No rice)

Crab meat, Tuna, Yellowtail, Salmon, avocado

20. Dragon King R

Crab stick, Cucumber, Shrimp tempura topped with Unagi, avocado flakes with special sauce

21. Spicy tuna crunch

Emon Crunch.

22. Dragon Queen R

Spicy tuna, Cucumber, Shrimp tempura topped with unagi, salmon, and avocado with flakes
Spicy mayo, eel sauce

23. Duarte R:

Eel tempura and Avocado topped with spicy tuna (spicy mayo, ceviche, Eel sauce, flakes, micro green)

24. Sashimi R:

Soy paper, crab meat, Tuna, Salmon, Ytail, avocado, kaiware, side ponzu.+

Dessert

Mochi Ice Cream

Tempura Ice Cream

Green tea banana pudding

Vanilla Cream Brulle

Exhibit C

TENANT IMPROVEMENT FOR

KOKI + KU JAPANESE RESTAURANT

1020 HUNTINGTON DR.
LOS ANGELES, CA 90020



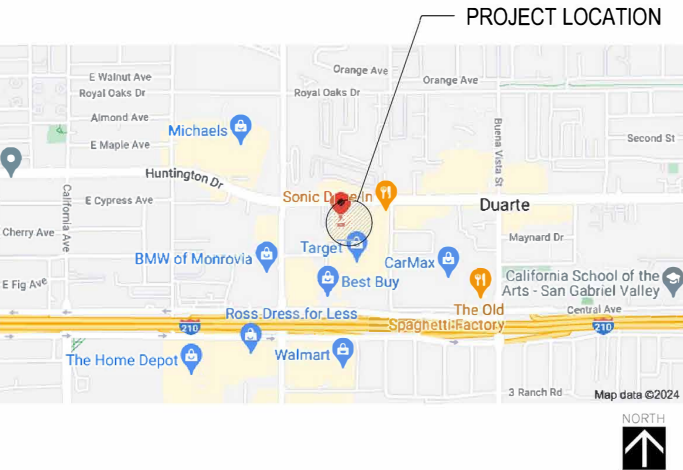
PROJECT SUMMARY

PROJECT ADDRESS	: 1020 HUNTINGTON DR. LOS ANGELES, CA 90020
PROJECT DESCRIPTION	: REQUEST TO ALLOW FOR THE SALE AND ON SITH CONSUMPTION OF BEER AND WINE
TENANT	: KOKI + KU JAPANESE RESTAURANT TEL) 818 - 699 - 2122
ZONE	: C
NUMBER OF STORIES	: 1 - STORY
AREA OF LEASING PREMISES	: 1,400 SF
OCCUPANCY	: B
NUMBER OF SEATS	: 31 SEATS

SHEET INDEX

ARCHITECTURAL	
A-1.0	TITLE SHEET / SITE PLAN
A-2.1	EXISTING FLOOR PLAN

VICINITY MAP



Sheet Title
PROJECT DATA
/ SITEPLAN

Project

TENANT IMPROVEMENT FOR

KOKI + KU JAPANESE RESTAURANT

1020 HUNTINGTON DR.
DUARTE, CA 91010

Revision

Date	Remark

Job No.

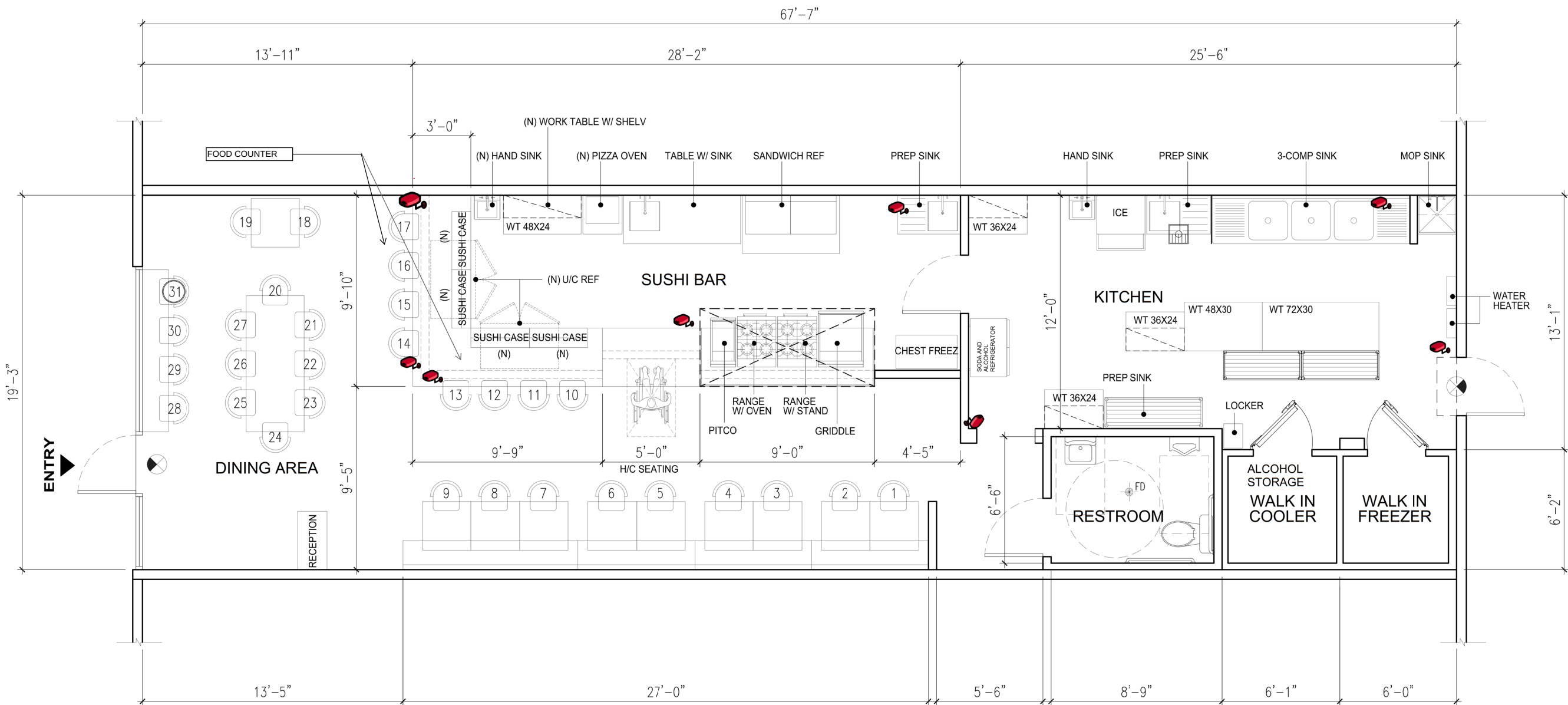
Date JULY, 2024

Scale AS SHOWN

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Sheet No.

A-1.0



EXIST'G FLOOR PLAN

SCALE: 3/8" = 1'-0"

1

LEGENDS

- EXIST'G WALL
- EXIST'G ILLUMINATED EXIT SIGNS
- EXIST'G
- NEW

SEATING

- # : SEAT COUNTS
- 31 : TOTAL NUMBER OF SEAT : 31 SEATS

Sheet Title
EXIST'G FLOOR PLAN

Project

TENANT IMPROVEMENT FOR

KOKI + KU JAPANESE RESTAURANT

1020 HUNTINGTON DR.
DUARTE, CA 91010

Revision

Date	Remark

Job No.

Date JULY, 2024

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Sheet No.

A-2.1



City of Duarte
Community Development Department

EXHIBIT D
VICINITY MAP AND SITE PHOTOS

PROJECT AND SURROUNDING ZONING

<u>Subject Property:</u>	C-F, Commercial Freeway
<u>North:</u>	Commercial (Monrovia)
<u>South:</u>	C-F, Commercial Freeway
<u>East:</u>	C-F, Commercial Freeway
<u>West:</u>	R-4, Multi-Family

SUBJECT PROPERTY-AERIAL





**City of Duarte
Community Development Department**

**Subject Tenant Space
(Former Factory Tea Bar)**



**North of Project Site
(Chase and Huntington Dr.)**





**City of Duarte
Community Development Department**

South of Project Site
(Near Public Safety Office)



East of Project Site
(Denny's and Sonic)





City of Duarte
Community Development Department

Existing Interior (Before Improvements)



City of Duarte

Exhibit E
ABC LICENSE MAP
SEP 2024



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

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