



**CITY OF DUARTE
PLANNING COMMISSION
MINUTES
July 16, 2018**

**Planning Commission
Commissioners**
Sara Vasquez, Chair
Wally Wolff, Vice-Chair
George K. Farra
Paula Watson-Gardner
Tina Heany

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES

Chairperson Vasquez called the meeting to order at 7:03 p.m.

The following were in attendance:

PRESENT: Vasquez, Wolff, Watson-Gardner, Heany
ABSENT: Farra
STAFF: Hensley, Golding, Baldwin, Eoff IV, Serna, Hernandez
DEPUTY CITY ATTORNEY: None

2. PLEDGE OF ALLEGIANCE

Heany led the Pledge of Allegiance.

3. WELCOME AND INTRODUCTION OF NEW COMMISSIONER

Chair Vasquez welcomed Commissioner Tina Heany to the Planning Commission.

4. APPROVAL OF MINUTES: June 18, 2018

Watson-Gardner moved to approve the minutes of June 18, 2018. Seconded by Wolff. Motion approved 4-0-0-1. (Vote: Yes: Vasquez, Wolff, Watson-Gardner, Heany; No: None; Abstain: None; Absent: Farra)

5. ORAL COMMUNICATIONS ITEMS NOT ON THE AGENDA

Chair Vasquez opened Oral Communications for items not on the Agenda. Seeing none, Chair Vasquez closed Oral Communications.

6. PUBLIC HEARINGS:

A. Conditional Use Permit 17-02: Operation of a health and fitness facility with twenty-four-hour operations in a tenant space adjacent to the Smart and Final store and is located at 1193A Huntington Drive; and PC Resolution 18-6.

Staff Report and PC Resolution 18-16

Nick Baldwin, Associate Planner, presented the staff report, discussed the business's operations and highlighted areas of the project that required additional attention, such as parking and noise.

Chair Vasquez opened the public hearing inquiries.

Applicant Aaron Holder, introduced himself as a representative of Planet Fitness Center and indicated he was available for questions from the Commission.

Resident Steve Hernandez, complemented Staff on the presented item and expressed his support of the new business location.

Chair Vasquez closed the public hearing and opened Commissioners' inquiries.

There were no comments from the Commission, Chair Vasquez called for a motion on the item.

Watson-Gardner motioned to approved CUP 17-02 and PC Resolution 18-16. Seconded by Wolff. The motion was approved 4-0-0-1. (Vote: Yes: Vasquez, Wolff, Watson-Gardner, Heany; No: None; Abstain: None; Absent: Farra).

7. BUSINESS ITEMS:

A. Presentation and request for input on proposed Tree Preservation and Protection Ordinance

Draft Staff Report and Ordinance

Yesenia Serna, Community Development Technician provided an overview and power point presentation on the proposed Tree Preservation and Protection Ordinance. She discussed the following in the power point presentation:

- Purpose of the ordinance – Protect existing trees on private properties, and future trees
- Tree regulations for private properties
- Penalties for an unauthorized tree removal
- Exemptions for non-native trees
- Establishing a formal permit process for removal
- Existing Oak Tree Protection Ordinance research
- Properties subject to the ordinance

- Replacement ratio options
- Covered certain circumstances in which the ordinance would not be applicable
- Penalties for unauthorized tree removal

There was discussion regarding the application process, penalties, replacement ratios, alternative onsite/offsite planting, and associated fees.

Hensley indicated that the item is part of the Municipal Code and not part of the Development Code, therefore the Commission is not subject to a vote on the item. However, any comments or suggestions would be used to modify the ordinance before presenting to City Council.

8. ITEMS FROM DIRECTOR:

There were no items from the Director.

9. ITEMS FROM COMMISSIONERS:

Commissioner Heany provided information on her working history, also stated she loves the City and has been a resident for nineteen years.

10. ADJOURNMENT: Monday, August 20, 2018

Chair Vasquez adjourned the meeting at 7:46 p.m. The next meeting is scheduled for August 20, 2018.

Craig Hensley, Secretary



PLANNING COMMISSION STAFF REPORT

Date: August 20, 2018

Project: Conditional Use Permit 14-02; Site Plan and Design Review 14-34

Subject: A request to operate and construct a new wireless communication facility for Verizon Wireless

Location: 2701 Royal Oaks Drive – Royal Oaks Park Extension

Applicant: Vince Amaya, Delta Groups Engineering Inc. – Verizon Representative

SUMMARY

Verizon Wireless is requesting approval to construct and operate a new freestanding unmanned wireless communication facility at Royal Oaks Park Extension (2701 Royal Oaks Drive) to fulfil a gap in Verizon's service coverage in the northeast part of the City. The facility will be designed as a decorative tower to adequately screen the wireless equipment and serve as an architectural feature in the park.

BACKGROUND

Wireless communication facilities in the Open Space (O) zone require approval of a conditional use permit and a site plan and design review approval. The Planning Commission will serve as the approving body for both applications. The following outlines a timeline of events:

- At the April 23, 2018 meeting, Site Plan and Design Review case 14-34 was presented to the Architectural Review Board where a recommendation for approval was made for the Planning Commission's consideration.
- At the May 21, 2018 meeting, Conditional Use Permit 14-02 and Site Plan and Design Review Case 14-34 was presented to the Planning Commission. After receiving the presentation, information, and public testimony, the Commission failed to approve the project on a 2-2 vote.
- At the June 18, 2018 meeting, on advice of the City Attorney, the Planning Commission was asked to reconsider the proposal to allow the Commission to make a formal decision based on the required findings listed in Section 19.60.190.H and 19.114.040.B of the Duarte Development Code. The Planning Commission voted to reconsider the proposal.
- The project was presented to the Duarte Parks and Recreation Commission as an advisory item. The Commission unanimously supported the plan and design of the cell tower at Royal Oaks Park at the proposed location.

Royal Oaks Park is owned and maintained by the City of Duarte. Verizon will be required to enter into a lease agreement with the City of Duarte in addition to obtaining Planning Commission approval of the CUP and design review. The lease agreement will require separate approval from the City Council and must be signed by both parties. The conditional use permit and design review application is

contingent upon approval of the lease agreement, however, the action requested from the Planning Commission on the CUP and SPDR is not associated with the terms and/or procedure of the lease.

PROJECT DESCRIPTION

The project site is located on the extension portion of Royal Oaks Park, also referred to as Royal Oaks Park East. This portion of the park is one of the City's larger park areas. The site is roughly 2.7 acres of open grass area with a few picnic tables and a large gazebo. The park area does not include any play equipment or recreation facilities such as tennis courts or basketball courts. This portion of the park is used mostly for City activities or birthday party/social gatherings. The site is surrounded by single-family residential to the north, east and south. The main Royal Oaks Park is located to the west.

Verizon is proposing the construction of a new wireless communication facility (WCF) support tower with an overall height of 58 feet 6 inches. The tower will be located generally within the Royal Oaks Park East. The WCF was designed to minimize impact to the park, while providing a visual enhancement to the surrounding area. At the previous hearing by Planning Commission one of the expressed concerns was the proximity of the tower to Royal Oak Drive. To address that concern, Staff requested the applicant provide an alternative that moves the tower further from the street. The two alternatives are:

- Alternative 1: This is the applicant's proposal as well as the Staff and Parks and Recreation Commission recommended location. The location is at the southwesterly portion of the park, near the northeast corner of Las Lomas Road and Royal Oaks Drive. The tower is placed within a small cluster of mature trees, setback roughly 58 feet from the southwest corner and roughly 23 feet from the curb face along the north side of Royal Oaks Drive. The wireless facility has been placed on the outer portion of the park's open space in a relatively low use area.
- Alternative 2: This location is an additional 15 to 20 feet north from the proposed location of Alternative 1, placing the tower roughly 45 feet from Royal Oaks Drive and roughly 70 to 75 feet from the Las Lomas Road/Royal Oaks Drive intersection. This location will require the removal of a mature tree, but the applicant is willing to plant a replacement tree.

The proposed facility integrates the equipment enclosure and tower in one location to minimize the footprint. The exterior finish and design elements of the facility tower are inspired by Duarte's citrus crop history. The WCF is generally broken into three areas:

- Framing. The WCF tower will be supported by four 10"x10" steel tube legs and diagonal bracing. Approximately 39 feet of the tower's framing will be open/exposed as part of the overall design. The diagonal bracing will include medallion attachments down the center of the framing where the diagonal bracing intersects. These medallions will resemble an orange to promote a citrus theme.
- Antenna Enclosure. The antenna enclosure will be located at the top of the support frame, beginning at 47 feet, measured to the bottom of the antenna enclosure. The enclosure will extend roughly 11 feet tall to complete the overall height of 58 feet. A total of twelve (12) antennas and eighteen (18) remote radio units will be installed within the enclosure using additional framing and mounting supports. The antennas and radio units will be fully screened from view by the enclosure. The antenna enclosure will be constructed out of a fiber reinforced plastic (FRP) material. The FRP around the antenna enclosure will contain a faux brown wood finish to resemble a wood crate used for citrus packing. The enclosure will also feature an architectural feature to complete the enclosure design. This could be in the form of a painted mural (depicted on the proposed plans) or a clock, similar to the existing tower in Duarte Park.

- Equipment enclosure. An 8-foot tall CMU wall will be constructed at the base of the tower around the support legs. The CMU wall will create a 15-foot by 15-foot footprint that will be used to house the WCF equipment cabinets and backup generator. A man-door will be installed on the north side of the enclosure to allow access to the equipment for maintenance. The enclosure will contain an open pergola roof to allow natural air ventilation for the equipment. A sand stucco finish, painted brown, will be applied to the exterior of the enclosure to match the color palette. As the final touch, an architectural feature will be installed on two or three sides to complement the antenna enclosure and the overall design of the tower. This is more likely to be in the form of an art piece to enhance the overall design and continue the citrus theme of the tower.

ANALYSIS

Wireless communication facilities provide an added convenience to the public and increases the reliability of emergency communication services. Unfortunately, wireless communication facilities often come with aesthetic concerns. Section 19.60.190 of the Duarte Development Code (DDC) provides regulations for the establishment of wireless communication facilities in the City of Duarte. These regulations help protect the health and safety of the public, and ensure that wireless facilities appear as visually unobtrusive as possible.

After exploring several sites, including the west side of Royal Oaks Park, the Royal Oaks Park Extension was the optimal location for enhancing Verizon's wireless service coverage in the northeast part of Duarte. The use of wireless facilities within the City's parks is not uncommon. A precedence was set dating back to 1998 with the construction of the Duarte clock tower in Duarte Park. Currently there are four wireless communication facility structures located in three City parks. The City has lease agreements with each carrier.

- Duarte Park – 1400 Buena Vista Street
Clock Tower design. Two carriers – Verizon Wireless, Sprint
- Otis Gordon Park - 2333 Central Avenue
Light pole design. One carrier – Sprint
- Royal Oaks Park – 2617 Royal Oaks Drive (west side of Las Lomas)
Light pole design (two separate poles) Two carriers – AT&T, T-Mobile

The operation and design of the wireless communication facility will not be detrimental to the City or surrounding community, and is compatible with allowed uses in the vicinity. Wireless Communication Facilities are permitted with an approved conditional use permit within the Open Space Zone. The proposed facility will provide a public convenience with enhanced cellular coverage in the vicinity and improvements to wireless service for residents, businesses, general consumers, and emergency personnel. Additionally, the design will provide a focal element in the park while screening all antennas and other associated equipment within the tower. The facility is designed with a minimal footprint, keeping the antenna and other equipment within the same area. The high-quality design will serve as a focal element for the community and maintain compatibility with the park.

As noted above, the west portion of Royal Oaks Park contains two facilities with major wireless carriers. The limitation on space and existing structures on the west portion prevented the option for a co-location or even a new freestanding structure. These two carriers have been afforded the opportunity to provide an added service to the community in the same general area. Verizon is requesting the same in a more optimal location.

Location.

Alternative 1 places the tower amongst a cluster of mature trees. The trees help slightly screen the tower and keep it in context with other taller elements in the park. The location of the tower also took pedestrian scale into consideration. The tower is setback nearly 60 feet from the intersection and over 20 feet from Royal Oaks Drive. Setting the tower back from the pedestrian areas helps reduce the imposing feeling of the structure. Additionally, the tower is oriented in a manner that will minimize the need to remove and/or substantially trim the cluster of existing trees.

Alternative 2 shifts the tower a little further into the open park space. Although it is set back further from the street and intersection, it is now further into the park and may have a greater impact to the park's usable area. Shifting the tower will also require the removal of at least one mature tree. This may impact Alternative 2 from blending in with the similar heights of the trees in the same manner that Alternative 1 benefits from. Additionally, Alternative 2 may also require the relocation of park equipment. If the Commission were to prefer Alternative 2, a condition could be added to address the location change.

Each alternative tends to have pros and cons. Both alternatives maintain a reasonable separation from homes to the north and both will provide an added service to the community. Alternative 1 was deemed an optimal location as it creates less impact to the park and the surrounding residents, and still provides the focal element in the park. The Parks and Recreation Commission is in support of Alternative 1 for this reason as well.

Architectural Design.

Within the open space park area, a new stealth ground-mounted structure was the best option for the facility. The tower has been designed to use the minimum size footprint possible by constructing an integrated equipment enclosure and tower in one location, rather than placing these elements separately. This limits the bulk of the structure and ultimately helps minimize the loss of park use or any impacts to open space areas for each Alternative.

Typically, with wireless facilities there is a desire to screen the structure, which usually takes the form of simulated trees, church steeples, water tanks or other architectural towers. The City worked with Verizon's design team to create an aesthetically pleasing facility that would be beneficial to the City and surrounding community. After exploring simulated trees and other tower designs, the proposed integrated, citrus-inspired tower was selected to provide a visual enhancement and architectural focal element to the community. The details put into the design create more interest on the architectural form of the tower and less on the working features of a wireless facility. All elements of the WCF are full screened from view, including all antennas and equipment components. From the exterior, the structure appears as an architectural tower and not a wireless facility – a true stealth design.

The tower will incorporate a complementary color palette consisting of earth tone colors, such as deep shades of brown and green, to complement the surrounding elements. The citrus theme features provide a nod to Duarte's history and enhances the overall design. The most notable features are the wood crate design and art details. The wood crate antenna enclosure will accentuate the tower from a distant vantage point. From a closer vantage point, the featured artwork on the equipment enclosure will help complement the citrus theme and provide a visual interest for pedestrians. The final design feature of both enclosures will require additional review and approval prior to installation. This has been included as a condition of approval.

Subtle details also contribute to the design. The citrus medallions in the framing supports help tie together the architectural elements of the antenna enclosure and equipment enclosure. The pergola roof of the equipment enclosure will be constructed using 4x12 beams and include decorative corbel ends. The pergola adds visual enhancement to the structure. An open roof design allows for natural ventilation and eliminates the need for air condition units that often produce unwanted noise.

The project includes additional site improvements as part of the overall project. The parking lot area adjacent to the tower will be redesigned to be more efficient and ADA accessible. The parking lot improvements will also incorporate improved pedestrian access with a new sidewalk along Las Lomas and additional walkways from the parking lot towards the park area.

Lease Agreement.

The City Council has agreed, in concept, to the proposed lease and terms for the wireless facility. The City Council provided direction on the general location of the wireless facility and tower amenities. Following the Commission's action, the Council will consider the final lease agreement between Verizon Wireless and the City for final approval. During construction, the parking lot adjacent to the project site will be used as a staging area for roughly four to five months. At the completion of construction, the City will use proceeds from the lease agreement to construct a parking lot upgrade. The upgrades will include improved access, ADA accessibility, and new sidewalks.

RECOMMENDATION

Staff has reviewed the proposal and finds the project to be in compliance with requirements of DDC Section 19.60.190. Conditions of approval have been included to ensure Verizon maintains the facility in compliance with Section 19.60.190 and the pending lease agreement with the City of Duarte.

Staff recommends that Planning Commission adopt PC Resolution 18-17 approving Conditional Use Permit #14-02, and PC Resolution 18-18, approving Site Plan and Design Review #14-34, both subject to conditions of approval.

Respectfully Submitted,



David Eoff IV
Associate Planner

ATTACHMENTS

- Exhibit A – General Project Information
- Exhibit B – Project Plans
- Exhibit C – PC Resolution 18-17
- Exhibit D – PC Resolution 18-18

Exhibit A

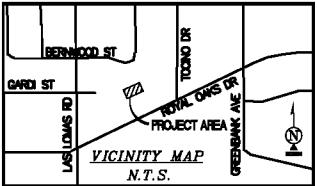
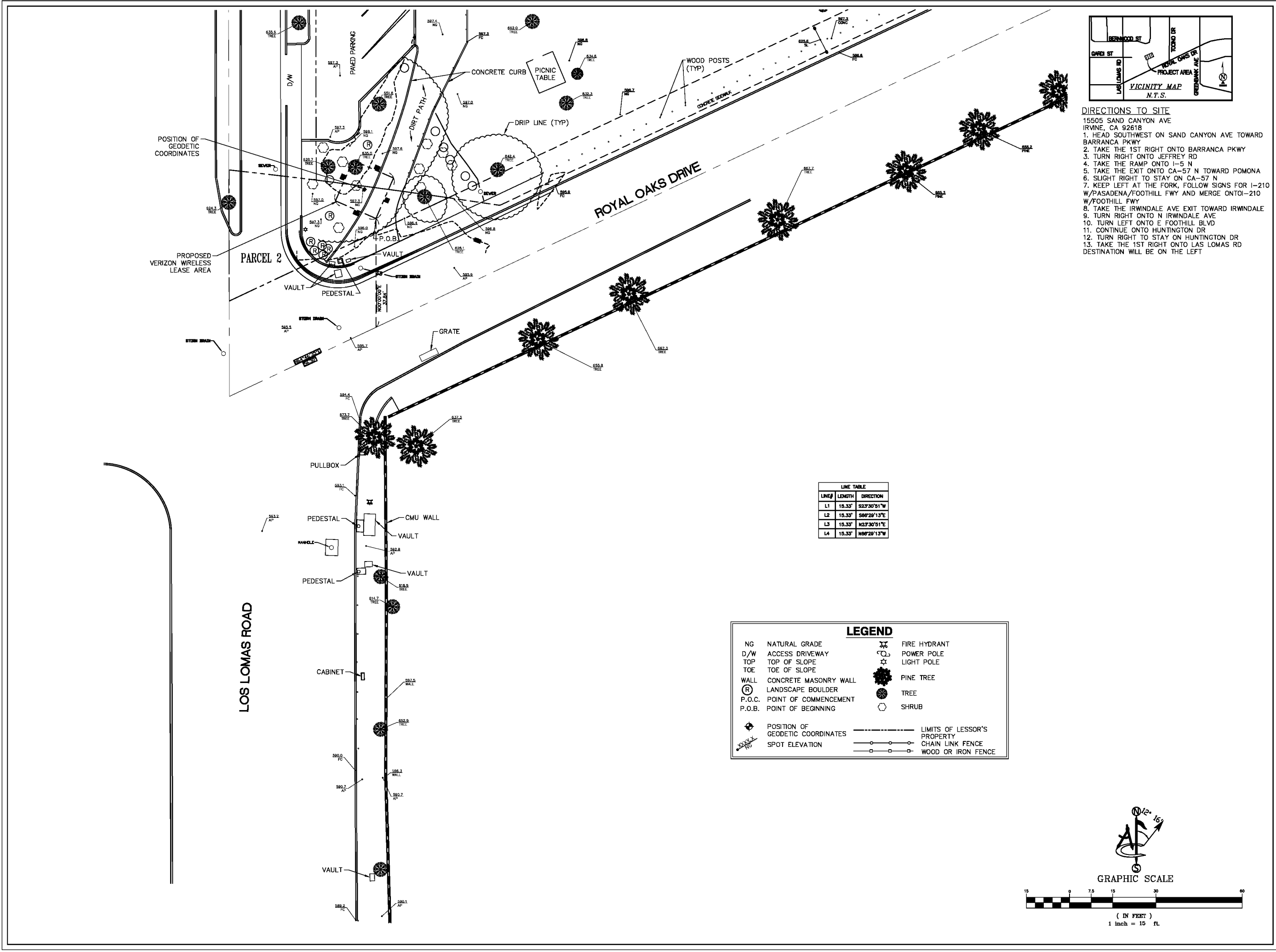
General Property Information
Conditional Use Permit 14-02; Site Plan and Design Review 14-34
2701 Royal Oaks Drive

PROPERTY CHARACTERISTICS

Property Address:	2701 Royal Oaks Drive
APN:	8602-019-900 through 8602-019-905; 8602-019-907 through 8602-019-910
Owner:	City of Duarte
Lot Area:	Project Site: Approx. 17,357 square feet (0.40 acres)
Public Notice:	A public hearing notice was published in the " <i>The Duartean</i> " on May 12, 2018 and posted at Duarte City Hall, Public Safety Office, and the Public Library on May 10, 2018. Two hundred and eighty-five (285) public hearing notices were also sent to property owners within 600' of the subject property on May 10, 2018.
Environmental:	This project is exempt from the California Environmental Quality Act (CEQA) pursuant to exemption in Section 15332, Class 32 of Title 14 of the California Code of Regulations. Therefore, no further environmental review is necessary in accordance with CEQA Guidelines and a Notice of Exemption has been prepared for this project.
General Plan:	Open Space
Zoning:	Open Space

SURROUNDING ZONES & LAND USE

LOCATION	GENERAL PLAN	ZONING	LAND USE
North	Low Density Residential	R-1 Single-Family Residential	Residential
South	Low Density Residential	R-1 Single-Family Residential	Residential
East	Low Density Residential	R-1 Single-Family Residential	Residential
West	Open Space	Open Space	Public Park



DIRECTIONS TO SITE
15505 SAND CANYON AVE
IRVINE, CA 92618
1. HEAD SOUTHWEST ON SAND CANYON AVE TOWARD BARRANCA PKWY
2. TAKE THE 1ST RIGHT ONTO BARRANCA PKWY
3. TURN RIGHT ONTO JEFFREY RD
4. TAKE THE RAMP ONTO I-5 N
5. TAKE THE EXIT ONTO CA-57 N TOWARD POMONA
6. SLIGHT RIGHT TO STAY ON CA-57 N
7. KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR I-210 W/PASADENA/FOOTHILL FWY AND MERGE ONTO I-210 W/FOOTHILL FWY
8. TAKE THE IRWINDALE AVE EXIT TOWARD IRWINDALE
9. TURN RIGHT ONTO N IRWINDALE AVE
10. TURN LEFT ONTO E FOOTHILL BLVD
11. CONTINUE ONTO HUNTINGTON DR
12. TURN RIGHT TO STAY ON HUNTINGTON DR
13. TAKE THE 1ST RIGHT ONTO LAS LOMAS RD
DESTINATION WILL BE ON THE LEFT



PROJECT INFORMATION:

ROYAL OAKS

CITY PARK
2701 ROYAL OAKS DRIVE
DUARTE, CALIFORNIA 91010

ORIGINAL ISSUE DATE:

08/12/15

REV.: DATE: DESCRIPTION: BY:

1	08/20/2015	FINAL	MF
2	12/19/2016	REVISE LEASE (C)	CK
3	05/28/2017	ADDITIONAL TOPO (C)	CK

PLANS PREPARED BY:



**DELTA GROUPS
ENGINEERING, INC.**
CONSULTING ENGINEERS

2362 McGAW AVE
IRVINE, CA 92614
TEL. (949) 822-0333 FAX (949) 822-0331

CONSULTANT:



ambit consulting

428 MAIN STREET
SUITE 206
HUNTINGTON BEACH, CA 92648
PH. (480) 659-4072
www.ambitconsulting.us

DRAWN BY: CHK.: APV.:

CK	MF	JG
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LICENSER:

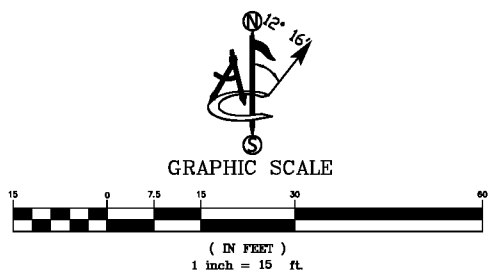


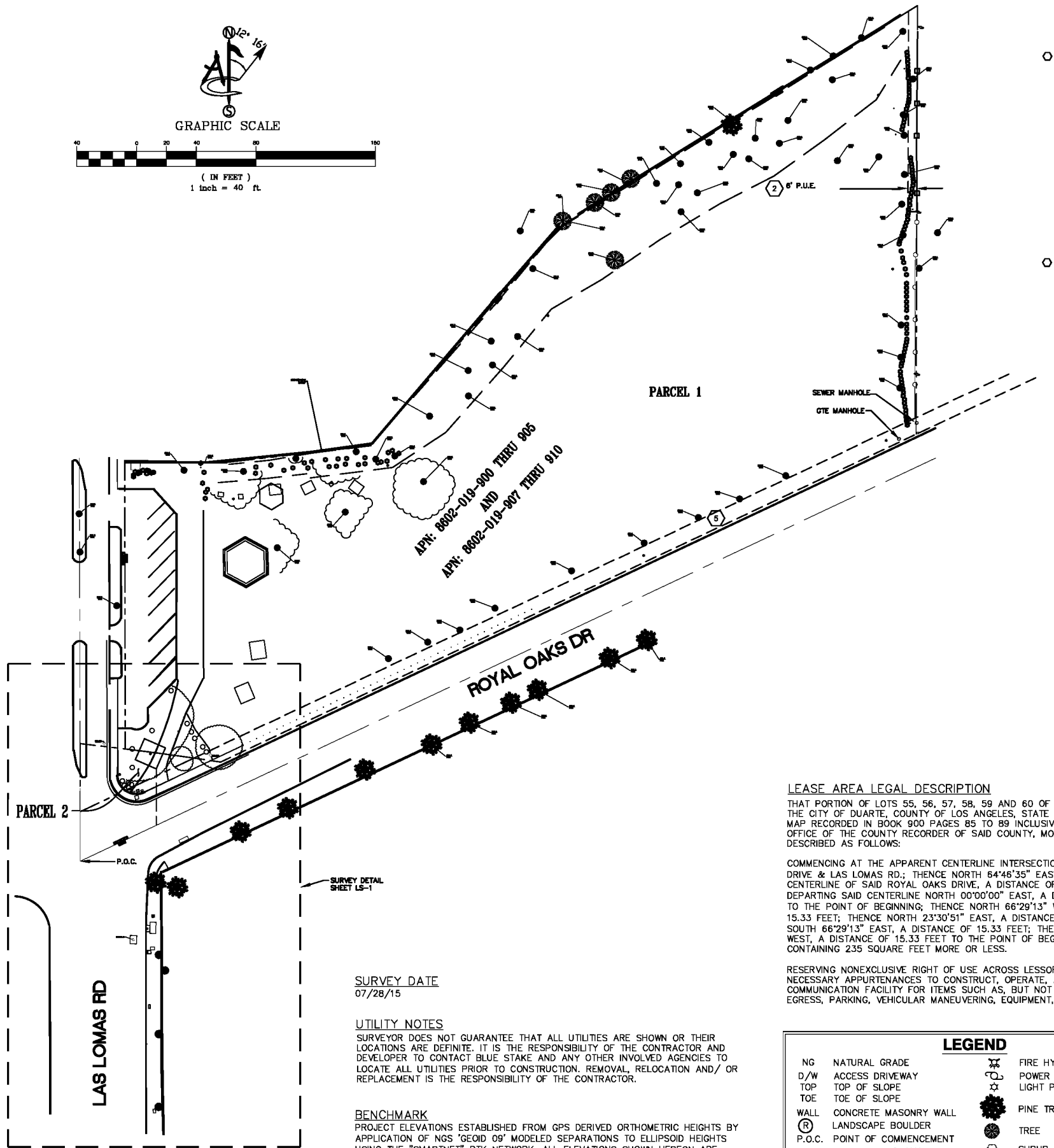
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SITE SURVEY

SHEET NUMBER:

LS-1



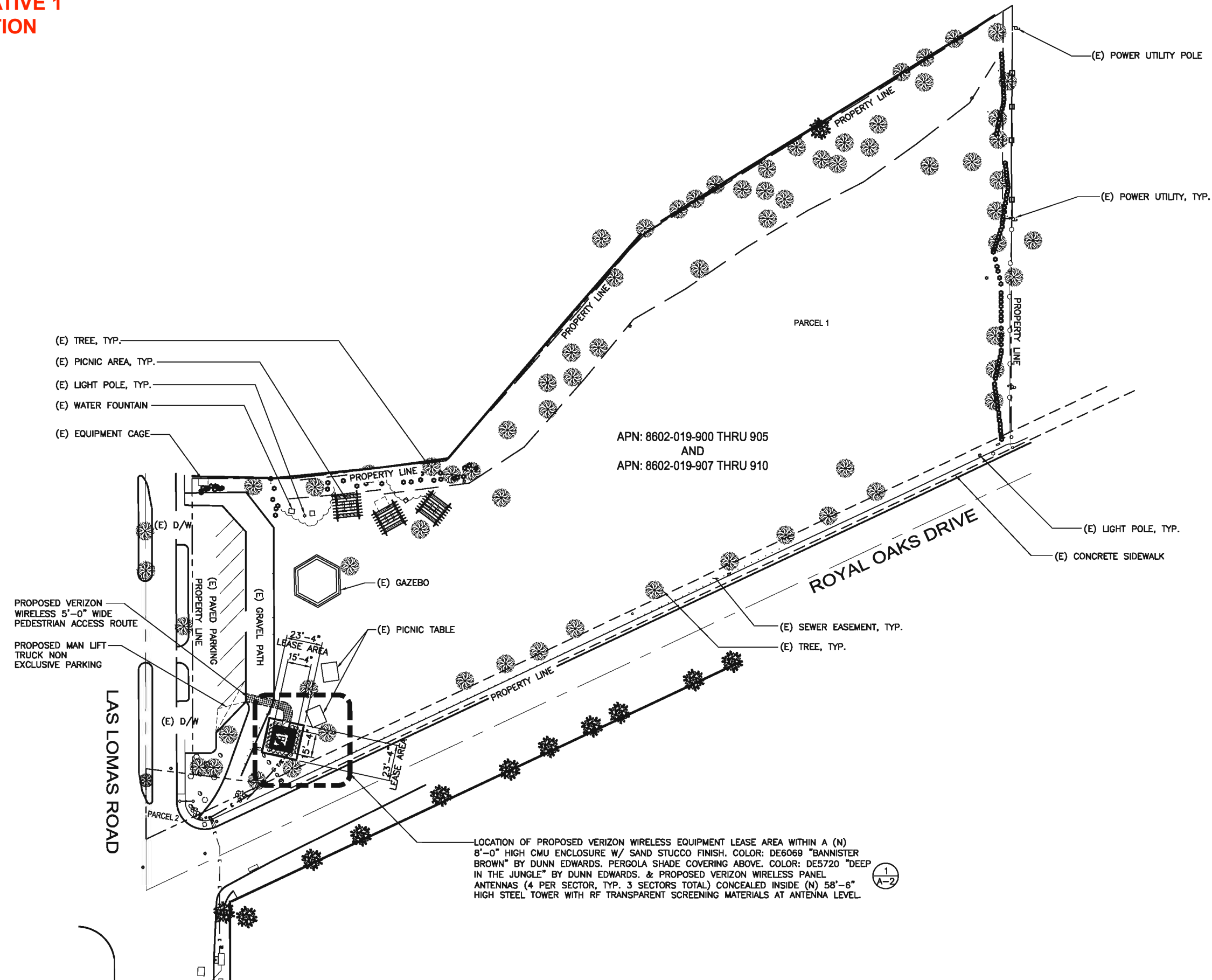


LIMITS OF LESSOR'S
PROPERTY
CHAIN LINK FENCE
WOOD OR IRON FENCE

PARCEL 2: THAT PORTION OF LOT 8, SECTION 29, TOWNSHIP 1 NORTH, RANGE 10 WEST, IN THE SUBDIVISION OF RANCHO AZUSA DE DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 6, PAGES 80, 81 AND 82, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WITHIN THE FOLLOWING DESCRIBED BOUNDARIES: BEGINNING AT THE INTERSECTION OF A LINE PARALLEL WITH AND 30 FEET WESTERLY MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF LOT 55, TRACT NO. 35135 AS SHOWN ON MAP FILED IN BOOK 98, PAGES 85 TO 89 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER, WITH THE NORTHERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED LAST IN DEED TO THE REDEVELOPMENT AGENCY OF THE CITY OF DUARTE, RECORDED ON DECEMBER 31, 1980, AS OFFICIAL RECORDS AS INSTRUMENT NO. 80-1308202, OF OFFICIAL RECORDS, THENCE EASTERLY ALONG SAID NORTHERLY BOUNDARY TO THE SOUTHEASTERLY LINE OF SAID LOT 55; THENCE SOUTH 64° 48' 35" WEST ALONG THE SOUTHWESTERLY PROLONGATION OF SAID SOUTHEASTERLY LINE TO SAID PARALLEL LINE; THENCE NORTH 0° 04' 22" WEST ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING.

LS-2

ALTERNATIVE 1 LOCATION



OVERALL SITE PLAN

	SCALE:
	1 in= 30 ft

1

ISSUE STATUS			
REV	DATE	DESCRIPTION	BY
0	08/12/16	90% ZD	
1	08/12/16	100% ZD	
2	11/01/15	100% ZD	
3	12/02/16	100% ZD	JD
4	12/21/16	100% ZD	JD
5	05/30/17	100% ZD	JD
6	08/31/17	100% ZD	JD
7	03/28/18	90% ZD_RELOCATED	TT



PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES
TO VERIZON WIRELESS IS STRICTLY PROHIBITED



ROYAL OAKS
CITY PARK
2701 ROYAL OAKS DR.
DUARTE, CA 91010

SHEET TITLE:

OVERALL SITE PLAN

A-1

$$\frac{1}{L-1}$$

(E) CONCRETE SIDEWALK

(E) STORM DRAIN, TYP.:

(E) PEDESTAL, TYP.

— (E) VAULT, TYP.

— (E) VAULT, TYP.

RA. TYP.

—(E) STORM DRAIN.

PROPOSED VERIZON WIRELESS METER
MOUNTED ON (N) CMU WALL

(E) VAULT #5164945

LOS LOMAS ROAD

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 391–397

SCALE:

 $1/16" = 1'$

1

REV.	DATE	DESCRIPTION	BY
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2	11/10/16	100% ZD	
3	12/02/16	100% ZD	JD
4	12/21/16	100% ZD	JD
6	06/30/17	100% ZD	JD
8	06/31/17	100% ZD	JD
7	03/28/18	90% ZD _RELOCATED	TT

2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-622-0331
DGE JOB # H3VW033B

THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERIZON WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES
TO VERIZON WIRELESS IS STRICTLY PROHIBITED

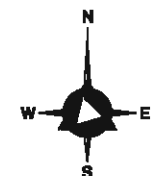
verizon
15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

ROYAL OAKS
CITY PARK
2701 ROYAL OAKS DR.
DUARTE, CA 91010

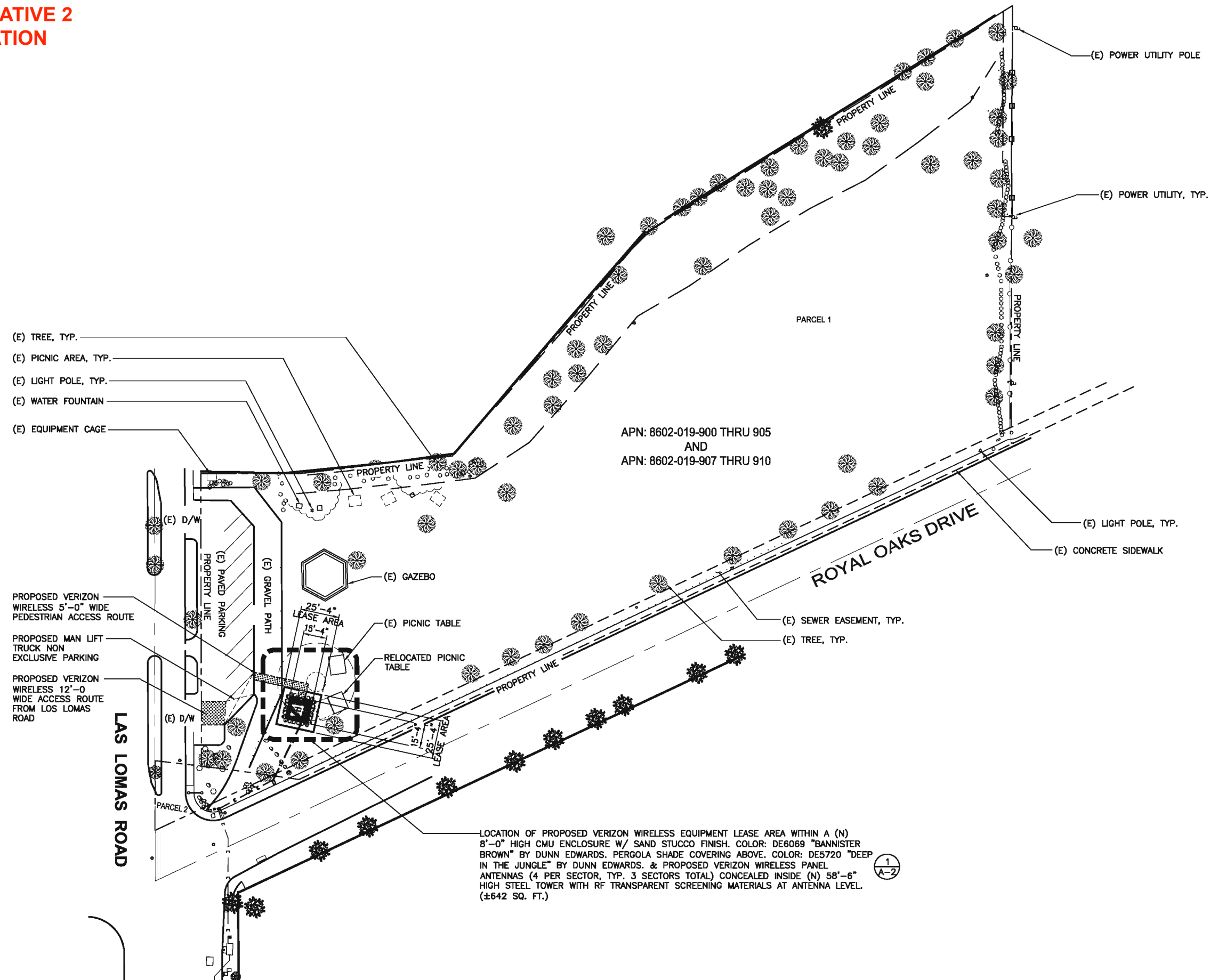
SHEET TITLE:

SITE PLAN

A-1.1



ALTERNATIVE 2
LOCATION



ISSUE STATUS

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4	12/21/16	100% ZD	JD
5	05/30/17	100% ZD	JD
6	08/31/17	100% ZD	JD
7	04/10/18	90% ZD _RELOCATED	TT
8	08/03/18	100% ZD	TT



2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-822-0333 FAX: 949-822-0331
DGE JOB # 113VW033B

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS.
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

verizon
15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

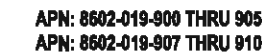
ROYAL OAKS
CITY PARK
2701 ROYAL OAKS DR.
DUARTE, CA 91010

ROYAL OAKS
CITY PARK
2701 ROYAL OAKS DR.
DUARTE, CA 91010

SHEET TITLE:
OVERALL SITE PLAN

A-1

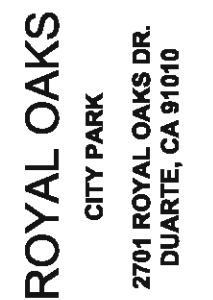
NOTE: THE CRIMINAL SIZE OF THIS PLAN IS 20" X 3 1/2". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED PRINT SIZES.



NOTE:
THE GC TO SECURE/HARDEN THE SITE PER FIELD OPS
DIRECTION USING MASTER KEYED HIDDEN SHACKLE PAD
LOCK W/ HIGH SECURITY HASP

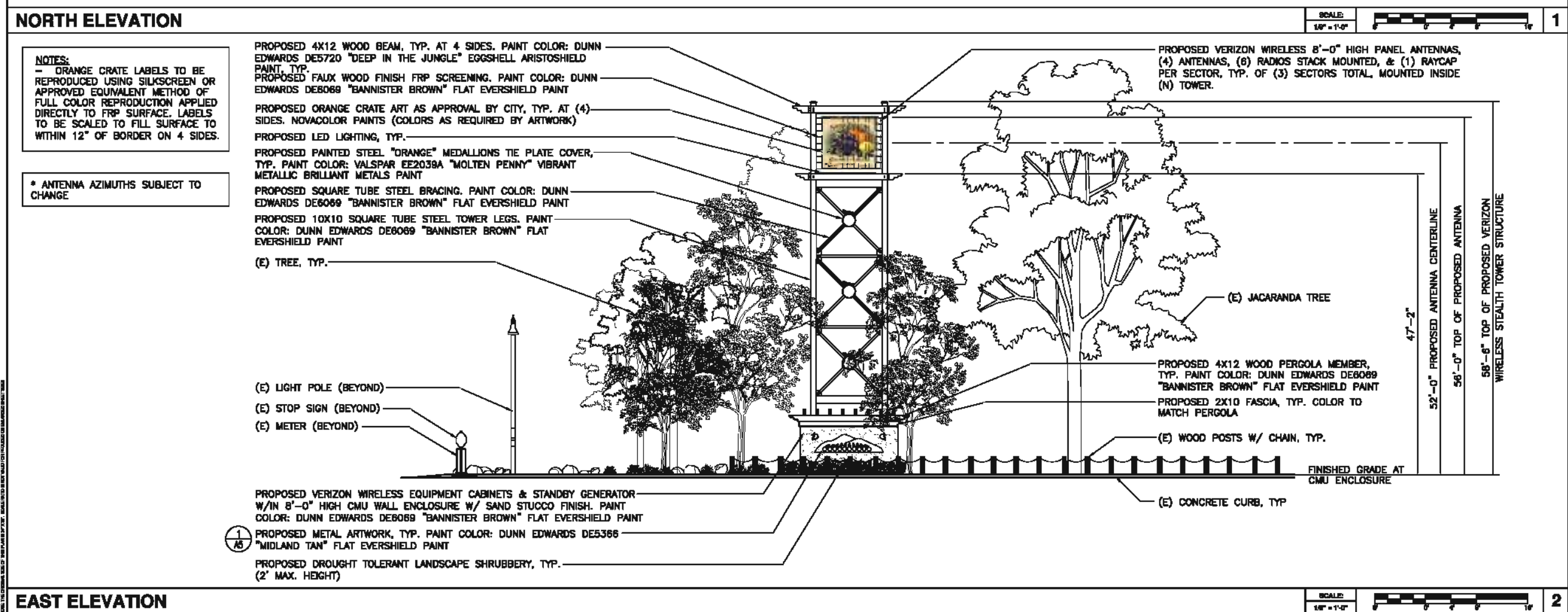
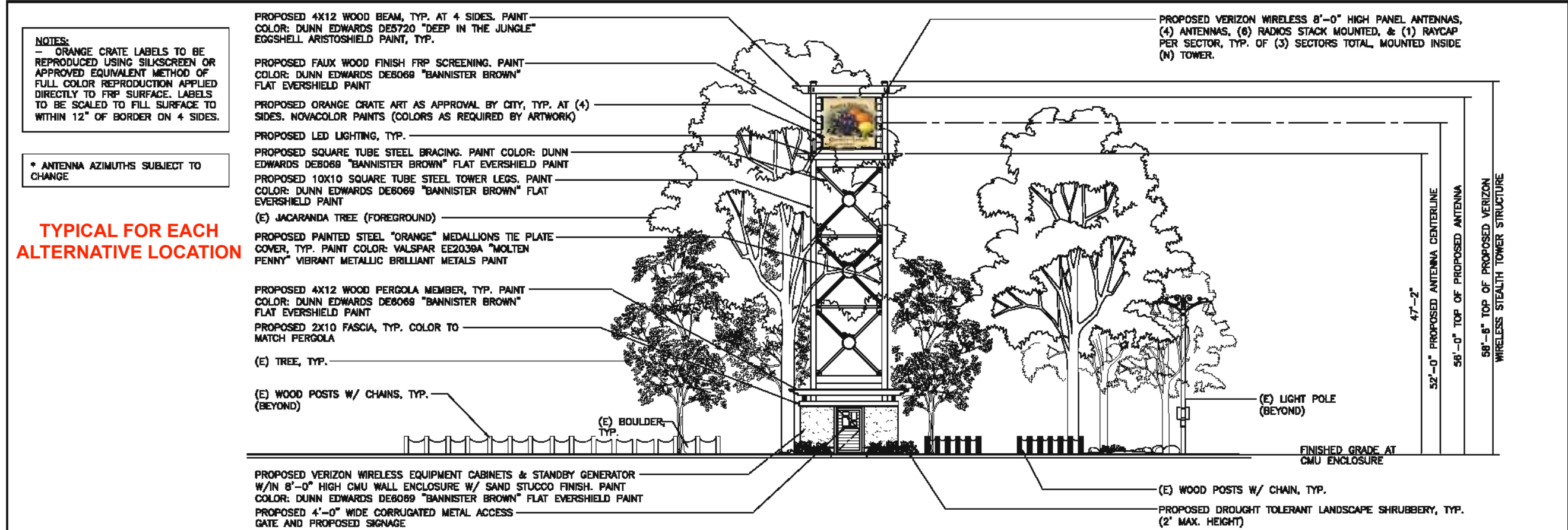


PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES
TO VERIZON WIRELESS IS STRICTLY PROHIBITED



SITE PLAN

A-1.1



ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
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3	12/02/16	100% ZD	JD
4	12/02/16	100% ZD	JD
5	05/09/17	100% ZD	JD
6	08/01/17	100% ZD	JD
7	03/28/18	90% ZD - RELOCATED	TT



2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-822-0833 FAX: 949-822-0881
DCE JOB # H3VW0238

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED



15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

ROYAL OAKS
CITY PARK
2701 ROYAL OAKS DR.
DUARTE, CA 91010

SHEET TITLE:
NORTH & EAST ELEVATIONS

A-3

PROPOSED VERIZON WIRELESS 8'-0" HIGH PANEL ANTENNAS, (4) ANTENNAS, (6) RADIOS STACK MOUNTED, & (1) RAYCAP PER SECTOR, TYP. OF (3) SECTORS TOTAL, MOUNTED INSIDE (N) TOWER.

PROPOSED 4X12 WOOD BEAM, TYP. AT 4 SIDES. PAINT COLOR: DUNN EDWARDS DE5720 "DEEP IN THE JUNGLE" EGGSHELL ARISTOSHIELD PAINT, TYP.

PROPOSED FAUX WOOD FINISH FRP SCREENING. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED ORANGE CRATE ART AS APPROVAL BY CITY, TYP. AT (4) SIDES. NOVACOLOR PAINTS (COLORS AS REQUIRED BY ARTWORK)

PROPOSED LED LIGHTING, TYP.

PROPOSED SQUARE TUBE STEEL BRACING. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED 10X10 SQUARE TUBE STEEL TOWER LEGS. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED PAINTED STEEL "ORANGE" MEDALLIONS TIE PLATE COVER, TYP. PAINT COLOR: VALSPAR EE2039A "MOLTEN PENNY" VIBRANT METALLIC BRILLIANT METALS PAINT

PROPOSED VERIZON WIRELESS HYBRID CABLE WITHIN 4" CONDUITS ROUTING UP THROUGH TOWER SUPPORT ($\pm 70'-0"$ FROM ANTENNA TO EQUIPMENT)

TYPICAL FOR EACH ALTERNATIVE LOCATION

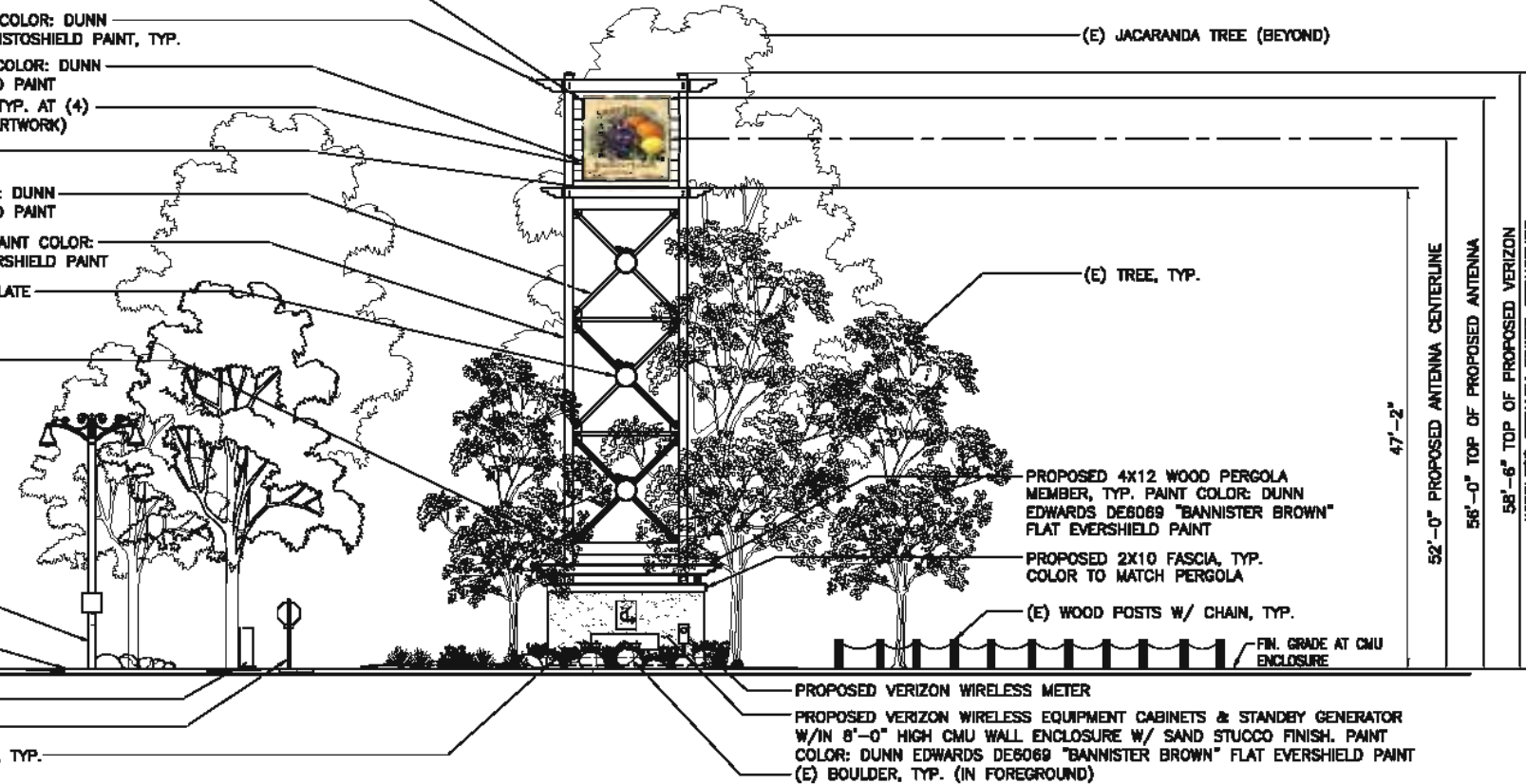
(E) LIGHT POLE

(E) CONCRETE CURB, TYP.

(E) METER

(E) STOP SIGN, TYP.

PROPOSED DROUGHT TOLERANT LANDSCAPE SHRUBBERY, TYP. (2' MAX. HEIGHT)



NOTES:

- ORANGE CRATE LABELS TO BE REPRODUCED USING SILKSCREEN OR APPROVED EQUIVALENT METHOD OF FULL COLOR REPRODUCTION APPLIED DIRECTLY TO FRP SURFACE. LABELS TO BE SCALED TO FILL SURFACE TO WITHIN 12" OF BORDER ON 4 SIDES.

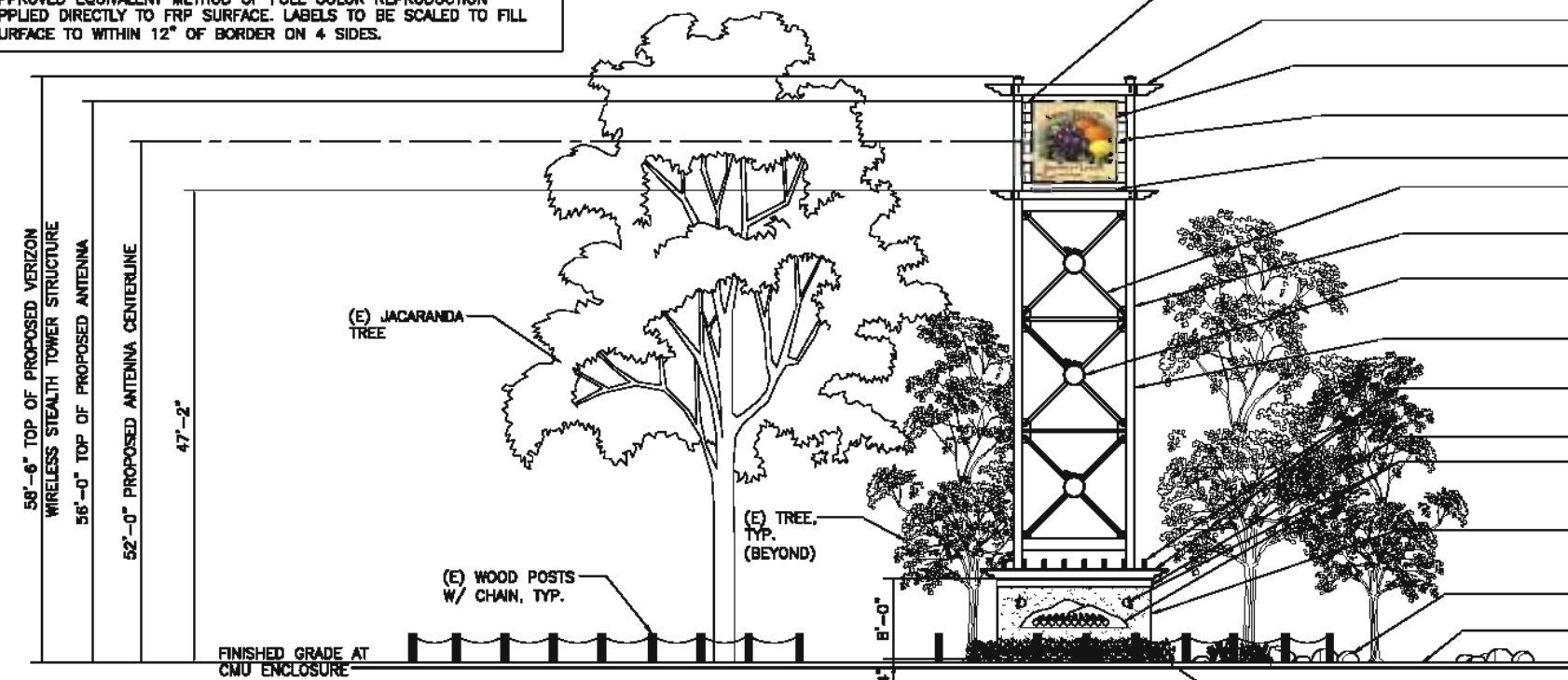
* ANTENNA AZIMUTHS SUBJECT TO CHANGE

SOUTH ELEVATION

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

NOTES:

- ORANGE CRATE LABELS TO BE REPRODUCED USING SILKSCREEN OR APPROVED EQUIVALENT METHOD OF FULL COLOR REPRODUCTION APPLIED DIRECTLY TO FRP SURFACE. LABELS TO BE SCALED TO FILL SURFACE TO WITHIN 12" OF BORDER ON 4 SIDES.



PROPOSED VERIZON WIRELESS 8'-0" HIGH PANEL ANTENNAS, (4) ANTENNAS, (6) RADIOS STACK MOUNTED, & (1) RAYCAP PER SECTOR, TYP. OF (3) SECTORS TOTAL, MOUNTED INSIDE (N) TOWER.

PROPOSED 4X12 WOOD BEAM, TYP. AT 4 SIDES. PAINT COLOR: DUNN EDWARDS DE5720 "DEEP IN THE JUNGLE" EGGSHELL ARISTOSHIELD PAINT, TYP.

PROPOSED ORANGE CRATE ART AS APPROVAL BY CITY, TYP. AT (4) SIDES. NOVACOLOR PAINTS (COLORS AS REQUIRED BY ARTWORK)

PROPOSED FAUX WOOD FINISH FRP SCREENING. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED LED LIGHTING, TYP.

PROPOSED SQUARE TUBE STEEL BRACING. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED 10X10 SQUARE TUBE STEEL TOWER LEGS. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED PAINTED STEEL "ORANGE" MEDALLIONS TIE PLATE COVER, TYP. PAINT COLOR: VALSPAR EE2039A "MOLTEN PENNY" VIBRANT METALLIC BRILLIANT METALS PAINT

PROPOSED VERIZON WIRELESS HYBRID CABLE WITHIN 4" CONDUITS ROUTING UP THROUGH TOWER SUPPORT ($\pm 70'-0"$ FROM ANTENNA TO EQUIPMENT)

PROPOSED 4X12 WOOD PERGOLA MEMBER, TYP. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

PROPOSED 2X10 FASCIA, TYP. COLOR TO MATCH PERGOLA

PROPOSED METAL ARTWORK, TYP. PAINT COLOR: DUNN EDWARDS DE366 "MIDLAND TAN" FLAT EVERSIELD PAINT

PROPOSED VERIZON WIRELESS EQUIPMENT CABINETS & STANDBY GENERATOR W/IN 8'-0" HIGH CMU WALL ENCLOSURE W/ SAND STUCCO FINISH. PAINT COLOR: DUNN EDWARDS DE6069 "BANNISTER BROWN" FLAT EVERSIELD PAINT

(E) BOULDER, (BEYOND), TYP.

(E) CONCRETE CURB, TYP.

PROPOSED DROUGHT TOLERANT LANDSCAPE SHRUBBERY, TYP. (2' MAX. HEIGHT)

* ANTENNA AZIMUTHS SUBJECT TO CHANGE

WEST ELEVATION

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

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	08/12/16	90% ZD	
1	08/12/16	100% ZD	
2	11/10/16	100% ZD	
3	12/02/16	100% ZD	JD
4	12/02/16	100% ZD	JD
5	05/09/17	100% ZD	JD
6	08/01/17	100% ZD	JD
7	03/28/18	90% ZD -RELOCATED	TT



2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-822-0833 FAX: 949-822-0881
DCE JOB # H3VW0238

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon

15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

ROYAL OAKS

CITY PARK

2701 ROYAL OAKS DR.
DUARTE, CA 91010

SHEET TITLE:

SOUTH & WEST
ELEVATIONS

A-4

RESOLUTION PC 18-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 14-02, FOR THE OPERATION OF A WIRELESS COMMUNICATION FACILITY FOR VERIZON WIRELESS LOCATED AT 2701 ROYAL OAKS DRIVE (ROYAL OAKS PARK EXTENSION)

WHEREAS, Verizon Wireless has requested approval to operate a new freestanding wireless communication facility in the Royal Oaks Park Extension located at 2701 Royal Oaks Drive; and

WHEREAS, operation of a new wireless communication facility in the Open Space (O) zone requires approval of a conditional use permit from the Planning Commission of the City of Duarte ("Planning Commission"); and

WHEREAS, the Planning Commission has considered the project proposal for the operation of a new freestanding wireless communication facility located at 2701 Royal Oaks Drive in Royal Oaks Park Extension, which provides, among other provisions, for the approval of CUP #14-02 to allow the use, operation, and maintenance of a wireless communication facility for Verizon Wireless; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the Staff report and all of the information, evidence and public testimony received at the public meeting held on August 20, 2018.

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

SECTION 1. That the Planning Commission approves Resolution PC 18-17 with conditions of approval "Exhibit C-1" for the use, operation, and maintenance of a wireless communication facility for Verizon Wireless, located at 2701 Royal Oaks Drive.

SECTION 2. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 3. The Planning Commission finds and determines as follows, findings for Wireless Communication Facilities, as set forth in DDC Section 19.60.190(H), as the proposed development is:

1. *Co-location or alternative. The applicant has located the antenna on an approved co-location facility, or has demonstrated to the City, in compliance with this Section, a good-faith effort to locate the antenna on an approved co-location facility, but has demonstrated that co-location is not technically feasible due to coverage needs, potential interference, or other technical reason supported by substantial evidence:*

The wireless carrier Verizon Wireless has analyzed several locations and facility options to fulfill a gap in service coverage in the northeast part of the City. Nearby wireless communication facilities were not suitable because the improvements to those structures will create a negative impact to the area due to added infrastructure, increased pole heights and additional factors that do not meet the intent of the Duarte Development Code. The proposed park location is optimal for addressing the carrier's gap coverage and requires the construction of a new freestanding facility. The facility will be designed to limit interference with the use of park to the greatest extent possible.

2. *No conflicting with existing use. There is adequate space on the property for the WCF so that it does not conflict with the use of existing structures on the property, does not reduce required parking, and does not conflict with or reduce landscaping setbacks or development standards:*

The WCF is located in the Royal Oaks Park Extension. The park is an open field area with a large gazebo and picnic tables as the only structures on the property. The wireless facility has been placed on the outer portion of the open space in a relatively low use areas. The parking lot will not be impacted nor will the structure impact development standards or landscaped setbacks. The landscape will be repaired as needed around the WCF.

3. *No conflicting with surrounding environment. The design and placement of the WCF does not adversely impact the use of the property, other structures located on the property, or the surrounding area or neighborhood:*

The WCF is located in the Royal Oaks Park Extension, generally near the southwest corner of the property. The location will not obstruct pedestrian or vehicular traffic, or the overall use of the park. The park is an open field area with a large gazebo and picnic tables as the only structures in on the property. The tower will be placed in an area that limits the impacts to the location and use of the park equipment.

4. *Compliant with Section. The proposed WCF is consistent with the intent and purpose specified in Subsection A, and complies with the design standards in the Section.*

The WCF meets the intent and purpose of Wireless Communication Facilities by providing such facilities for the convenience of the public and emergency services. Concerns over aesthetics and visual impacts have been addressed with a high-quality design that will provide a focal element in the park and screen all the wireless facility components.

5. *Least possible visual impact. The applicant has demonstrated that the WCF will have the least possible visual impact on the environment taking into account economic, engineering, technical, and other relevant factors to be considered in compliance with this Section.*

The WCF is located in the Royal Oaks Park extension, which contains an open space park area and a variety of trees. The structure will be designed as an integrated tower/equipment enclosure. The tower will be a focal element in the park without substantially impacting the use and operation of the park.

SECTION 4. The Planning Commission finds and determines as follows, findings for Conditional Use Permits, as set forth in DDC Section 19.114.040(B), as the proposed development is:

1. *Consistent with the General Plan.*

The project conforms to the goals and objectives of the General Plan by meeting Land Use Goal 3 by providing unique areas for the location of the Wireless Communication Facility, which better serves the needs of residents and businesses, and allows an important and convenient service with improved wireless coverage.

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

The subject property is located in the Open Space Zone, which allows wireless communication facilities with an approved conditional use permit. The WCF will comply with the applicable

provisions of DDC Section 19.60.190, including the intent and purpose, and standards for new WCF structures. Additionally, the project will include a variety of conditions of approval to ensure continued compliance.

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

The WCF is located generally near the southwest area of the park. The facility is designed with a minimal footprint, keeping the antenna and other equipment within the same area. The structure maintains compatibility with the park and surrounding areas by providing a high-quality design that will serve as a focal element for the community. Lastly the facility will not substantially impact the use of the park by placing the tower in an area that has a relatively low use.

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 the neighborhood of the proposed use.*

Wireless Communication Facilities are permitted with an approved conditional use permit within the Open Space Zone. The project creates a public convenience with enhanced cellular coverage in the vicinity and improvements to wireless service for residents, businesses, general consumers, and emergency personnel. The architectural tower structure will not impact the use of the park or the surrounding areas. The design will provide a focal element in the park while screening all antennas and other associated equipment within the tower.

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.*

The project site is located on the extension portion of Royal Oaks Park. The site is roughly 2.7 acres of open grass area with a few picnic tables and a large gazebo. The park area does not include any children play equipment or recreation facilities such as tennis courts or basketball courts. This portion of the park is used mostly for City activities or birthday party/social gatherings. The tower will be located on the outer portion of the open park area and will not reduce parking or drive aisle widths. However, the project will include a requirement to reconstruct the parking lot with better access and improved ADA accessibility. The parking lot improvement will also include improvements to the pedestrian access with a new sidewalk along Los Lomas Road and additional walkways from the parking lot to the park area. The improved parking lot area will ensure the tower will remain clear of vehicular and pedestrian travel, and allow safe access for public and emergency services. Lastly, the park is adjacent to the Royal Oaks Drive and Las Lomas Road, which is adequate for access to the park and to the wireless facility for Verizon maintenance personnel. Current highways and streets are sufficient for accommodating the existing park use along with the WCF, as the facility will not create any additional traffic beyond what exists.

SECTION 5. The Planning Commission approves Conditional Use Permit based on the findings listed in Section 3 and Section 4 and the conditions of approval listed in “Exhibit C-1”.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

EXHIBIT C-1
Conditions of Approval
Conditional Use Permit 14-02
2701 Royal Oaks Drive

1. This approval is for the operation of an unmanned freestanding wireless communication facility for Verizon Wireless, located in the Royal Oaks Park Extension at 2701 Royal Oaks Drive, as depicted on the approved plans on file with the Community Development Department.
2. The use and operation of the wireless communication facility shall remain within the limits of the lease/easement area identified in the lease agreement with the City of Duarte. This shall include all access to the tower for maintenance or equipment change outs.
3. The applicant and/or successor shall provide a maintenance plan to the City of Duarte to keep on file with the Planning Division. The maintenance plan shall provide details on the frequency of routine maintenance and service checks, the process for addressing any damages to the structure, premises, or equipment failure, proposed location of lift truck parking for antenna enclosure access, etc. The maintenance plan shall be provided to the Planning Division for review prior to receiving Building and Safety final and/or commencing operation of the wireless communication facility.
4. The Applicant (Verizon Wireless or successor) shall continuously maintain the wireless communication facility, associated equipment, stealth/camouflaging materials, and art work as necessary, to ensure the tower appearance remains in a high-quality condition, and/or technology remains current and compliant with all applicable regulations and standards. Any problems or concerns identified by the City shall be corrected in a timely manner, but in no case less than 10 days from written correspondence provided to Applicant. Failure to address any problems associated with the proposed use as a wireless telecommunications facility, or non-compliance with required conditions and regulations may warrant the matter being scheduled for a revocation hearing before the Planning Commission for review.
5. The proposed emergency generator shall include a low decibel rating and used for emergencies or testing only. Details on the generator shall be provided to the Community Development Department for review prior to permit issuance or this conditional use permit becoming effective.
6. The applicant and/or successor shall coordinate with the Park and Recreation Department prior to accessing the facility to perform any maintenance to ensure conflict with recreation activities in the park do not occur.
7. All wiring and or other conduit associated with the proposed use shall be buried underground, run inside the tower, or enclosed within the equipment cabinet.
8. All antenna and equipment storage shall occur within the enclosure areas only. Exterior storage is prohibited.
9. No advertising material shall be allowed on any portion of the facility, unless otherwise approved by the City of Duarte.
10. No form of video transmission shall be allowed unless approved by the City of Duarte.

11. No preclusion to co-location. The Facility shall be designed so as not to preclude a possible future co-location by other carriers, owners, or operators of a WCF.
12. Any request for co-location of a secondary carrier shall require review from the Planning Division prior to implementing. The co-location shall require a separate lease agreement with the City of Duarte and comply with all regulations of the Conditional Use Permit and any applicable sections of the Duarte Municipal and Development Code.
13. The applicant/telecommunications service provider shall retain a valid business license for the duration of the antenna facility operation.
14. Any and all correction notices generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
15. Any expansion or modification of the approved use beyond what is approved, as part of Conditional Use Permit 14-02 will require review from the Community Development Director and possibly approval of a new Conditional Use Permit from the Planning Commission.
16. The applicant and/or successor shall comply with applicable regulations of the Open Space Zone and Section 19.60.190 of Duarte Development Code.
17. The applicant and/or successor shall comply with all conditions of approval associated with Site Plan and Design Review Case 14-34. The conditions of approval shall be incorporated as a condition of approval by reference and shall be fully complied with at all times.
18. The applicant shall comply with the requirements in the lease agreement between the City and the wireless carrier occupying the facility. The lease agreement shall be incorporated as a condition of approval by reference and shall be fully complied with at all times. This conditional use permit approval shall be contingent on the approval of the lease agreement by the City Council. In the event the lease agreement is not approved by the Duarte City Council, this conditional use permit approval shall become void.
19. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of this letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144). The written appeal shall include reasons for the appeal.
20. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION PC 18-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW CASE 14-34, FOR CONSTRUCTION OF A NEW WIRELESS COMMUNICATION FACILITY FOR VERIZON WIRELESS LOCATED AT 2701 ROYAL OAKS DRIVE

WHEREAS, Verizon Wireless has requested approval to construct a new freestanding wireless communication facility in the Royal Oaks Park Extension located at 2701 Royal Oaks Drive; and

WHEREAS, the construction of a wireless facility in the Open Space (O) zone is subject to design review by the Architectural Review Board, pursuant to Section 19.122.030 of the Duarte Development Code; and

WHEREAS, the operation of a wireless facility in the Open Space (O) zone requires approval of a conditional use permit from the Planning Commission; and

WHEREAS, the applicant has applied for a conditional use permit to allow the operation of the wireless communication facility located at 2701 Royal Oaks Drive in Royal Oaks Park Extension, which provides, among other provisions, for the approval of CUP #14-02 to allow the use, operation, and maintenance of a wireless communication facility for Verizon Wireless; and

WHEREAS, pursuant to Section 19.122.040 of the Duarte Development Code, when an application for design review is accompanied by a discretionary review such as a conditional use permit, the applications shall be filed concurrently and the Planning Commission shall serve as the approving body for both applications; and

WHEREAS, the project was presented to the Architectural Review Board at the April 23, 2018 meeting, where a recommendation of approval was made for Planning Commission consideration; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report and all of the information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers.

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 FOR SITE PLAN AND DESIGN REVIEW

The Planning Commission finds and determines as follows, findings for Site Plan and Design Review, as set forth in DDC Section 19.122.050 (E), as the proposed development is:

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

The project conforms to the goals and objectives of the General Plan by meeting Land Use Goal 3 by providing unique areas for the location of the Wireless Communication Facility, which better serves the needs of residents and businesses, and allows an important and convenient service with improved wireless coverage.

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

The project site is located on the extension portion of Royal Oaks Park. The site is roughly 2.7 acres of open grass area with a few picnic tables and a large gazebo. The park area does not include any children play equipment or recreation facilities such as tennis courts or basketball courts. This portion of the park is used mostly for City activities or birthday party/social gatherings. The tower will be located on the outer portion of the open park area to prevent substantial impacts to the park or any loss of park use.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development:

- a. Compatibility. *The wireless tower will create an enhancement to the property and surrounding community. The project meets the requirements of the Open Space zone and has been designed to be compatible with design, scale and proportion of the surrounding developments and prevailing heights within the surrounding environment.*

- b. Architectural Design and Detail. *The project has been designed with unique elements that evoke Duarte's citrus industry history. An earth tone color palette will blend well with the surrounding property; the antenna enclosure and equipment enclosure contain a decorative finish and artwork that complement the citrus theme. The tower will create a focal element in the park and community while screening all of the facility components. Furthermore, the project is consistent with the design guidelines outlined in the Duarte Development Code.*

- c. Landscape, Lighting, Parking, Signs, and Other Design Details.

- Equipment and Utilities. *All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within antenna enclosure at the top of the tower or in the equipment enclosure at the base of the tower. Cables and conduits will run inconspicuously down the pole shaft and/or underground.*
- Fences/Walls. *The project does not include the construction of any fences or walls beyond the walls needed for the equipment enclosure. Additional fences or walls around the perimeter of the tower are not included with this approval.*
- Landscaping. *The project will include repairs and/or upgrades to the landscape near the tower structure. The landscape improvements will require separate*

review and approval to ensure landscape areas have been designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development Code.

- *Lighting. The project will include decorative up-lighting along the base of the tower to accentuate the finished details along the equipment enclosure. The exterior lighting will require separate review and approval to ensure compliance with the performance standards for outdoor lighting outlined in the Duarte Development Code. The exterior lighting will be required to meet energy efficiency requirements and is subject to design review. A separate review and approval will be required.*
 - *Parking. The project will include a requirement to reconstruct the parking lot with better access and improved ADA accessibility. The parking lot improvement will also include improvements to the pedestrian access with a new sidewalk along Los Lomas Road and additional walkways from the parking lot to the park area. The project will not reduce parking or drive aisle widths, and remains clear of vehicular and pedestrian travel to allow safe access for public and emergency services.*
 - *Signs. The project does not include the approval of any signs. All new signs, except for required FCC signage, will require separate review to ensure compliance with the Duarte Development Code.*
4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The site is sufficient in size and shape to accommodate the proposed use and operation. The project site is located on the extension portion of Royal Oaks Park. The site is roughly 2.7 acres of open grass area with a few picnic tables and a large gazebo. The park area does not include any children play equipment or recreation facilities such as tennis courts or basketball courts. The tower will be located on the outer portion of the open park area. The tower does not reduce parking or drive aisle widths, and remains clear of vehicular and pedestrian travel to allow safe access and use of the park area. The wireless facility is unlikely to cause any significant impacts to the surrounding uses.

SECTION 3. CEQA DETERMINATION

In recommending adoption of this PC Resolution 18-18 for the proposed use and operation of wireless communication facility, 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 15332.

SECTION 4. RECOMMENDATION

The Planning Commission approves Resolution PC 18-18, based on the findings listed in Section 2 and the conditions of approval listed in “Exhibit D-1”, for the construction of a new freestanding wireless communication facility located at 2701 Royal Oaks Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August 2018.

Sara Vasquez
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

EXHIBIT D-1
Conditions of Approval
Site Plan & Design Review Case 14-34
Construction of a New Wireless Communication Facility at 2701 Royal Oaks Drive
(Verizon Wireless)

1. This approval is for the construction of a new wireless communication facility at Royal Oaks Park extension, as noted on the approved plans on file with the Community Development Department. The construction shall be in substantial compliance with all components of the approved plans.
2. The elevations of the wireless facility structure shall be reviewed and approved by the Planning Division prior to permit issuance. Final review shall include approval of the color palette, placement of colors, and all finished materials. All finished materials shall be incorporated into the tower design shall be of high quality and high durability, and shall take into consideration locations that may be more vulnerable to damage or potential maintenance concerns.
3. The art elements on the antenna enclosure and equipment enclosure shall be designed by a professional artist with experience in public display art pieces. The final design, type, material, and location of the themed art shall require a separate review and approval by the Architectural Review Board prior to Building and Safety final.
4. The removal and/or substantial trimming of any trees in the park area is not included with this approval. Any request to remove and/or trim existing trees as a result of the tower construction, operation, and/or location shall require approval from the Director prior to commencing work. The applicant, contractor, or any representative thereof shall provide documentation of some form that demonstrates the need for such removal or trimming without any other feasible options.
5. Landscape improvements are not included with this approval. All landscape and irrigation improvements shall require separate review and approval prior to installation to ensure compliance with the landscape guidelines outlined in Chapter 19.40 of the Duarte Development Code. Separate review fees may apply.
6. Any damages to the park, park equipment, parking lot area, etc., as a result of construction and/or maintenance shall be promptly addressed/repaired.
7. The facility, including all art and stealth material, shall remain in good condition at all times. Any damages or deferred maintenance observed shall be promptly addressed/repaired upon notification from the City of Duarte.
8. The land use and other operational characteristics of the wireless facility are not included with this approval. This Site Plan and Design Review application becoming effective shall be contingent upon approval of the associated conditional use permit application. In the event the conditional use permit application is not approved this

site plan and design review approval shall become void.

9. Any exterior lighting shall require final approval from the Planning Division prior to issuance of building permits. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. A lighting plan shall be provided to the Planning Division for review and shall include cut-section drawings, manufacture brochure, illumination levels/lighting distribution, and any additional information as needed. Separate review fees may apply.
10. All signs, except for required FCC signage, will require separate review to ensure compliance with the sign guidelines outlined in the Duarte Development Code.
11. Follow the list of Best Management Practices (BMP's) of the National Pollution Discharge Elimination System (NPDES), including recommendations from the City grading inspector.
12. The project shall comply with all the regulations of the Open Space zone including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development Code and Duarte Municipal Code.
13. The applicant and/or successor shall comply with all conditions of approval associated with Conditional Use Permit 14-02. The conditions of approval shall be incorporated as a condition of approval by reference and shall be fully complied with at all times.
14. The applicant and/or successor shall comply with the requirements outlined in the lease agreement between the City and the wireless carrier occupying the facility. The lease agreement shall be incorporated as a condition of approval by reference and shall be fully complied with at all times. This site plan and design review approval shall be contingent on the approval of the lease agreement by the City Council. In the event the lease agreement is not approved by the Duarte City Council, this site plan and design review approval shall become void.
15. Any revisions to the site plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation; such changes may require review and approval from the Architectural Review Board or Planning Commission.
16. All utilities for direct service to the project shall be installed underground and concealed from view. All facility equipment shall remain the equipment enclosure, all antennas shall remain in the antenna enclosure, both screened from view at all times. All cable connections and conduit shall run up the pole shaft within the tower legs. No exterior conduit or connections shall be allowed.
17. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be

consistent and in substantial compliance with the conceptual approval and any required conditions of the Planning Commission.

18. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
19. Building permits for this project must be issued within one-year from the date of final approval and may be extended in compliance with Section 19.130.070 of the Duarte Development Code.
20. The property owner, contractor, and all representatives shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
21. A final inspection shall be made by the Planning Division prior to final sign-off of any building permits to ensure that all conditions have been met.
22. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of approval. Said appeal must be in writing and filed with the Community Development Department (DDC 19.144). The written appeal shall include reasons for the appeal and the applicable fee.
23. 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.



PLANNING COMMISSION STAFF REPORT

Date: August 20, 2018

Project: General Plan Amendment GPA 18-01; Zone Change ZC 18-01; Tentative Tract Map 82129 TTM 18-01; Planned Development Permit PDP 18-01; Site Plan and Design Review ARB 18-17; Mitigated Negative Declaration: for a 25-Unit, Owner-Occupied, Residential Townhome Development.

Location: 946, 952, 956, and 962 Huntington Drive

Applicant: MJW Investments, Inc.

SUMMARY

This project is a collaborative effort between the City of Duarte and MJW Investments, LLC. The project site is comprised of four parcels – 946, 952, 956, and 962 Huntington Drive. Three of the four parcels are city-owned (946, 952, 962) and vacant; the remaining parcel (956) is privately owned and includes two existing structures. MJW Investments, LLC is proposing to develop the comprised parcels with a new multi-family residential project. The existing structures and site will be demolished and cleared for the construction of 25 new townhomes with common access drive aisles, a common area open space, and private open space yards. The City has desired to sell these properties for several years for a future development.

As part of the project approval process, the Planning Commission will need to recommend City Council approval of the following: General Plan Amendment, Zone Change, Tentative Tract Map, Planned Development Permit, Site Plan and Design Review, and a Mitigated Negative Declaration. Final approval will be required from the City Council for all entitlements.

Staff is recommending the Planning Commission adopt PC Resolutions 18-08 through 18-13, recommending approval of project and entitlements to the City Council for consideration.

BACKGROUND

The project site is roughly 54,014 square feet (1.24 acres) and comprised of four parcels – 946, 952, 956, and 962 Huntington Drive. Collectively, the parcels form a rectangular shape. However, due to the way they are subdivided, only 952, 956, and 962 have direct access from Huntington Drive. The parcel at 946 abuts the south property line of 952 with no access to a public street.

Three of the four parcels are City-owned (946, 952, 962) and vacant; the remaining parcel (956) is privately owned and contains two small structures. The Redevelopment Agency acquired the parcels at 946, 952, and 962 back in 2007 and 2008. The parcels were vacant at the time of acquisition and have remained vacant to date. The intention was to assemble these parcels with the privately-owned piece to create a developable area for a future project. Without

assembling, the parcels have limited value and limited development opportunity due to the irregular shape and the way they are subdivided. After the dissolution of the Redevelopment Agency, the acquired parcels were transferred to the Successor Agency for sale to a private developer. In April of this year, the City Council approved a Purchase and Sale Agreement (PSA) between the City of Duarte and MJW Investments, LLC to allow the sale of the three City-owned pieces to MJW Investments. MJW Investments has acquired the private property at 956 Huntington Drive. With the help of the PSA, MJW Investments will be able to consolidate the underutilized parcels under single ownership as a necessary step for the proposed development.

MJW Investments is proposing to develop the project site with a new multi-family residential project. The four parcels are currently zoned C-F Commercial Freeway and contain a General Plan land use designation of General Commercial. Consideration of a multi-family residential development at this site will require a General Plan Amendment, Zone Change, and Tentative Tract Map. Additionally, the project design and site improvements will require a Planned Development Permit and Site Plan and Design Review approval.

The entitlements will require a recommendation from the Planning Commission and final approval from the City Council. On July 9, 2018, the Site Plan and Design Review (ARB 18-17) and Planned Development Permit (PDP 18-01) applications were reviewed by the Architectural Review Board (ARB) and provided a recommendation of approval for the Planning Commission's consideration. The Planning Commission will serve as the recommending body to the City Council for each component of the project.

A public hearing notice for the Planning Commission meeting was mailed to all property owners within a 600-foot radius of the project site on July 31, 2018. A total of 140 notices were mailed.

PROJECT DESCRIPTION

The applicant is proposing to clear the project site of all existing structures and other obstructions, and construct 25 attached owner-occupied townhomes. The townhomes will be three stories tall (36-foot overall height) with a direct-access two-car garage and master bedroom on the ground floor, and two floors of living area above. The townhomes will be attached in clusters of three, six and seven structures. A total of six structures will be constructed at the site – four 3-plex structures (12 units total), one 6-plex structure, and one 7-plex structure for a total of 25 units. The proposed townhomes will include two plan types that will be distributed throughout the six structures. Plan 1 will include three bedrooms and three bathrooms in roughly 1,775 square feet of living area. Plan 2 will include four bedrooms and three and a half bathrooms in roughly 1,852 square feet of living area. Each unit will also include private yard space enclosed by a low wall ranging from 42" to 48" tall.

The property will be accessible from Huntington Drive by a main drive aisle down the center of the property. The two-way drive aisle will be 26 feet wide and will provide access to the residential garages and guest and overflow parking. Pedestrian walkways extending from Huntington Drive will be constructed throughout the property to provide access to the townhome entries and the common open space areas. Several common open space areas will be located throughout the property for the residents. The main open space area will be centrally located and include a combination of landscape and hardscape areas, and other amenities to

encourage social interaction. The other smaller common areas will include open space and seating options.

ANALYSIS

To allow the consideration and processing of the proposed residential project, the following entitlements are required.

- General Plan Amendment (GPA 18-01). The GPA is necessary to amend the current land use designation of General Commercial to High Density Residential.
- Zone Change (ZC 18-01). The ZC is necessary to change the current zoning designation of Commercial Freeway to R-4 Multiple Family Residential High Density.
- Tentative Tract Map No. 82129 (TTM 18-01). The TTM is necessary to establish a new residential subdivision.
- Planned Development Permit (PDP 18-01). The PDP will allow customized development standards that will provide an optimal and efficient use of the land. These customized standards often yield a better project and include a variety of enhancements that help the project achieve a higher level of excellence in design.
- Site Plan and Design Review (ARB 18-17). The SPDR addresses the architectural design and compatibility of the project, and the improvements to the property. The overall style and aesthetics of the residential structures, and other site improvements are analyzed to ensure the project meets the vision of the City and the guidelines of the Duarte Development Code.
- Environmental Review - Mitigated Negative Declaration (MND). An environmental review, in compliance with the California Environmental Quality Act, is necessary to analyze and address any environmental impacts that may occur as a result of the GPA and ZC. This involves performing an Initial Study to identify potential direct, indirect, and cumulative environmental effects of the project, and develop a means to address them.

These entitlements have been processed concurrently and are further analyzed below. Collectively, all the entitlements must receive a recommended approval from Planning Commission and a final approval from City Council.

General Plan Amendment

The proposed General Plan amendment would change the designation of the project site (all four parcels) from General Commercial (GC) to High Density Residential (HDR). The HDR designation allows a higher density that is suitable for multi-family residential developments. These higher density developments typically include attached-unit projects such as apartments, townhomes, or condominiums. HDR is the highest residential density allowed in the City with a maximum of 28 dwelling units per acre. However, on average most developments tend to produce a density ranging between 17 to 23 dwelling units per acre. This usually depends on the size of the unit or other factors such as project amenities or development standards that may limit the total number of units provided.

The HDR land use designation is consistent with the current designation of the neighboring properties to the west. The HDR designation is also consistent with the R-4 zone that is being processed through the Zone Change application as part of the overall project. Approval of the General Plan Amendment to the HDR designation will support the proposed residential development and allow the project to move forward. The HDR designation will safeguard the character and compatibility of the surrounding areas, and remain consistent with the land use goals and policies of the General Plan. The goals and policies of the General Plan will continue to be met with by providing a range and mix of housing in proximity to complementary uses such as the retail and service commercial shopping center to the east.

Zone Change

The proposed Zone Change would modify the current zoning designation of the project site (all four parcels) from C-F Commercial-Freeway to R-4 Multiple Family Residential High Density. The zone change has a direct correlation with the proposed General Plan Amendment. As with the HDR land use designation, the R-4 zoning also allows the highest residential density in the City with a maximum of 28 dwelling units per acre. With this direct correlation, it is necessary to process the Zone Change along with the General Plan Amendment to ensure they remain consistent.

Another factor associated with the Zone Change is the compatibility with surrounding uses. This includes not only the zoning designation but also the uses allowed by the zone. Using the R-4 standards, the proposed residential development will include the construction of 25 townhomes. This produces a project density of roughly 21 dwelling units per acre, which is less than the R-4 maximum of 28. The zone and the proposed development is compatible with the residential and commercial uses surrounding the site. The property adjacent to the west contains the same R-4 zoning designation and is developed with a multi-family residential condominium project. The property to the north is zoned commercial within the City of Monrovia. The property to the east is zoned C-F and is developed with the Mountain Vista Plaza, one of the City's larger commercial shopping centers.

The properties to the south are also zoned C-F, however these properties are developed with existing single-family homes. In 2010, the City completed a comprehensive update to the Duarte Development Code, which involved rezoning several properties. During this update the City created the C-F zone for properties established along the 210-freeway. This designation covered a variety of properties, including the residential areas immediately west of the Mountain Vista Shopping Center, which are also directly south of the proposed project site. These properties were rezoned under the C-F designation because of their potential as a future commercial development. However, their use as a single-family home can remain (as a legal nonconforming use) until a development opportunity presents itself. Prior to the zone change, these properties were regulated by the R-1 zone, which provides for a lower density designed for detached single-family homes.

Like the General Plan Amendment, approval of the R-4 designation will also support the proposed residential development and allow the project to move forward. The R-4 zone is established to accommodate higher-density, multi-story residential developments, with a focus on providing an intensity and function at locations within easy walking distance to transit,

recreation and community facilities, and commercial services. This zoning classification and others, provide the development standards that help define each zone and shape the character of the development they serve. Requirements, such as density, setbacks, parking, open space and landscape, among others, help ensure new and existing developments are compatible with other nearby developments. The proposed 25-unit townhome project is consistent with the surrounding uses. The project will improve an underutilized site with additional housing opportunities and improve the mix of development along the west end of Huntington Drive. Additionally, the adjacent shopping center provides a variety of commercial, retail and service needs near the residential development.

Tentative Tract Map 82129

The Tentative Tract Map (TTM) proposes to merge and subdivide the four existing parcels, for condominium purposes, to establish a new subdivision for the residential development. It is designed to meet the requirements of the Fire Department, Sanitation District, among other utility companies and agencies. The primary drive aisle meets the City requirements for circulation and the Fire Department's requirements for emergency access. As part of the TTM approval, the applicant will be required to construct a new driveway approach at Huntington Drive and replace the sidewalk, curb, gutter, and plant new street trees on Huntington Drive along the frontage of the project site.

The property will be separated by common area ownership and private ownership. Everything outside of the boundaries of the unit and adjoining private yard is considered common area and will be owned and maintained by a Homeowners Association (HOA). These areas include the common open space and landscape areas, the drive aisles and surface parking areas, the pedestrian walkways, among others. The private ownership will include the residential unit and the adjoining private yard, however, the maintenance of the private yard will be the responsibility of the HOA. Placing the maintenance under the HOA will ensure the yards are adequately maintained.

The TTM will require the establishment of Covenants, Conditions and Restrictions (CC&Rs). The CC&R's will describe the rules and limitations of the development for the residents. These rules will include private yard use and storage, parking requirements, common area use, and resident trash requirements, among others. The private yard areas will include limitations on improvements, outdoor furniture, use and activities, and a prohibition of outdoor storage. Four of the units have private yards that face Huntington Drive, making this requirement an essential piece to maintaining the visual appeal along the street. Parking requirements will be included to ensure resident garages are maintained free of storage and clutter and are regularly used for vehicle parking. The surface parking areas are available for guests and overflow only and not intended to be used primarily by the residents. The applicant will be required to provide a parking management plan to the City for approval, which will also be incorporated into the CC&R's. The management plan is intended to regulate the amount of resident vehicles to help minimize the amount of on street or spillover parking.

The purpose of the CC&R's is to protect and preserve the property. The CC&R's will be recorded to the property and will be managed and enforced by the HOA. This will ensure the property is well managed at all times and does not become detrimental to the surrounding community. The TTM is critical component to the overall project by facilitating the private

property ownership, the HOA maintenance responsibilities, and the CC&R's. The TTM will also ensure the necessary off-site improvements are completed and adequate for the development.

Planned Development Permit Process

The Planned Development Permit (PDP) allows customized development standards for projects where flexibility in such standards can produce an efficient use of land, excellence of design, and provide for enhanced amenities. The proposed project includes a request for flexibility with the front and rear setbacks, and the required open space. Through the Zone Change request, the project will be required to comply with the R-4 development standards. As proposed, the project meets all the required development standards except for the required 30-foot front setback, the required 35-foot rear setback, and the requirements for private open space. Table-1 below provides a comparison of the R-4 Standards and the proposed project compliance.

Table-1

Development Regulation for R-4	Standard	Proposed Project	Complies with Development Regulation
Front Setback	30 feet	20 feet, 24 feet	No
Side Setback (Interior)	5 feet	5 feet	Yes
Rear Setback Abutting R-1 zone ¹	25 feet plus 5 feet for each story above 1	25 feet	No
Height (Maximum)	50 feet or 4 stories, whichever is less	3 stories, maximum of 40 feet	Yes
Density (Maximum)	1 unit per 1,556 square feet of site area (34)	25	Yes
Density (Maximum)	28 dwellings unit per net acre (34)	20.2	Yes
Lot Area (Minimum)	10,000 square feet	51,014 square feet	Yes
Lot Depth (Minimum)	120 feet	345 feet	Yes
Lot Coverage (Maximum)	60%	36.30%	Yes
Minimum Floor Area of Dwelling Unit (# Bedrooms) – Square Feet			
3 Bedrooms	800 square feet	1,775 square feet	Yes
More than 3 Bedrooms	1,000 square feet + 175 square feet per additional bedroom	1,852 square feet	Yes
Common Open Space	200 square feet per unit	6,520 square feet	Yes
Private Open Space	200 square feet per unit; Minimum dimension of 10-feet	5,480 square feet	No
Parking	2.0 spaces per unit	50	Yes
	0.25 guest spaces per unit	6	Yes
	0.25 overflow spaces per unit	6	Yes
Notes:			
1. Duarte Development Code Section 19.10.040.B - For structures with more than one story in the R-3 and R-4 zones, the rear setback shall be increased by five feet for each story or fractional story above the first story.			

The applicant is requesting a reduction in the front setback to 20 feet and 24 feet, a reduction in the rear setback to 25 feet, and approval of an Open Space plan in lieu of providing the minimum amount of private open space for each unit. The proposed front setback along Huntington Drive is generally consistent with the adjacent properties, creating a cohesive fit and subtle variation. The proposed rear setback is larger than the adjacent properties and provides a substantial buffer from the residential properties to the south, despite not meeting the minimum requirement.

The Open Space plan is necessary to address the amount of private open space being provided. A minimum of 200 square feet of common open space and private open space is required for each unit. With 25 units proposed, a minimum of 5,000 square feet open space is required for the common and private open space. A total of 6,520 square feet of common open space is provided, which is 30 percent larger than the minimum required. A total of 5,480 square feet of private open space is provided, however, unit 6 and unit 7 only contain 106 square feet of private open space. The total private open space exceeds the minimum because some units, due to their location/orientation, have larger private yards. However, the R-4 zone requires a minimum of 200 square feet for each unit.

Unit 6 and Unit 7 front directly onto the primary common open space area, which is roughly 3,820 square feet and improved with a combination of hardscape and landscape, seating options, barbecue equipment and a large pergola. This is a result of the deviation in the setbacks. These deviations allow a better use of the land and a substantial increase in the centrally located common open space. With this increase it was envisioned the property owners adjacent to the common area, including Unit 6 and Unit 7, would have the benefit of direct access to the common area and an enhanced living experience. The open space plan will also provide three additional common areas throughout the project, each roughly 900 square feet in size and suitable for a more relaxing experience.

In response to the PDP request, the applicant is required to provide project amenities or enhancements that extend above and beyond the standard criteria of the site plan and design review process. The project will include following enhancements, among others, for further improvement:

- Enhanced decorative pavement at the project entry, private drive aisles, and guest parking
- Enhanced colored concrete pavement for all pedestrian walkways
- Decorative accent tiles and/or tile addresses at all residence entries
- Enhanced exterior finish with 30/30 (semi-smooth) stucco on all buildings
- A minimum of 3" recessed depth to all windows

Staff recommends the request for the deviations through the PDP be approved. The PDP will help gain an optimal use out of the property by providing an appropriate density with a proportionate amount of open space. The proposed project design will also produce a high quality project that includes enhanced architectural amenities and site upgrades not common to many projects within the City.

Site Design and Architectural Style

The project is well-designed and incorporates a variety of details that create a visual appeal along Huntington Drive. The project is designed using Spanish architectural style and each

structure includes a variety of architectural features that emphasize that style. A color and material palette that includes 30/30 semi-smooth light/white stucco applied throughout the exterior and will include complementary browns and tans as accents colors. All windows will include a recessed depth ranging from a minimum of 3 inches up to 14 inches throughout each structure, depending on the window type, style, and location. Additional features such as bay windows, decorative garage doors, trellises and awnings, scalloped sills, cornice eaves, gable-end details, faux window shutters, wrought-iron details, among others, also help emphasize and complement the Spanish architectural style.

The buildings are divided into a 3-plex, 6-plex, and 7-plex design. Attached style buildings tend to have higher potential for increased massing and unarticulated building planes. The project has taken this into consideration by including various pop-out features, arched covered entries, and brow roof extensions help break up the building plane. This creates good horizontal movement and is most notable in the larger/longer 6-plex and 7-plex building. The vertical massing is controlled with a low-profile gable roof using a 3.5:12 and 4:12 pitch. The roof is also finished with concrete Spanish tile to complement the architectural style.

The size and placement of the structures also help facilitate sufficient circulation throughout the property. The main drive aisle will be constructed down the center of the property to provide adequate access to all garages, surface parking areas, and the common open space areas. The main drive aisle will also provide adequate access to the 12 guest and overflow parking spaces. There will be nine stalls centrally-located near the common area while the remaining three will be provided near the rear of the property. The drive aisle is designed for emergency vehicle access with the proper width and required turn-round area. The drive aisle will also be part of the PDP and include enhanced paving at the back of the approach, in the secondary drive aisles, and in the surface parking areas.

Each unit includes a two-car garage that is accessible from the rear of the townhome. The 6-plex and 7-plex will be located to the west side of the drive aisle. The rear of these structures will be adjacent to the drive aisle, allowing direct access to the garages. The 3-plex structures will be located to the east of the drive aisle, with a north/south orientation. A secondary driveway extending off the main drive aisle will provide access to the 3-plex residential garages. Typically, with residential developments there are concerns with the design and visibility of the garage doors. The orientation and location of the structures helps minimize the visibility of the garages doors. However, despite the minimized visibility, each door will still contain a decorative design and finished in a complementary color.

The project also includes a variety of landscape and open space improvements, new fences and walls, among others. An extensive landscape palette will be incorporated throughout the property. The palette will include a variety of drought tolerant shrubs, ground cover, a variety of tree species, and vines along the perimeter walls. The landscape and hardscape plan will require separate review and approval to ensure compliance with the landscape guidelines of the Duarte Development Code. The landscape plan will also address the open space requirements as part of the PDP.

New 6-foot high split-face block wall will be constructed along the east, west, and south property line. Due to a grade difference, the south property line wall will require a small retaining portion

between the project site and the adjacent property to the south. Roughly 18 inches will be retaining and 6 feet will be exposed above grade, creating an overall height of 7 feet 6 inches measured from the adjacent property side. The fences along the property lines are dilapidated and in need of repair. Constructing these new walls will provide an added security and an aesthetic improvement to the subject property and adjacent properties. New fences and/or walls will also be constructed to create private yard areas for the townhome residents. Each yard will be enclosed using a CMU stucco finished wall or a vinyl fence. The wall or fence will range in height from 42 to 48-inches tall and include a complimentary patio gate using wrought-iron or vinyl. The walls will provide the separation for the private open space. The varying height of the walls and gates will create architectural interest along the front of each structure and provide a complementary accent to the overall design.

California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including an air quality analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report, environmental assessments, noise studies, and traffic analysis. The environmental factors identified by the Initial Study that would be potentially affected by this project include: Cultural and Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, and Utilities. The result of the Initial Study indicated the project would not have any significant environmental impacts with adopted mitigations. The Initial Study recommends the adoption of mitigation measures to reduce these potential impacts to a level of less than significant. These mitigations are then implemented as part of the project and monitored through a mitigation monitoring program as required by the MND. The mitigation measures are provided in the Mitigated Negative Declaration (MND).

RECOMMENDATION

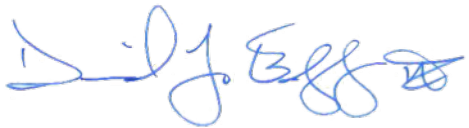
The proposed project provides for the redevelopment of a long-standing vacant property with dilapidated structures into a high-quality residential development along Huntington Drive. With the General Plan Amendment and Zone Change, the project will be consistent with the goals and policies of the Duarte General Plan and the overall intent of the R-4 zone. Collectively the project site is suitable for the proposal. The project meets the standards of the R-4 zone except for the front and rear setbacks and the private open space. The PDP analyzes these deviations and helps create an optimal use for the property with enhanced design elements. The dwelling unit density is 21 units per acre which is significantly less than the allowed maximum density, and allows for improved circulation, parking, and open space. The high density residential land use designation is consistent with the neighboring property to the west and provides a smooth transition to the commercial shopping center to the east. Overall, this project provides an improvement to the quality of life to the City and surrounding community. The architectural design of the project provides an enhanced visual appeal along Huntington Drive and keeps the scale and massing in proportion to the property and surrounding developments.

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

Staff recommends that the Planning Commission review and recommend approval to the City Council the following project entitlements, in this order:

1. PC Resolution 18-08 - General Plan Amendment 18-01;
2. PC Resolution 18-09 - Zone Change 18-01;
3. PC Resolution 18-10 - Tentative Tract Map 82129;
4. PC Resolution 18-11 - Planned Development Permit 18-01;
5. PC Resolution 18-12 - Site Plan and Design Review 18-17; and
6. PC Resolution 18-13 - Certifying the Project's Mitigated Negative Declaration (MND)

Respectfully Submitted,



David F. Eoff IV
Associate Planner

ATTACHMENTS

- | | |
|-----------|---|
| Exhibit A | Project Plans |
| Exhibit B | General Property Information |
| Exhibit C | PC Resolution 18-08 General Plan Amendment 18-01 |
| Exhibit D | PC Resolution 18-09 Zone Change 18-01 |
| Exhibit E | PC Resolution 18-10 Tentative Tract Map 82129 |
| Exhibit F | PC Resolution 18-11 Planned Development Permit 18-01 |
| Exhibit G | PC Resolution 18-12 Site Plan and Design Review 18-17 |
| Exhibit H | PC Resolution 18-13 Mitigated Negative Declaration |



HUNTINGTON & MOUNTAIN

DUARTE, CALIFORNIA

SHEET INDEX:

- A0.0 - TITLE SHEET
- A1.0 - ARCHITECTURAL SITE PLAN
- A2.0 - 3-PLEX ELEVATIONS
 - A2.1 - 3-PLEX FRONT PERSPECTIVE
 - A2.2 - 3-PLEX REAR PERSPECTIVE
 - A2.3 - 3-PLEX FLOOR & ROOF PLAN
- A3.0 - 6-PLEX ELEVATIONS
 - A3.1 - 6-PLEX FRONT PERSPECTIVE
 - A3.2 - 6-PLEX REAR PERSPECTIVE
 - A3.3 - 6-PLEX FLOOR & ROOF PLAN
- A4.0 - 7-PLEX ELEVATIONS
 - A4.1 - 7-PLEX FRONT PERSPECTIVE
 - A4.2 - 7-PLEX REAR PERSPECTIVE
 - A4.3 - 7-PLEX FLOOR & ROOF PLAN
- A5.0 - PLAN 1 FLOORPLANS
- A5.1 - PLAN 2 FLOORPLANS

CIVIL

- C1 VESTING TENTATIVE TRACT MAP
- C2 CONCEPTUAL GRADING AND UTILITY PLAN

LANDSCAPE

- L1 CONCEPTUAL LANDSCAPE PLAN
- L2 CONCEPTUAL OPEN SPACE ENLARGEMENT
- L3 CONCEPTUAL ELEVATION ENLARGEMENT
- L4 CONCEPTUAL WALL & FENCE PLAN
- L5 CONCEPTUAL PLANTING PLAN
- L6 CONCEPTUAL TRASH CIRCULATION EXHIBIT

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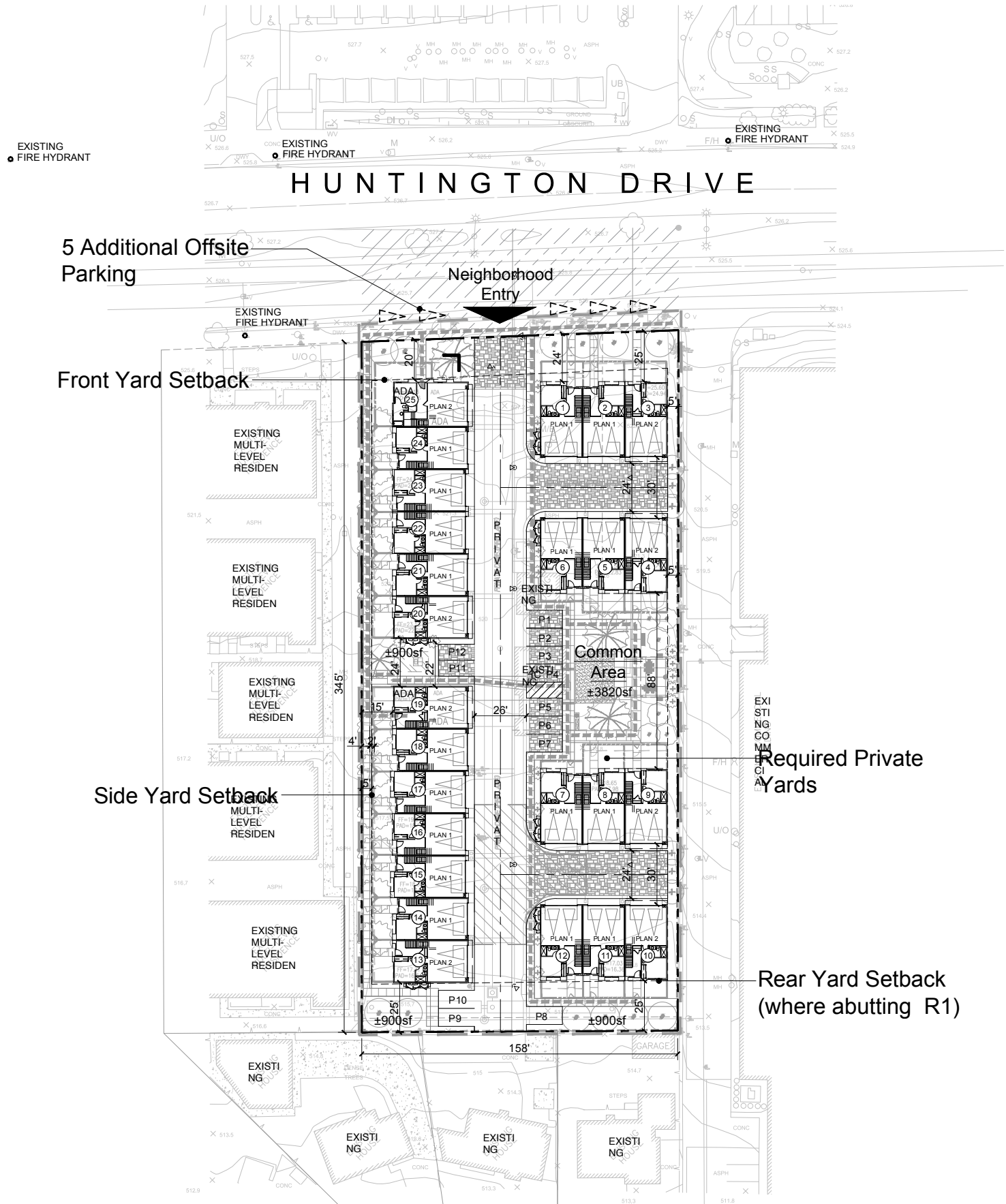


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1278 Glenneyre St. Ste 439
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626.710.6377

OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

TITLE SHEET



SITE SUMMARY		
Total S.F.	54,014 SF	1.24 AC
Zoning	Proposed: R3	Current: Commercial
Dwelling Units	25	
Max. Density	21 du/ac	
Construction type	V-B	
Max. Building Height	40' or 3 stories	
Proposed		

Townhomes Plan Summary					
	#	GFA	Beds	Total S.F.	%
P1	17	1,772	3	30,124	68.0%
P2	8	1,857	4	14,856	32.0%
Total	25			44,980	100.0%

Parking Summary				
Required	Total Units	Parking/Unit	Guest	Spaces Req.
P1 3-beds	17	2.0	0.25	38.25
P2 4-beds	8	2.0	0.25	18
Total Required Parking				56
Parking Provided				Spaces Provided
Garage Spaces				50
Open Spaces (Guest)				12
Total Provided Parking				62
				2.48 /Unit

Open Space Provided:			
Building Coverage	19606 SF	36.3%	50% Max.
Pavement Coverage	14515 SF	26.9%	
Total Open Space provided	12000 SF	22.2%	
Common Open Space			
		6520	
Private Open Space*		5480	

TOTAL SF PER BUILDING

Building(s) Footprint:	
(4) 3-Plex:	2,393 SF
6-Plex:	4,882 SF
7-Plex:	5,618 SF
Total:	20,068 SF

Overall Building Floor Area (Included garage SF):	
(17) Plan 1:	2,221 SF
(8) Plan 2:	2,306 SF
Total:	56,205 SF



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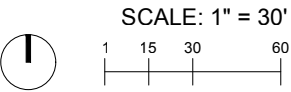


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OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 25, 2018

CONCEPTUAL SITE PLAN



AI.I



MATERIAL LEGEND

- 1 CONCRETE "S" TILE ROOFING
- 2 STUCCO, SAND FINISH
- 3 STUCCO SILL TRIM
- 4 STUCCO O/ EXTRUDED FOAM CORNICE EAVE
- 5 WINDOWS
- 6 FIBERGLASS ENTRY DOOR
- 7 DECORATIVE EXTERIOR LIGHTING
- 8 RECESSED STUCCO GABLE-END VENT DETAIL
- 9 WROUGHT IRON POT SHELF
- 10 METAL SECTIONAL GARAGE DOOR
- 11 STUCCO O/ EXTRUDED FOAM OUTLOOKER
- 12 SCALLOPED ARCH
- 13 FABRIC AWNING
- 14 COMPOSITE SHUTTER
- 15 SCALLOPED SILL
- 16 BUILDING ADDRESS
- 17 TRELLIS
- 18 STUCCO O/ FOAM CORBEL
- 19 STUCCO BAY WINDOW
- 20 STUCCO O/ FOAM CAP



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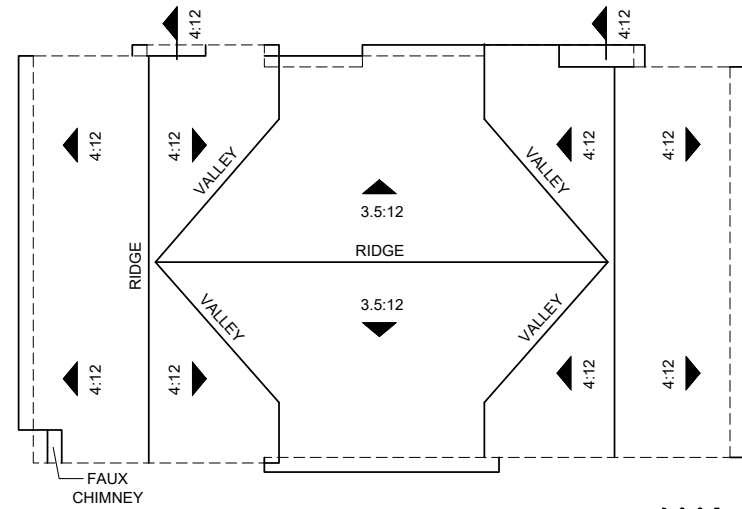
HUNTINGTON & MOUNTAIN
DUARTE, CA #2017-1186

Plot Date: June 28, 2018

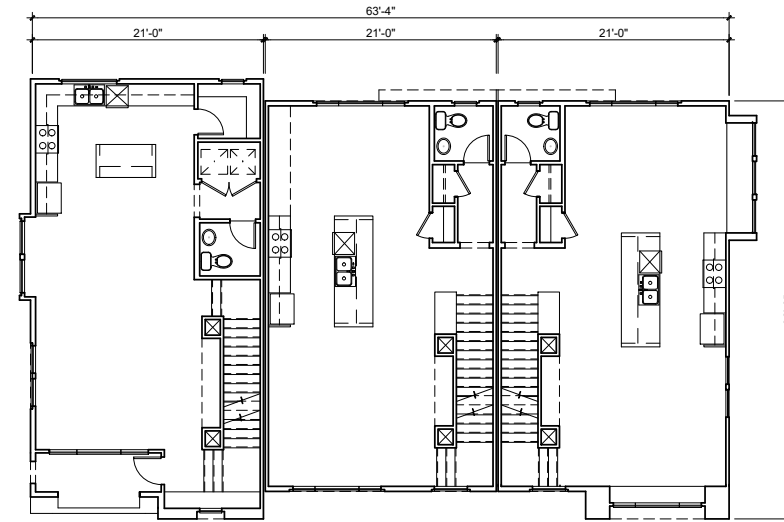
3-PLEX ELEVATIONS

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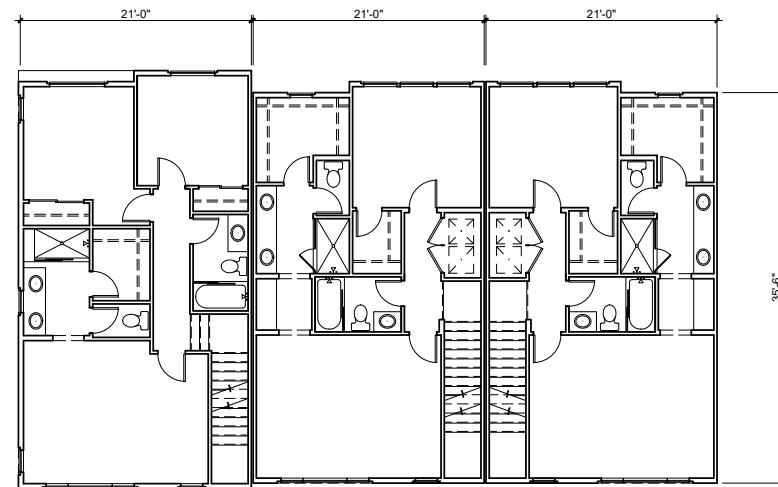
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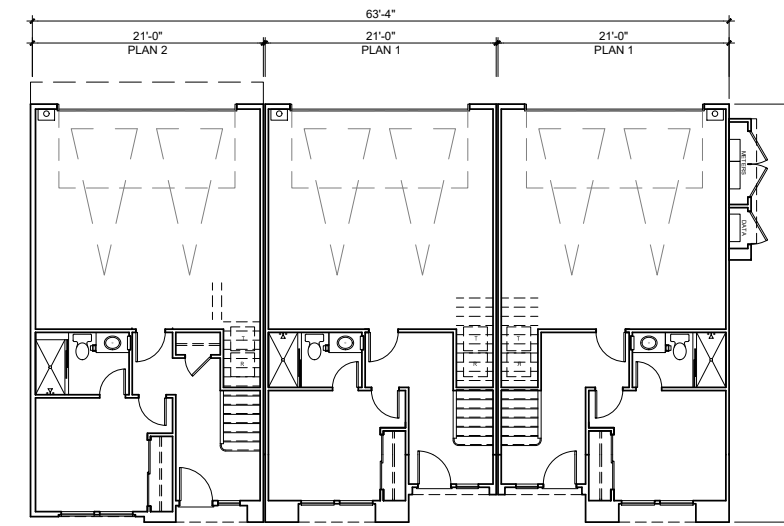
ROOF



SECOND FLOOR



THIRD FLOOR



FIRST FLOOR



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OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

3-PLEX BUILDING PLANS

SCALE: 1/8"=1'-0"
0 4 8 16

A2.3



RIGHT SIDE

MATERIAL LEGEND

- 1 CONCRETE "S" TILE ROOFING
- 2 STUCCO, SAND FINISH
- 3 STUCCO SILL TRIM
- 4 STUCCO O/ EXTRUDED FOAM CORNICE EAVE
- 5 WINDOWS
- 6 FIBERGLASS ENTRY DOOR
- 7 DECORATIVE EXTERIOR LIGHTING
- 8 RECESSED STUCCO GABLE-END VENT DETAIL
- 9 WROUGHT IRON POT SHELF
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- 15 SCALLOPED SILL
- 16 BUILDING ADDRESS
- 17 TRELLIS
- 18 STUCCO O/ FOAM CORBEL
- 19 STUCCO BAY WINDOW
- 20 STUCCO O/ FOAM CAP



LEFT SIDE



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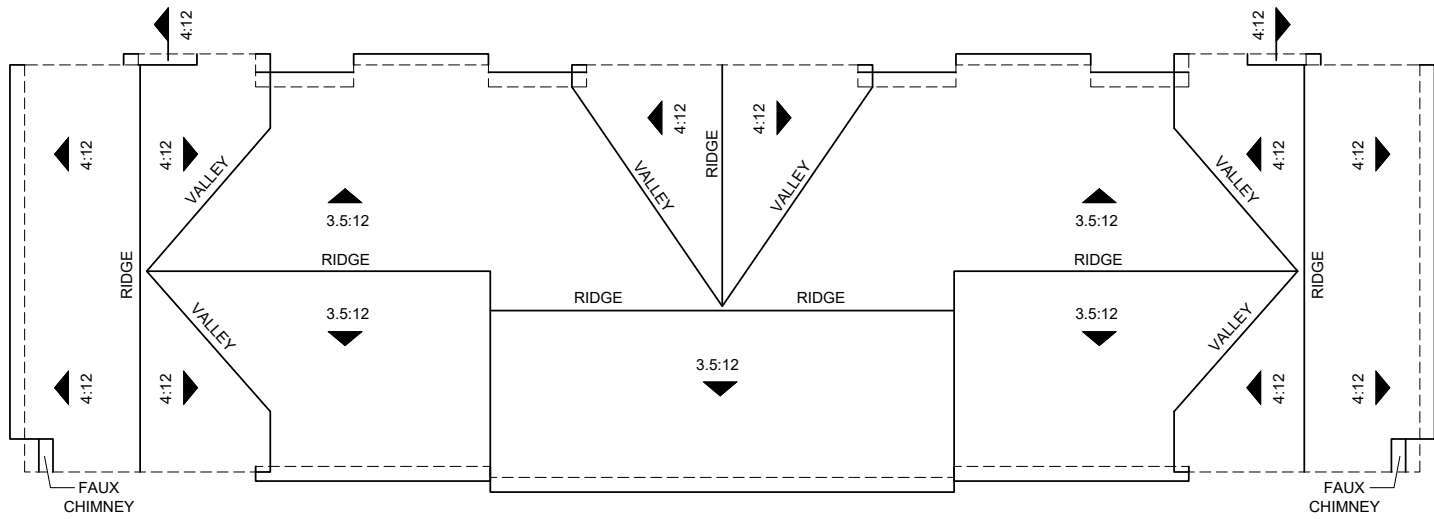
HUNTINGTON & MOUNTAIN
DUARTE, CA #2017-1186

Plot Date: June 28, 2018

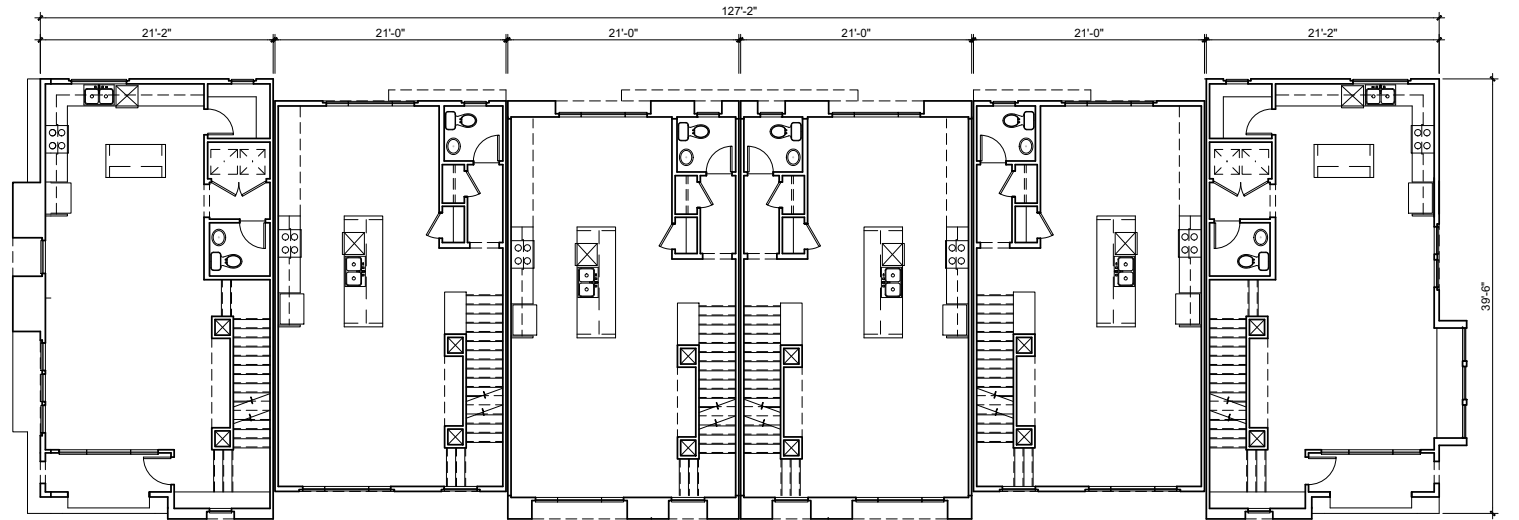
6-PLEX ELEVATIONS

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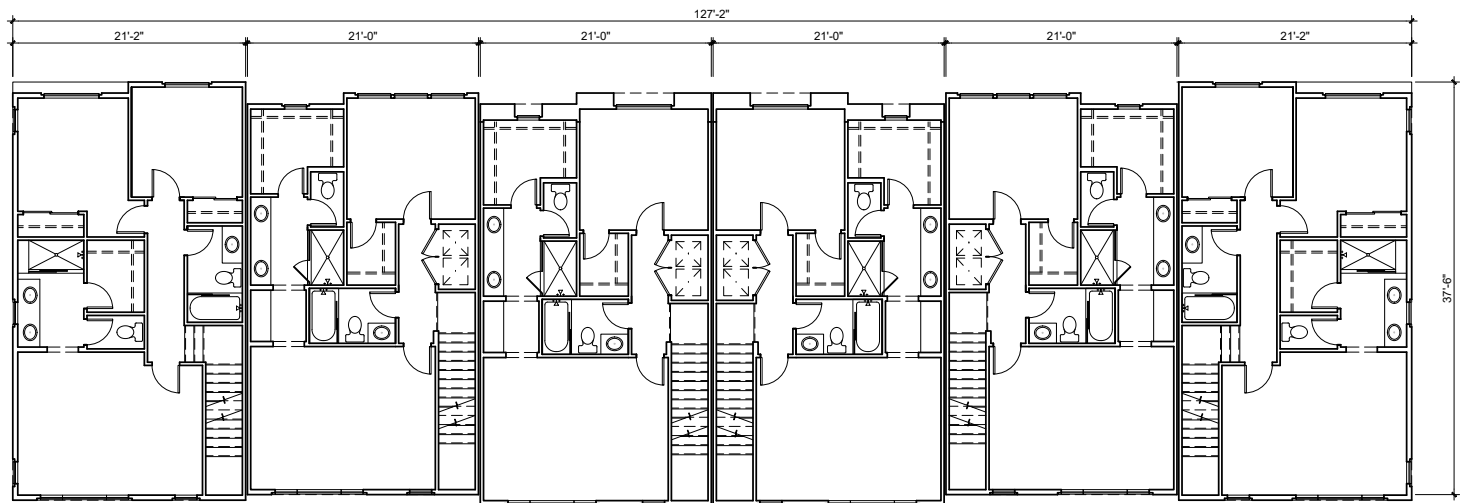
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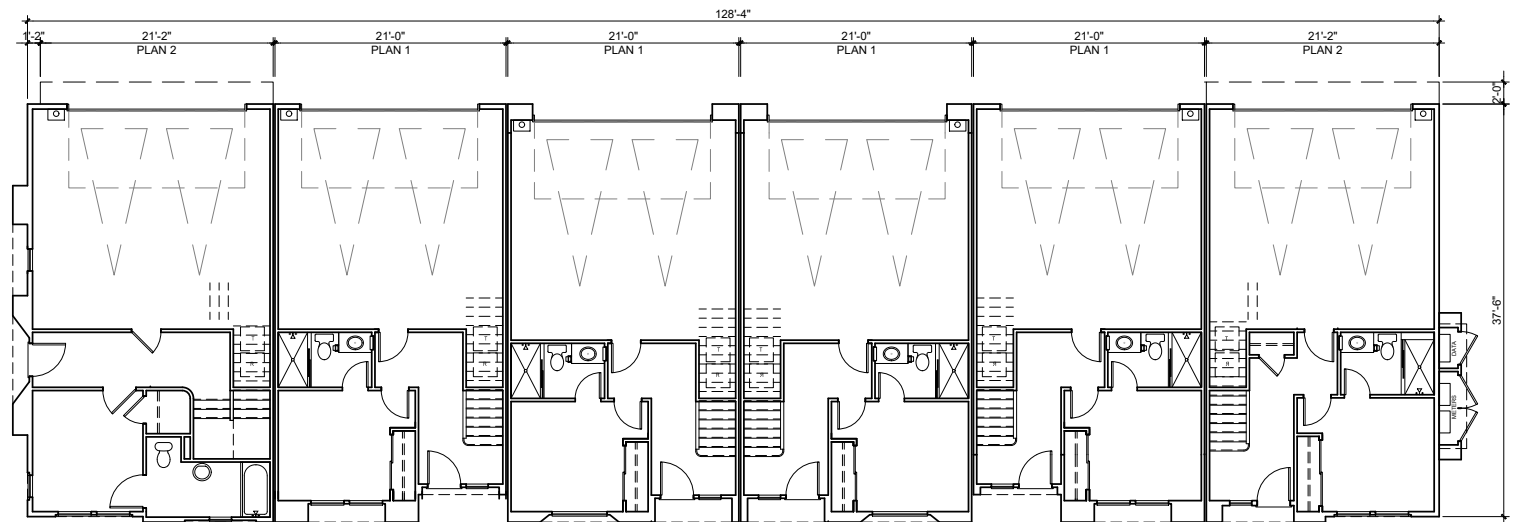
ROOF



SECOND FLOOR



THIRD FLOOR



FIRST FLOOR



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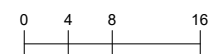
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OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

6-PLEX BUILDING PLANS

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



A3.3



MATERIAL LEGEND

- 1 CONCRETE "S" TILE ROOFING
- 2 STUCCO, SAND FINISH
- 3 STUCCO SILL TRIM
- 4 STUCCO O/ EXTRUDED FOAM CORNICE EAVE
- 5 WINDOWS
- 6 FIBERGLASS ENTRY DOOR
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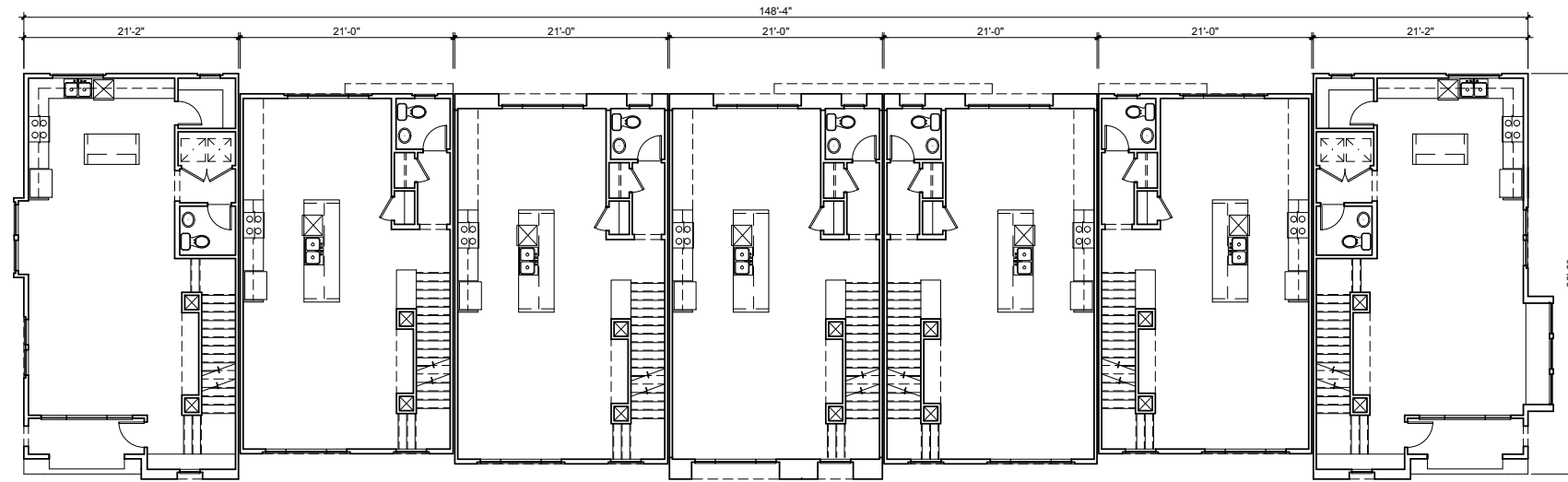
HUNTINGTON & MOUNTAIN
DUARTE, CA #2017-1186

Plot Date: June 28, 2018

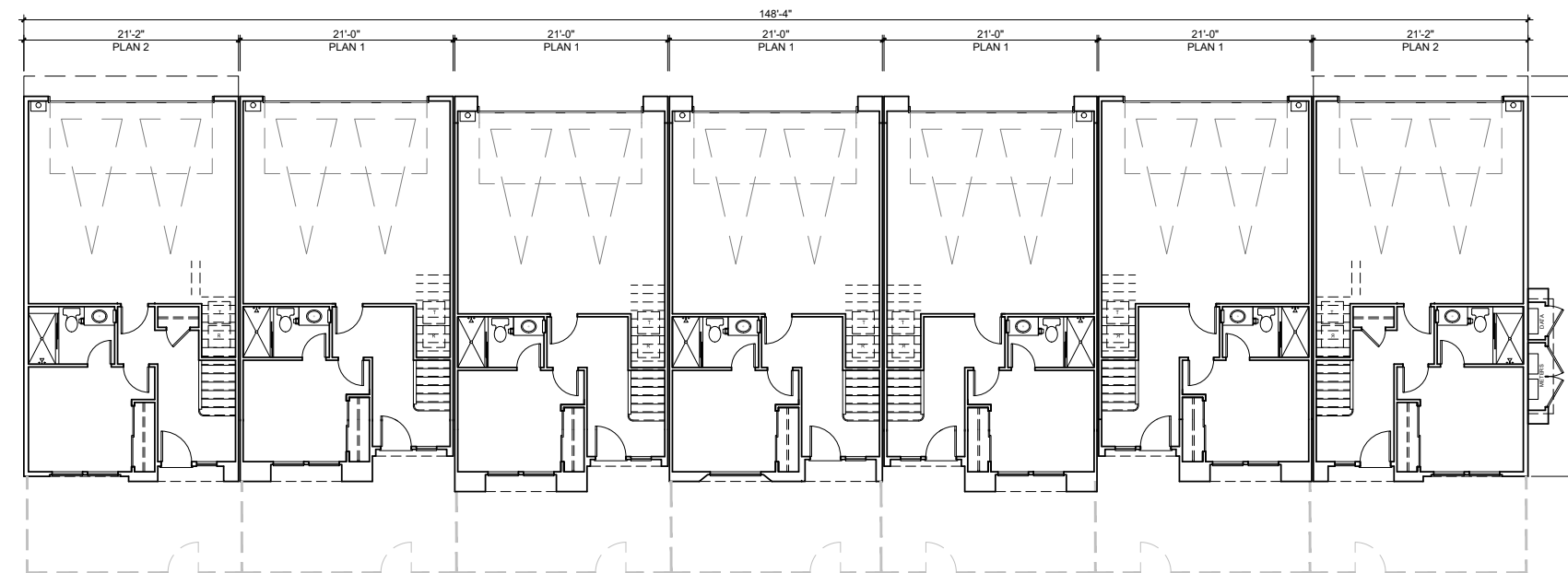
7-PLEX ELEVATIONS

SCALE: 1/8"=1'-0"
0 4 8 16

A4.0



SECOND FLOOR



FIRST FLOOR



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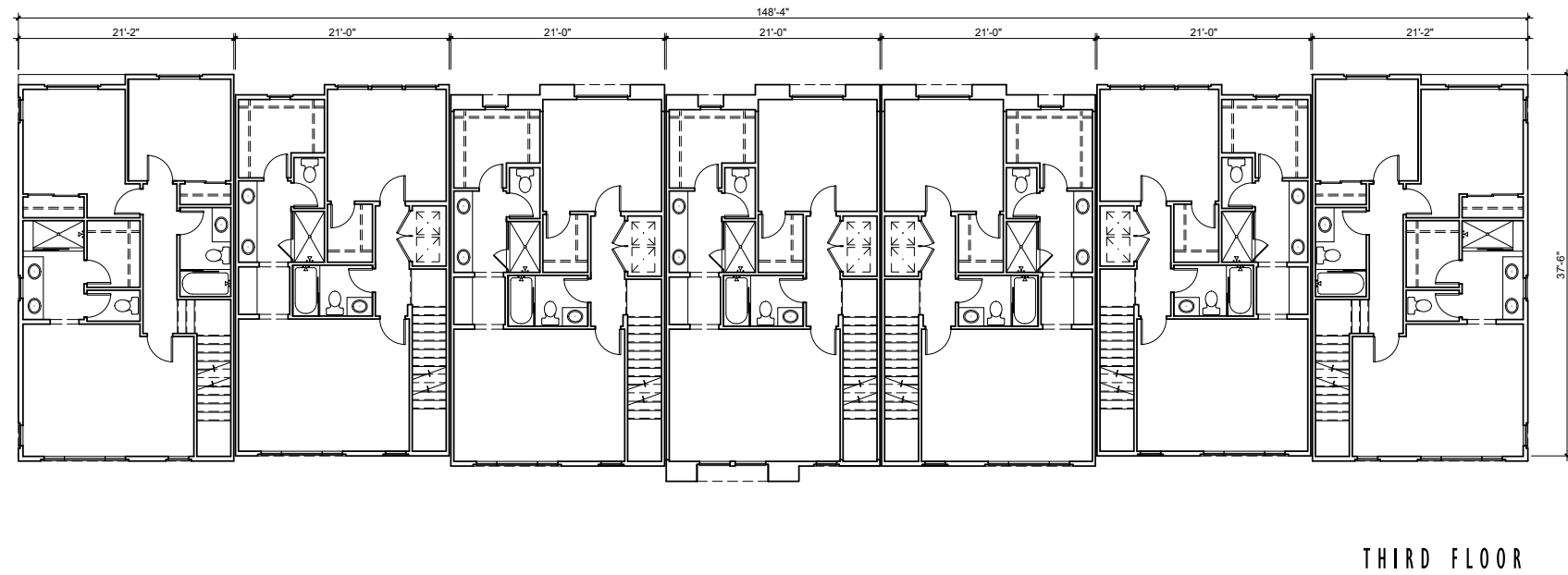
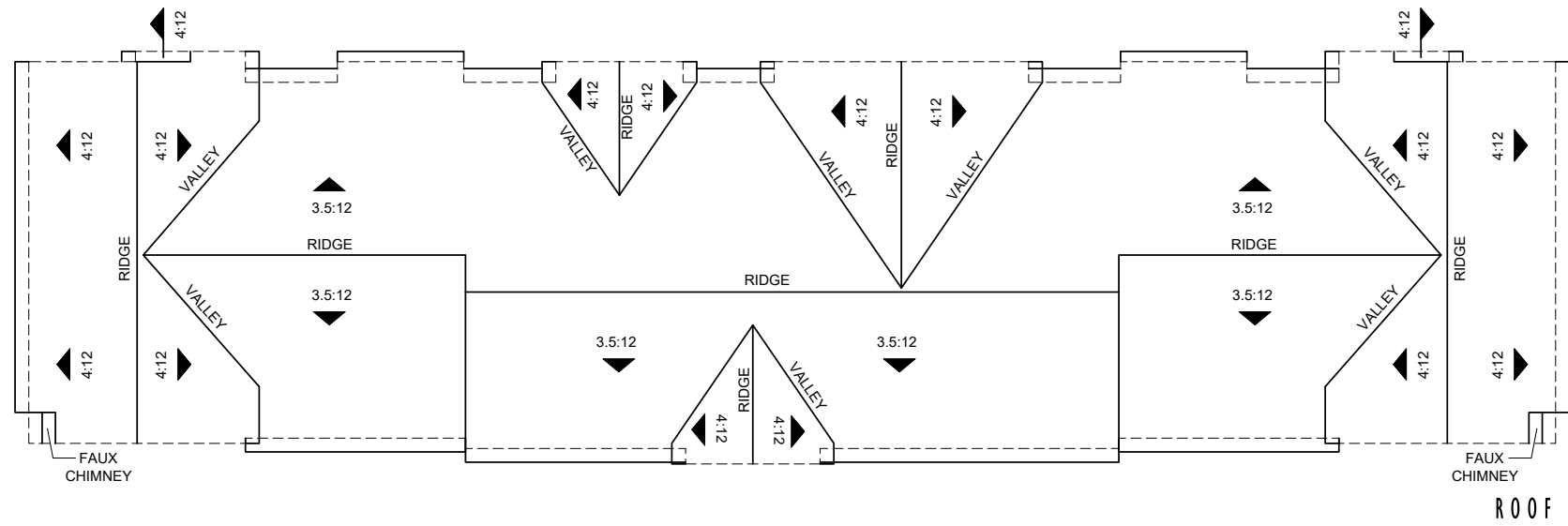
OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

7-PLEX BUILDING PLANS 1ST & 2ND LEVELS

SCALE: 1/8"=1'-0"
0 4 8 16

A4.3



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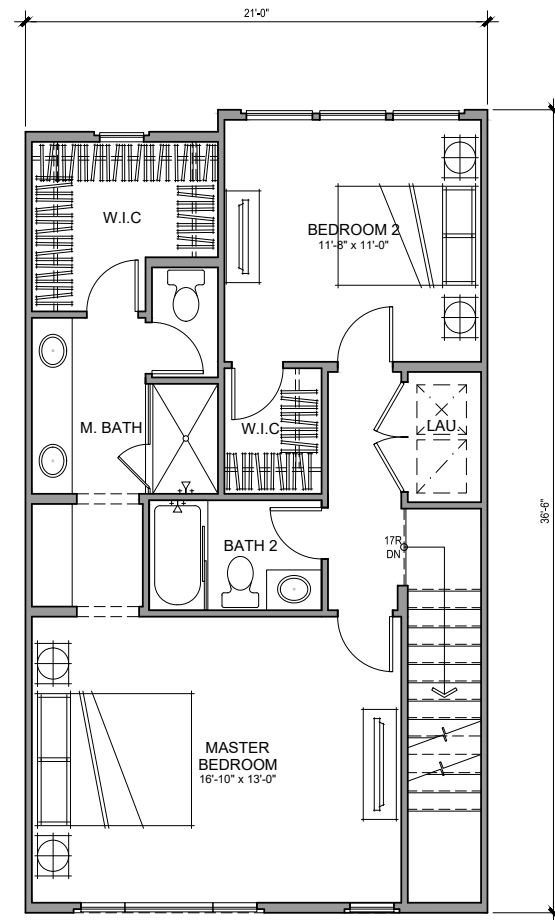
OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

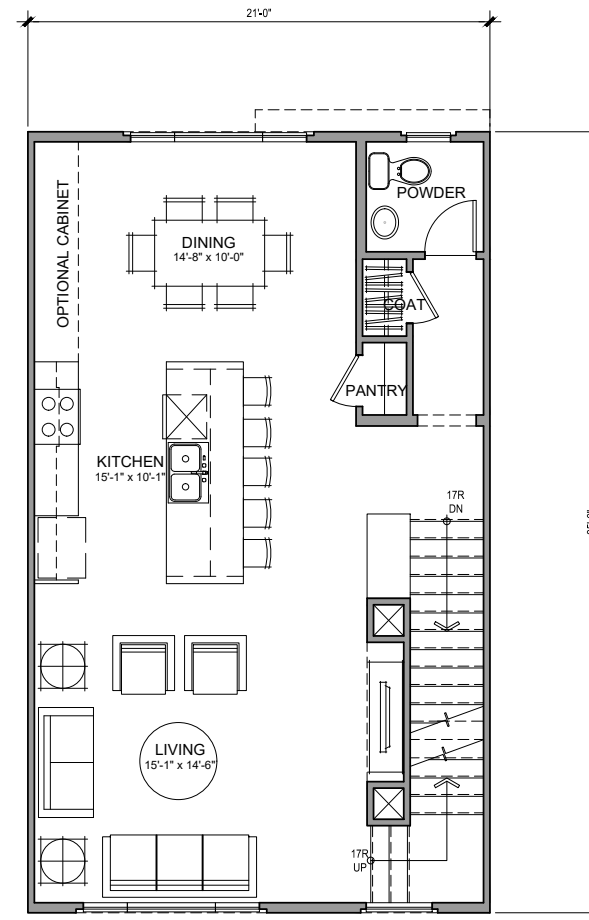
7-PLEX BUILDING PLAN & ROOF PLAN

SCALE: 1/8"=1'-0"
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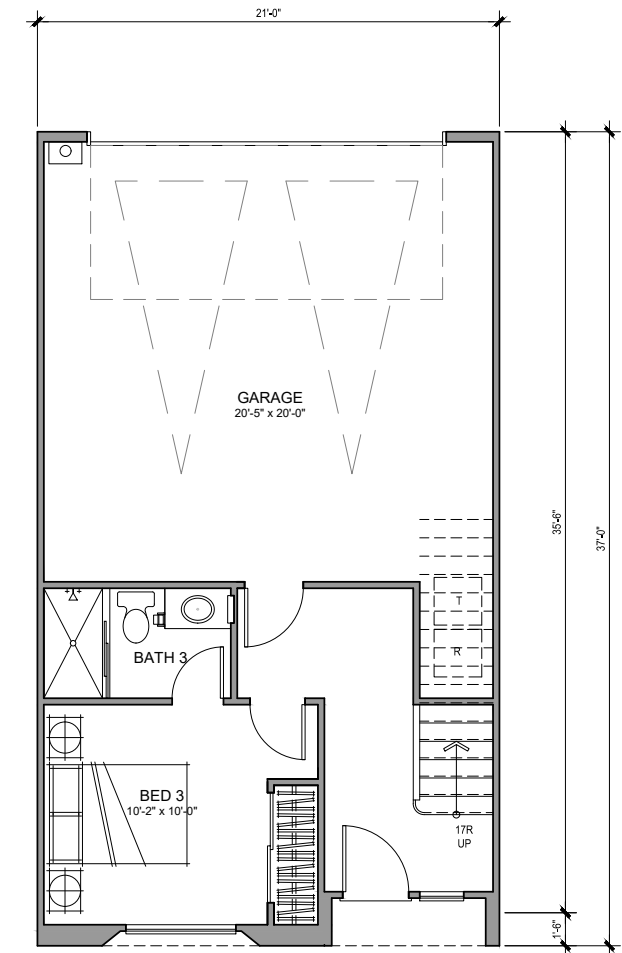
A4.4



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

P1 - GROSS SF	
1ST FLOOR	336 SQ. FT.
2ND FLOOR	746 SQ. FT.
3RD FLOOR	691 SQ. FT.
TOTAL LIVING	1772 SQ. FT.
GARAGE	449 SQ. FT.



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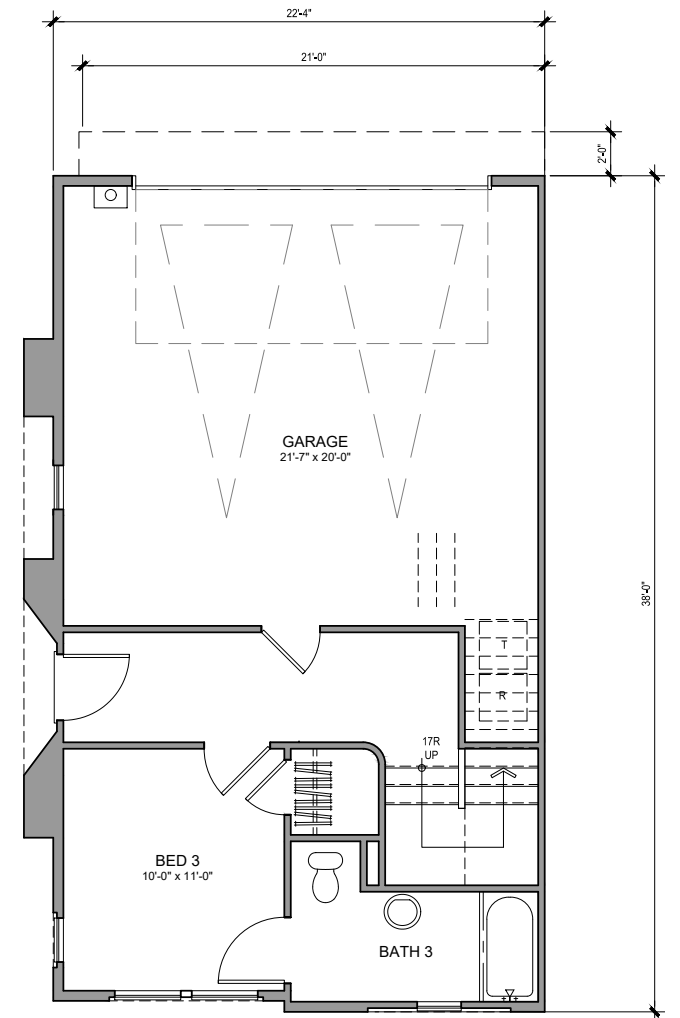
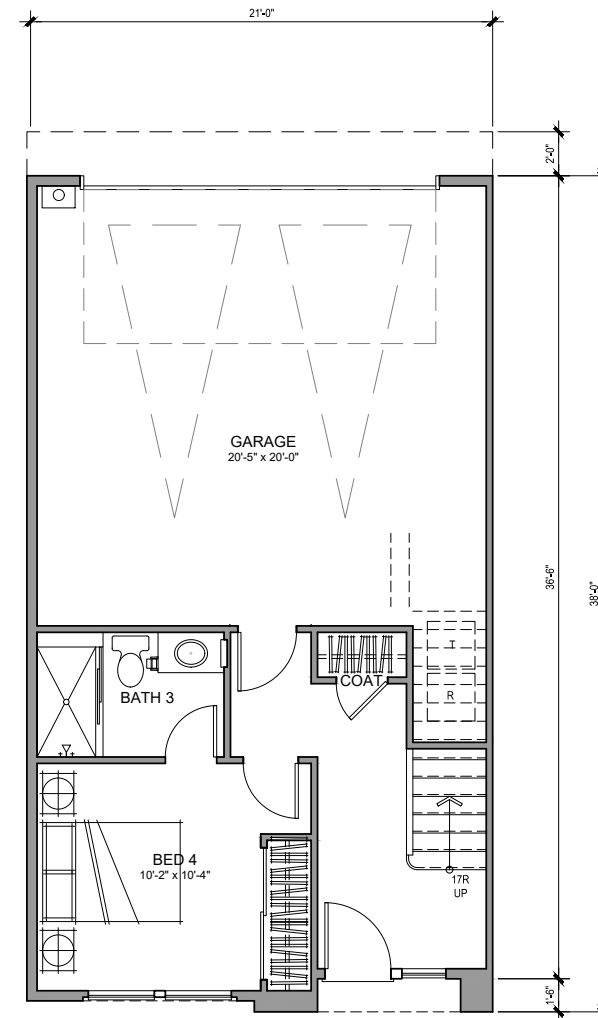
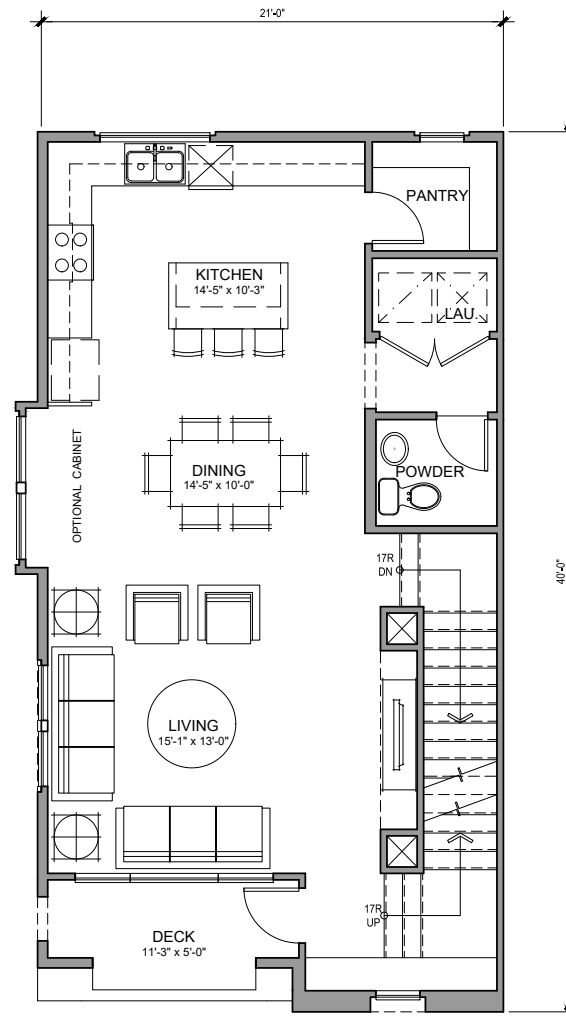
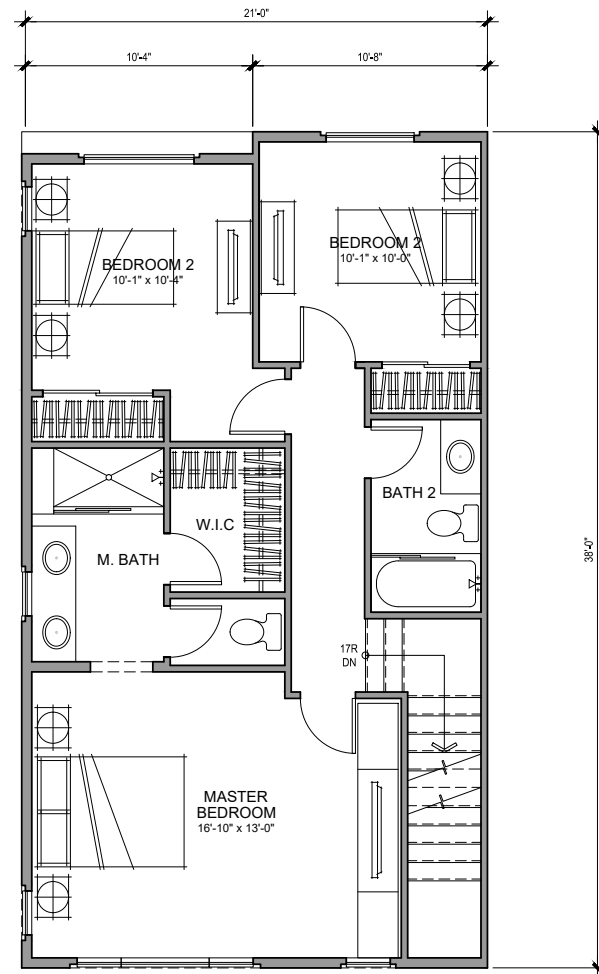
OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

PLAN I - FLOOR PLANS

SCALE: 1/4"=1'-0"
0 2 4 8

A5.0



P2 - GROSS SF	
1ST FLOOR	368 SQ. FT.
2ND FLOOR	766 SQ. FT.
3RD FLOOR	724 SQ. FT.
TOTAL LIVING	1857 SQ. FT.
GARAGE	449 SQ. FT.
DECK	64 SQ. FT.



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OLIVA - DUARTE 25
DUARTE, CA #2017-1186

Plot Date: July 24, 2018

PLAN 2 - FLOOR PLANS

SCALE: 1/4"=1'-0"
0 2 4 8

A5.1



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OLIVA - DUARTE 25
DUARTE, CA

TITLE INFORMATION FOR:
THE FOLLOWING TITLE INFORMATION WAS DERIVED FROM A PRELIMINARY REPORT FOR TITLE
INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NUMBERS
111803291-EA, 111803295-EA AND 111803296-EA, DATED AS OF DATED AS OF FEBRUARY
26, 2018 AT 7:30 A.M.
TITLE TO SAID ESTATE OR INTEREST IS VESTED:
REDEVELOPMENT AGENCY OF THE CITY OF DUARTE, A PUBLIC BODY, CORPORATE AND POLITIC,
SUBJECT TO ITEM NO. 12, ITEM NO. 13 OF EXCEPTIONS
SCHEDULE B EXCEPTIONS O.N.: 111803291-EA
INDICATES ITEM PLOTTED HEREON.

- ITEMS 1 - 3 TAX PURPOSES
- ITEM 4 WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.
- ITEM 5 EASEMENT(S) GRANTED TO THE STATE OF CALIFORNIA FOR THE PURPOSE(S) OF ONE INCH PIPE/M SHOWN
BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: STATE OF
CALIFORNIA PURPOSE RECORDING NO.: IN BOOK 6742 PAGE 194, OF OFFICIAL RECORDS AFFECTS: AS
DESCRIBED THEREIN (CANNOT BE PLOTTED FROM RECORD)
- ITEM 6 EASEMENT(S) TO THE STATE OF CALIFORNIA FOR PUBLIC ROAD AND HIGHWAY AND RIGHTS INCIDENTAL
THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: STATE OF CALIFORNIA PURPOSE: RECORDING DATE:
NOVEMBER 23, 1927 RECORDING NO.: 134000 OF TORRENS AFFECTS: AS DESCRIBED THEREIN
(PLOTTED HEREON)
- ITEM 7 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A
DOCUMENT: GRANTED TO: STATE OF CALIFORNIA PURPOSE: PUBLIC ROAD AND HIGHWAY RECORDING DATE:
DECEMBER 5, 1927 RECORDING NO.: 134773, OF TORRENS AFFECTS: AS DESCRIBED THEREIN
(PLOTTED HEREON)
- ITEM 8 COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY,
INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION,
FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME,
GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET
FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR
RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT RECORDING DATE: JUNE
2, 1943 RECORDING NO.: 9436-H, OF TORRENS SAID COVENANTS, CONDITIONS AND RESTRICTIONS PROVIDE
THAT A VIOLATION THEREOF SHALL NOT DEFEAT THE LIEN OF ANY MORTGAGE OR DEED OF TRUST MADE IN
GOOD FAITH AND FOR VALUE.
- ITEM 9 EASEMENT(S) GRANTED TO THE CITY OF DUARTE FOR SEWERS AND APPURTENANT STRUCTURES AND RIGHTS
INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: RECORDED FEBRUARY 10, 1941 OF OFFICIAL RECORDS
AFFECTS: THE SOUTHERLY 7 FEET OF SAID LAND. (PLOTTED HEREON)
- ITEM 10 THE LAND DESCRIBED HEREIN IS INCLUDED WITHIN A PROJECT AREA OF THE REDEVELOPMENT AGENCY
SHOWN BELOW, AND THAT PROCEEDINGS FOR THE REDEVELOPMENT OF SAID PROJECT HAVE BEEN
INSTITUTED UNDER THE REDEVELOPMENT LAW (SUCH REDEVELOPMENT TO PROCEED ONLY AFTER THE
ADOPTION OF THE REDEVELOPMENT PLAN) AS DISCLOSED BY A DOCUMENT, REDEVELOPMENT AGENCY: CITY
OF DUARTE RECORDING DATE: DECEMBER 5, 2007 RECORDING NO.: 2007-2662442, OF OFFICIAL RECORDS
- ITEM 11 COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY,
INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION,
FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME,
GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET
FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR
RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT RECORDING DATE: MAY
9, 2011 RECORDING NO.: 2011-556703, OF OFFICIAL RECORDS SAID COVENANTS, CONDITIONS AND
RESTRICTIONS PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT THE LIEN OF ANY MORTGAGE OR
DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE.
- ITEM 12 THE EFFECT OF A DEED AS SET FORTH BELOW: GRANTOR: REDEVELOPMENT AGENCY OF THE CITY OF
DUARTE, A PUBLIC BODY, CORPORATE AND POLITIC GRANTEE: CITY OF DUARTE, A MUNICIPAL CORPORATION
DATED: MARCH 22, 2011 RECORDING DATE: MARCH 9, 2011 RECORDING NO.: 2011-556703, OF OFFICIAL
RECORDS THE COMPANY REQUIRES THAT AN AFFIDAVIT (ATTACHED) BE COMPLETED AND EXECUTED BY THE
ABOVE GRANTOR AND THAT SAID AFFIDAVIT BE ACKNOWLEDGED BEFORE A NOTARY WHO IS AN EMPLOYEE
OF THE TITLE OR ESCROW COMPANY AND THEN SUBMITTED TO THE TITLE OFFICER FOR REVIEW. THE
COMPANY FURTHER REQUIRES A STATEMENT OF INFORMATION FROM THE ABOVE GRANTORS IN ORDER TO
COMPLETE THIS REPORT, BASED ON THE EFFECT OF DOCUMENTS, PROCEEDINGS, LIENS, DECREES, OR
OTHER MATTERS WHICH DO NOT SPECIFICALLY DESCRIBE SAID LAND, BUT WHICH IF ANY DO EXIST, MAY
AFFECT THE TITLE OR IMPOSE LIENS OR ENCUMBRANCES THEREON.
- ITEM 13 THE SEARCH DID NOT DISCLOSE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE
COMPANY RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS
UNENCUMBERED, AND FURTHER RESERVES THE RIGHT TO MAKE ADDITIONAL REQUIREMENTS OR ADD
ADDITIONAL ITEMS OR EXCEPTIONS UPON RECEIPT OF THE REQUESTED EVIDENCE.
- ITEM 14 ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS
ARE NOT DISCLOSED BY THE PUBLIC RECORDS, THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND
COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH
ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE
INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE, THE COMPANY RESERVES THE RIGHT TO
EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.
- ITEM 15 MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/ACSM LAND TITLE
SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN
POSSESSION THEREOF, AN INSPECTION OF SAID LAND HAS BEEN ORDERED; UPON ITS COMPLETION THE
COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS.

EXISTING SITE AREA:
A.P.N. : 8530-013-902
AREA: 1,245.5 SQ FT +/- (0.028 AC) GROSS
A.P.N. : 8530-013-903
AREA: 19,186.0 SQ FT +/- (0.440 AC) GROSS
A.P.N. : 8530-013-904
AREA: 31,922.50 SQ FT +/- (0.732 AC) GROSS

FLOOD ZONE:
THE SUBJECT PROPERTY LIES WITHIN THE CITY OF MONROVIA ZONE "X" OF
FLOOD INSURANCE RATE MAP PANEL NUMBER 06037C1415P, HAVING AN
EFFECTIVE DATE OF 09/26/2008, IN LOS ANGELES COUNTY, CALIFORNIA.
AREA OF MINIMAL FLOOD HAZARD

BENCHMARK:
LACPW BM #404947 DPW BM TAG S CBH 3.3 FT W/O BCR @SW
COR HUNTINGTON DR. & BRADBURY AVE.
ELEVATION = 522.63

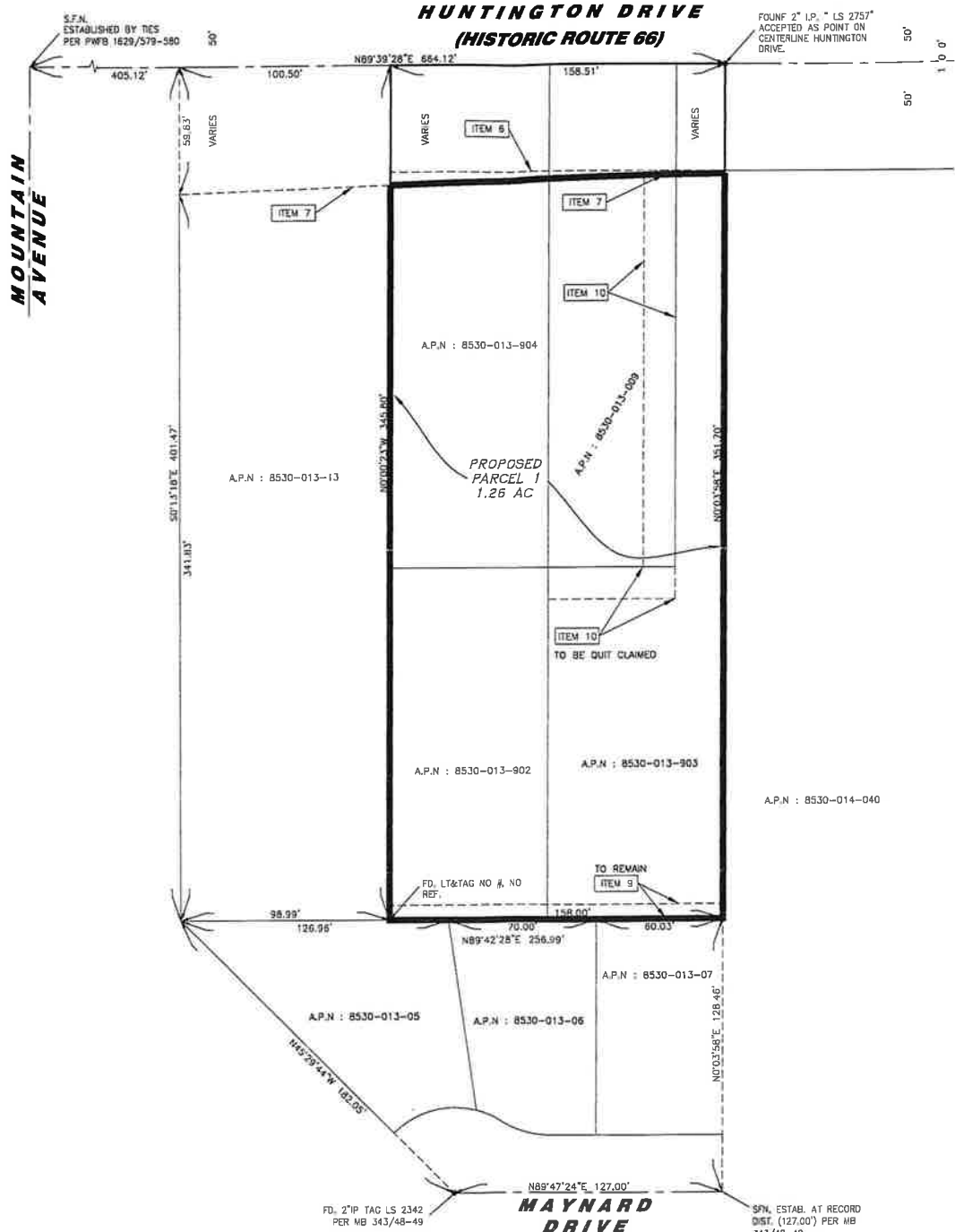
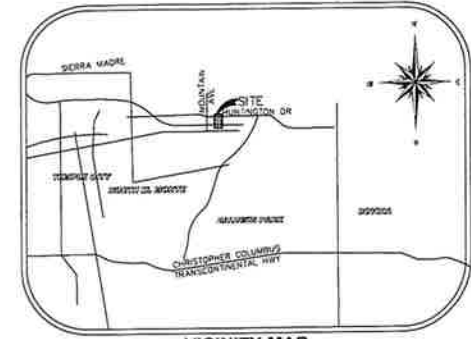
BASIS OF BEARINGS:
BASIS OF BEARINGS IS THE CENTERLINE OF HUNTINGTON DRIVE AS SHOWN
ON TRACT MAP NO. 35918 MB 931/97-98,
BEING: NORTH 89°29'28" EAST

PROPOSED PARCEL AREA:
NET: 55,082 SF - 1.26 ACRES

ADDRESSES:
946, 952, 956 AND 962 HUNTINGTON DRIVE

VESTING TENTATIVE TRACT NO. 82129

FOR CONDOMINIUM PURPOSES
COUNTY OF LOS ANGELES CITY OF DUARTE
STATE OF CALIFORNIA



LEGAL DESCRIPTION :

APN/Parcel ID(s): 8530-013-902 O.N. 111803291-EA
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF DUARTE, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
THAT PORTION OF THE WEST HALF OF LOT 15, SECTION 25, TOWNSHIP 1 NORTH, RANGE 11 WEST OF THE RANCHO AZUSA DE
DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 6, PAGES
80 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID LOT 15; THENCE SOUTH 0°01'10" WEST ALONG THE EAST LINE
OF SAID WEST HALF OF LOT 15, 401.78 FEET; THENCE SOUTH 89°39'40" WEST 83.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 89°39'40" WEST 75.00 FEET; THENCE PARALLEL WITH THE SAID EAST LINE NORTH 00°01'10" EAST
165.78 FEET; THENCE NORTH 89°39'40" EAST 75 FEET TO A LINE THAT IS PARALLEL WITH SAID EAST LINE AND PASSES THROUGH THE
TRUE POINT OF BEGINNING; THENCE SOUTH 0°01'10" WEST 165.78 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:
AN EASEMENT, UNTIL SUCH TIME AS THE COUNTY OF LOS ANGELES OR ANY POLITICAL SUBDIVISION THEREOF, SHALL CONSTRUCT A
STREET ABUTTING UPON OR ACROSS, THE HEREINBEFORE DESCRIBED DOMINANT TENEMENT FOR INGRESS AND EGRESS, OVER AND
ACROSS THE EASTERLY 15 FEET OF THAT PORTION OF THE WEST HALF OF LOT 15 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 11
WEST OF THE SUBDIVISION OF THE RANCHO AZUSA DE DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA, AS PER MAP RECORDED IN BOOK 6 PAGES 80 ET SEQ. OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY
RECORDER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF OF LOT 15; THENCE SOUTH 0°01'10" WEST ALONG THE EAST LINE OF
SAID WEST HALF, 236 FEET; THENCE SOUTH 89°39'40" WEST 60 FEET; THENCE PARALLEL WITH SAID EAST LINE NORTH 00°01'10" EAST
236 FEET TO THE NORTH LINE OF SAID LOT; THENCE NORTH 89°39'40" EAST ALONG SAID NORTH LINE 60 FEET TO A LINE THAT IS
PARALLEL WITH SAID EAST LINE AND PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE PARALLEL WITH SAID EAST LINE SOUTH
0°01'10" WEST 236 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THE NORTH 20 FEET THEREOF WITHIN THE BOUNDS OF FALLING LEAF AVENUE.

PARCEL 3:
AN EASEMENT FOR INGRESS AND EGRESS TO BE USED IN COMMON WITH OTHERS OVER THE WESTERLY 60 FEET OF THE NORTHERLY
15 FEET OF THE SOUTHERLY 165.78 FEET OF THAT PORTION OF THE WEST HALF OF LOT 15, SECTION 25, TOWNSHIP 1 NORTH,
RANGE 11 WEST OF THE RANCHO AZUSA DE DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS
SHOWN ON MAP RECORDED IN BOOK 6 PAGES 80 ET SEQ., OF

MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY
CORNER OF SAID WEST HALF; THENCE ALONG THE EASTERLY LINE OF SAID WEST HALF, SOUTH 0°01'10" WEST 401.78 FEET; THENCE
SOUTH 89°39'40" WEST 83 FEET; THENCE PARALLEL WITH SAID EASTERLY LINE NORTH 0°01'10" EAST 165.78 FEET; THENCE NORTH
89°39'40" EAST 80 FEET; THENCE PARALLEL WITH SAID EASTERLY LINE NORTH 0°01'10" EAST 236 FEET TO THE NORTH LINE OF SAID
LOT 15; THENCE NORTH 89°39'40" EAST 23 FEET TO THE POINT OF BEGINNING.
EXCEPT THE NORTHERLY 20 FEET THEREOF WITHIN THE BOUNDS OF FALLING LEAF AVENUE.

APN/Parcel ID(s): 8530-013-903 O.N. 111803295-EA
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF DUARTE, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
THAT PORTION OF THE WEST HALF OF LOT 15, SECTION 25, TOWNSHIP 1 NORTH, RANGE 11 WEST OF THE RANCHO AZUSA DE
DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 6, PAGES
80 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID
COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID WEST HALF; THENCE ALONG THE EASTERLY LINE OF SAID WEST HALF, SOUTH
0°01'10" WEST 401.78 FEET; THENCE SOUTH 89°39'40" WEST 83 FEET; THENCE PARALLEL WITH SAID EASTERLY LINE NORTH 0°01'10"
EAST 165.78 FEET; THENCE NORTH 89°39'40" EAST 60 FEET; THENCE PARALLEL WITH SAID EASTERLY LINE NORTH 0°01'10" EAST 236
FEET TO THE NORTH LINE OF SAID LOT 15; THENCE NORTH 89°39'40" EAST 23 FEET TO THE POINT OF BEGINNING, EXCEPT THE
NORTHERLY 20 FEET THEREOF WITHIN THE BOUNDS OF FALLING LEAF AVENUE.

PARCEL 2:
AN EASEMENT UNTIL SUCH TIME AS THE COUNTY OF LOS ANGELES OR ANY POLITICAL SUBDIVISION THEREOF, SHALL CONSTRUCT A
STREET ABUTTING UPON OR ACROSS, THE HEREINBEFORE DESCRIBED DOMINANT TENEMENT FOR INGRESS AND EGRESS, OVER AND
ACROSS THE EASTERLY 15 FEET OF THAT PORTION OF THE WEST HALF OF LOT 15 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 11
WEST OF THE SUBDIVISION OF THE RANCHO AZUSA DE DUARTE, AS PER MAP RECORDED IN BOOK 6 PAGES 80 ET SEQ., OF
MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY,

COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF OF LOT 15; THENCE SOUTH 0°01'10" WEST ALONG THE EAST LINE OF
SAID WEST HALF, 236 FEET; THENCE SOUTH 89°39'40" WEST 23 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH
89°39'40" WEST 60 FEET; THENCE PARALLEL WITH SAID EAST LINE NORTH 0°01'10" EAST 236 FEET TO THE NORTH LINE OF SAID LOT;
THENCE NORTH 89°39'40" EAST ALONG SAID NORTH LINE 60 FEET TO A LINE THAT IS PARALLEL WITH SAID EAST LINE AND PASSES
THROUGH THE TRUE POINT OF BEGINNING; THENCE PARALLEL WITH SAID EAST LINE SOUTH 0°01'10" WEST 236 FEET TO THE TRUE
POINT OF BEGINNING, EXCEPT THE NORTH 20 FEET THEREOF WITHIN THE BOUNDS OF FALLING LEAF AVENUE.

APN/Parcel ID(s): 8530-013-904 O.N. 111803296-EA
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF DUARTE, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST HALF OF LOT 15, SECTION 25, TOWNSHIP 1 NORTH, RANGE 11 WEST OF THE RANCHO AZUSA DE
DUARTE, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 6, PAGES
80 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID LOT 15; THENCE SOUTH 0°01'10" WEST ALONG THE EAST LINE
OF SAID WEST HALF, 236.00 FEET; THENCE SOUTH 89°39'40" WEST 83.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE
CONTINUING SOUTH 89°39'40" WEST 75.00 FEET; THENCE PARALLEL WITH SAID EAST LINE NORTH 0°01'10" EAST 236.00 FEET TO THE
NORTH LINE OF SAID LOT; THENCE NORTH 89°39'40" EAST ALONG SAID NORTH LINE 75.00 FEET TO A LINE THAT IS PARALLEL WITH
SAID EAST LINE AND PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE SOUTH 0°01'10" WEST 236.00 FEET TO THE TRUE
POINT OF BEGINNING.

REVISIONS				
NO.	DATE	INITIAL	DESCRIPTION	APP. DATE

OWNER/DEVELOPER
MDW
1208 GLENVIEW STREET, STE 419
LAGUNA BEACH, CALIFORNIA 92653
PHONE (949) 766-4177



PREPARED BY:
KES TECHNOLOGIES INC
CIVIL ENGINEERING
LAND PLANNING AND SURVEYING
1 VENTURE STE 100
IRVINE, CALIFORNIA 92618
PHONE (949) 266-2222
FAX (949) 426-2222



I hereby certify that:
1. These plans have been prepared under my supervision;
2. The grading shown hereon will not divert drainage from its natural
downstream course or obstruct the drainage of adjacent properties;
3. Existing ground contours and elevations were obtained by field survey
performed on MARCH 2018.

ENGINEER _____ DATE _____
RCE 67674 EXP. DATE 6-30-19

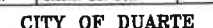
VESTING TENTATIVE
TRACT MAP 82129

SCALE: AS SHOWN DRAWN BY: DSK CHECKED BY: AM

CITY OF DUARTE

SHEET 1 OF 2

FOR CONDOMINIUM PURPOSES
COUNTY OF LOS ANGELES CITY OF DUARTE
STATE OF CALIFORNIA



THE UTILITIES SHOWN ON THIS MAP ARE BASED UPON THE BEST AVAILABLE PUBLIC INFORMATION.

OBAINED FROM THE APPLICABLE AGENCIES

	TECHNICAL EVALUATION	
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VESTING TENTATIVE
TRACT MAP 82129

TRACT MAP 62129
CONCEPTUAL GRADING

CONCEPTUAL GRADING
AND UTILITY PLAN

SHEET

AND OTHER DATA		
SCALE: AS SHOWN	DRAWN BY: BSK	CHECKED BY:

SCALE: AS SHOWN	DRAWN BY: DSK	CHECKED BY:
SITE OF DIAPHR		

CITY OF DUARTE

Exhibit B

General Property Information

General Plan Amendment 18-01; Zone Change 18-01; Tentative Tract Map 82129;
Planned Development Permit 18-01; Site Plan and Design Review 18-01
946, 952, 956, 962 Huntington Drive

PROPERTY CHARACTERISTICS

Property Address: 946, 952, 956, 962 Huntington Drive

APN: 8530-013-902 through 8530-013-904; and 8530-013-009

Owner: City of Duarte, MJW Investments

Lot Area: **Project Site:** Approx. 54,014 square feet (1.24 acres)

Public Notice: A public hearing notice was published in the "*The Duartean*" on July 28, 2018 and posted at Duarte City Hall, Public Safety Office, and the Public Library on July 31, 2018. One hundred and forty (140) public hearing notices were also sent to property owners within 600' of the subject property on July 31, 2018.

Environmental: An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including an air quality analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report, environmental assessments, noise studies, and traffic analysis. The environmental factors identified by the Initial Study that would be potentially affected by this project include: Cultural and Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, and Utilities. The result of the Initial Study indicated the project would not have any significant environmental impacts with adopted mitigations. The Initial Study recommends the adoption of mitigation measures to reduce these potential impacts to a level of less than significant. These mitigations will be implemented as part of the project and monitored through a mitigation-monitoring program as required by the MND.

General Plan: General Commercial
GPA 18-01 proposes amendment to High Density Residential

Zoning: C-F Commercial Freeway
ZC 18-01 proposes change to R-4 Multiple Family Residential High Density

Exhibit B

General Property Information

General Plan Amendment 18-01; Zone Change 18-01; Tentative Tract Map 82129;

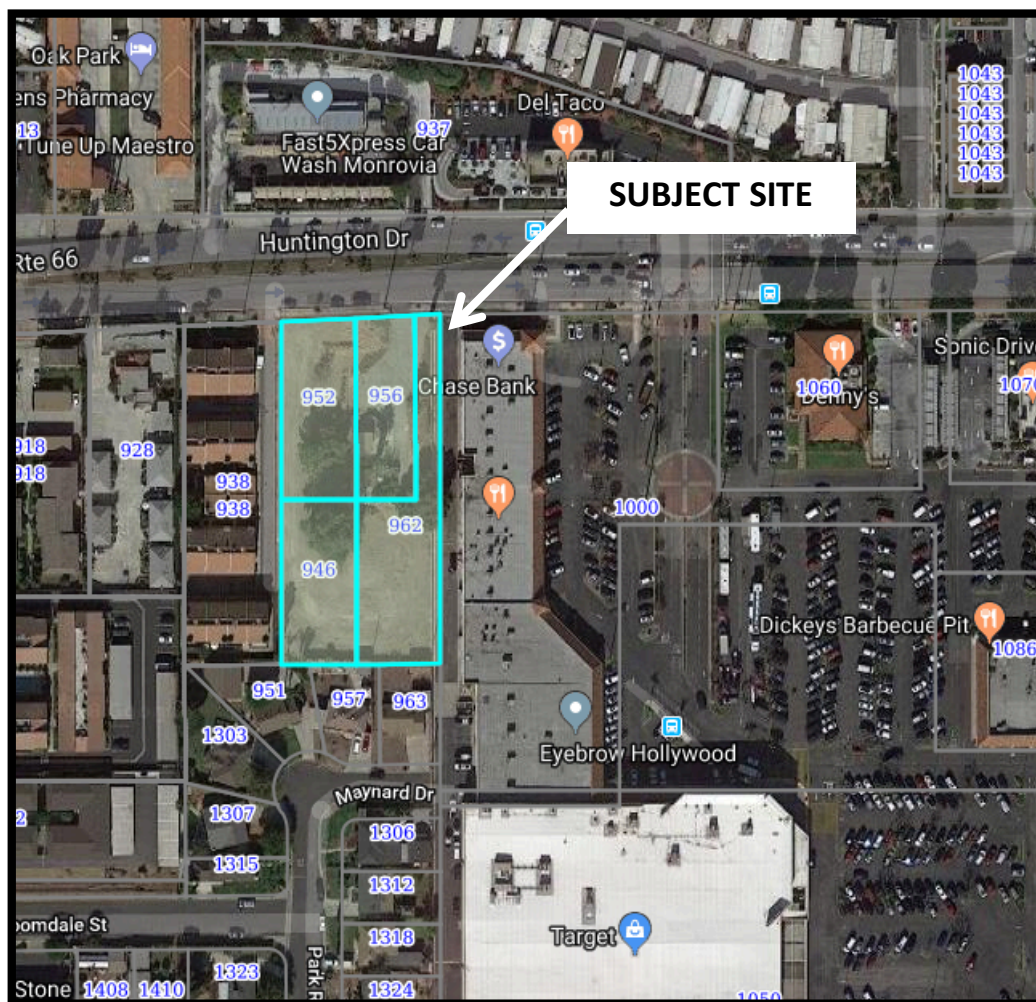
Planned Development Permit 18-01; Site Plan and Design Review 18-01

946, 952, 956, 962 Huntington Drive

SURROUNDING ZONES & LAND USE

LOCATION	GENERAL PLAN	ZONING	LAND USE
North	Planned Development Area PD-7 (City of Monrovia)	Planned Development PD-7 (City of Monrovia)	Commercial
South	General Commercial	C-F Commercial Freeway	Residential
East	General Commercial	C-F Commercial Freeway	Commercial
West	High Density Residential	R-4 Multiple Family Residential High Density	Multi-family Condominium

AERIAL IMAGE



RESOLUTION NO. PC 18-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT (GPA 18-01) FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR FOUR PARCELS OF LAND LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, the Planning Commission has considered proposed General Plan Amendment 18-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of four parcels (APN 8530-013-902, 8530-013-903, 8530-013-904, and 8530-013-009) from General Commercial to High Density Residential ("General Plan Amendment"); and

WHEREAS, General Plan Amendment 18-01 provides, among other provisions, for the development of Multiple-Family Residential for a 25-unit, owner-occupied, three-story townhome development; and

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

WHEREAS, on August 20, 2018 the Planning Commission held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the Planning Commission received public testimony; and

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

WHEREAS, The Planning Commission determines that the proposed change in land use designation from General Commercial to High Density Residential is the highest and best use for the subject property; and

WHEREAS, The Planning Commission determines that the General Plan Amendment is in the best interests and welfare of the City and its residents; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the General Plan Amendment, amending the Land Use Policy Diagram of the City's General Plan designation of four parcels from General Commercial to High Density Residential.

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

SECTION 1. RECITALS

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

SECTION 2. FINDINGS FOR GENERAL PLAN AMENDMENTS

The Planning Commission finds and determines as follows: findings for General Plan Amendment, as set forth in DDC Section 19.142.060.A, as:

1. The amendment is internally consistent with all other provisions of the Duarte General Plan;

The project conforms to the goals and objectives on the General Plan by establishing a designation that will accommodate a range and mix of housing in proximity to complementary uses such as the retail and service commercial shopping center to the east. Furthermore, the project meets the goals and objectives of the General Plan by re-designating underutilized non-residential properties into higher-density residential sites. The land use of High Density Residential complements the land use of the surrounding developments and will provide an improvement along Huntington Drive.

2. The amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

The project will amend an existing land use designation to high density residential, which typically allows for a multi-family attached housing developments. The land use is consistent with the adjacent property to the west and is complementary to the remaining surrounding properties. The amendment will establish a designation that facilitate an improvement to an underutilized property and the surrounding community.

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

The proposed amendment will allow for an amendment from General Commercial to High Density Residential. The proposed site is adequate to accommodate a multi-family residential project. The site is adjacent to Huntington Drive, the City's main thoroughfare, and accessible regionally by the Interstate-210. The project will be designed to accommodate proper public and emergency personnel and will be adequately served by utilities. A traffic analysis was conducted as part of the project review and determined the impacts to traffic will be substantially less with the amendment to High Density Residential in comparison to the current designation of General Commercial. The amendment will allow the development of multi-family project that will accommodate a density on average between 17 to 23 units. It is not anticipated that the project will endanger or jeopardize the property or improvements

in the vicinity. The project will allow the improvement of underutilized properties with a development that is compatible to its surroundings and with minimal impacts to the adjacent neighborhood.

SECTION 3. CEQA DETERMINATION

In recommending adoption of PC Resolution 18-08 for the General Plan Amendment, 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) with the Mitigated Negative Declaration that has been prepared for the project and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-08, based on the findings listed in Section 2, and recommends approval of General Plan Amendment 18-01 to the City Council, for the amendment of the land use designation of four parcels (APN 8530-013-902, 8530-013-903, 8530-013-904, and 8530-013-009) and amendment to the City's General Plan Land Use Diagram from General Commercial to High Density Residential. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August, 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

RESOLUTION NO. PC 18-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF A ZONE CHANGE (ZC 18-01) TO MODIFY THE CITY OF DUARTE ZONING MAP FROM C-F COMMERCIAL FREEWAY TO R-4 MULTIPLE-FAMILY RESIDENTIAL HIGH DENSITY FOR FOUR PARCELS OF LAND LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, the Planning Commission, has considered proposed Zone Change 18-01, changing the zoning designation and modifying the City of Duarte Zoning Map for four parcels (APN 8530-013-902, 8530-013-903, 8530-013-904, and 8530-013-009) from Commercial-Freeway C-F to R-4 Multiple-Family Residential High Density; and

WHEREAS, Zone Change 18-01 provides, among other provisions, for development of a 25-unit, owner-occupied, three-story townhome development; and

WHEREAS, Zone Change 18-01 is contingent upon the approval of General Plan Amendment 18-01; and

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

WHEREAS, on August 20, 2018 the Planning Commission held a duly noticed public hearing on the proposed Zone Change, whereupon the Planning Commission received public testimony; and

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

WHEREAS, The Planning Commission determines that the proposed change to the zoning designation from C-F Commercial Freeway to R-4 Multiple Family Residential High Density Residential is the highest and best use for the subject property; and

WHEREAS, The Planning Commission determines that the Zone Change is in the best interests and welfare of the City and its residents; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve the Zone Change, modifying the zoning designation of four parcels of land from C-F Commercial-Freeway to R-4 Multiple-Family Residential High Density;

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

SECTION 1. RECITALS

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

SECTION 2. FINDINGS FOR GENERAL PLAN AMENDMENTS

The Planning Commission finds and determines as follows: findings for Zone Change, as set forth in DDC Section 19.142.060.B, as:

1. The Zone Change is consistent with the Duarte General Plan.

The project conforms to the goals and objectives on the General Plan by establishing a designation that will accommodate a range and mix of housing in proximity to complementary uses such as the retail and service commercial shopping center to the east. The land use of High Density Residential is consistent with the R-4 zoning designation, allowing a high density residential project consisting of multi-family housing. The goals and objectives of the General Plan are further achieved with the re-designation of underutilized non-residential properties that will result in the rezoning into higher density residential sites.

2. The Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The project will amend an existing zoning designation to R-4 Multiple Family High Density Residential, which typically allows for a multi-family attached housing developments. The zoning designation is consistent with the adjacent property to the west and is complementary to the remaining surrounding properties. The amendment will establish a designation that will facilitate an improvement to an underutilized property and the surrounding community.

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

The zone change will modify the current zoning designation of the project site from C-F Commercial-Freeway to R-4 Multiple Family High Density Residential. The site is adequate to accommodate a multi-family residential project. The site is adjacent to Huntington Drive, the City's main thoroughfare and accessible regionally by the Interstate-210. The project will be designed to accommodate proper public and emergency personnel and will be adequately served by utilities. A traffic analysis

was conducted as part of the project review and determined that the impacts to traffic will be substantially less with the amendment to High Density Residential in comparison to the current designation of General Commercial. The zone change will allow the development of multi-family project that will accommodate a density on average between 17 to 23 units. It is not anticipated that the project will endanger or jeopardize the property or improvements in the vicinity. The project will allow the improvement of an underutilized area with a development that is compatible to its surroundings and with minimal impacts to the adjacent neighborhood.

SECTION 3. CEQA DETERMINATION

In recommending adoption of PC Resolution 18-09 for the Zone Change, 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) with the Mitigated Negative Declaration that has been prepared for the project and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-09, based on the findings listed in Section 2, and recommends approval of Zone Change 18-01 to the City Council, modifying the zoning designation of four parcels (APN 8530-013-902, 8530-013-903, 8530-013-904, and 8530-013-009) and amendment to the City's Zoning Map from C-F Commercial Freeway to R-4 Multiple Family Residential High Density. Except as expressly modified herein, the Zoning Map shall remain in full force and effect and shall apply to the property affected by this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August, 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

RESOLUTION PC 18-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF TENTATIVE TRACT MAP 82129 FOR CONDOMINIUM PURPOSES TO ALLOW A 25-UNIT, OWNER-OCCUPIED, THREE-STORY TOWNHOME DEVELOPMENT LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, the applicant is requesting approval of Tentative Tract Map No. 82129 to allow the development of a 25-unit, owner-occupied, townhome development, located at 946, 952, 956, 962 Huntington Drive; and

WHEREAS, the Tentative Tract Map No. 82129 is contingent upon the approval of General Plan Amendment 18-01 and Zone Change 18-01; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 82129, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered Tentative Tract Map No. 82129 for a 25-unit, owner-occupied, three-story development located 946, 952, 956, 962 Huntington Drive; and

WHEREAS, The Planning Commission finds and determines that Tentative Tract Map No. 82129 is in the best interests and welfare of the City and its residents.

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers and recommends the City Council approve Tentative Tract Map No. 82129 for a 25-unit, owner-occupied, three-story townhome development, subject to conditions of approval.

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

SECTION 1. RECITALS

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

SECTION 2. FINDINGS FOR TENTATIVE TRACT MAP

The Planning Commission finds and determines as follows: findings for Tentative Tract Map, as set forth in DDC Section 19.72.060.A, as:

1. Tentative Tract Map No. 82129 is consistent with the applicable General Plan.

The project conforms to the goals and objectives on the General Plan by establishing a new subdivision that will accommodate high density housing which will ultimately lead to a range and mix of housing in proximity to complementary uses such as the retail and service commercial shopping center to the east. The goals and objectives of the General Plan are further achieved with the re-designation of underutilized non-residential properties that will result in the rezoning into higher density residential sites.

2. The design of Tentative Tract Map No. 82129 is consistent with the applicable General Plan.

Tract Map 82129 will allow a high-density residential project consisting of multi-family housing on the 1.24 acre property. The high-density housing is consistent with the goals and objectives of the General Plan by allowing a range of housing opportunities that will improve and maintain a balance community with various residential housing types and commercial activities where appropriate.

3. Tentative Tract Map No. 82129 is physically suitable for the proposed development.

Tentative Tract Map 82129 will allow a high density residential townhome development on 1.24 acres. The project will result in a density of 21 units per acre, which is consistent with the General Plan and R-4 zone. The proposed site is adequate to accommodate a multi-family residential project. The site is adjacent to Huntington Drive, the City's main thoroughfare and accessible regionally by the Interstate-210. The project will be designed to accommodate proper public and emergency personnel and will be adequately served by utilities.

4. Tentative Tract Map No. 82129 is physically suitable for the proposed development density allowed in the R-4 Multiple-Family Residential High Density zoning designations.

Tentative Tract Map 82129 will allow a high density residential townhome development on 1.24 acres. The project will result in a density of 21 units per acre, which is consistent with the General Plan and R-4 zone. The proposed site is adequate to accommodate a multi-family residential project. The Tentative Tract Map will include attached structures in the form of a 3-plex, 6-plex, and 7-plex. The structures will be accessible by a main 26-foot wide drive aisle from Huntington Drive and secondary driveways extending from the main drive aisle, also 26 feet wide. The Tentative Tract Map will be designed to provide adequate: pedestrian and vehicular circulation for residents, emergency vehicle access, and open space. The tract map will also be designed to comply with the off-street parking requirements for the R-4 zone, using the main drive aisle as access to

residential garages and surface parking areas.

5. Tentative Tract Map No. 82129 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including an air quality analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report, environmental assessments, noise studies, and traffic analysis. The environmental factors identified by the Initial Study that would be potentially affected by this project include: Cultural and Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, and Utilities. The result of the Initial Study indicated the project would not have any significant environmental impacts with adopted mitigations. The Initial Study recommends the adoption of mitigation measures to reduce these potential impacts to a level of less than significant. These mitigations are then implemented as part of the project and monitored through a mitigation monitoring program as required by the MND. The mitigation measures are provided in the Mitigated Negative Declaration (MND).

Furthermore, the project site is located within an urbanized portion of the City. As an urbanized and disturbed site, there is a lack of quality biological habitat within and immediately surrounding the site. As such, the proposed project would not impact or injure fish or wildlife or their habitat.

6. Tentative Tract Map No. 82129 and related improvements are not likely to cause serious public health problems.

The Tentative Tract Map will establish a new residential condominium subdivision for a 25-unit owner-occupied townhome development. A multi-family development is consistent with the project to the west and is complementary to the remaining surrounding properties. The tract map will help facilitate an improvement to an underutilized property and in. A homeowners association and Codes, Covenants and Restrictions (CC&R's) will ensure the tract map and future project do not cause public health problems to the community.

7. Tentative Tract Map No. 82129 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The Tentative Tract does not include any easements for access through or use of the property within the subdivision that will conflict with the proposed improvements. Easements identified on Tract Map 82129 that are indicated to remain will be incorporated as part of the residential project.

8. Tentative Tract Map No. 82129 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area.

The Tentative Tract Map will allow the development of a multi-family residential project that has been designed to correspond with the allowed land uses and the improvements are consistent with the General Plan and applicable Zone.

SECTION 3. CEQA DETERMINATION

In recommending adoption of PC Resolution 18-10 for Tentative Tract Map 82129, 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) with the Mitigated Negative Declaration that has been prepared for the project and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-10, based on the findings listed in Section 2, and the Conditions of Approval listed in "Exhibit E-1", and recommends approval of Tentative Tract Map 82129 to the City Council, for the establishment of new subdivision for a 25-unit, owner-occupied, three-story residential townhome development located at 946, 952, 956, 962 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August, 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

EXHIBIT E-1
CONDITIONS OF APPROVAL
Tentative Tract Map No. 82129

1. The Applicant/Developer shall provide full street improvements on Huntington Drive within the limits of the development. Improvements shall include curbs and gutters, sidewalks, approaches, and asphalt paving according to City standards and as shown on Tentative Tract Map 82129.
2. The Developer/applicant shall prepare Covenants, Codes, & Restrictions (CC&R's) in a form acceptable to the City Attorney. The CC&R's shall provide regulations that include but are not limited to: onsite parking management, guest parking, use of resident garages for parking, outdoor storage, common area maintenance, trash service, among others. The CC&R's shall include requirements for the establishment of a Homeowners Association that will implement and ensure compliance with the CC&R's. The CC&R's shall be recorded with the County Recorder's Office and proof of recordation shall be provided to the City of Duarte prior to issuance of Certificate of Occupancy. The CC&R's shall not be modified without prior approval from the City.
3. The proposed General Plan Amendment 18-1, Zone Change 18-1, Planned Development Permit 18-1 and Tentative Tract Map 82129 (collectively, "Approvals") would locate a 25 unit townhouse project on the 1.24 acre property at 946-962 Huntington Drive, a property currently zoned for Commercial use. In order to provide customarily expected sales tax revenues to the community, applicant agrees to pay to City the sum of Four Hundred Thirty Five Thousand Dollars (\$435,000.00) as an in-lieu payment ("In-Lieu Payment") to compensate City for the anticipated loss of general fund revenues the City would have received from sales taxes generated by commercial uses at the property. This amount is based in a July 2018 sales tax assessment prepared for the City by EPS. The In-Lieu Payment shall be payable to the City within ninety (90) days after the City Council's approval of the Approvals. The In-Lieu Payment is to be deposited into the City's General fund and expended for any municipal purpose.
4. Decorative paving materials shall be integrated into driveways, parking areas, and pedestrian walkways as shown on Tentative Tract Map 82129 and as approved by the City Engineer and/or Public Works/Engineering Division.
5. The developer shall comply with the City's cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
6. The Applicant/Developer shall comply with the latest editions of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)

7. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
8. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.
9. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc., as applicable
10. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
11. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
12. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.
13. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
14. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
15. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. Prior to installing sewer lines, the Applicant/Developer shall perform a sewer capacity study and submit it to the City for review and approval from the City Engineer and/or Public Works Division prior installation of any sewer lines and issuance of building permits. A sewer connection fee is required by the County Sanitation District. Said fees shall be paid and proof of payment shall be provided prior to the issuance of building permits.

16. The Applicant/Developer shall dedicate all street right-of-way as shown on the Tentative Map to correct any right-of-way areas that require dedication associated with the project site that may have been previously overlooked or not completed. The main drive aisle and secondary drive aisles within the project site shall be private. Maintenance on the private drive aisles shall be the responsibility of the Applicant/Developer and the established Homeowners Association.
17. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
18. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
19. The following shall be prepared by a professional registered engineer and submitted to the Engineering/Public Works Division for review:
 - LID Plan. A Low Impact Development (LID) Plan shall be submitted to the Engineering/Public Works Division for review. The LID plan shall provide a comprehensive and technical discussion of how the proposed project will comply with the City's stormwater program requirements. LID Guidance and implementation can be obtained from Los Angeles County Public Works LID Standards Manual. Contact the Duarte Public Works Division for more information. The LID plan shall be approved prior issuance of grading permits.
 - Civil Plans. Two sets of complete Civil plans shall be submitted to the Engineering/Public Works Division for review, accurately showing all existing public improvements near the subject development (i.e., street lights, signs, utility vaults and boxes, bus stops, street trees, catch basins, etc.) and shall clearly indicate any proposed modifications to the existing public improvements. Such proposed modifications to the public improvements shall require approval from the City Engineer and Community Development Director prior to issuance of any building permit and/or grading permit.
 - Soils/Geology report and Hydrology Study.
 - A detailed grading and drainage plan, including all supporting information and design criteria shall be prepared by a licensed Civil Engineer and submitted to

the Engineering Division for review. The grading and drainage plan shall be approved by the City Engineer prior to the issuance of a grading permit.

- A detailed utility plan.
20. A final tract map shall be prepared by a licensed land surveyor or a registered Civil Engineer and recorded with the County of Los Angeles prior to the issuance of certificate of occupancy.
 21. Security Bonds and/or Subdivision Agreement shall be submitted and recorded prior to the issuance of the grading permit.
 22. Prior to exoneration of any security for the project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, the applicant shall file a Corner of Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711 (b) of the California Professional Land Surveyors Act.
 23. Prior to final approval of completed grading, landscaping, or any public improvements, the developer/applicant/contractor shall provide digital (PDF) and AutoCAD files of each plan to the Public Works Division. The Permit Number and the words "RECORD DRAWING" shall appear on each plan sheets.
 24. All utility facilities within the public right of way including but not limited to conduit, cable, cabinets, control boxes, etc. shall be placed underground with any access panels flush with the ground surface. If there are physical constraints restricting the placement of utility facilities underground, the developer shall provide clear engineering reasons why above ground facilities cannot be installed with underground vaults/handholes.
 25. All utility services stubbed to the site that will not be used to serve the development shall be properly abandoned.
 26. All trees within the City right-of-way along Huntington Drive shall be replaced and/or installed pursuant to the City's adopted Street Tree Plan for Huntington Drive; all sidewalk tree wells shall be consistent with the City's tree well design and shall require a right of way permit from the Public Works Division prior to installation.
 27. The Developer shall construct a new driveway approach on Huntington Drive per City standards. Decorative stamped concrete or enhanced paving shall be installed behind the driveway approach. The driveway approach and ramps shall be approved by the City Engineer prior to construction and shall require the issuance of a public right-of-way permit. The approach and driveway shall be designed to ensure the safety of vehicles entering and exiting the property, as well as pedestrians crossing the driveway.

28. All trenching/potholing/street cuts shall be fixed permanently within five (5) working days following the completion and acceptance of the backfill. Temporary asphalt concrete is required immediately following completion of the backfill. If plates are necessary, they shall be placed flush to the road surface and tack welded together if two or more plates are used. If plates are necessary, then under no circumstance shall a trench remain plated longer than 48 hours, unless a longer term is approved by the Public Works Manager.
29. In the event the street pavement is substantially cut and/or altered following the installation of all utilities in the public right of way, the entire street (width, length) in front of the project site shall be sealed, as determined by the City Engineer.
30. Connector Pipe Units shall be installed in all catch basins along the project site. All installations shall be inspected/verified by the Public Works Division prior to issuance of Certificate of Occupancy.
31. Traffic control work (delineation and signage) shall comply with the California Manual on Uniform Traffic Control Devices. A traffic control plan shall be submitted to the Public Works Division for review and approved prior to beginning construction and/or grading.
32. Vehicular access to public streets and driveways shall remain unobstructed during the construction period.
33. The developer, contractor and all representatives shall comply with the National Pollution Discharge Elimination System (NPDES) Permit No. CAS004001, Order No. R4-2012-075, and amendments, issued by the California Regional Water Quality Control Board, Los Angeles Region. Construction activities that disturb one acre or more are regulated under the NPDES stormwater program. Operators of regulated construction sites are required to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) and to obtain a Construction General Permit (NOI) from the State Water Resources Control Board to discharge stormwater. A copy of the permit shall be provided to the Public Works Division to keep on file and ensure compliance.
34. The developer and/or contractor is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure shall be included in the SWPPP and implemented as approved by the City Engineer.
 - Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.

- Ensure that concrete supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
 - Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
35. The developer and/or contractor shall incorporate and comply with all regulations, policies and standards regarding water, sewer, and storm water.
 36. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, etc. as required shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
 37. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
 38. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
 39. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
 40. A preliminary title report and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.
 41. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
 42. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
 43. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.

44. 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.
45. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION NO. PC 18-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF A PLANNED DEVELOPMENT PERMIT FOR A 25-UNIT, OWNER-OCCUPIED, THREE-STORY TOWNHOME DEVELOPMENT LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, the applicant is requesting approval of a Planned Development Permit to allow flexibility in development standards related to front and rear setbacks and private open space requirements, in exchange for excellence in design and enhanced amenities, for the proposed 25-unit, owner occupied, three-story townhome development at 946, 952, 956, 962 Huntington Drive; and

WHEREAS, Planned Development Permit 18-01 is contingent upon the approval of General Plan Amendment 18-01, Zone Change 18-01, and Tentative Tract Map No. 82129; and

WHEREAS, On July 9, 2018 the Architectural Review Board reviewed the plans for Planned Development Permit 18-01 and Site Plan and Design Review Case 18-17 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, notice of a public hearing on the Planned Development Permit 18-01 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 Planned Development Permit 18-01, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers;

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 FOR PLANNED DEVELOPMENT PERMITS

The Planning Commission finds and determines as follows, findings for Planned Development Permits, as set forth in DDC Section 19.118.050 (B), as:

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

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 25-unit, owner-occupied, three-story townhome development is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, as well as maintaining a balanced community consisting of various residential types and commercial activities. The residential development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded adjacent to residential uses along the south (single-family) and to the west (multi-family). Commercial developments are established to the east (Mountain Vista Shopping Center) and north (City of Monrovia). The proposed R-4, Multiple-Family Residential High Density zone is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the project will not create incompatibility with the surrounding areas.

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

The project will use high quality architectural designs and materials. A semi-smooth 30/30 stucco float will be applied to the exterior throughout the project. All windows will be recessed to provide an enhanced appeal and complement the Spanish architectural style. The drive aisles and surface parking area will be improved with decorative paving; pedestrian walkways will be enhanced using integral colored concrete. Additional features such as accent tile, scalloped sills, trellis and awning features, wrought-iron details, among others will be provided throughout the project to improve the overall design. The site improvements will include a large centrally-located common area and additional open space areas for all residents to enjoy. The amount of common open space exceeds the minimum requirement by 30 percent. The central common space encourages social interaction with a combination of hardscape and landscape, seating options, barbeque equipment, and a large shade structure. Each unit will also include private yard space directly adjacent to the townhome. These private yard areas range in size. Although two units (unit 6 and unit 7) do not contain the minimum required private space, these units are adjacent to the large common area and have the benefit of direct access. The project site has sat underutilized for years. The project will gain an optimal use of the property and provide a visual appeal along Huntington Drive.

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

Associated PC Resolution 18-08 for General Plan Amendment 18-01, PC Resolution 18-09 for Zone Change 18-01, PC Resolution 18-10 for Tentative Tract Map 82129, and PC Resolution 18-12 for Site Plan & Design Review Application 18-17 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

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

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from Huntington Drive only using a two-way 26-foot wide drive aisle down the center of the property and two secondary drive aisles extending from the main. The drive aisles provide access to the two-car garages attached to each townhome and to the 12 guest and overflow parking stalls that are provided through the property. A traffic study was conducted to analyze the General Plan Amendment and Zone change from commercial to residential. The results of the study indicated a lower trip generation will occur with the proposed residential in comparison to a commercial use that would be allowed under the previous zoning.

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

The residential project will be developed on roughly 1.24 acres of land, and based on the project design is project site is suitable for accommodating the residential structures, drive aisles, open space and pedestrian walkways. The project includes 25 units, which is a density of 21 units per acre, which is below the maximum dwelling unit density of the R-4 zone. The density also allows for enhanced amenities such as increased open space.

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

The residential project is unlikely to have a major demand for public services. The subdivision will be designed to meet the requirements of the Fire Department, and various utilities that are necessary for the project development. The site is served by the City's main thorough Huntington Drive which is adequate for accommodating the level of traffic and activity associated with the residential development. The residential development will be served by various utilities, such as water and sewer. The developer will be required to perform the necessary studies and secure will-serve letters from the required agencies. A preliminary review of the project has been completed by the agencies and it is not anticipated the project will cause a substantial reduction in the public services to the surrounding properties.

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

The residential development is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GAP 18-01, Zone Change 18-01, Tentative Tract Map No. 82129, Planned Development

Permit 18-01, and Site Plan and Design Review 18-17. The proposed mitigations and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community (conditions related to PPD 18-01 are included with Resolution 18-12 for the Site Plan and Design Review). The residential development will redevelop long-standing vacant properties with dilapidated structures into a project that benefits the community. The project is not anticipated to cause a hazard to the public convenience or general welfare of the surrounding areas.

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

The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: complement the surrounding developments, improve an underutilized dilapidated property, provide adequate access for vehicles and pedestrians, expand the central common space area for greater use and interaction, and adjust front setbacks to provide compatible transitions between adjacent projects. The massing and scale is maintained with the use of varying roof heights; the movement in the building increases the architectural interest and articulation by incorporating bay windows, trellises, and other architectural features. Lastly, the project will feature high quality materials and will be influenced by Spanish architecture style.

SECTION 3. CEQA DETERMINATION

In recommending adoption of PC Resolution 18-11 for Planned Development Permit 18-01, 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 a Mitigated Negative Declaration has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Planned Development Permit.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-11, based on the findings listed in Section 2, and recommends approval of Planned Development Permit 18-01 to the City Council, for the establishment of new subdivision for a 25-unit, owner-occupied, three-story residential townhome development located at 946, 952, 956, 962 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August, 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

RESOLUTION PC 18-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING APPROVAL OF SITE PLAN AND DESIGN REVIEW CASE 18-17 TO THE CITY COUNCIL, FOR A 25-UNIT OWNER-OCCUPIED THREE-STORY TOWNHOME DEVELOPMENT AND ASSOCIATED SITE IMPROVEMENTS, LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, MJW Investments is requesting approval to develop a 25-unit owner-occupied residential townhome development located at 946, 952, 956, 962 Huntington Drive; and

WHEREAS, the proposed residential development is contingent upon the approval of General Plan Amendment 18-01, Zone Change 18-01, Tentative Tract Map No. 82129, and Planned Development Permit 18-01; and

WHEREAS, new three-story, multiple-family residential construction requires recommendation from the Architectural Review Board to the Planning Commission, and since this project involves entitlements that also require consideration from the City Council, a recommendation from the Planning Commission to City Council is required for complete project approval, pursuant to Section 19.112.030 and Table 7-2 in Section 19.122.030 of the Duarte Development Code; and

WHEREAS, On July 9, 2018 the Architectural Review Board reviewed the plans for the Site Plan and Design Review Case 18-17 and Planned Development Permit 18-01 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, notice of a public hearing on Site Plan and Design Review 18-17 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 Site Plan and Design Review 18-17, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers;

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 FOR PLANNED DEVELOPMENT PERMITS

The Planning Commission finds and determines as follows, findings for Site Plan and Design Review, as set forth in DDC Section 19.122.050 (E), as the project is:

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

General Plan Amendment and Zone Change 18-01 are included as part of the overall project proposal. The residential development is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties and maintain a balanced community consisting of various residential types and commercial activities. The residential development will comply with all the applicable provisions of the R-4 Multiple-Family Residential High Density zoning districts, with the exception of the modifications associated with Planned Development Permit 18-01.

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

The residential project will be developed on roughly 1.24 acres of land, and based on the project design is project site is suitable for accommodating the residential structures, drive aisles, open space and pedestrian walkways. The project includes 25 units, which is a density of 21 units per acre. This is below the maximum of the R-4 zone but suitable for the development and project site. The density also allows for enhanced amenities such as increased open space to further improve the overall project. The use of PDP 18-01 also helps ensure the project site is adequate for the residential development. The PDP allows flexibility in the development standards. These deviations have been applied to the front and rear setbacks and private open space. The setbacks have allowed the project to achieve a suitable density and increase the amount of common open space by 30 percent. The private open space for two units is below the minimum, however these units have direct access to the common area.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and

- *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential to the south, multiple-family residential uses to the west, and commercial uses to the east and north. The proposed project will construct multiple-family residential which is compatible with the existing uses that surround the project site.*
- *Architectural Design and Detail. The project proposes a high-quality Spanish architectural style. The proposed style utilizes a variety of architectural features such as bay windows and recessed windows and entries. Tile accent will be applied around the townhome entries. The exterior will be finished using a semi-smooth 30/30 stucco in white, with light tan and brown accent colors. The project*

incorporates additional detail such as wrought iron accents, trellis and awning features, and decorative garage doors. The roof of each structure will include a low scale 3.5:12 or 4:12 pitch using concrete tile to complement the Spanish architecture. The roof style helps control the massing, and the architectural features incorporated into the design provide strong movement and modulation in the building form.

- Landscape, Lighting, Parking, Signs, and Other Design Details.
 - a. Equipment and Utilities. *All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.*
 - b. Fences/Walls. *Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of chain-link fencing and block walls along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.*
 - c. Landscaping. *New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.*
 - d. Lighting. *A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.*
 - e. Parking. *The project meets the off-street parking requirements for the use by providing attached two-car garages for all 25-units, and 12 surface parking spaces for guest and overflow parking requirements. The project also allows adequate circulation into and throughout the property.*
- 4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses to the south - single-family residential homes, and to the west – multi-family condominiums. The proposed R-4 zone is consistent with the adjacent residential property to the west and compatible

with the other surrounding properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure residential development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

SECTION 3. CEQA DETERMINATION

In recommending adoption of PC Resolution 18-12 for Site Plan and Design Review 18-17, 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 a Mitigated Negative Declaration has been prepared for the project, and corresponding Site Plan and Design Review application, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Site Plan and Design Review application.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-12, based on the findings listed in Section 2, and the conditions of approval listed in "Exhibit G-1" and recommends approval of Site Plan and Design Review 18-17 to the City Council, for a 25-unit, owner-occupied, three-story residential townhome development located at 946, 952, 956, 962 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

EXHIBIT G-1
CONDITIONS OF APPROVAL
Planned Development Permit 18-01
Site Plan and Design Review ARB 18-17

1. The elevations of each building (townhome cluster) shall be reviewed and approved by the Planning Division prior to submitting to Building and Safety plan check. Final review shall include approval of the color palette, placement of colors, and all finished building materials/elements, including but not limited to the type, color, and/or placement of trims, cornices, awnings, among others. All finished materials/elements incorporated into the building design shall be of high quality and high durability, and shall take into consideration locations that may be more vulnerable to damage or potential maintenance concerns.
2. A common and private open space plan shall be provided to the Community Development Department for final review and approval prior to submitting for Building and Safety plan check. The open space plan shall include the square feet of the usable common area and private area (each unit). The open space plan shall also include a list of amenities for the common open space areas.
3. All windows and doors shall require final approval from the Planning Division prior to permit issuance. A separate window and door plan with an accurate window and door schedule shall be provided to the Planning Division for review prior to submitting to Building and Safety plan check. The schedule shall list the window and door types and their locations. The plan shall include all necessary details on the type, color, and material of all proposed windows and doors; sections/detail drawings depicting the use of trims, moldings, mullions, etc.
4. All garage doors shall be of high quality design that is complementary to the architectural style of the building. Final approval from the Planning Division is required prior to issuance of building permits.
5. The Developer/applicant shall prepare Covenants, Codes, & Restrictions (CC&R's) in a form acceptable to the City Attorney. The CC&R's shall provide regulations that include but are not limited to: onsite parking management, guest parking, use of resident garages for parking, outdoor storage, common area maintenance, trash service, among others. The CC&R's shall include requirements for the establishment of a Homeowners Association that will implement and ensure compliance with the CC&R's. In addition to being a requirement of this approval, the CC&R's shall also be a requirement of the approved subdivision tract map associated with this project; any requirements associated with the tract map or other entitlements as part of the overall project approval shall be incorporated with this approval by reference. The CC&R's shall be recorded with the County Recorder's Office and proof of recordation shall be provided to the City of Duarte prior to issuance of Certificate of Occupancy. The CC&R's shall not be modified without prior approval from the City.

6. The maintenance responsibilities of the Homeowners Association shall include the adjoining private yard areas for each residential unit, in addition to all common areas on the property. The Developer/Applicant shall provide an HOA maintenance plan to the Community Development Director for approval prior to building permit issuance. The HOA plan shall clearly depict the HOA maintenance areas and the private ownership areas. Language to this effect, as determined by the City Attorney, shall be included in the CC&R's.
7. Resident garages shall be used for vehicle parking only. Excessive storage or any reduction of vehicle parking space within the garage shall be prohibited. Garages shall maintain a minimum clearance of 20 feet wide and 20 feet deep for vehicle parking. Garages shall also maintain adequate space outside of the vehicle parking area for resident trash receptacle storage, as depicted on the approved plans. Language to this effect, as determined by the City Attorney, shall be included in the CC&R's.
8. Uncovered off-street parking within the property shall be designated for guest and overflow only and not for the exclusive use of residents. Language to this effect, as determined by the City Attorney, shall be included in the CC&R's.
9. The Developer and/or Homeowners Association shall establish a Residential Parking Management Plan that regulates onsite parking to reduce any potential overflow parking onto the street and within adjacent properties. The parking management plan shall be incorporated into the recorded CC&R's and implemented/monitored by the established Homeowners Association. The management plan shall be provided to the Planning Division for review and approval prior to permit issuance. Language to this effect, as determined by the City Attorney, shall be included in the CC&R's.
10. Final design/location of all fences, walls, and gates shall require approval from the Planning Division. A detailed fence, wall, and gate plan shall be submitted to the Planning Divisions for review and approval prior to permit issuance, and shall include all finish color and material details, block wall cap details, among others.
11. A complete landscape, hardscape, and irrigation plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval prior to permit issuance. All landscape areas shall be permanently landscaped and irrigated with a variety of drought-tolerant plants, shrubs, ground cover, large and/or small canopy trees. A variety of hardscape areas shall also be included with the landscape plans. All pedestrian walkways and garage approaches shall be constructed out of concrete; decorative/enhanced paving material shall be incorporated in the drive aisle at the back of the approach. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code. Separate review fees shall apply.
12. An operation plan for trash pick-up service shall be provided to the Planning Division for review and approval prior to permit issuance. The operation plan shall

include pick-up schedules, receptacle placement, receptacle size and type, trash circulation, among others. The developer/applicant shall contact the City's waste disposal company, Burrtec Waste, to create a sufficient disposal schedule that will ensure waste generated by the residents is hauled off site in a timely manner.

13. All exterior lighting shall require final approval from the Planning Division prior to installation and/or issuance of permits. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. A lighting plan shall be provided to the Planning Division for review and shall include cut-section drawings, manufacture brochure, illumination levels/lighting distribution, operational features, and any additional information as needed for all proposed wall-mounted lights, street lights, pedestrian lights, and common area lighting. Separate review fees for the lighting plan review may apply.
14. A maintenance plan that provides continued and regular maintenance throughout the property shall be submitted to the Community Development Department for review and approval prior to permit issuance. The maintenance plan shall be incorporated in the CC&R's and implemented by the established Homeowners Association. All requirements of the approved maintenance plan shall be incorporated by reference as a condition of approval.
15. The Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any multi-unit or "cluster box", that serves multiple residents, shall be designed to match or compliment the architectural style of the project. Multi-unit mailboxes shall require review and approval from the Planning Division prior to permit issuance.
16. The storage of bikes, equipment, clothing, or other types of miscellaneous storage on balconies or within the private courtyards visible from Huntington Drive is prohibited. Restrictions on the balcony storage shall be incorporated in the approved CC&R's and regulated by the established Homeowner's Association for the property.
17. The Developer shall comply with all requirements of the Los Angeles County Fire Department, including inspections, unit address identification, among others, prior to the issuance of a certificate of occupancy.
18. The Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
19. The project is considered a Level 3 project pursuant to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation using water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.

20. The project shall comply with all regulations of the Duarte Municipal Code and the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections.
21. Any revisions to the site plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation; substantial changes may require review and approval from the Architectural Review Board and/or Planning Commission.
22. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure, attic, or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color. Ground mounted equipment shall be shielded from public view by landscaping and/or enclosed in integrated utility closet, subject to approval from the Planning Division.
23. All utilities for direct service to the project shall be installed underground and concealed from view, as approved by the Planning Division, except for transformers, which shall be allowed above ground with adequate screening.
24. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information.
25. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
26. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Planning Commission.
27. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
28. Building permits for this project must be issued within one-year from the date of approval from the Planning Commission or the application and approval shall expire.
29. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District and proof of payment provided to the City. Contact Duarte Unified School District for more information.

30. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
31. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
32. The decision of the Architectural Review Board may be appealed to the City Council within 15 days from the date of approval. Said appeal must be in writing and filed with the City Clerk's office (DDC 19.144). The written appeal shall include reasons for the appeal.
33. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION NO. PC 18-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE RECOMMENDING THE DUARTE CITY COUNCIL CERTIFY THE MITIGATED NEGATIVE DECLARATION TO REDUCE THE IDENTIFIED “POTENTIALLY SIGNIFICANT” IMPACTS TO A LEVEL OF “LESS THAN SIGNIFICANT” FOR A 25-UNIT, OWNER-OCCUPIED, THREE-STORY TOWNHOME DEVELOPMENT LOCATED AT 946, 952, 956, 962 HUNTINGTON DRIVE

WHEREAS, the Planning Commission of the City of Duarte (“Planning Commission”) has considered the Mitigated Negative Declaration (“MND”) and Mitigation and Monitoring Program (“MMP”) for the development of 25-unit owner-occupied, three-story townhome development on four parcels (APN 8530-013-902, 8530-013-903, 8530-013-904, and 8530-013-009) located at 946, 952, 956, 962 Huntington Drive; and

WHEREAS, the MND for the proposed 25-unit development provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in “Exhibit A”, attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report, and all information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers;

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

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

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

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

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

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

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

SECTION 4. The Planning Commission recommends to the City Council of the City of Duarte that the MND be approved and adopted, in accordance with Exhibit “H-1” attached hereto and made a part of this Resolution; and that the MND, including all elements listed above, be certified by the City, as lead agency for the proposed project.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August, 2018.

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

Exhibit “H-1”

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto



PLANNING COMMISSION STAFF REPORT

Date: August 20, 2018

Project: Conditional Use Permit 18-03, and Site Plan and Design Review 18-30

Subject: A request to allow the operation of a full-service restaurant with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, valet parking, and late-night hours. The project also includes a request for exterior modifications to an existing buildings and construction of structures accessory to the proposed use.

Location: 1521/1525 Huntington Drive – Senator’s Lounge

Applicant: Medinvestments Inc., Owner/Operator

SUMMARY

Medinvestments, Inc. is requesting approval of a conditional use permit (CUP) to allow the operation of the Senator’s Lounge, a full-service restaurant with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, valet parking, and late-night hours. As part of the project, the applicant is also seeking approvals to remodel existing restaurant buildings and construct new accessory structures related to the operation of the business. The new restaurant and patios are being designed in a Spanish and Mediterranean inspired architectural style. The property will also be improved with a new parking lot striping, parking lot lights, and new landscaping

Based primarily on concerns related to the proximity of residential and hospitality adjacent to the property and the potential for negative impacts generated by the proposed activities, Staff is recommending a series of conditions that are intended to mitigate business impacts from these adjacent uses. With the implementation of the conditions of approval, Staff recommends the Planning Commission adopt PC Resolution 18-19 and 18-20, approving the operation of the Senator’s Lounge and construction of associated building improvements.

BACKGROUND

Building records indicate the current restaurant building was constructed in 1957 as a retail business. In 2002, the then vacant retail business was modified into a Mediterranean Restaurant with an outdoor patio for both dining and hookah service. In 2003, Conditional Use Permit 03-6 was approved for alcoholic beverage (general) sales. Conditional Use Permit 04-1 was approved the following year for entertainment that allowed live music (3-person band), dancing (belly dancers) and disc jockeys indoors until 11:00PM on weekends.

In 2005, the business was purchased by the previous owner and named the Village Restaurant. After operating the business for several years, the City Council approved Conditional Use 09-2, via an appeal. This 2009 entitlement modified alcoholic beverage service and entertainment operations. The CUP also reflected business operations that had expanded with additions to the size of the rear outdoor patio. Most importantly, operating hours were approved until 12:00AM, seven-days a week; and entertainment, consisting of three (3) acoustical musicians and belly dancing, was allowed to perform outdoors.

After several years of generally quiet operation, the former owner began to run the business differently. The patio in rear of the restaurant was enlarged without proper approvals. Additional minor structures

were also constructed without permits. The owner also began a series of business activities that were violation of the CUP's and were detrimental to neighboring properties. This included live music performances and DJ's in the outdoor patio, hosting large banquet events, and providing valet parking without proper approvals. Furthermore, the former owner showed a lack of respect to adjacent businesses by not managing his business appropriately and showing a complete disregard for the CUP, municipal laws and general good business practices. City Staff began enforcement efforts on the patio structures, but were again stonewalled by poorly designed plans and a lack of information. During this time, business and activity at The Village Restaurant had declined considerably. At the same time the City was set to begin more robust enforcement, the owner indicated he was closing the business.

PROPERTY DESCRIPTION

The project site is located at 1521/1525 Huntington Drive, within the Town Center Specific Plan zone (TCSP). The 36,129 s.f. property is located mid-block and includes one-driveway approach on Huntington Drive. It is surrounded by single-family residential, (R-1 zoning) to the north and (Las Posadas Specific Plan) to the south. Commercial (hospitality) uses in the TCSP zone are situated to the west and east.

The property is currently improved with two single-story structures, a 2,863 square foot (s.f.) restaurant and a 702 s.f. pantry storage/office, parking lot and outdoor patio pad that was used in association with the previous Mediterranean restaurant. The large outdoor patio that was previously constructed on the property, approximately 6,000 s.f. in area, was demolished upon purchase by the current business owners/applicants. Parking lot lighting that exists on the property includes a hodgepodge of lighting fixtures that were never designed or approved to operate as parking lot lighting. Landscaping on the property is unmaintained or dead. The property is completely surrounded with a mixture of fencing/wall types and heights.

PROJECT DESCRIPTION

Medinvestments Inc., the applicants and business owners of the Senator's Lounge, are requesting City approval to open a full-service Mediterranean restaurant business with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, valet parking, and late-night hours. The project includes an extensive exterior remodel of the existing buildings and construction of several accessory structures that will function as either outdoor dining or service area. Furthermore, many improvements are being proposed to address existing accessibility concerns or repair issues caused by previous ownership. Medinvestments, Inc. has prepared a business operations statement (Exhibit A) that further describes their intentions behind ownership and operation of the Senator's Lounge, and their experience in establishing and operating other restaurant businesses.

The following is a description of the entitlements requested by the applicant:

- Conditional Use Permit 18-03: A request to allow the operation of a full-service restaurant with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, valet parking, and late-night hours; and
- Site Plan and Design Review 18-30: A request for an exterior remodel and modifications to an existing 2,863 square foot (s.f.) restaurant building and an existing 702 s.f. storage building; and construction of the following structures accessory to the proposed use: an approximate 5,200 s.f. outdoor dining patio, 404 s.f. service patio, and 338 s.f. restroom to the rear of the dining patio, and a 760 s.f. outdoor dining area (trellis) in front of the restaurant (Exhibit B).

A series of either conditional or minor use permits are required for the proposed use. All minor use permit entitlements are elevated to conditional use permits (CUP), since at least one of the entitlements

requires Planning Commission approval. The requested CUP is required for the operation of a full-service restaurant with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, and late-night hours per the Town Center Specific Plan zoning. A conditional use permit for valet parking is required per DDC Section 19.38.130. Site Plan and Design Review is required for nonresidential construction and exterior modifications pursuant to Duarte Development Code (DDC) Chapter 19.122. The City's Architectural Review Board (ARB) is the recommending body for the site plan and design review application only. On August 13, 2018, the ARB heard the application, suggested additional conditions, and unanimously recommended approval to the Planning Commission.

The following is a description of the operations proposed by the applicant and the services critical to the restaurant's business operation:

Business Operations & Outdoor Dining

The Senator's Lounge is a full-service restaurant, offering an assortment of Mediterranean dishes for lunch and dinner. The restaurant consists of three (3) dining sections: an indoor dining area located within the existing restaurant building, a large patio for outdoor dining located behind the restaurant, and a trellis covered patio dining area in front of the restaurant. Food and beverage service will be provided in all three dining sections, with hookah service only to the front and rear patios. Service areas would also be built and used for back of house operations such as beverage, food, and hookah service.

The indoor dining room is located within the main restaurant building. The kitchen, primary restrooms, and the main service bar are also located in the building. This room will host diners at both lunch and dinner, and is also the location of most entertainment activities and a small dancing area proposed for the business. This building will receive new doors and windows to help alleviate noise concerns, improve energy efficiency, and improve the aesthetic appeal of the building.

The large rear outdoor patio will be covered by a metal awning roof and open on the sides, except for a sound wall on the east side of the structure, and curtains that can be drawn during inclement weather. The rear patio will be divided into a dining area, and a lounge area closer to the proposed restroom building. The dining area is a more traditional setting with regular tables and chairs and is geared for families and dining patrons. The lounge area will provide a more casual dining experience, with low seats/tables, couches, and muted televisions. This area is planned for use primarily during dinner hours.

The front covered patio is designed to provide additional outdoor dining area at lunch and dinner, while also providing an enhanced architectural trellis feature to the front elevation of the building. This area is intended to enliven the dining experience near the sidewalk and street.

Alcoholic Beverage Service

Medinvestments, Inc. has applied through the State Department of Alcoholic Beverage Control (ABC) for a Type-47 license, which is defined as "On-Sale General for Bona Fide Public Eating Place". This allows the sales and service of beer, wine and distilled spirits for on-site consumption in association with a full-service restaurant. This type of license is commonly known as a "full" license. Alcoholic beverages will be offered only to dine-in customers and will not be sold with to-go orders. Alcohol will be served from either of two (2) bars associated with the business – one in the main dining room, and a second located in the rear outdoor patio. Alcohol storage will occur in the two bars (when in operation), or in the restaurant and storage buildings and will be inaccessible to restaurant customers. The owner intends on participating in alcohol service training, using materials from the Department of Alcohol Beverage Control (ABC) for all employees.

Hookah

Hookah, also known as shisha, qalyan and narguile, will be offered to restaurant patrons within the front and rear outdoor dining patio areas during operating hours. The preparation of hookah, which involves the use of a large glass or metal pipe, hot coals and flavored/sweetened tobacco, will occur in the service patio, service prep, and hookah prep areas. Restaurant patrons requesting to partake in hookah will be provided the hookah equipment once they're seated and their age is verified using a legal form of photo identification. Due to recent changes in State law, the minimum smoking age is 21 years old. Once the patrons are finished with the hookah, the equipment and any other related accessories are removed from the table and taken to the service area to be sanitized. Customers will not be allowed to access the hookah equipment on their own. Customers will not be required to purchase a meal to partake in hookah, however in most cases a meal or beverage is ordered. Hookah will only occur in the outdoor dining patios area, but the business owner has indicated the patio will not be exclusive to hookah customers only.

Entertainment

Senator's Lounge proposes to provide a variety of entertainment for its clientele. DJ's, a small (3-person) band, and dancing area are proposed within the dining room in the main restaurant building. These forms of entertainment are not anticipated to occur every weekend, and are primarily for specials events and larger gatherings. The band would consist of a keyboard, guitar or similar stringed instruments. A small stage currently exists and is proposed to remain where entertainers can place equipment and/or perform. Dancing is proposed in the dining room on a small dance floor provided by the owners, as an ancillary feature to the restaurant. The applicant is also proposing to install new storefront windows and doors on the restaurant building and to keep doors closed. A belly dancer, ambient background music, and muted televisions are proposed in the rear patio. The belly dancer performs for 30-75 minutes, while strolling through the rear patio. The dancer is accompanied by ambient, background music. No entertainment is proposed in the front patio.

Valet & Parking

Based upon preliminary discussions with the City, the applicants worked diligently to provide additional parking spaces and reduce the size of the rear patio. The site proposes 35 marked stalls. The applicants intend on providing self-parking during lunch and weekday dinner. Valet service was discussed early-on, in order to meet more intense customer demand on weekend nights. As part of the application package, the applicants were asked to contract with a valet company to analyze and provide comments on the proposed valet parking system for the business and operations schedule. The study was helpful in providing suggestions on the number of personnel, hours of valet operation, and expected service levels. However, portions of the valet study also proposed operational suggestions that are contrary to the Duarte Development Code, are inadequate in addressing adjacent uses and off-site conditions, and do not provide requirements or conditions that address valet parking concerns of the City Engineer, Public Safety Department and Planning Division. Based upon this, robust conditions have been provided for valet parking operations. A condition has also been added to require additional review if the valet parking operation will require parking at any off-site location in the future.

Late Night Hours

The business will open initially for lunch and dinner. The applicants are requesting for operating hours of 11:00AM to 11:00PM, Sunday-Thursday, and 11:00AM to 1:00 AM on Friday and Saturday. On weekends, the owners have commented that on many nights they generally begin to close the business by midnight and leave the property by 1:00 AM.

Exterior Modifications to Existing Buildings and Construction of Accessory Structures

The applicants are requesting approval to remodel existing restaurant buildings and construct new accessory structures related to the operation of a restaurant business. The new restaurant and patios are being designed in a Spanish and Mediterranean inspired architectural style, including the use of tile roofs, stucco exteriors, rafter tails, and embellished pre-cast columns. The property will also be improved with a restriped parking lot, new parking lot lights, and replacement landscaping.

The applicant proposes to apply a Mediterranean and Spanish inspired design theme to all existing and proposed buildings. This includes replacing the existing horizontal wood siding with a sand finish stucco in a tan color, using pre-cast concrete window/door trim and cornices, installing new storefront windows along on visible elevations of the restaurant building, providing pre-cast concrete "Tuscan order" columns, replacing wrought iron railing and texture-coating the rooftop mechanical equipment screen to match the stucco color and finish.

The approximately 5,400 s.f. rear outdoor patio's roof is designed in a tan colored corrugated metal with a Spanish style hip roof entry feature (terra cotta colored corrugated metal). Outrigger (corbel) elements have been mounted above columns designed to coordinate with the prominent trellis/columns used along the front of the restaurant. Shorter exterior walls would be tan colored (painted) walls with a cap on the west, north and south elevations. A moveable fabric/vinyl curtain would be installed for use in inclement weather. The easterly wall is designed to mitigate noise impacts. This plan set proposes a wall that includes an approximate 3' high painted CMU wall with a 3' tall glass panel above. The ARB discussed a more robust sound wall that would greatly improve sound attenuation and require review by a sound engineer. This has been added as a condition of approval and is discussed in more detail in the Noise Analysis section below.

Additional accessory structures include a new service patio, restroom building behind the rear dining patio, and a trellised outdoor dining area in the front of the restaurant. The service patio currently exists, but our records indicate it was not permitted. This area contains a service counter and staircase to get food (under cover) from the kitchen to the dining patio and is used only by restaurant staff. A shed roof, draining to the east, covers the area. The plans lack clarity on the proposed improvements to this area. However, conditions have been added to ensure it meets all building codes, and has a coordinated exterior appearance (style, colors, materials and finish). The proposed restroom will be used by patrons within the dining patio and supplement the existing restrooms in the restaurant building. The building is designed with a stucco finish and Spanish tile roof cap edge. Conditions have been added to provide additional architectural design and interest. The owner also proposes an outdoor patio in front of the restaurant featuring a wood trellis using both larger timber (6"x10", 4"x8") and smaller lumber painted in a brown trim color. Pre-cast concrete columns ("Tuscan Order") will support the trellis. Additional trellis work, as described above, is also proposed around the west side of the restaurant building.

The property will be upgraded with new parking lot striping and parking lot lights. New landscaping is proposed along the shared boundary with homes to the north, the hospitality uses to the west and east, and around the front patio area. A hookah preparation area is proposed for a retained concrete pad along the west side of the parking area. No improvements are proposed in this location.

ANALYSIS

The project requests several discretionary uses that may impact the surrounding community and create a variety of concerns. Providing alcohol, hookah, entertainment, and valet parking, while remaining open until 1:00 AM on weekends, is not a typical restaurant operation. There are legitimate concerns that the combination of these activities adjacent to residential and hospitality uses may lead to negative impacts.

Additionally, the restaurant is comprised mostly of outdoor dining, which generally lacks the physical improvements necessary to abate noise and activity impacts

On the other hand, the applicant is providing a significant investment in the architectural appearance of the property, and is proposing physical and operational modifications that are mindful of abutting uses. Even though the proposed business operations are similar to past restaurants, there are several substantial differences that alter how impacts affect neighboring properties. A significant portion of the requested services can be conditioned in a manner that avoids incompatibility and reduces negative impacts. Furthermore, construction of professionally reviewed sound barriers, will provide substantial reductions to noise.

Alcoholic Beverages Service

Section 19.60.030 of the Duarte Development Code (DDC) provides operational standards for establishments that may be granted a conditional use permit for an ABC license. Through the conditional use permit process, alcohol sales for onsite 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.

There are approximately 14 ABC licenses issued to restaurants in the City. Of these 14, nine (9) are beer and wine (type-41) licenses, and five (5) are general (type-47) licenses. The five licensees included: Old Spaghetti Factory, Cabrera's, Morralito's, Duffer's Grill, and the former business at the subject property, the Village Restaurant. This is the same type of ABC license that has been used in association with other restaurants on the subject property since 2003.

The proposed operations clearly recognize that alcohol is a compliment to the food, entertainment and dining experience provided comprehensively to its patrons. Two bars are provided to serve separate and distinct portions of the restaurant: the main indoor dining room and front and rear outdoor patios. The area of both bars is approximately 225 s.f., which is small compared to the useable areas of the dining room and patios. Staff has very few concerns that the proposed business will become a bar or tavern, due to the small size of the bar areas and the spatial layout of the floor plan. Food and beverage service will be provided to patrons seated in all dining areas and no particular area will be designated exclusively for alcohol service. The indoor dining area has several large storefront windows and the patios are designed to be open and airy on most sides, unless curtains are drawn during inclement weather. These factors create an open design and allow efficient monitoring of all dining areas.

Alcoholic beverage service is primarily intended to be served to customers at their tables or seating. The two bars will allow customers to order and be served alcoholic beverages directly from a bartender, which is common in all of the other type-47 (general) ABC licenses issued in the City. Staff has added numerous conditions related to alcoholic beverage service that will address potential impacts. Furthermore, the rear outdoor patio bar is located along the east side of the patio, which will be substantially mitigated from noise and other business activities by a condition for a sound attenuation wall, discussed in an upcoming section.

To prevent potential concerns related to alcohol, such as unlawful sales to minors, the applicants will be required to implement an employee-training program as part of their business operation. ABC will provide training programs and materials to help educate managers and employees in all areas of alcohol sales and service. All employees engaged in the sales or service of alcohol will be required to complete the training program before working; newly hired employees that will sale or serve alcohol will be required to complete the training as part of their hiring process.

The addition of alcoholic beverage service will be an ancillary part of the business operation and provide an amenity to the restaurant, giving the business the ability to compete with other restaurants in the area and be successful. A variety of conditions have been included that will help to reduce and address the issues related to alcohol beverage service, while ensuring the business functions as a bon-a-fide restaurant and not a bar. To address this latter concern, a condition has been included requiring the owner to maintain separate sales records of alcoholic beverages.

Hookah. Hookahs are glass or metal pipes that are used for smoking flavored and sweetened tobacco. The tobacco used in hookah smoking is a legal substance and has become popular with Mediterranean/Middle Eastern restaurant operations. It creates a social atmosphere that caters to a variety of crowd types and tends to attract patrons looking for an extended dining experience.

Hookah establishments must comply with State law and Health code requirements, including the Smoke Free Work Place law. Staff has discussed the use of hookah with the Los Angeles County Health Department, which indicated concerns with food/beverage service to the hookah areas and customer access to/from dining areas. The project will require a plan check review from the County Health Department to ensure compliance with all State and County requirements. No hookah activity will be allowed unless proper approval is secured from the Health Department.

The nearest structure from the rear patio, where hookah smoking is likely to emanate from, is the northerly portion of the Days Inn building. This portion of the Inn is approximately 50' from the patio; the majority of the Inn is 80' or greater from the patio. The adjacent Rancho Motel is approximately 60' from the rear patio. Residential structures to the north are more than 125' from the patio; Las Posadas homes are no closer than 130' from the front patio. In addition to Health Department review, Staff is recommending mitigating conditions, such as the construction of walls on the east and north side of the rear patio to contain much of the smoke within the patio area, and a requirement for ongoing tobacco sales and use monitoring through the City's Tobacco Retailer's Licensing program. Proper mitigation and conditions of approval can reduce the impacts of hookah activity and minimize any adverse impacts to surrounding properties.

Valet & Parking

The valet study provided helpful information, however, the study had several suggestions that contradicted the DDC and were not reflective of the surrounding uses. Staff believes valet parking is feasible on this site with the appropriate conditions and proper management of the valet service. Staff is recommending that the valet parking station and attendants be located towards the center of the property to allow vehicle queueing on-site and off of public streets, as well as, provide relief from cars stacking in front of adjacent driveways. The City is requiring the striping or posting of a 26' fire lane, in which cars are not allowed to park. The valet will be allowed the discretion to park cars in a more efficient method, so long as the fire lane is not blocked by parked cars. This will produce several additional stalls that may be used for peak periods. In the event parking problems persist, the City has added a unique condition that requires the business institute any operational measure necessary to correct the issue or risk potential permit revocation. Such measures could include ridesharing discounts for customers, or limitations to hours or reductions in the size of useable patios.

Noise (Entertainment, Outdoor Dining, Late-Night Hours)

This analysis concentrates on the three most significant operational factors that generate noise, the consideration between the proposed business operations and neighboring uses, and conditions that can help alleviate or mitigate sound. In reviewing the proposed operations, it is clear that many factors will contribute to the noise the business generates – from normal restaurant noises, to occasional

entertainment and valet parking operations. Staff has proposed several conditions that will provide significant noise reductions. One includes a sound wall located at or near the east and north walls of the patio, which must be reviewed by an acoustical engineer. A second condition provides the construction of a solid wall between the parking lot of the restaurant and the northerly portion of the adjacent motel, where no sound attenuation currently exists. Lastly, if noise problems were to become an issue, a condition has been included that requires a noise study be conducted, paid by the business owner.

- Entertainment - The applicant's proposed indoor entertainment requires the most consideration. Amplified music/noise (DJ, karaoke, or instrument), if not properly managed and regulated, has the highest risk for unwanted impacts. The applicant and Staff have had discussions about the ability of on-site management to monitor and quickly react to noise issues. As part of the architectural upgrades to the building, new storefront windows and doors will be installed. These higher efficiency windows will help to reduce noise, when closed. Drums and other percussion instruments are not permitted. Entertainment in the rear patio will include an occasional belly dancer, muted televisions and ambient, background music. It is understood that the ambient music will need to remain at a low level, intended to be heard by outdoor dining guests only. A condition has been added to allow only management or ownership access to the volume controls, and to prohibit use of the house speaker system for amplifying voices or other noises. Weekend entertainment must cease by 11:00PM, which attempts to balance the interests of the restaurant and an enhanced dining experience, with consideration of nearby uses.
- Outdoor Dining - In order to address potential unseen impacts, outdoor dining areas over 800 s.f. are required to obtain a conditional use permit. When the first restaurant with operated on-site, CUP's were not required for outdoor dining. The earliest patios on the property had no walls, barriers or sound attenuation properties that mitigated noise to neighbors. The previous owner installed windows against the east elevation of the patio, which were sometimes left ajar or had broken panes. This, and other attempts to mitigate noise, were poorly constructed and never analyzed by an acoustical professional. With the implementation of the sound wall, block wall and management's proper noise management, outdoor dining noise will be greatly reduced.
- Late-Night Hours of Operation - The business owner has requested to operate until 1:00 AM on Friday and Saturday. This is one-hour later than permitted by the previous CUP. CUP 15-06 allowed The Patio, a Mediterranean restaurant with similar operational characteristics, to operate until 12:00AM. However, the Patio restaurant provides little noise mitigation through vinyl and fabric curtain walls. The requirement to construct an acoustical sound barrier and block wall at Senator's Lounge will significantly reduce noise from late-night operations to adjacent properties.

Security

For increased safety and monitoring, Senator's Lounge will install a new security surveillance system before the beginning of business operations. A security plan will be prepared by the owners, and reviewed by the Public Safety and Community Development Departments. The security plan will likely include details on an adequate surveillance system for the interior and exterior. Cameras will be required to provide surveillance on a continuous loop and the media will be stored on the hard drive for a minimum of 30 days.

Exterior Modifications and Construction of Accessory Structures

The proposed exterior remodel/modifications and construction provide a substantial improvement to the property. First, the design generally has a coordinated architectural theme that lends well to the proposed business type (Mediterranean restaurant), such as replacing wood siding for earth toned stucco. Although the architectural design is not true to one particular style, the designer has integrated a variety of materials, finishes and elements associated with accepted styles and has done so with an older, dilapidated buildings. Secondly, the larger proposed dining patio integrates design features that

coordinate with elements used on the restaurant building and that are more visible to the public (i.e. column design) and are in a compatible architectural style to that of the overall project (i.e. Spanish hip roof feature).

Furthermore, remnant work that does not have City approval or building permits, will be addressed as part of the project. Other agencies such as ABC and the Health Department, may also require site modifications and upgrades to the buildings or patios. To ensure these modifications are completed, conditions of approval have been added to require compliance with all State, County, and Local requirements. The business owner will be required to complete any required upgrades or modifications to the building prior to business operation. All building changes and/or upgrades will require review and approval from the Community Development Department.

RECOMMENDATION

Medinvestments, Inc., is comprised of several experienced restaurateurs who own or have owned food establishments in the San Gabriel Valley. Although the idea behind the Senator's Lounge is similar in many ways to previous businesses, no previous owner or prospective owner has proposed the extent of physical improvements or operational changes like that of Medinvestments, Inc.

Its well understood that past ownership had issues in complying with the conditions of approval and building laws, and that this could potentially create bias with the current applicant. Staff has examined the proposal with the economic interests of all commercial and residential uses and attempted to balance these needs to provide an opportunity for a new restaurant experience to join our community. As part of their investment in Duarte, the Senator's Lounge will provide a substantial architectural upgrade to the buildings, address previous issues with past ownership, and construct sound attenuation barriers that mitigate noise impacts to neighboring properties and sensitive uses. Staff has spoken with the Public Safety Department about proposed business operations. Several concerns were addressed by adding a few conditions of approval. They had no objection to the CUP, subject to the extensive list of conditions drafted for the proposed business.

Based on the information provided in the Staff report, along with the required findings and conditions of approval, Staff recommends that Planning Commission review the information provided and adopt:

1. PC Resolution 18-19 approving Conditional Use Permit 18-03.
2. PC Resolution 18-20 approving Site Plan and Design Review 18-30.

Respectfully submitted,



Jason Golding
Planning Division Manager

ATTACHMENTS

Exhibit A - Business Operations Statement
Exhibit B - Project Plans
Exhibit C - PC Resolution 18-19 (CUP)
Exhibit D - PC Resolution 18-20 (SPDR)



June 19, 2018

To whom it may concern

The Senator's Lounge, a Mediterranean Lebanese style restaurant, will be located at 1525 Huntington Dr. City of Duarte.

The concept will be a full service restaurant and full bar, open seven days per week. The operating hours are: Sunday through Thursday 11 AM to 11 PM, Friday and Saturday 11 AM to 1:00 AM.

The location will open for Lunch and Dinner in the beginning and possibly Breakfast in the future.

We will need to employ between 30-60 employees, weekdays (Monday through Friday) we will need at least 5 employees for lunch, and 10 employees for dinner. Weekend (Friday night through Sunday) we will need 8 employees in morning shift, 14 employees for night shift. The management will provide carpool and rides for all our employees to prevent them from using the limited parking spots and keep it to be used by our clients.

The amount of customer we expect in the beginning around 20-30 every hour during lunch, 40-50 for dinner weekdays. Friday and Saturday night our expectation is to have between 50-80 customers.

The location will be divided into three dining sections, front patio, main dining room, and large back patio, Alcohol and food will be served everywhere in the restaurant where seating, and ABC rules allow it.

- Front Patio: will be open for Lunch, Dinner and will be covered and connected to the dining room, will have exposure to the sidewalk and the street, there will be no entertainment in this section of the restaurant, hookah will be served in this section.
- Main dining room: will be open for Lunch close to the kitchen area, sound sealed by keeping the doors closed at all time, installing a sound proof windows and door glazing, on some occasions and weekends, we will entertain our customer with live music, like small show band (two to three performers maximum) with instruments like keyboard, guitar, Oude, Durbake, or a DJ. Now there is a small stage for the performers to stand on. The main service bar will be located in this area.
- Large back Patio: will be covered and open on the side, with curtain surrounded all sides except the side between the patio and the motel (Days Inn) we will ask the city if we can build some kind of wall to prevent the customer talks from bothering the Motel customer. This area will be divided into three different sections and will open after 5:00 PM to close and will have ambient soft music, with 3 to 4 TVs or more mounted with no sound.



1. Lounge area lower seating and couches, smoking, drinking, we serve the full menu, surrounded by sport TV Channel.
2. Casual dining, family, or group dining, full bar service, smoking hookah is allowed in certain area at certain time.

We will be building two additional restrooms in the back of the patio for the convenient to our customer, ADA compliance.

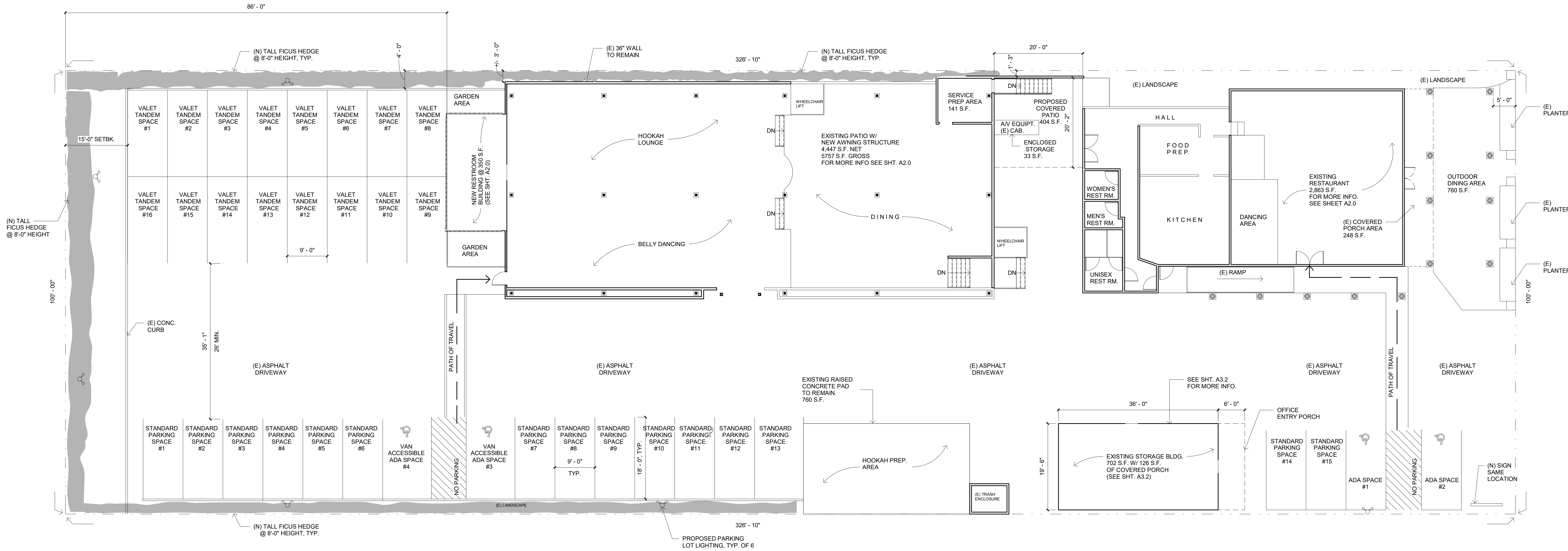
I'm attaching a sample menu of our food it will be similar to the one we serves at out restaurant "The Diplomat Café " in Monrovia and "The Grill House" in La Verne.

1. Our company is a combinations of two very successful restaurant owners for the past 20 years they built more than 15 restaurant combines, (Café X20, La Creperie Café, The Grill House, Diplomat Café,---) we put our experience and energies to build a very unique restaurant in Duarte, the reason we chose Duarte it is geographically located on the intersection of two major freeways 210 and 605, to the east we are expecting customers from as far as Rancho Cucamonga, and to the west as far as Glendale, and south as far as Cypress. In that geographic area resides a lot of middle to an upper class clientele, we expect our customers age between thirty five years old and older, mostly family oriented. We will build indoor and outdoor seating relaxing atmosphere to fit everyone from family dining, lounge relaxing, sports bar and romantic dining, with cultural Mediterranean food.
2. Hookah is a type of vape smoking; the smoke consists of a lot of fruity flavored water that will evaporate very fast. All our open patio area customers will have a choice for smoking and nonsmoking seating. We will be serving hookah, to accommodate some of our customers who enjoy it, we will not serve it to the customers that just come in for the hookah. We will not allow our restaurant to become a hookah lounge. Our customers will be spending between 30 minutes to one hour for lunch, for dinner could go from one to three hours.
3. Alcohol will be served everywhere ABC rules allows it in the restaurant. We will have the main bar inside the front dining room, we will have additional service bar in the back patio area.
4. The management will train all employees to handle alcohol, hookah, and our food menu.
5. We will allow dancing in the dining room for our customers if they choose to, we will have a small area on the floor, but it will not be 100% dancing floor we might place some dining tables on some occasions.
6. We will provide our customers with groups or Banquet like dining experience; we could serve up to two hundred customers on that location, Graduations, birthdays, Showers, even a small weddings. For larger groups or banquet we will serve only pre-fixed menu.
7. We are not providing any pool tables or any other games, to our customers. We will not charge for entertainment, and we will not request our customers to purchase any minimum drinks, as a



matter of fact some of our customers may not even drink alcohol. The restaurant will never have a club like activities.

8. We will provide our customer with belly dancing entertainment on some occasions, the duration for the dancers between 30-75 minutes; we will use ambient not amplified music.
9. We will install security cameras, and alarm system to protect our property and customers, no security guard is needed.
10. We will provide our managers with sound measurement devices, to make sure any sound generated will not bother our neighbors, and the windows and doors in the possible sound generating area will be sound proof.
11. The parking issues will deal with the city, we will provide our customers with valet service, weekend's nights, or it needed, a self-parking during lunch and weekdays dining.
12. "Ambient music" is a soft music will play in patio area to enhance the atmosphere, will be played through distributed small speakers, the volume is controlled by the manager on duty.



USE/S.F TABLE		
#	USE	S.F
1	NET AREA OF REAR PATIO	4447
2	EXISTING RESTAURANT	2863
3	MIDDLE PATIO	404
4	OUTDOOR DINING AREA	760
5	EXISTING STORAGE	702
TOTAL		9176

PROPOSED IMPROVEMENTS TO BUILDING PRIOR TO APPROVAL OF C.V.P. :

DEMO PHASE I:

1. REMOVE (E) AWNING STRUCTURE
2. KEEP (E) 3' - 0" H. WALLS

MAIN RESTAURANT:

1. DEMO ROOFING, INSTALL (N) ROOF
2. R & R HVAC UNITS
3. R & R WINDOWS & DOORS(EXIST.)
4. STUCCO OVER SIDING
5. INFILL WALL @ FOOD PREP. AREA

STORAGE BLDG.:

1. R & R ROOF
2. R & R DOORS & WINDOWS
3. STUCCO BLDG.

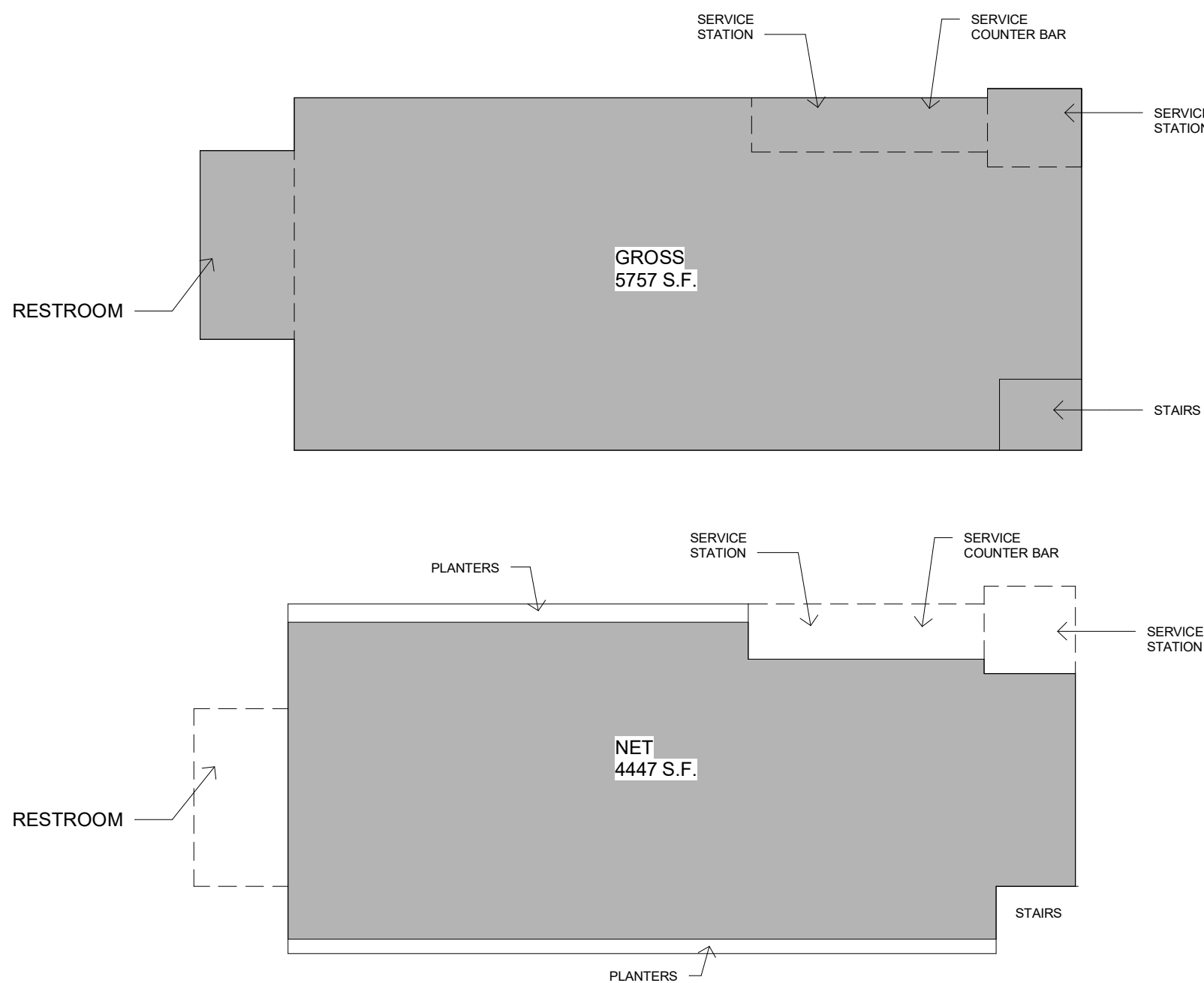
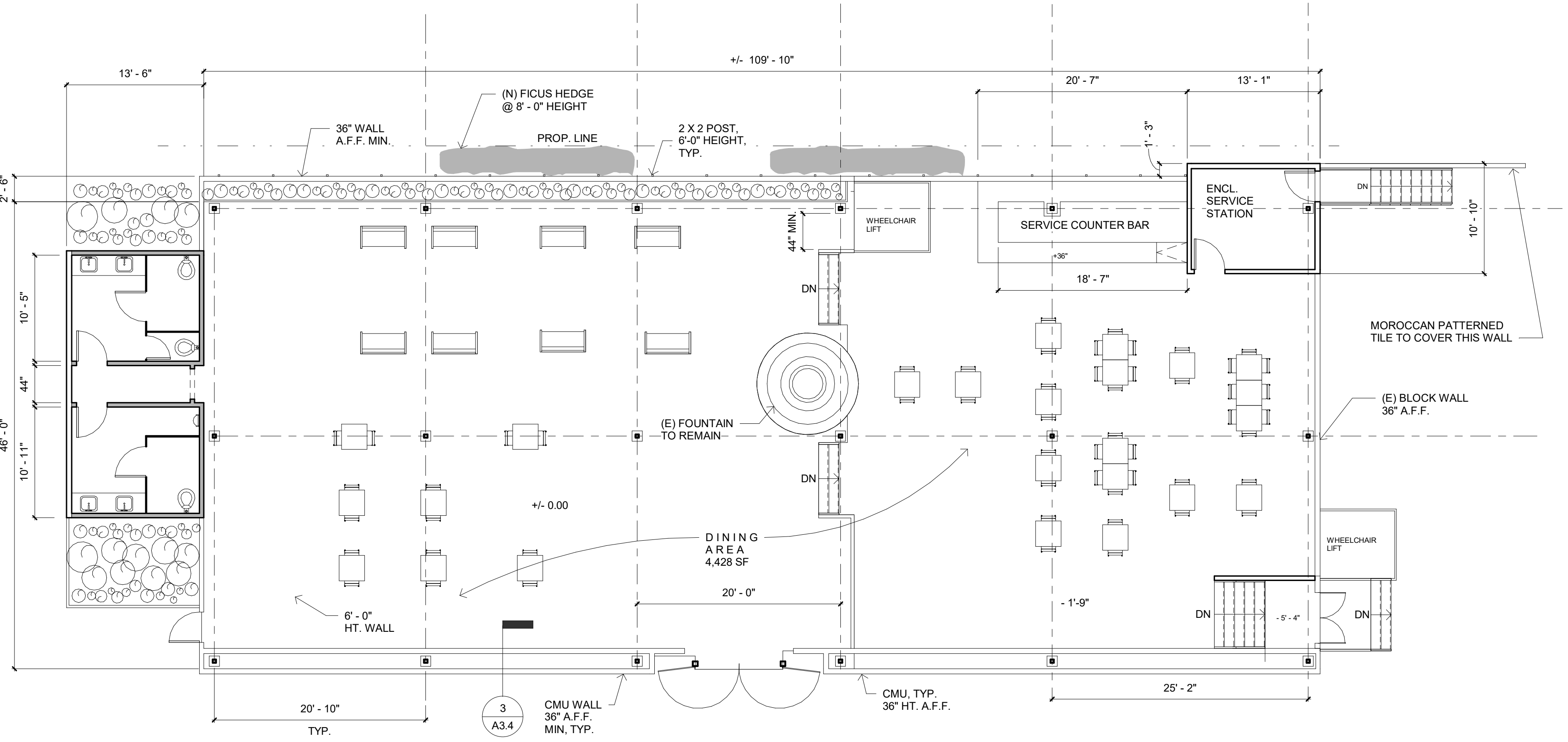
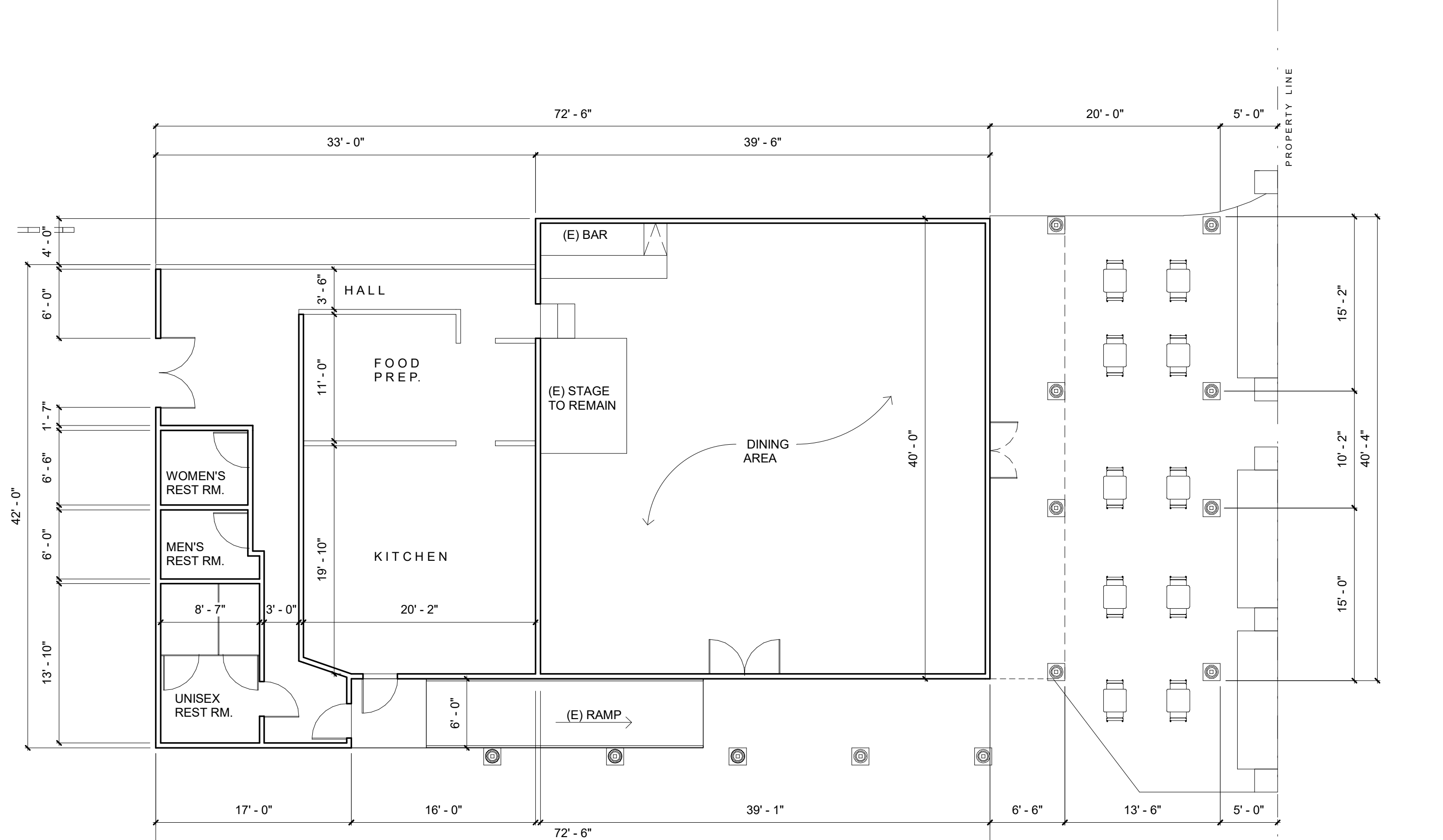


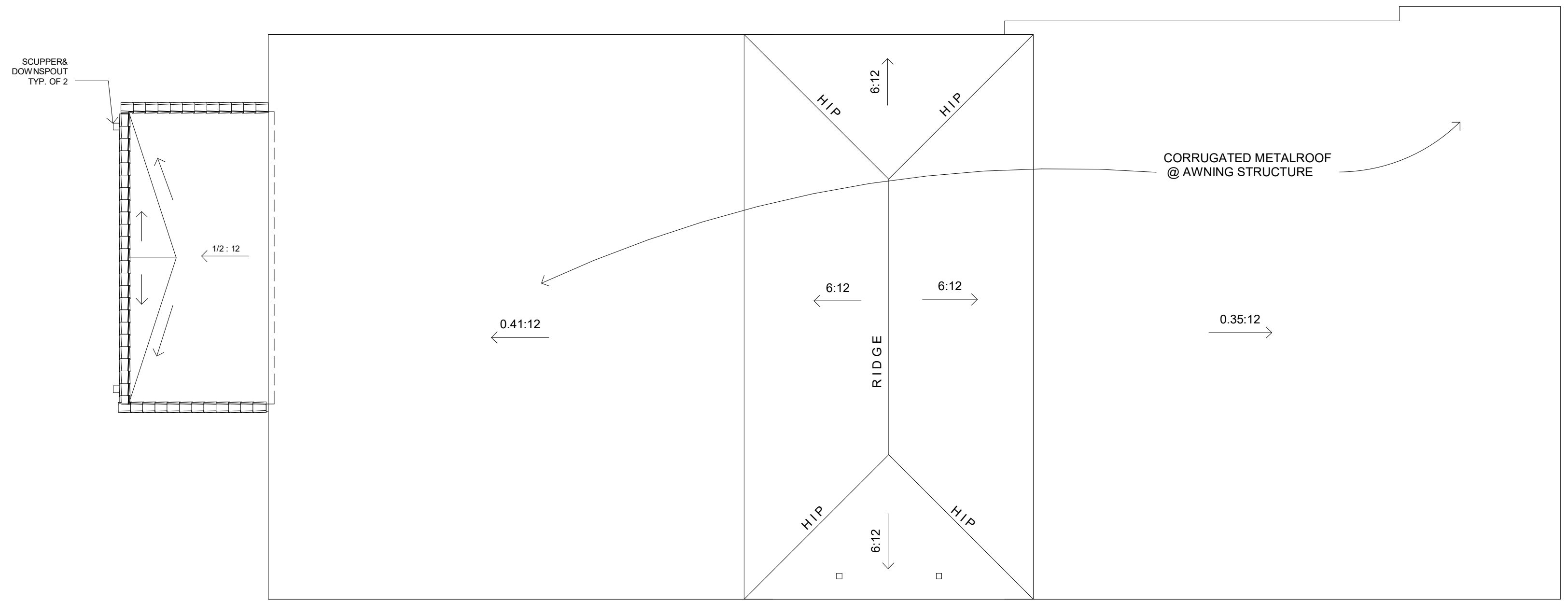
DIAGRAM OF GROSS/NET AREAS FOR REAR PATIO



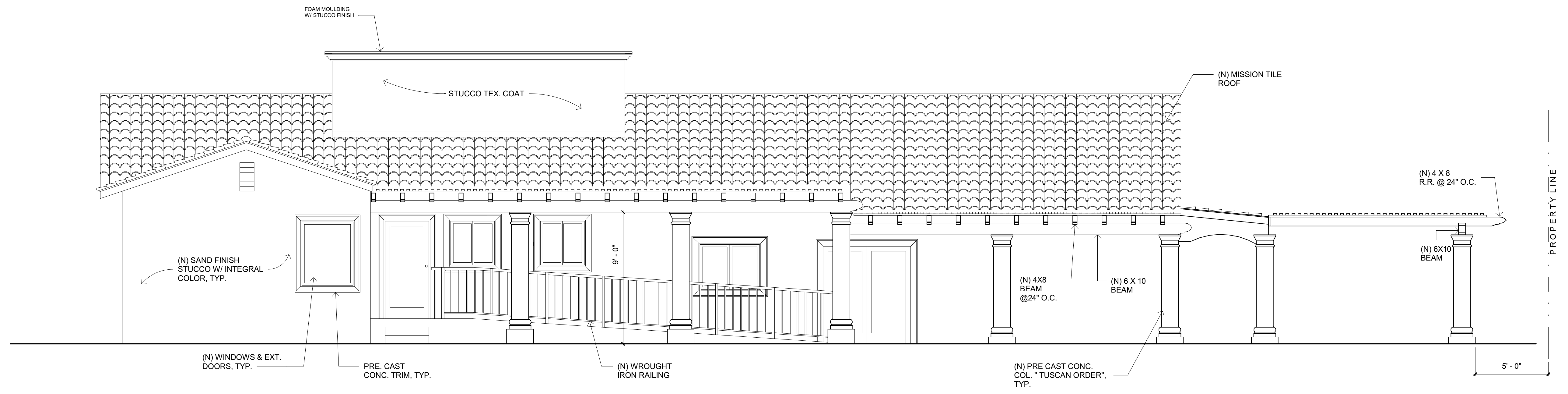
PATIO FLOOR PLAN
1/8" = 1'-0"



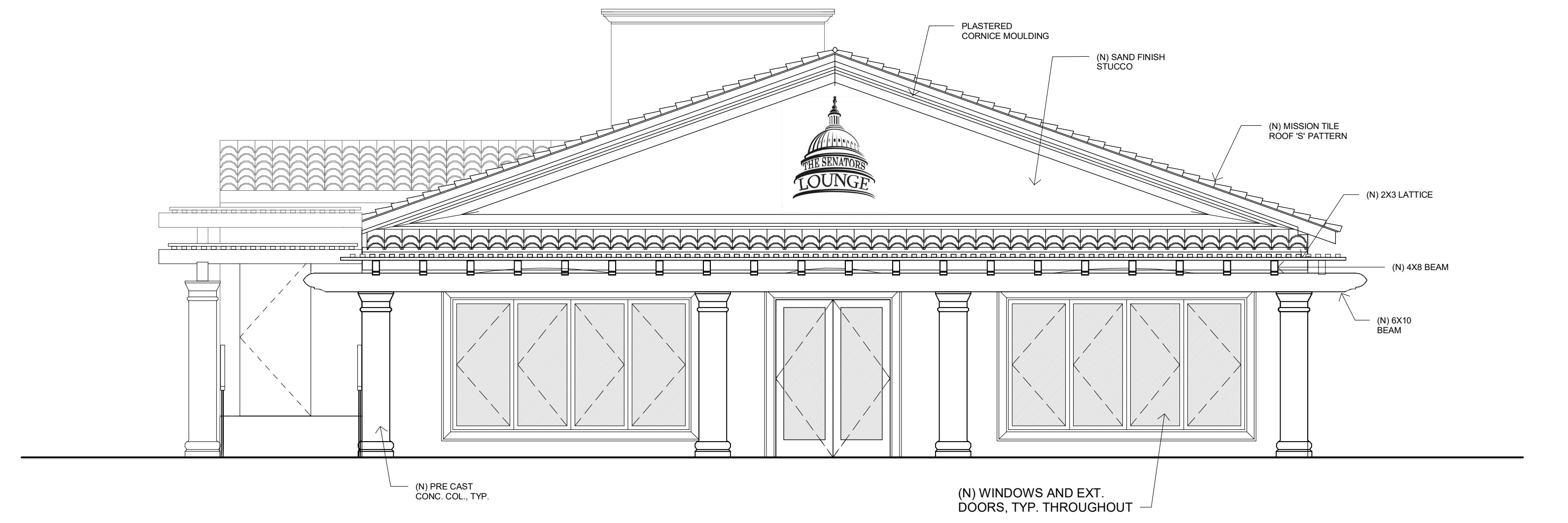
MAIN RESTAURANT PLAN
1/8" = 1'-0"



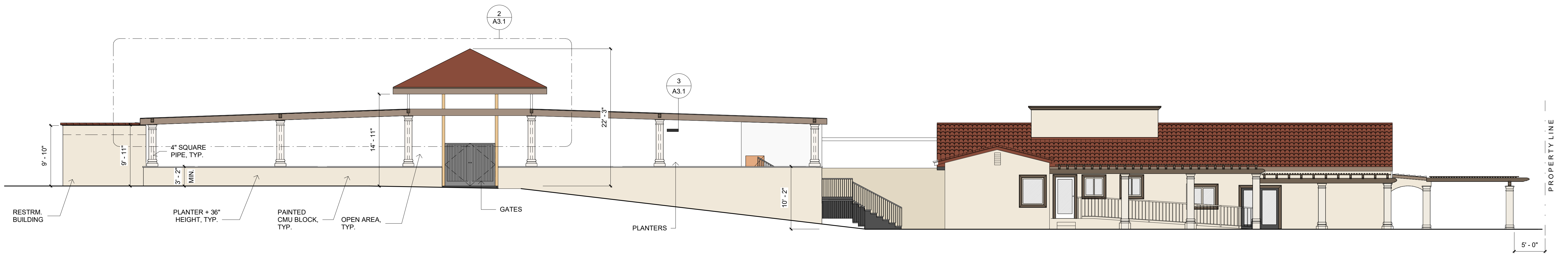
PATIO ROOF PLAN
1/8" = 1'-0"



EAST ELEVATION
1/4" = 1'-0"



MAIN RESTAURANT SOUTH ELEV.
1/4" = 1'-0"



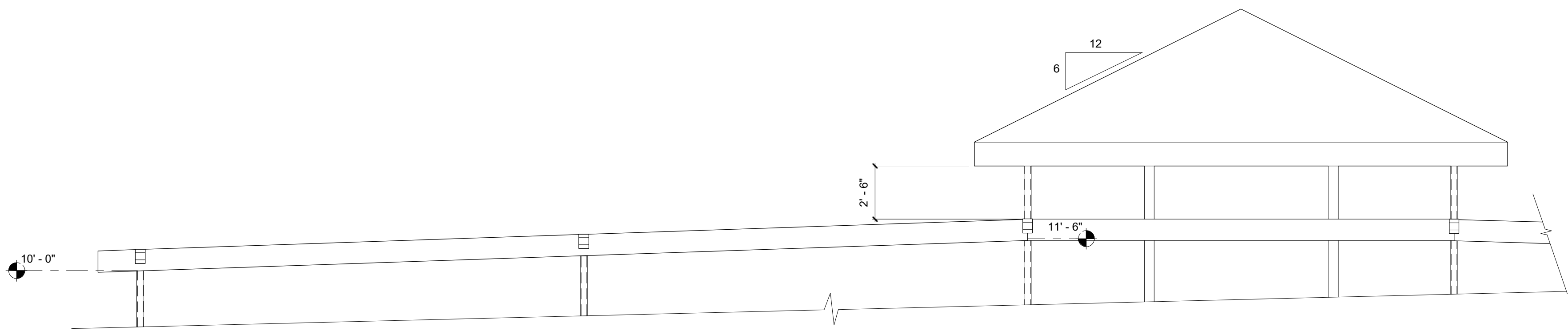
WEST ELEVATION @ LOUNGE/PATIO

1/8" = 1'-0"

WEST ELEVATION @ MAIN RESTAURANT

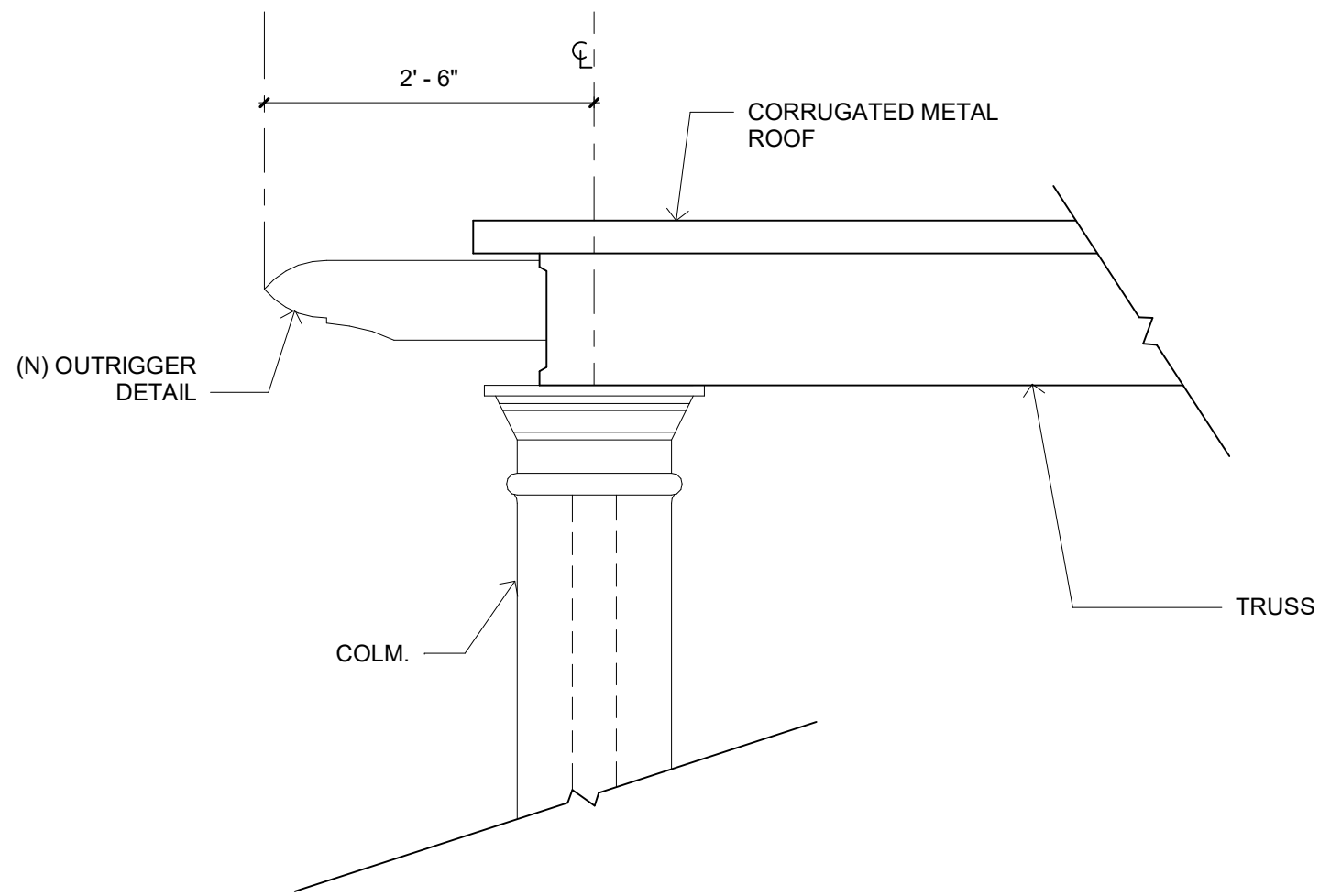
1/8" = 1'-0"

NOTE:
ACTUAL DESIGN OF AWNING STRUCTURE
TO BE DETERMINED WHEN AWNING CO.
IS PROCURED.



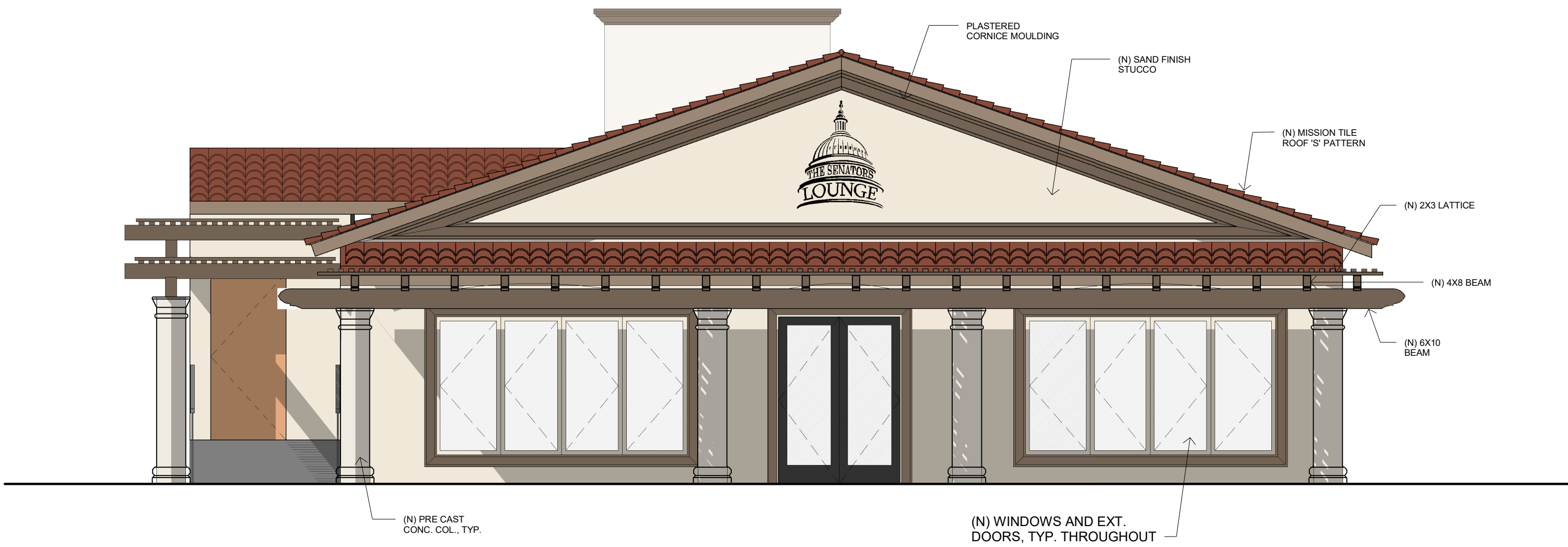
2 ELEV. DETAIL

1/4" = 1'-0"



3 OUTRIGGER DETAIL

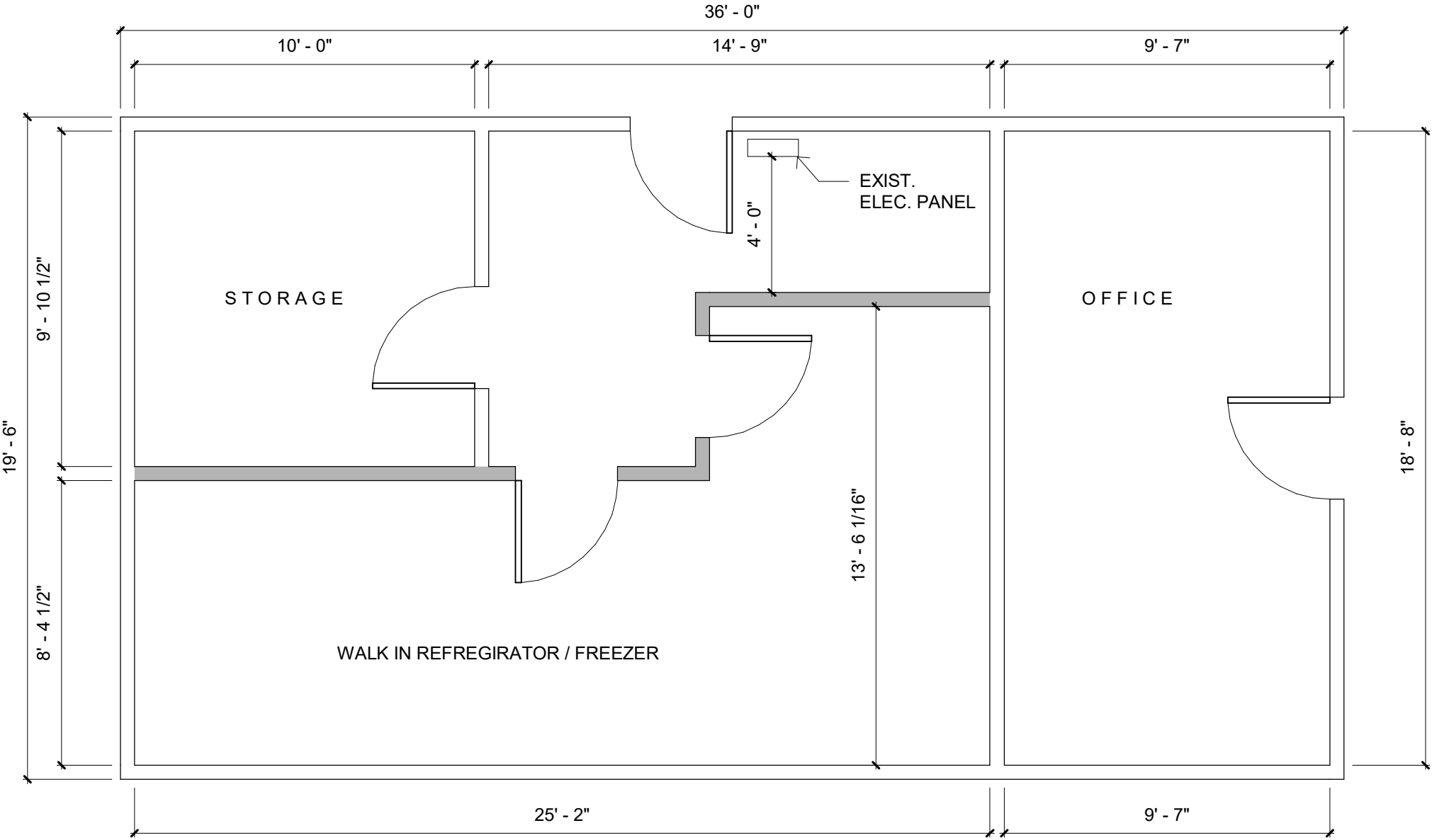
3/4" = 1'-0"



SOUTH ELEV.
1/4" = 1'-0"



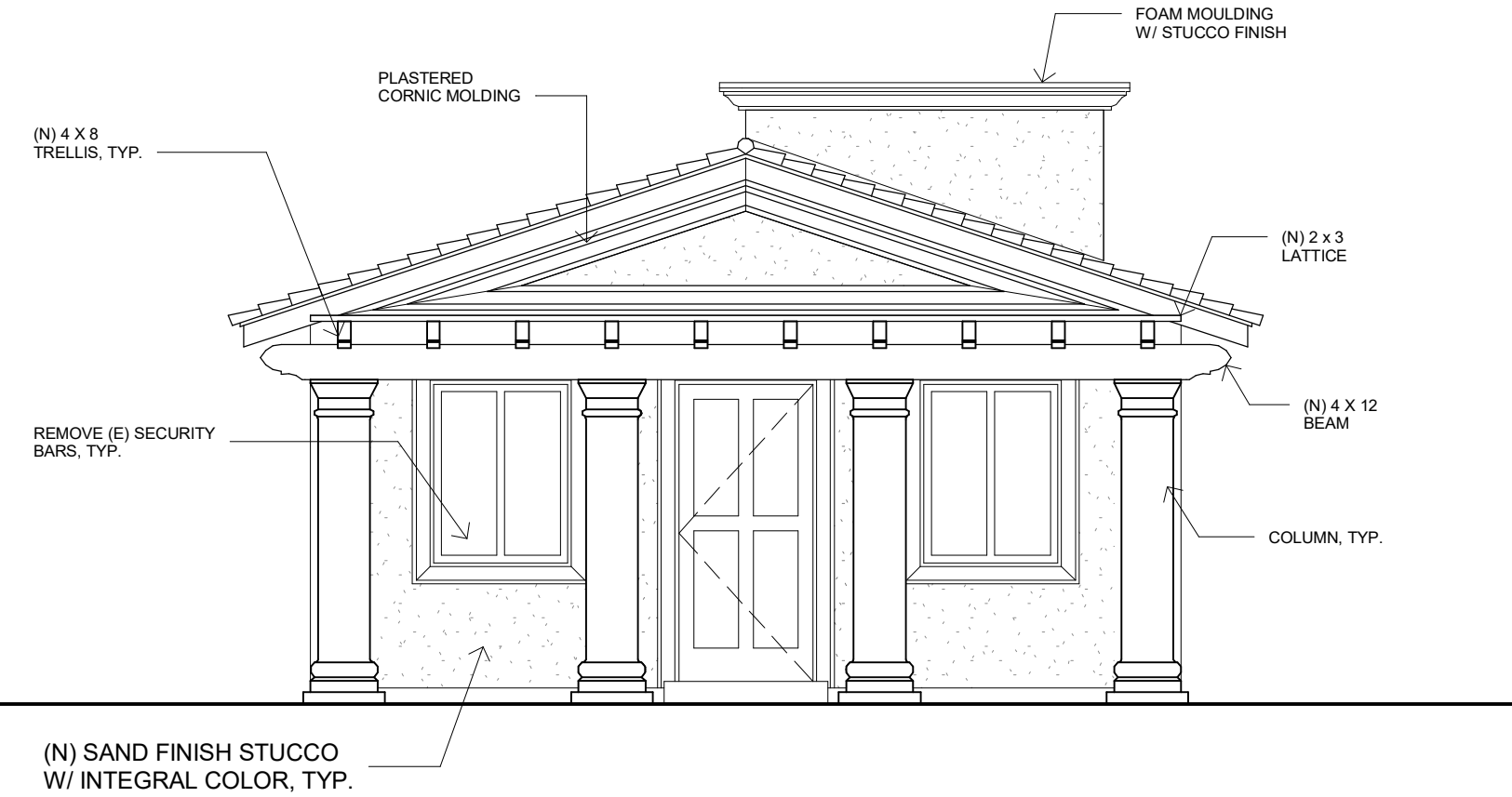
WEST ELEVATION @ MAIN RESTAURANT.
1/4" = 1'-0"



STORAGE BLDG. PLAN

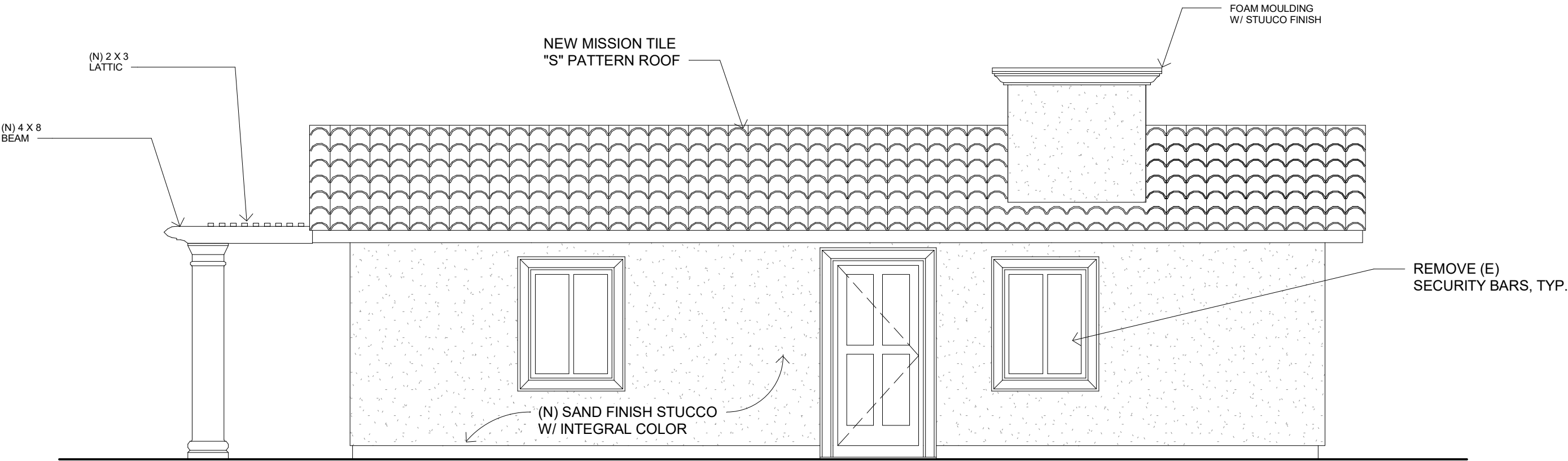
1/4" = 1'-0"

- EXISTING WALL
- PROPOSED WALL



STORAGE NORTH ELEVATION

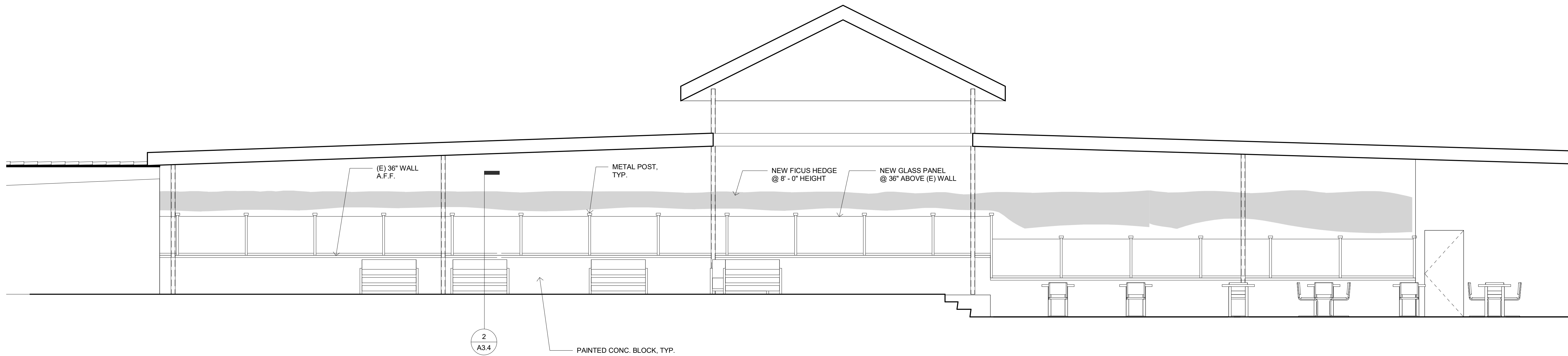
1/4" = 1'-0"



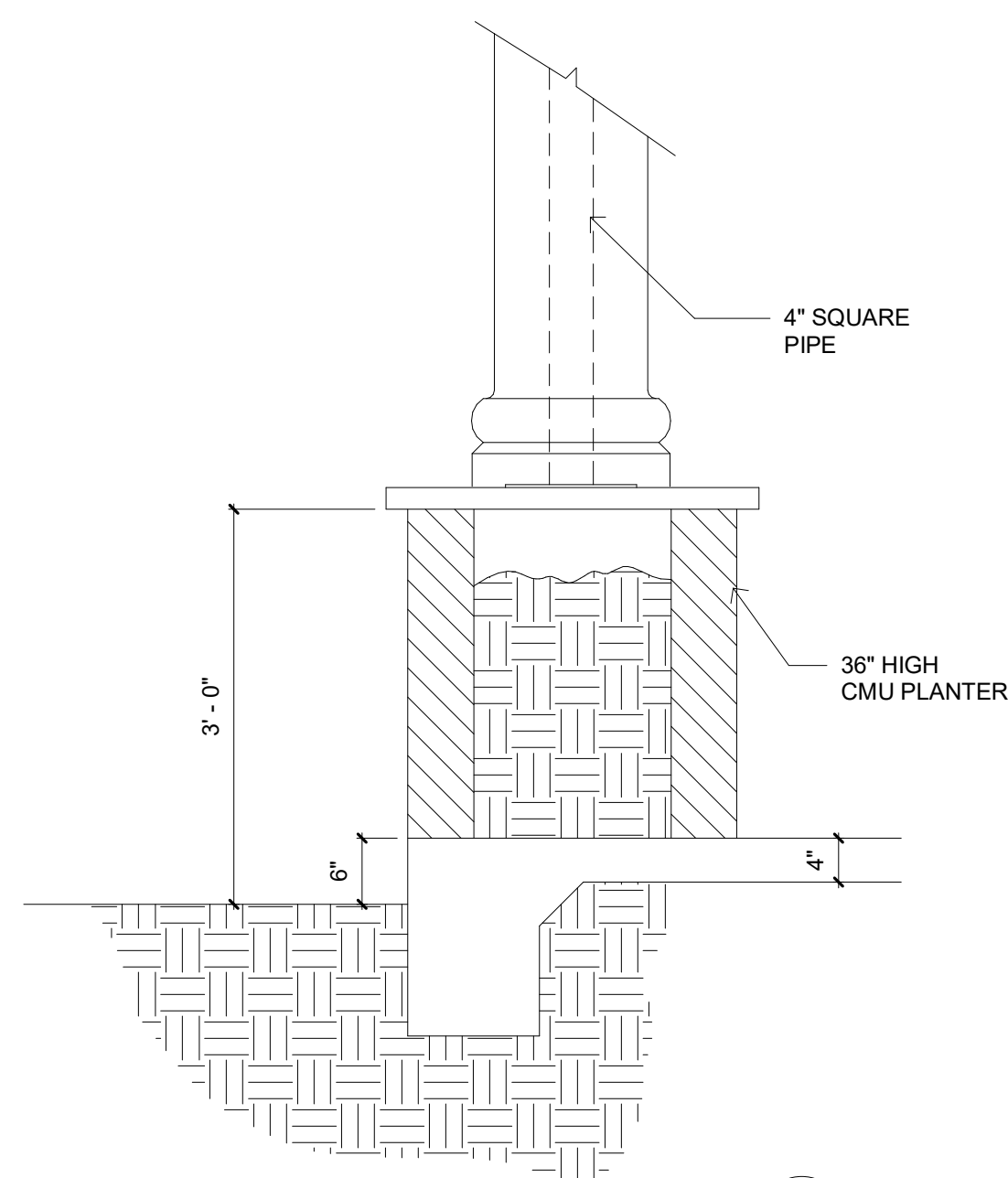
STORAGE EAST ELEVATION

1/4" = 1'-0"

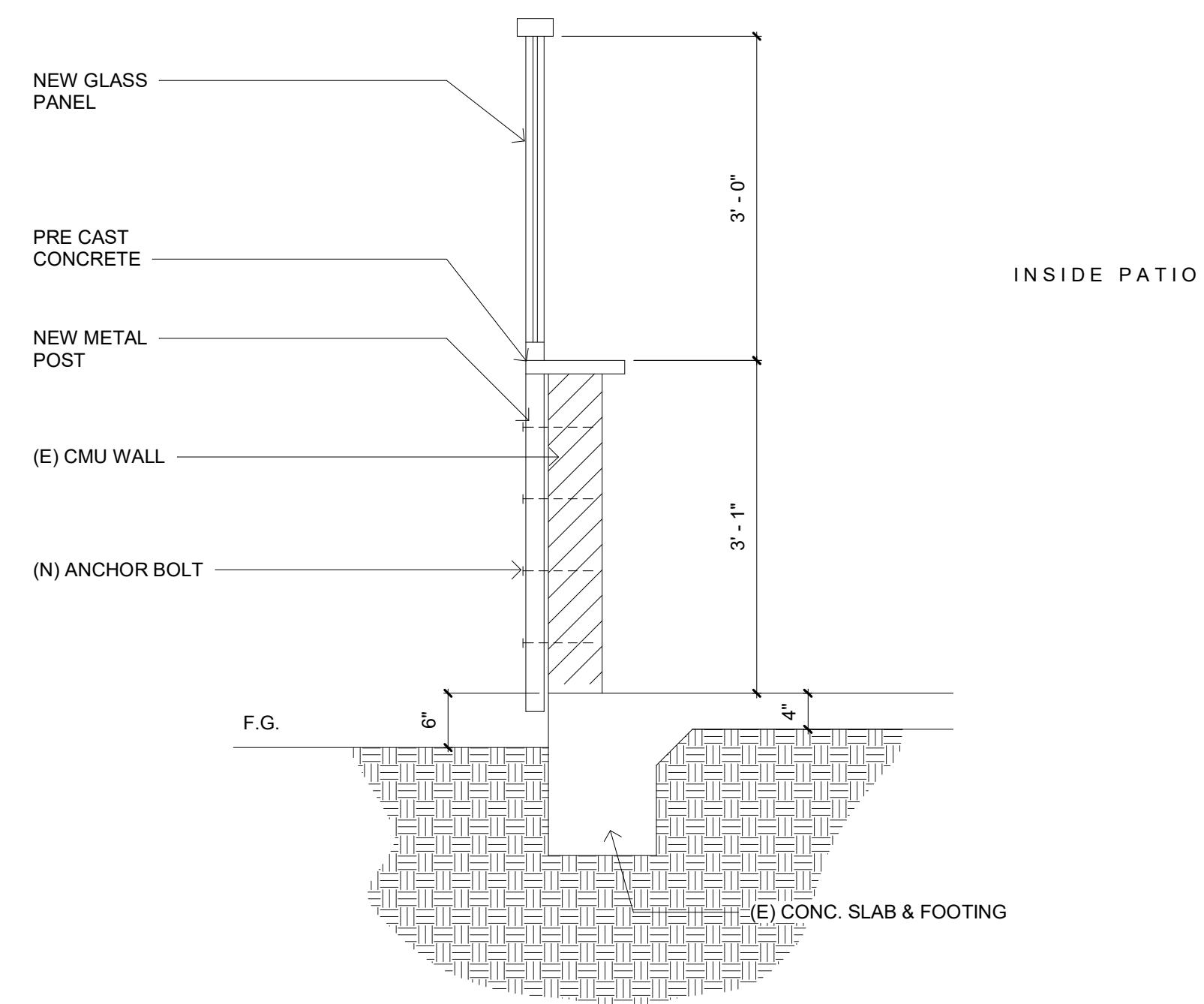
- NOTE:
- NEW WINDOWS AND DOORS THRU OUT.
 - REMOVE ALL SECURITY BARS.



1 PATIO INTERIOR ELEVATION
1/4" = 1'-0"



3 PLANTER SECTION
3/4" = 1'-0"



2 WALL SECTION
3/4" = 1'-0"

RESOLUTION NO. PC 18-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 18-03, ALLOWING THE OPERATION OF A FULL-SERVICE RESTAURANT WITH ACCESSORY ENTERTAINMENT AND HOOKAH SERVICE, SALES AND SERVICE OF ALCOHOLIC BEVERAGES (TYPE 47 – GENERAL), OUTDOOR DINING, VALET PARKING, AND LATE-NIGHT HOURS AT 1521/1525 HUNTINGTON DRIVE (SENATOR'S LOUNGE)

WHEREAS, the applicant is requesting approval of a conditional use permit to allow the operation of a full-service restaurant with accessory entertainment and hookah service, sales and service of alcoholic beverages (Type 47 – General), outdoor dining, valet parking, and late-night hours at 1521/1525 Huntington Drive; and

WHEREAS, the requests listed above are either minor or conditionally permitted uses in the Town Center Specific Plan zone, Mixed Use Neighborhood Land Use Designation, pursuant to Chapter 19.22, or conditionally permitted by Section 19.38.130 of the Duarte Development Code; and

WHEREAS, notice of a public hearing on the Conditional Use Permit 18-03 was given pursuant to Duarte Development Code Chapter 19.146 and in accordance with applicable State law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report for Conditional Use Permit application 18-03 and all of the information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers;

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

SECTION 1. That the Planning Commission approves PC Resolution 18-19 with conditions, for Conditional Use Permit 18-03 at 1521/1525 Huntington Drive.

SECTION 2. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 3. The Planning Commission finds and determines as follows, findings for Conditional Use Permits, as set forth in DDC Section 19.114.040(B), as:

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

The Senator's Lounge is consistent with Overarching Objective, Section 3.1, of the Town Center Specific Plan by facilitating the creation of a balanced community with a mix of residential, commercial, retail, services, civic, and cultural uses. The use is also consistent with the Mixed-Use Neighborhood land use designation of the Town Center Specific Plan by encouraging ground floor commercial uses, with frontage along Huntington Drive.

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;

The Senator's Lounge restaurant is consistent with the Town Center Specific Plan zone by encouraging ground floor commercial uses, with frontage along Huntington Drive, as the business has added a front trellis patio to be used for outdoor dining to invigorate and engage the street. Furthermore, the use is also consistent with Section 19.38.130 of the Duarte Development Code, which provides development standards for the operational of valet parking service.

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

The Senator's Lounge is located at 1521/1525 Huntington Drive. The property is rectangular in shape and contains approximately 36,190 square feet of land area, which is sufficient for accommodating the existing restaurant and storage buildings, several accessory structures, parking lot area, and vehicular circulation. The property is adjacent to residential uses on the north and south, and hospitality uses in the Town Center Specific Plan zone to the east and west. To ensure the operation remains compatible with the allowed uses in the vicinity, the restaurant will remain the primary use on the property and all additional uses/services, including alcoholic beverage service, entertainment, and hookah will be ancillary and properly conditioned to avoid adverse impacts. Noise impacts caused by late-night hours, outdoor dining, and entertainment, amongst others, necessitate a series of physical improvements and operational conditions to ensure sound issues are addressed and substantially reduced. Valet parking services have been designed and regulated to operate on-site within minimal impact to adjacent properties.

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 restaurant is the primary use on the property and all other uses must remain incidental to the restaurant operation. The restaurant is required to remain open for the serving of at least lunch or dinner to guests for compensation during all hours of operation. The added services will likely increase the business activity and intensify the use; however, the limitations imposed on the added services reduce the potential for adverse impacts on the surrounding properties. The restaurant's primary use will be to prepare and serve an assortment of meals to its guests, while the ability to offer alcoholic beverages, entertainment, outdoor dining, and hookah will allow an opportunity to create a unique dining experience. Conditions of approval will help avoid adverse and detrimental effects on the City and surrounding community, as well as laws regulated by State and County agencies.

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.

The Senator's Lounge is located within the Town Center Specific Plan (C-G) zoning district. The project site is located along the City's main arterial street, Huntington Drive, which provides primary access to the property. The site also meets the parking requirements, and

circulation on the property is suitable for public and emergency vehicle access, with implementation of valet parking standards and conditions of approval. The added alcoholic beverage service, entertainment and hookah, will generate additional traffic; however, conditions for valet parking, and circulation, should minimize traffic impacts, provide access for emergency vehicles, and not be detrimental to the site and surrounding developments.

SECTION 4. The Planning Commission approves Conditional Use Permit 18-03 based on the findings listed in Section 3 and the conditions listed in "Exhibit C-1".

SECTION 5. The approval of Conditional Use Permit 18-03 by the Planning Commission is exempt from the California Environmental Quality Act (CEQA) pursuant to exemption in Section 15301, Class 1, and Section 15303, Class 3 of Title 14 of the California Code of Regulations (CEQA Guidelines). Therefore, no further environmental review is necessary.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August 2018

Sara Vasquez, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

EXHIBIT C-1
Conditions of Approval
Conditional Use Permit 18-03
1521/1525 Huntington Drive (The Senator's Lounge)

Hours of Operation

1. The hours of operation for the restaurant shall not begin before 6:00 AM any day of the week, and not extend beyond 11:00 PM, Sunday through Thursday and 1:00 AM, Friday and Saturday. Any request to modify the operating hours beyond those approved herein will be referred to the Planning Commission for review, in which case a modification to this conditional use permit will be required prior to changes being made.

Alcohol Services

2. Alcoholic beverages must be ordered and served at least one hour prior to closing, but may be consumed up until closing.
3. Alcoholic beverage service and preparation areas shall only be allowed in the following designated locations as shown on the approved plans on file with the Community Development Department: kitchen, food prep, existing bar (restaurant building), enclosed service station (rear patio), and service counter bar (rear patio).
4. Alcoholic beverage consumption and possession shall only be allowed in the following designated areas designated as shown on the approved plans on file with the Community Development Department: restaurant building, front outdoor patio, and rear outdoor patio; and as further regulated by the State Department of Alcoholic Beverage Control (ABC).
5. Alcohol sales shall remain incidental to the restaurant operation, as permitted with a Type-47 alcohol license. The business owner shall maintain records that separately reflect the gross sales of alcoholic beverages, and such records shall be made available to the City upon reasonable request.
6. The business establishment shall continually operate as a restaurant/"bona fide eating place" as defined by the Duarte Development Code and the State of California Department of Alcoholic Beverage Control (ABC). The sale of alcohol shall remain as an accessory to the primary use of a full-service restaurant. Service of lunch and/or dinner shall be available to guests for compensation during all hours of operation, providing an assortment of foods with a full menu.
7. Alcohol storage and service/preparation areas shall not be accessible to the public.
8. The sale of alcohol beverages for off-site consumption is prohibited.
9. All signage related to regulation of alcohol sales and/or consumption, as required by ABC, shall be displayed in accordance with the laws and requirements of ABC.
10. All employees serving or selling alcohol shall 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 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 24 hours of City request.

11. Prior to commencing alcohol sales, the applicant shall obtain the appropriate license from ABC, comply with 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 CUP approval and those imposed by ABC, the more restrictive provisions shall apply.
12. All laws of the Alcoholic Beverage Control Act, as defined by Division 9 of the California Business Professions Code shall be complied with at all times. Should at anytime the Alcoholic Beverage license issued to the applicant be revoked for any purpose, this Conditional Use Permit shall become invalid.

Entertainment Services

13. Entertainment allowed in the rear outdoor patio is limited to the following:
 - a. One (1) belly dancer, which shall occur no later than 9:00 PM, Sunday through Thursday, and 11:00 PM, Friday and Saturday.
 - b. Ambient, pre-recorded, background music played through fixed speakers no bigger than 8" in diameter. Music volume control location shall be locked, and only accessible and adjusted by restaurant management or owners. Background music speaker system shall not be used to amplify live music, voices or other noises through a microphone or similar device.
 - c. Televisions with the volume muted.
14. Entertainment allowed in the indoor restaurant building, which shall occur no later than 9:00 PM, Sunday through Thursday, and 11:00 PM, Friday and Saturday, is limited to the following:
 - a. No more than three (3) live musicians. Drums or similar percussion instruments are prohibited.
 - b. One (1) DJ and/or Karaoke machine.
 - c. One (1) belly dancer.
15. Patron dancing is only permitted within the dining area of the restaurant building.
16. Any form of entertainment not described or addressed by this conditional use permit or associated conditions of approval are expressly prohibited.
17. Entertainment in locations not addressed by this conditional use permit or associated conditions of approval are expressly prohibited.
18. A cover charge for entertainment is not allowed.
19. The entertainment shall remain an ancillary use to the restaurant operation. Any change or increase to the type, location, frequency, or any other entertainment characteristics shall be reviewed by the Planning Division prior to commencing such changes. The Planning

Division may refer the requested changes to entertainment to the Planning Commission for review, in which case a modification to the conditional use permit will be required prior to changes being made.

Noise

20. The applicant shall construct a sound mitigation barrier between the rear outdoor patio and the easterly property line to reduce noise between the rear outdoor patio and adjacent uses to the east of the subject property. This barrier may take the form of a floor to ceiling sound wall constructed either as a building element integrated with the awning roof structure; or as a separate block wall element, subject to review and approval of the Community Development Department. The barrier shall have demonstrable noise attenuation properties, and be architecturally finished on all sides of the structure. The plan shall be reviewed by an acoustical engineer to determine the effectiveness of the proposed sound attenuation and after construction the acoustical engineer shall evaluate the adequacy of the sound attenuation.
21. The applicant shall construct a solid sound mitigation barrier between the east wall of the restroom and the easterly edge of the rear outdoor patio to reduce noise between the rear outdoor patio and adjacent uses to the north of the subject property. This barrier may take the form of a floor to ceiling sound wall constructed either as a building element integrated with the awning roof structure; or as a separate block wall element, subject to review and approval of the Community Development Department. Said barrier shall have demonstrable noise attenuation properties, and be architecturally finished on all sides of the structure.
22. A six to eight-foot tall wall shall be constructed along the easterly property line to reduce noise to adjacent uses to the east. At minimum, the wall must extend from the northeast corner of the rear outdoor patio to the southwest corner of the motel building in the property east of the subject property. Location, height, materials, and finish of the wall is subject to the review and approval of the Community Development Department.
23. All doors and windows shall remain closed on the restaurant building during times when music, DJ, dancing, or other noise generating activities are occurring.
24. If it is determined by City Staff that the noise exceeds the requirements of the Duarte Municipal Code, the Community Development Department may require the applicant (or then current business owners) to pay for a City-hired noise consultant to perform a noise study and propose measures to assure compliance with the Municipal Code. Suggested noise mitigation measures must be implemented by the applicant/business owners at their cost and in a timeframe as determined by the Community Development Director.
25. All regulations of the Duarte Noise Ordinance outlined in Chapter 9.68 of the Duarte Municipal Code (DMC) shall be fully complied with at all times. Noise generated from music, noise-generating equipment, or any other business activities shall not exceed the decibel limits established by Chapter 9.68 of the DMC. Any violation of the noise ordinance or recurring complaints related to noise levels may result in review of this CUP and possibly changes to the entertainment operation of the business.

Hookah Service

26. Hookah service shall occur only at the rear and front outdoor patios, as shown on the approved plans on file with the Planning Division.
27. The outdoor patios described above shall not become an exclusive area for hookah use only. Patrons requesting to be seated and/or dine on the outdoor patio shall be allowed to do so regardless if the patron plans to partake in hookah service.
28. Hookah preparation by restaurant staff is allowed only in the following areas: hookah prep. area, 404 s.f. covered (service) patio, and service prep area, as shown on the approved plans on file with the Planning Division
29. No improvements for the "Hookah Preparation Area" have been proposed or considered as part of this approval. Any future work in this area must be reviewed and approved by the Community Development Department before construction/installation.
30. Minors (under the age of 21) shall not be permitted to partake in any hookah related activities.
31. The applicant and all business owners must obtain a Tobacco Retailers License from the City of Duarte, prior to any hookah service or sale. The business shall be subject to all regulations contained within Chapter 5.09 of the DMC.
32. Hookah use and operation shall comply with all State and Local laws, including laws regarding a smoke-free work place, and any future changes in State or Local regulation of hookah smoking.
33. Hookah use and operations, including preparation and sanitization of equipment, shall meet all the requirements of the Los Angeles County Health Department. Commencement of hookah operations is contingent upon receiving approval from the County Health Department.
34. Hookah use and operation, in regard to the preparation of hookah coals, shall meet all the requirements of the Los Angeles County Fire Department. Commencement of hookah operations is contingent upon receiving approval from the County Fire Department.
35. All hookah equipment and accessories shall be properly stored and inaccessible to customers when not in use.
36. Any request to install and/or construct any equipment, appliances, etc. for the preparation of hookah coals, not otherwise addressed in this conditional use permit or conditions of approval, shall require review by the Planning Division prior to implementing.

Valet, Parking & Circulation

37. Parking stalls, as shown on the approved plans on file with the Community Development Department, shall not be removed or repurposed without approval of the Community Development Director.

38. Business owners will provide carpool, ride-sharing, or other transportation incentives or subsidies to prevent them from using the limited number of parking stalls on the subject property and reserving said stalls for use by customers.
39. During valet parking service, self-parking is not allowed, except for the four (4) stalls located towards the front of the property.
40. Any valet parking station, booth, or key stand shall be located no closer to Huntington Drive than a line parallel to the rear of the storage/office building. A valet attendant station plan shall be reviewed and approved by the Community Development Department prior to the use of valet parking services.
41. A minimum of two (2) valet attendants shall be staffed on Friday and Saturday nights from 5:00 PM until closing.
42. Valet attendants may not be located or provide services to patrons closer than a line parallel to the rear of the storage/office building.
43. Valet parking off of the subject property is prohibited, unless otherwise approved by the City.
44. Valet operators shall park valet vehicles in the approved parking lot as shown on the approved plans on file with the Community Development Department (Exhibit A).
45. A minimum 26' wide fire lane must remain accessible at all times. The applicant/business owner shall stripe or post a fire lane within the driveway, as reviewed and approved by the Community Development Department.
46. Handicap parking spaces may only be used by authorized individuals. Valet parking in handicap parking spaces are reserved for those with valid disabilities.
47. Valet operators shall not park, stop, or store vehicles in the public right of way, or other on-street parking locations for longer than 15 minutes.
48. No vehicle queuing is allowed on the public right-of-way at any time.
49. No signs, cones, delineators, or other items may be placed in the public right-of-way.
50. All valet operators shall post valet parking signs only on the subject property. All valet parking signs shall reflect the hours of operation as approved by the Community Development Department.
51. The valet operator shall, upon the receipt of each motor vehicle accepted for valet parking, give a claim check to the owner. The claim check shall explicitly state the terms and conditions under which the vehicle is being accepted.
52. A copy of the valet operator's permits must be posted and maintained at the valet parking station. Permits and licenses shall be made available to City Staff or law enforcement upon request.

53. In the event that business operations necessitate changes to valet services, the Community Development Director may approve or require modifications to valet staffing, days/hours of service, and/or modifications to valet operations.
54. The applicant/business owner must contract with a legitimate valet parking operator that, at minimum, carries liability insurance, and ensures that valet parking attendants have valid California driver's licenses.
55. The applicant/business owner shall be responsible for the expedient flow of cars from public streets onto the subject property, including ensuring neighbors driveways are not blocked by patrons of the subject business.
56. If parking problems arise, the business owner shall institute any operational measures necessary to minimize or eliminate the problem, including but not limited to: reducing the use or size of the outdoor patios, modification to operating hours, providing subsidies for Uber/Lyft or similar ride-sharing services to either customers or employees, providing other carpool or transit incentives to either customers or employees, and/or acquisition of additional off-site parking, pursuant to the DDC.

General

57. Any expansion or modification to the approved use as part of this conditional use permit, including any substantial changes to the floor plan or operations plan that may affect or intensify areas related to any portion of the restaurant operation shall be reviewed by the Planning Division before implementation, and may require an application for a modification to the conditional use permit.
58. The business owner shall address any unpermitted alterations on the property or current violations of the State, the Los Angeles County Health Department, the California Building Code, and the Duarte Development Code, as part of this CUP approval and as identified by the Planning Division prior to implementing any new services allowed by this CUP into the business operation.
59. The use of the facility as a rental facility for exclusive use by private parties is expressly prohibited.
60. Maximum building occupancy limits shall be posted in a conspicuous location and adhered to, as required by the Building and/or other applicable Codes.
61. Adequate management staff shall be present during all business hours and shall be responsible for ensuring compliance with all conditions of this conditional use permit.
62. The business owner shall provide a security plan to the Community Development Department for review. 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 and secured, and accessible only to the business owner and/or designees. All saved data shall be made available to the Public Safety Department and City personnel upon reasonable request. All components of the 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.

63. New lighting shall be installed, used, and maintained along the exterior perimeter of the parking lot, on the building and in any other areas that require illumination for safety and security purposes. All exterior lighting, including freestanding and wall-mounted, shall require final approval from the Planning Division prior to issuance of building permits. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting system shall incorporate the use of a time clock or photocells to address lighting when not being used during business hours. A lighting plan with a photometric analysis prepared by licensed engineer or approved equivalent shall be provided to the Planning Division for review and approval prior to permit issuance. The lighting plan shall include cut-section drawings, manufacture brochure, illumination levels/lighting distribution, and any additional information as needed. Installation of any new lighting shall be completed prior to implementing any new services allowed by this CUP.
64. This 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 restaurant establishment, or its patrons, are creating a public nuisance, as verified and validated 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 added security measures and any other 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, 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, Department of Alcoholic Beverage Control (ABC), or Los Angeles County Fire Department, 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.
65. Outdoor storage associated with this use is prohibited.
66. A new or modified conditional use permit will be required at the time of change of business owner and/or alcohol beverage license transfer when the subsequent business owner/operator proposes changes to the area, configuration or manner in which the original conditional use permit was approved.
67. A final inspection by the Planning Division for implementation of the conditions of approval shall be conducted prior to occupancy approval or permit final, whichever occurs first.
68. The project shall comply with all regulations of the Town Center Specific Plan Zone, including the intent and purpose, permitted uses, development standards, and any other applicable sections of both the Duarte Development Code and Duarte Municipal Code.
69. This entitlement shall be contingent upon the privileges being utilized within 12 months from the effective approval date.

70. The decision of the Planning Commission may be appealed to the City Council within 15 days of the Planning Commission's decision. Said appeal must be in writing and filed with fees paid to the City Clerk's Office. The written appeal shall include reasons for the appeal.
71. 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 this conditional use permit which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION PC 18-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW CASE 18-30, FOR AN EXTERIOR REMODEL AND MODIFICATIONS TO AN EXISTING 2,863 SQUARE FOOT (S.F.) RESTAURANT BUILDING AND AN EXISTING 702 S.F. STORAGE BUILDING; AND CONSTRUCTION OF THE FOLLOWING STRUCTURES ACCESSORY TO THE PROPOSED USE: AN APPROXIMATE 5,200 S.F. OUTDOOR DINING PATIO, 404 S.F. SERVICE PATIO, AND 338 S.F. RESTROOM TO THE REAR OF THE DINING PATIO, AND A 760 S.F. OUTDOOR DINING AREA (TRELLIS) IN FRONT OF THE RESTAURANT, LOCATED AT 1521/1525 HUNTINGTON DRIVE (SENATOR'S LOUNGE)

WHEREAS, Senator's Lounge is requesting approval for an exterior remodel and modifications to an existing 2,863 square foot (s.f.) restaurant building and an existing 702 s.f. storage building; and construction of the following structures accessory to the proposed use: an approximate 5,200 s.f. outdoor dining patio, 404 s.f. service patio, and 338 s.f. restroom to the rear of the dining patio, and a 760 s.f. outdoor dining area (trellis) in front of the restaurant at 1521/1525 Huntington Drive; and

WHEREAS, Table 7-2 listed in Section 19.122.030.B of the Duarte Development Code requires a recommendation from the Architectural Review Board and approval from the Planning Commission for nonresidential construction greater than 2,500 square feet; and

WHEREAS, on August 13, 2018, the Architectural Review Board reviewed the plans for Site Plan and Design Review (SPDR) Case 2018-30 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the project proposal, which provides, among other provisions, for the exterior remodel to an existing 2,863 s.f. restaurant and 702 s.f. storage building; and construction of the following accessory structures: 5,200 s.f. outdoor dining patio, 404 s.f. service patio, and 338 s.f. restroom to the rear of the outdoor dining patio, and a 760 s.f. (trellis) in front of the restaurant at 1521/1525 Huntington Drive; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report and all of the information, evidence and public testimony received at the public meeting held on August 20, 2018 at 7:00 p.m. in the City Council Chambers.

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 FOR SITE PLAN AND DESIGN REVIEW

The Planning Commission finds and determines as follows, findings for Site Plan and Design Review, as set forth in DDC Section 19.122.050 (E), as the proposed development is:

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

The Senator's Lounge restaurant is consistent with Overarching Objective, Section 3.1, of the Town Center Specific Plan by facilitating the creation of a balanced community with a mix of residential, commercial, retail, services, civic, and cultural uses. The use is also consistent with the Mixed-Use Neighborhood land use designation of the Town Center Specific Plan by encouraging ground floor commercial uses, with frontage along Huntington Drive.

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

The project will consist of the construction of several structures accessory to a restaurant business, including: 5,200 s.f. outdoor dining patio, 404 s.f. service patio, and 338 s.f. restroom to the rear of the dining patio, and a 760 s.f. outdoor dining area (trellis) on an existing parcel that is roughly 36,190 square feet. The project will also include the exterior remodel of two existing structures – a 2,863 s.f. restaurant building and an existing 702 s.f. storage building. Both the existing and proposed structures can be accommodated on the project site. Furthermore, the new addition meets the development standards of the Town Center Specific Plan (TCSP) and the Duarte Development Code.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development:

- a. Compatibility. *The project will improve existing older and dilapidated structures, and create an enhancement to the property and surrounding community. The project meets the requirements of the TCSP zone and has been designed to be compatible with design, scale and proportion of the surrounding developments.*

- b. Architectural Design and Detail. *The restaurant and patios are being designed in a Spanish and Mediterranean inspired architectural style, including the use of tile roofs, stucco exteriors, rafter tails, and embellished pre-cast columns. The property will also be improved with a partial new parking lot, parking lot lights, and new landscape in select areas and create a visual enhancement along Huntington Drive*

- c. Landscape, Lighting, Parking, Signs, and Other Design Details.

- Equipment and Utilities. *All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted in rear or side of the property, or underground, or behind an architecturally appropriate roof equipment enclosure and screened from the public right-of-way.*
- Fences/Walls. *The project includes conditions for new sound attenuation walls, block walls and repairs and improvements to existing wrought iron fencing. Sound walls will be review from a structural and architectural perspective to ensure safety and design compatibility. A wall and fence plan will be required for review and approval.*
- Landscaping. *The project includes landscape improvements throughout the property, around the perimeter of the property and parking lot area, and abutting Huntington Drive. All landscape proposals will require separate review and approval to ensure landscaping and irrigation have been designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development Code, and will*

complement the project by providing a welcoming appeal along Huntington Drive.

- *Lighting. The project includes new parking lot lighting and exterior wall-mounted light fixtures. The exterior lighting will require separate review and approval to ensure compliance with the performance standards for outdoor lighting outlined in the Duarte Development Code. The exterior lighting will be required to meet energy efficiency requirements and contain a decorative design that complements the architectural style of the property. A separate review and approval will be required.*
 - *Parking. The project requires the approval of a conditional use permit for valet parking in order to accommodate the customers that can be accommodated by the restaurant and large outdoor patios. Conditions have been required that provide valet parking operating standards, restrict use of public streets in association with this business, prohibit off-site valet parking without proper approvals, require the owner to provide employee carpool or transit incentives, and ensure emergency vehicle access. In the event parking issues persist, a specialized condition has been included to require any operation modification necessary to alleviate the concerns.*
 - *Signs. The project does not include the approval of any signs. All new signs will require separate review to ensure compliance with the Duarte Development Code.*
4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The site is sufficient in size and shape to accommodate the proposed use and operation. The project site is in the TCSP zone surrounded by commercial (hospitality) uses to the east and west and single-family residential uses to the north and across Huntington Drive to the south. The scale and size of the proposed accessory structures and modifications to existing buildings are consistent with the zoning designation and adjacent commercial properties. With the conditions of approval imposed on the project it is unlikely to cause any significant impacts to the surrounding uses.

SECTION 3. CEQA DETERMINATION

In recommending adoption of this PC Resolution 18-20 for the proposed exterior remodel of existing buildings and construction of accessory structures, 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 Sections 15301 and 15303 of Title 14 of the California Code of Regulations.

SECTION 4. RECOMMENDATION

The Planning Commission approves PC Resolution 18-20, based on the findings listed in Section 2 and the conditions listed in "Exhibit B-1", and approves Site Plan and Design Review Case 2018-30, for an exterior remodel of an existing 2,863 s.f. restaurant and 702 s.f. storage building; and construction of the following accessory structures: 5,200 s.f. outdoor dining patio, 404 s.f. service patio, and 338 s.f. restroom to the rear of the outdoor dining patio, and a 760 s.f. (trellis) in front of the restaurant at 1521/1525 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 20th day of August 2018.

Sara Vasquez
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on August 20, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

EXHIBIT A

Conditions of Approval

Site Plan & Design Review Case 18-30

**Exterior modifications to existing buildings and construction of new accessory structures related to the operations of a restaurant & hookah business at 1521/1525 Huntington Drive
(Senator's Lounge)**

1. This approval is for exterior modifications to existing buildings, construction of accessory structures, and associated site improvements related to the operations of a restaurant and hookah business as noted on the approved plans on file with the Community Development Department. The construction shall be in substantial compliance with all components of the approved plans.
2. The land use and other operational characteristics of the meditation temple are not included with this approval. This Site Plan and Design Review application shall become effective contingent upon approval of the associated conditional use permit application. In the event the conditional use permit application for the use and operation of the meditation temple is not approved, this site plan and design review approval shall become void.
3. The applicant shall construct a sound mitigation barrier between the rear outdoor patio and the easterly property line to reduce noise between the rear outdoor patio and adjacent uses to the east of the subject property. This barrier may take the form of a floor to ceiling sound wall constructed either as a building element integrated with the awning roof structure; or as a separate block wall element, subject to review and approval of the Community Development Department. The barrier shall have demonstrable noise attenuation properties, and be architecturally finished on all sides of the structure. The plan shall be reviewed by an acoustical engineer to determine the effectiveness of the proposed sound attenuation and after construction the acoustical engineer shall evaluate the adequacy of the sound attenuation.
4. The applicant shall construct a solid sound mitigation barrier between the east wall of the restroom and the easterly edge of the rear outdoor patio to reduce noise between the rear outdoor patio and adjacent uses to the north of the subject property. This barrier may take the form of a floor to ceiling sound wall constructed either as a building element integrated with the awning roof structure; or as a separate block wall element, subject to review and approval of the Community Development Department. Said barrier shall have demonstrable noise attenuation properties, and be architecturally finished on all sides of the structure.
5. A six to eight-foot tall wall or solid fence shall be constructed along the easterly property line to reduce noise to adjacent uses to the east. At minimum, the wall or solid fence must extend from the northeast corner of the rear outdoor patio to the southwest corner of the motel building in the property east of the subject property. Location, height, materials, and finish of the wall/fence is subject to the review and approval of the Community Development Department.
6. The final column design selection shall be subject to the approval of the Community Development Director prior to permit issuance. The columns shall be of high-quality pre-cast concrete materials and be sized appropriately to the trellis and patio structures

associated therewith. Details, samples, and plans as necessary shall be provided to the Community Development Department for review.

7. Windows shall be replaced on the pantry/storage/office building to match the style, color and finish of the new windows used on the restaurant building.
8. All windows and doors shall require final approval from the Planning Division prior to permit issuance. A separate window and door plan with an accurate window and door schedule shall be provided to the Planning Division for review prior to submitting to Building and Safety plan check. The schedule shall list the window and door types and their locations. The plan shall include all necessary details on the type, color, and material of all proposed windows and doors; sections/detail drawings depicting the use of trims, moldings, mullions, etc.
9. New freestanding parking lot light standards and exterior building lighting will be required.
10. All exterior lighting, including freestanding and wall-mounted, shall require final approval from the Planning Division prior to issuance of building permits. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting system shall incorporate the use of a time clock or photocells to address lighting when not being used during business hours. A lighting plan with a photometric analysis prepared by licensed engineer or approved equivalent shall be provided to the Planning Division for review and approval prior to permit issuance. The lighting plan shall include cut-section drawings, manufacture brochure, illumination levels/lighting distribution, and any additional information as needed. Separate review fees may apply.
11. Exterior walls on the restroom, rear outdoor dining patio, hookah prep area, and service patio shall be finished in a stucco material in color, style and finish to match other buildings on the property. Additional architectural details will be needed on the service patio and rear restroom structures.
12. Construction drawings shall address and include all existing buildings and any structures that did not procure City approvals and building permits. Said structures shall be brought up to current building code and meet zoning regulations. Architectural or design features, materials, finishes or colors may be required by Planning Division Staff to ensure compatibility with the approved design theme associated with this project and this resolution.
13. All cornice materials, or similar embellishments at or near the top of the vertical building walls (including mechanical equipment screens), shall be consistent in style, materials, color and finish.
14. Elevations of all buildings and structures shall be reviewed and approved by the Planning Division prior to permit issuance. Final review shall include approval of the color palette, placement of colors, and all finished building materials, including but not limited to the type, color, and/or placement of all stucco, trims, cornices, tile, among others. All finished building materials incorporated into the building design shall be of high quality and high durability, and shall take into consideration locations that may be more vulnerable to damage or potential maintenance concerns.
15. Landscape improvements are required throughout the site, including additional landscape screening materials along the north, east and west property boundaries. Tall landscaping shall be incorporated into the planter area nearest the northerly property line.

16. A landscape and irrigation plan shall be submitted to the Planning Division for review prior to permit issuance and be installed prior to occupancy. All landscape and irrigation improvements shall require separate review and approval prior to installation to ensure compliance with the landscape and water conservation guidelines outlined in Chapter 19.40 of the Duarte Development Code. Separate review fees may apply.
17. All signs shall require separate approval from Planning Division prior to installation. A detailed sign package with cut sheets shall be provided for review. All signs shall be in compliance with the sign regulations outlined in the Duarte Development Code and/or subject zoning district, and any applicable sign program. Contact the Planning Division for more information.
18. All signage related to regulation of alcohol sales and/or consumption, as required by ABC, shall be displayed in accordance with the laws and requirements of ABC.
19. Fences throughout the property need additional consistency in terms of style and color, particularly in the front portion of the property facing Huntington Drive. A consistent, decorative wall cap is needed for any walls at the rear outdoor dining patio.
20. A fence and wall plan shall be submitted to the Planning Division for review prior to occupancy. Fences/gates shall contain a decorative design using a high-quality material such as wrought-iron. All walls shall be constructed to provide security and separation between adjacent properties. Final approval of the location, height, design etc. of all fences and walls shall be required by the Planning Division.
21. The parking lot shall be restriped, prior to occupancy, to meet the approved parking arrangements required by the Planning Commission, in concert with the valet plan. Said restriping shall be in substantial compliance with the approved plans and the requirements of the Duarte Development Code, including parking stall width and depth, aisle depth, and adequate turn-around areas for efficient circulation.
22. Prior to the submittal of plans, the applicant shall contact the Public Works Division to discuss any grading, drainage, Low Impact Development (LID) or Best Management Practices (BMP's) related to the development. All development shall comply with Section 6.15.140 of the Duarte Municipal Code.
23. Follow the list of Best Management Practices (BMP's) of the National Pollution Discharge Elimination System (NPDES), including recommendations from the City Public Works inspector.
24. The exterior wall associated with the "Hookah Preparation Area" shall be stuccoed in a color, style and finish to match other buildings on the property.
25. No improvements for the "Hookah Preparation Area" have been proposed or considered as part of this approval. Any future work in this area must be reviewed and approved by the Community Development Department before construction/installation.
26. Maximum building occupancy limits shall be posted in a conspicuous location and adhered to, as required by the Building and/or other applicable Codes.

27. The project shall comply with all the regulations of the Town Center Specific Plan zone, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development Code and Duarte Municipal Code.
28. The project is considered a level one (1) project, according to Chapter 19.52 (Sustainable Development Practices) of the Duarte Development Code. The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: solar access protection, energy efficient outdoor lighting, landscaping efficiency, etc.
29. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information.
30. Any revisions to the site plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation; such changes may require review and approval from the Architectural Review Board.
31. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color. Ground mounted equipment shall be shielded from public view by landscaping and/or screen walls, subject to approval from the Planning Division.
32. All utilities for direct service to the project shall be installed underground and concealed from view.
33. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the conceptual approval and any required conditions of the Planning Commission.
34. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District and proof of payment provided to the City. Contact Duarte Unified School District at (626) 599-5000 for more information.
35. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
36. Building permits for this project must be issued within one-year from the date of final approval and may be extended in compliance with Section 19.130.070 of the Duarte Development Code.
37. The property owner, contractor, and all representatives shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.

38. A final inspection shall be made by the Planning Division prior to final sign-off of any building permits to ensure that all conditions have been met.
39. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of approval. Said appeal must be in writing and filed with the Community Development Department (DDC 19.144). The written appeal shall include reasons for the appeal and the applicable fee.
40. 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.