



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

MONDAY, JULY 15, 2024
7:00 PM

DUARTE COMMUNITY CENTER, 1600
HUNTINGTON DRIVE, DUARTE, CA 91010

MISSION STATEMENT

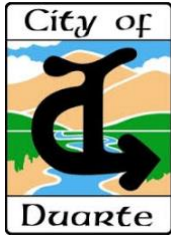
With integrity and transparency, the City of Duarte provides exemplary public services in a caring and fiscally responsible manner with a commitment to our community's future

1. **CALL TO ORDER AND NOTATION OF ANY ABSENCES**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
 - A. Minutes
4. **ORAL COMMUNICATIONS - ITEMS NOT IN THE AGENDA**
5. **PUBLIC HEARINGS:**
 - A. Conditional Use Permit 24-01. The applicant, Adam Avalos, Restaurant Manager of Duffers's Bar and Grill restaurant located at 1000 Las Lomas Road, is requesting approval of a Conditional Use Permit to allow live entertainment indoor and outdoors.

RESOLUTION PC 24-02

A RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 24-01 FOR A LIVE ENTERTAINMENT PERMIT AT DUFFER'S BAR AND GRILL LOCATED AT 1000 LAS LOMAS RD

6. **ITEMS FROM DIRECTOR**
7. **ITEMS FROM COMMISSIONERS**
8. **ADJOURNMENT:** August 19, 2024



MINUTES
CITY OF DUARTE
PLANNING AND ECONOMIC
DEVELOPMENT COMMISSION

June 17, 2024

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

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES:

Chair Heany called the meeting to order at 7:03 p.m. The following were in attendance:

PRESENT:	Heany, Wolff, Becker, Paez,
ABSENT:	Quandt
STAFF:	Golding, Abdul-Ahad, Nash, Bautista
CITY ATTORNEY:	None

2. PLEDGE OF ALLEGIANCE:

Commissioner Paez led the Pledge of Allegiance.

3. APPROVAL OF MINUTES:

Commissioner Paez motioned to approve the March 18, 2024 minutes. Seconded by Commissioner Beckner. The motion carried 4-0-0-0. (Yes: Heany, Becker, Paez, Wolff No: None; Abstain: None; Absent: Quandt).

4. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA:

None

5. PUBLIC HEARINGS:

- A. **Revocation of Conditional use Permit 11-04** FOLLOWING FAILURE TO ADEQUATELY MAINTAIN THE EQUIPMENT AT THE 1720 FLOWER AVENUE CELL SITE, CITY STAFF HAVE NOTIFIED OWNERSHIP, PERMIT APPLICANTS AND LICENSEES OF NONCOMPLIANCE ON THE PROPERTY MULTIPLE TIMES AS EARLY AS 2022. AS A RESULT OF THIS NON-COMPLIANCE AND INACTION, THIS CUP IS BEING CALLED FOR A REVOCATION HEARING BEFORE THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION FOR THE CONSIDERATION OF REMOVING THE ZONING APPROVAL WHICH ALLOWS THE TOWER TO OPERATE.

Associate Planner Nash presented the staff report and explained the monopine cell tower has not been properly maintained and discussed the potential of revoking the zoning approval that allows the tower to operate. Nash continued to explain the substandard conditions of the tower.

In 2022 an electrical permit was pulled however the permit expired in 2024 due to failing inspections and multiple attempts of contact from the city. After the hearing was scheduled and notices went out, the owner has finally made progress on maintenance of the tower. Nash then explained that since the owner, Crown Castle, has now made progress in addressing all of the concerns from the city, city staff now recommends the Commission receive and file the report with the understanding that the applicant will complete the remaining required corrections by the end of August 2024. If items are not addressed the CUP may be brought back to revocation.

Commissioner Paez asked whether renewal of the CUP will be required since the existing is expired. Nash indicated that a new application is at the discretion of the owner, but the owner should apply in order to stay in full compliance. Golding added that there may not be an automatic requirement for the CUP to be renewed and staff will determine in the future if a CUP modification is necessary.

Commissioner Wolff questioned the straps on the tower inquiring if they are permitted since they did look dangerous. Nash did state that he has asked the applicant to investigate whether or not they were included in the permits that were issued. Staff does believe they were permitted but not included in the description on the permits kept on file.

Chair Heany opened the Public Hearing at 7:18 p.m.

Tessie Murakami, representing Crown Castle, expressed they were planning on renewing the CUP. She also addressed the concern of Commissioner Wolff by explaining any new structures added to any towers all undergo a structural analysis before modification.

Action

All Commissioners were in consensus to receive and file the report. (Yes: Paez, Wolff, Heany, Becker; No: None; Abstain: None; Absent: Quandt).

6. BUSINESS ITEMS:

None

7. ITEMS FROM DIRECTOR:

Planning Manager Golding provided updates on several items and projects throughout the city.

8. ITEMS FROM COMMISSIONERS:

None

9. ADJOURNMENT:

Chair Heany motioned to adjourn at 7:43 p.m. The next meeting is scheduled for July 15, 2024.

Craig Hensley, Secretary

**CONDITIONAL
USE
PERMIT
24-01**



PLANNING AND ECONOMIC DEVELOPMENT COMMISSION STAFF REPORT

Date: July 15, 2024

Project: Conditional Use Permit 24-01

Subject: Request to allow live entertainment at Duffer's Bar and Grill located within the Rancho Duarte Golf Course.

Location: 1000 Las Lomas Road – Duffer's Bar and Grill

Applicant: Adam Avalos, Restaurant Manager/Operator

SUMMARY

The applicant, Adam Avalos, Restaurant Manager of Duffer's Bar and Grill restaurant located at 1000 Las Lomas Road, is requesting approval of a Conditional Use Permit to allow live entertainment indoors and outdoors. Duffer's Bar and Grill is a full-service restaurant located within the Rancho Duarte Golf Course, offering breakfast, lunch, and dinner options seven days a week.

The project is located within the Rancho Verde Specific Plan which permits sit-down restaurants that are associated with a primary use. In this case, the primary use is the golf course. Live entertainment in conjunction with the restaurant requires approval of a Conditional Use Permit (CUP) by the Planning Commission. As such, staff recommends the Planning Commission adopt PC Resolution 24-01 to approve the live entertainment as an accessory component of the restaurant operation, based on the information provided in the staff report and subject to the conditions of approval.

BACKGROUND

The property located at 1000 Las Lomas Road is improved with a golf course, a restaurant building, and an outdoor patio area. The property is approximately 34 acres. The existing building is approximately 2,764 square feet with a 1,134 square foot covered patio to the east, and 780 square feet covered patio to the north. The existing restaurant use and outdoor dining areas are an associated use in the Rancho Verde Specific Plan. The proposed live entertainment is accessory to the bar and grill use. Chapter 19.12.020 Table 2-5 (other uses) sets the CUP requirement for outdoor entertainment when accessory to a primary use. In this case, all outdoor and indoor entertainment will be part of the CUP,

since the bar and grill has indoor and outdoor areas and will have multiple forms of entertainment.

The restaurant and pro shop building were constructed as part of the original golf course project in the early 1980's and have been in operation since that time. The subject property was first granted a conditional use permit to serve alcoholic beverages through CUP 83-7. Since that time, several additional alcoholic beverage licenses have been obtained due to ownership changes, including CUP 85-7 and 87-7. The ability to serve alcoholic beverages is currently entitled through CUP 88-2. Although ownership has changed since 1988, the City no longer requires new CUP's for ownership changes.



ANALYSIS

Duffer's Bar & Grill restaurant has been in operation since 2013 and is looking to expand its business by providing live entertainment that will include live music/band and karaoke nights. The applicant has also requested to rent out the restaurant for weddings, birthday parties, graduations, or similar events.

The restaurant is currently open seven days a week, Monday to Wednesday from 10:00 am to 6:00 pm, Thursday to Friday from 9:00 am to 9:00 pm, Saturday from 10:00 am to 10:00 pm, and Sunday from 8:00 am to 5:00 pm.

The applicant is requesting the following schedule:

Type of Entertainment	Hours	Location
Live Music / Band (regular event)	Thursdays from 6pm-9pm	Indoor & Outdoor Patio
Live Music / Band (rented event)	Weekends until 10pm	Indoor & Outdoor Patio
Karaoke Nights	Weekdays and weekends from 6pm-11pm	Indoor Only
Venue Rental	Weekdays and weekends till 11pm	Indoor Only

Staff has reviewed the applicant's request and has the following concerns regarding venue rentals and hours of operations during live entertainment:

Venue Rentals:

Staff is concerned about the request to rent the restaurant for special events such as weddings, birthday parties, or similar types of events. Special event rentals have a greater propensity to create adverse impacts to surrounding properties due to their size and scale. Furthermore, most event rentals at golf courses and other large properties are managed by an independent company that deals exclusively with event rentals. At this time, the restaurant is not permitted to operate as a rental venue for private events, and Staff does not recommend this portion of the applicant's request. A condition of approval has been added to ensure the live entertainment permit is only for live music/band and karaoke nights.

Noise:

In reviewing the proposed operations, it is clear that some factors will contribute to the noise the business generates – from normal restaurant noises to occasional entertainment. Staff has proposed conditions that will provide significant noise reductions.

1. The applicant's proposed indoor/outdoor entertainment requires the most consideration. Amplified music/noise (DJ, karaoke, or instruments), if not properly managed and regulated, has the highest risk for unwanted impacts. The applicant and Staff have discussed the ability of on-site management to monitor and quickly react to noise issues. When live entertainment is being performed inside, a condition requires the doors and windows to be closed at that time to help reduce noise level impacts to adjacent properties. Karaoke will also only be permitted indoors. Staff has also discussed with the applicant keeping the amplified noise level down when live entertainment is occurring on the patio.
2. Entertainment in the rear patios is proposed to include a live band that plays regularly on Thursday nights and on weekends associated with the rented venue. The applicant is requesting the live band to begin at 6:00 pm and cease operations at 9:00 pm on Thursdays and all day until 10:00 pm on weekends during rented venue events. Exhibit D illustrates the distance from the outdoor patio to the adjacent residential uses. The

distance from the patio to the residential uses is approximately 250 feet to 340 feet. As mentioned above, Staff is apprehensive about the request for venue rental as it is not being supported as part of the live entertainment permit. Therefore, a condition of approval has been included which will limit live entertainment in the rear patio to Thursday until 9:00 pm due to close proximity to residential uses.

3. A condition has been added to allow only management or ownership to access the volume controls, and to prohibit the use of the house speaker system for amplifying voices or other noises. Live entertainment on the weekdays must cease by 9:00 pm and by 11:00 pm during the week for indoor karaoke events. This will attempt to balance the interests of the restaurant and an enhanced dining experience, with consideration of nearby residential uses.

Hours of Operation/Restaurant Operations:

Currently, the business hours for the restaurant are not aligned with the proposed hours of operations associated with the live entertainment. Since the live entertainment aspect of the business is ancillary to the restaurant use, the restaurant will be required to be open and have the ability to offer a full menu when live entertainment is occurring. Staff has discussed with the applicant the need to revise the current hours of operation to reflect the requested hours of operation for the live entertainment. A condition of approval has been added to allow the adjustment of the current hours of operation and require that the kitchen is available to serve food during events involving entertainment.

Loitering & Security:

To ensure a respectful environment for all surrounding properties, Duffer's Bar & Grill will be required to ensure that no loitering will be permitted on site after the restaurant ceases operation. The applicant has discussed with staff that all patrons are ushered off the property immediately upon the closure of the restaurant, and all gates to the property are closed and locked.

For increased safety and monitoring, the restaurant currently uses a fully operation security surveillance system. There are approximately 10 cameras on the property. The cameras face the parking lot, the outdoor patios, inside the restaurant, and the kitchen. The security control/monitor and media storage is located in the office. The 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. Only the business owner and/or his designee will have access to the hard drive storage.

As a condition of approval, the business owner will be required to provide a security plan for review by both the Community Development and Public Safety Departments. The security plan generally addresses the property's surveillance system, exterior and parking lot lighting, and signage.

The City received five written public comments prior to this report being completed, addressing the proposed entertainment. The comments ranged from support of the proposal to concerns about the outdoor entertainment portion of the request. These correspondences have been attached as Exhibit E. Staff recommends that the Commission consider these comments and any public comment and direct Staff accordingly.

ENVIRONMENTAL

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

RECOMMENDATION

Based on the information provided in the Staff report, Staff recommends the Planning Commission adopt PC Resolution 24-02 (Exhibit A), approving Conditional Use Permit 24-01 for the project proposal at 1000 Las Lomas Road.

Respectfully Submitted,



Mena Abdul-Ahad
Associate Planner

Attachments

- Exhibit A: Resolution PC 24-02, Conditional Use Permit 24-01
- Exhibit B: Live Entertainment Request
- Exhibit C: Site Plan & Floor Plan
- Exhibit D: Residential Distance to Project Site
- Exhibit E: Public Comments

Exhibit A

RESOLUTION PC 24-02

A RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 24-01 FOR A LIVE ENTERTAINMENT PERMIT AT DUFFER'S BAR & GRILL LOCATED AT 1000 LAS LOMAS ROAD

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

WHEREAS, the applicant has submitted an application requesting approval of a Conditional Use Permit for live entertainment at Duffer's Bar & Grill located at 1000 Las Lomas Road; and

WHEREAS, live entertainment associated with sit-down restaurants is a conditionally permitted use pursuant to the Rancho Verde Specific Plan and the Duarte Development Code section 19.20.020; and

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

WHEREAS, notice of a public hearing on the Conditional Use Permit 24-01 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 Conditional Use Permit application 24-01 and all of the information, evidence and public testimony received at the public meeting held on July 15, 2024, at 7:00 p.m. in the City Council Chambers Conference Room;

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

SECTION 1. RECITALS

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

SECTION 2. FINDINGS

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

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

The live entertainment is consistent with the City's General Plan in that it furthers the General Plan Land Use Goal 3.1.2 by providing unique areas to better serve the needs of Duarte residents and to promote specific plan areas that provide the flexibility needed to make these places unique.

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;*

Duffer's Bar & Grill is consistent with the Rancho Duarte Specific Plan zoning designation as the business provide local needs with the operation of a full-service restaurant. The live entertainment serves as an accessory to the restaurants primary function, which is permitted with a Conditional Use Permit. The use follows all regulations of the Duarte Development Code and Municipal Code, and conditions of approval have been included to ensure such compliance.

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

Duffer's Bar & Grill is located at 1000 Las Lomas Road within the Rancho Duarte Golf Course. The property is irregularly shaped and contains approximately 34 acres of land, which is sufficient for accommodating the freestanding restaurant building, the parking lot area, and necessary circulation. However, the property is also adjacent to residential uses to the north, 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 live entertainment will be ancillary and properly conditioned to avoid adverse impacts. The size, scale, and operation of the restaurant itself is relatively low in intensity. The added live entertainment will likely increase the customer activity and overall business of the restaurant. However, the intensified operation has been conditioned to avoid potential impacts and ensure the restaurant remains compatible with the surrounding 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 addition of live entertainment will likely increase the business activity and intensify the use; however, the limitations imposed on the added service 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 entertainment will allow an opportunity to create a unique dining experience. The hours of operation for live entertainment will be limited based on compatibility with adjacent residential uses. Conditions of approval will help avoid adverse and detrimental effects on the City and surrounding community.

5. *The subject site is:*

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

Duffer's Bar & Grill is located within the Rancho Duarte Golf Course. The site is served by the City's collector street, Las Lomas Road. The site also meets the parking requirements and the circulation on the property is suitable for public and emergency vehicle access. The added live entertainment will likely generate additional traffic; however, the traffic should not reach a point that is detrimental to the site and surrounding developments.

SECTION 3. **CEQA DETERMINATION**

In recommending adoption of this PC Resolution 24-02 for the proposed use, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act (CEQA), and State regulations in Title 14 of the California Code of Regulations, (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Section 15301.

SECTION 4. **RECOMMENDATION**

Staff recommends that the Planning Commission approves PC Resolution 24-02 based on the findings listed in Section 2, and the conditions listed in "Exhibit A-1", for a Live Entertainment Permit at 1000 Las Lomas Road.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 15th day of July 2024.

Tina Heany, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.

CITY OF DUARTE

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning and Economic Development Commission of the City of Duarte held on July 15, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

EXHIBIT A-1

Conditions of Approval Conditional Use Permit 24-01

1000 Las Lomas Road (Live Entertainment at Sit-down Restaurant)

1. This approval allows for live entertainment in conjunction with an existing restaurant, Duffer's Bar & Grill, located at 1000 Las Lomas Road within the Rancho Duarte Golf Course, within the patio areas and restaurant building, as depicted on Exhibit C.

2. Approved Live Entertainment Schedule:

Type of Entertainment	Hours	Location
Live Music / Band	Thursdays from 6pm-9pm	Indoor & Outdoor Patio
Karaoke Night	Weekdays and Weekends from 6pm-11pm	Indoor Only

3. Only Duffer's Bar & Grill management or ownership are allowed to access the volume controls, and to prohibit use of the house speaker system for amplifying voices or other noises.
4. 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. Amplified noise levels shall be monitored and adjusted to keep noise levels in compliance with this conditional use permit and Chapter 9.68 of the Duarte Municipal Code when live entertainment is occurring.
5. Entertainment in locations not addressed by this conditional use permit or associated conditions of approval are expressly prohibited.
6. Any form of entertainment not described or addressed by this conditional use permit or associated conditions of approval are expressly prohibited.
7. The use of the facility as a rental facility for exclusive use by private parties is expressly prohibited.
8. All windows and doors shall be closed at all times when live entertainment is being performed inside the restaurant.
9. Prior to operating the live entertainment permit, the current hours of operation shall be revised to reflect the approved hours of operation of the live entertainment schedule.
10. The restaurant's kitchen must remain open and available to serve meals to patrons during hours when entertainment is being offered.
11. Entertainment and alcohol sales 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.

12. Loitering is strictly prohibited on the property after the restaurant closes. All patrons must vacate the premises immediately upon closing. Problems or continued/repeated violations of any municipal, Health Code, or other violations associated with the live entertainment, conditions of approval, or any other governmental regulations, as determined by the City of Duarte, may be grounds for initiation of proceedings for the revocation of this Conditional Use Permit before the Planning Commission pursuant to Section 19.152.030 of the Duarte Development Code (DDC).
13. The business owner shall provide a security plan to the Community Development Department for review and approval prior to beginning live entertainment. 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 implementation.
14. 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.
15. 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.
16. Any outdoor storage associated with this use is prohibited.
17. Operations shall be conducted in a manner that does not create a nuisance. Any such nuisance must be abated immediately upon notice by the City.
18. Any expansion or modification to the approved use authorized as part of Conditional Use Permit 24-01 shall require an application for the modification of the existing permit, or an entirely new Conditional Use Permit.

19. A new or modified conditional use permit will be required at the time of change of business owner when the subsequent business owner/operator proposes changes to the area, configuration, or manner in which the original conditional use permit was approved.
20. The applicant must obtain Planning Division approval as well as Building & Safety Division approval and permits for any tenant improvements and other associated site improvements that may be involved with the proposed use.
21. This entitlement shall be contingent upon the privileges being utilized within twelve (12) months from the effective approval date. Discontinuance of the approved use for twelve (12) consecutive months or more shall constitute an abandonment of the permits and the Conditional Use Permit shall become invalid.
22. The project shall comply with all the regulations of the Rancho Verde Specific Plan and the Duarte Municipal Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections.
23. 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.
24. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of the approval letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144) and include all associated fees. The written appeal shall include reasons for the appeal.
25. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

Exhibit B

ENJ Entertainment Inc.
DBA: Duffer's Bar & Grillff
1000 Las Lomas Rd
Duarte, CA. 91010
626-357-3571
duffersbarngill@gmail.com

6th May 2024

City of Duarte
Community Development Dpt.ff
1600 Hungtington Dr Duarte, CA
91010

To Whom it may concern,

I am writing to formally request permission to host entertainment events at Duffers Bar and Grill, located in the City of Duarte.

The events will comprise live music, karaoke nights, and venue rental for occasions such as small intimate weddings, birthday parties, celebration of life gatherings, luncheons, anniversaries, class reunions, business meetings, and other gatherings, as it has been done in the past with the support of City members to host fundraising events.

As the owner of Duffers Bar and Grill, I am confident that hosting these entertainment events will help increase foot traffic, attract new customers, and ultimately increase revenue. Additionally, it will provide the community with opportunities to come together and enjoy great entertainment while supporting local businesses.

Please find below some additional information on the entertainment events that we would like to host at Duffer's Bar and Grill:

Live Music Events: We propose to host live music events featuring local musicians or bands. These events will take place

on Thursday nights from 6pm–9pm and weekends periodically when the venue is rented times may vary but not later than 10pm, we will offer a variety of genres to cater to a diverse audience. We will ensure that the bands or musicians are professional and well-vetted, and we will keep the volume at a reasonable level to not inconvenience the vicinity.

Karaoke Nights: We would like to host karaoke nights on weekdays, and weekends and we will offer drink specials to keep customers engaged throughout the night. We will provide a quality karaoke system and ensure that the atmosphere is fun, safe, and interactive. As with the live music, we will keep the volume at a reasonable level to not inconvenience the vicinities. **Our karaoke hours would be from 6 pm to 11 pm IF and ONLY IF Permitted if not we'll comply with whatever time it's allowed from your committee.**

Venue Rental: We would like to offer venue rental services for a range of events such as small intimate weddings, birthday parties, celebration of life gatherings, luncheons, anniversaries, class reunions, business meetings, and other gatherings, as it has been done in the past with the support of City members to host fundraising events. We will provide catering services and a range of amenities to make these events successful. Our professional staff will manage all events, and we will follow all necessary safety protocols and guidelines. If entertainment is brought in it would be confined to the inside of the restaurant with the doors closed to help with the noise. The Venue Rentals would be until 11 pm.

Fundraising Events: We have hosted fundraising events in the past with the support of City Council members, and we have been successful in raising funds for local charities and community causes. We would like to continue this tradition and use these entertainment events as an opportunity to give back to the community, as we pay it forward. We will donate a portion of the proceeds from these events to local charities and community causes.

The schedule for those events will vary per occasion but as previously mentioned we'll accommodate to whatever time is permitted.

We would like to assure you that we will comply with all necessary regulations and requirements to host these events. Along with maintaining the noise control to not disturb our neighbors. We will obtain all necessary permits and licenses and ensure that the events are well-managed, safe, and enjoyable for all attendees.

We are excited to bring these entertainment events to Duffers Bar and Grill and the City of Duarte. I kindly request your permission to obtain the entertainment license/permit to host these events, and I look forward to hearing from you soon.

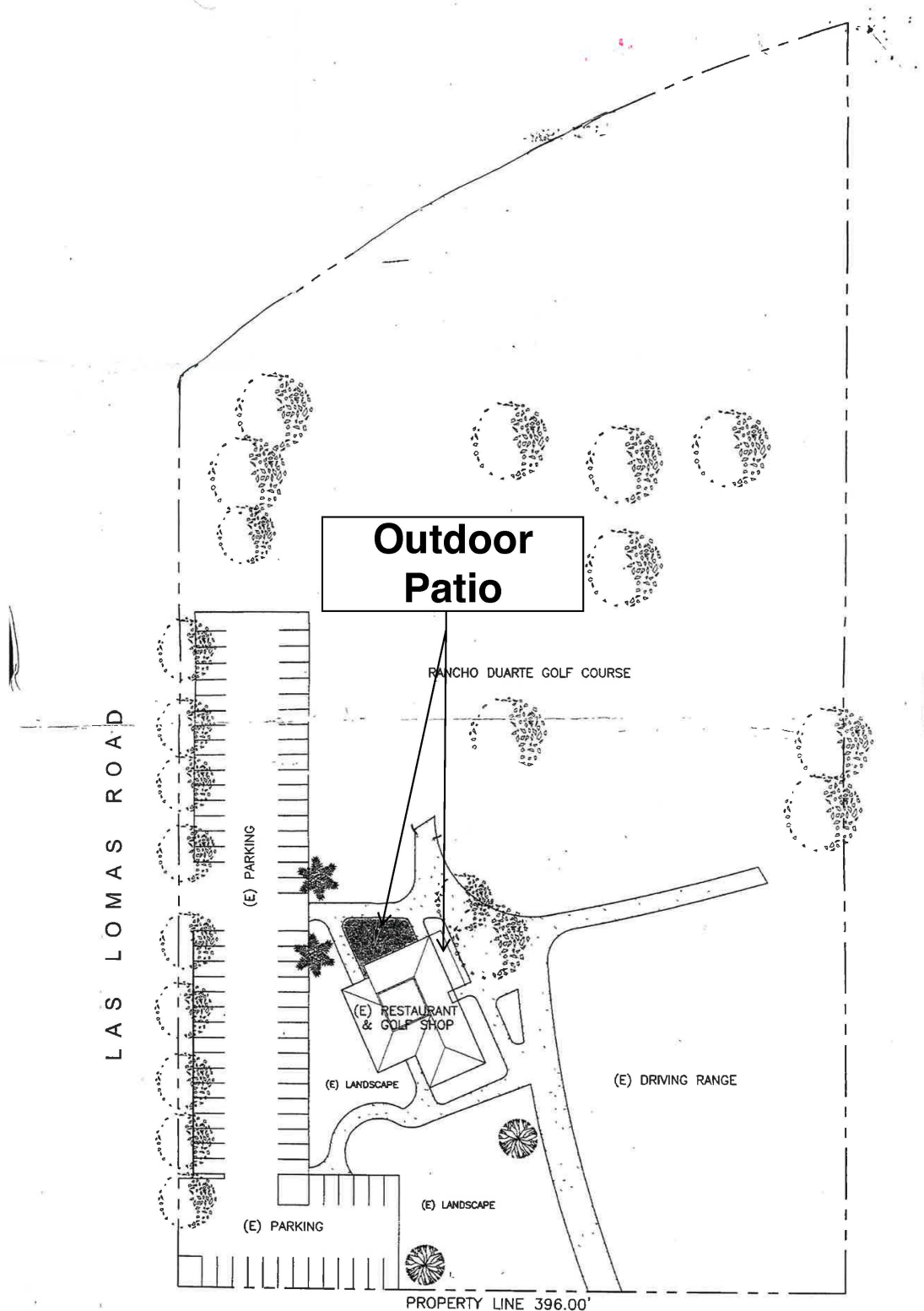
Thank you for your consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Li Qi". The signature is written in a cursive, slightly stylized font.

Li Qi CEO of ENJ Entertainment Inc. (DBA: Duffer's Bar & Grill)

Exhibit C



SITE PLAN

SCALE 1"=50'-0"



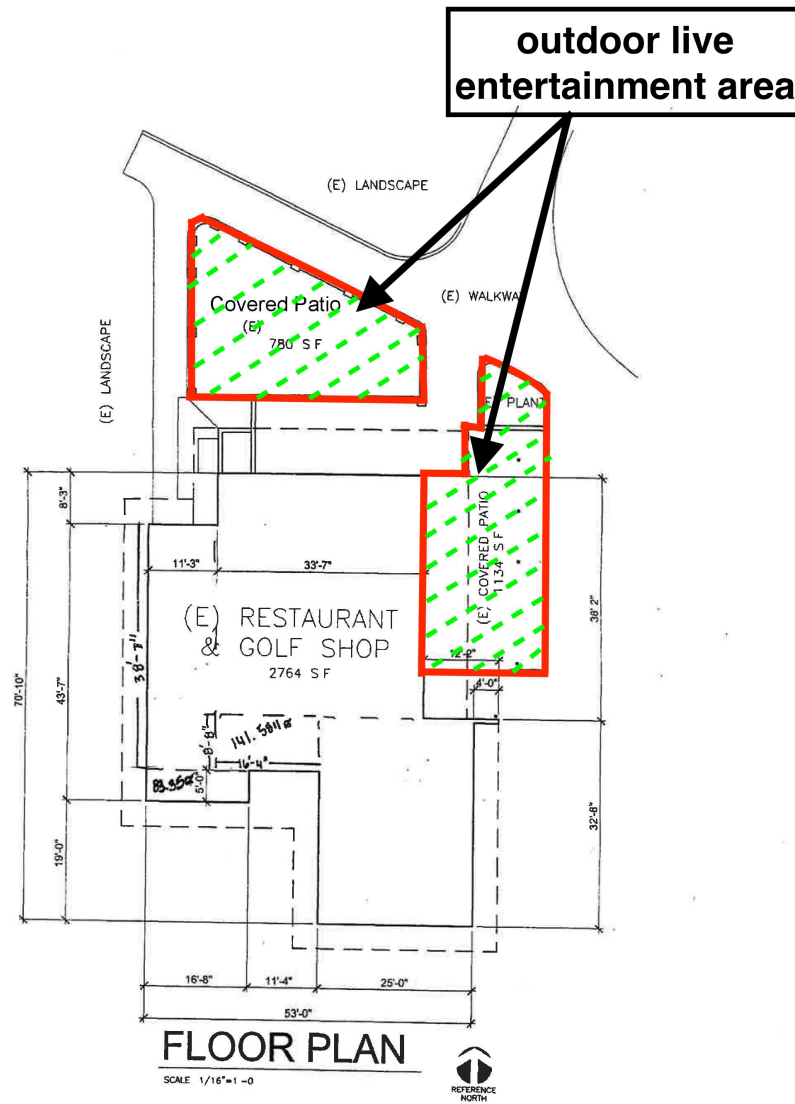
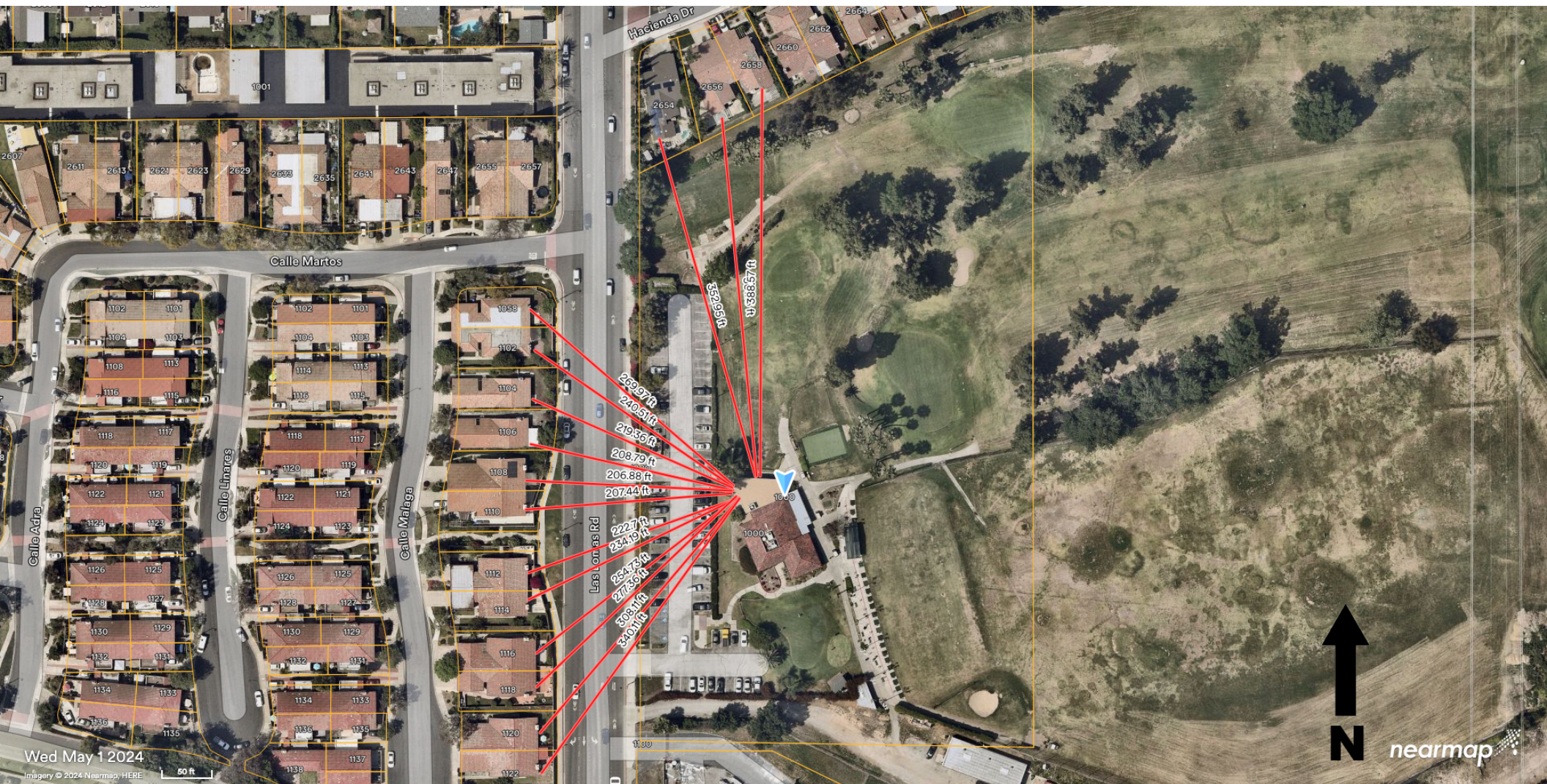


Exhibit D



Wed May 1 2024
Imagery © 2024 Nearmap, HERE

50 ft



nearmap

Exhibit E

July 7, 2024

Mena Abdul-Ahad
Associate Planner
Community Development Department
1600 Huntington Drive, Duarte, CA 91010

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JUL 08 2024

CITY OF DUARTE
COMMUNITY DEVELOPMENT

Re: Conditional Use Permit 24-01

I am responding to your recent letter regarding this permit and am grateful to have the opportunity to share my point of view.

I support mutual economic benefits of a thriving golf course and a pleasant place for all residents to live and invest in. So, live entertainment could be okay, but only if the sound of it is contained inside the building anytime it is offered. Thank you for this consideration.

Susan Cross
2660 Hacienda Drive
Duarte, CA 91010

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CITY OF DUARTE
COMMUNITY DEVELOPMENT

Jim Ragsdale
2662 Hacienda Drive
Duarte, CA 91010
July 6, 2024

Mena Abdul-Ahad
Associate Planner in the Community Development Department
1600 Huntington Drive, Duarte, CA 91010

Subject: Conditional Use Permit 24-01

This concerns conditional use permit 24-01 which request to allow live entertainment on-site in conjunction with an existing restaurant, Duffer's Bar and Grill, located within the Rancho Duarte Golf Course.

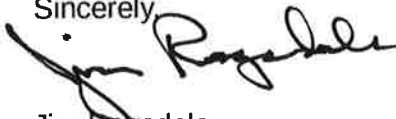
I am not opposed to live entertainment but am opposed to anything that disturbs my peace.

Yesterday, I exchanged texts with Jody Schulz, our area's city council person. Jody referenced a Friday evening event which I think may have been a Karaoke event. If so, this event has never disturbed me.

We (my neighbors and I) were disturbed previously by other events. These events were held on Thursday evenings and sometimes on Saturday and Sunday. My neighbors and I called the Temple City sheriff's office on multiple occasions due to drum and amplified sound from this facility. I wrote a letter to Duarte Public Safety in this regard sometime in January 2024. A code enforcement officer with the Duarte Public Safety office then called me. We haven't been disturbed since. Jody said that no outside events were allowed and that other issues had been addressed. I'm writing to explain my position on this issue.

I can be reached at 626-208-6860, jdrags@hotmail.com or the above Hacienda Drive address if you require additional information. I would appreciate confirmation of this letter. Thank you!

Sincerely,



Jim Ragsdale

Cc:
Susan Cross
Elizabeth Gallegos
Roger Kumar



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Mena Abdul Ahad <mabduahad@accessduarte.com>

CITY OF DUARTE
COMMUNITY DEVELOPMENT

Duffers Bar and Grill entertainment

1 message

Suzie Harte <suzie.harte@yahoo.com>

Mon, Jul 8, 2024 at 1:41 PM

To: Mena Abdul Ahad <mabduahad@accessduarte.com>

I am all for having evening entertainment at duffers grill at the golf course. It would be great for business and a local activity to go too. I live across the street off of las Lomas Calle martos . I could barely hear the sound and. Didn't mind it at all. The previous entertainment was not loud and it ended pretty early . I think it's a plus plus
Sent from my iPhone



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JUL 08 2024

Mena Abdul Ahad <mabdualahad@accessduarte.com>

CITY OF DUARTE
COMMUNITY DEVELOPMENT

Conditional Use Permit 24-01 Comments

1 message

Z <zixuan.han9@gmail.com>

Mon, Jul 8, 2024 at 7:08 PM

To: mabdualahad@accessduarte.com

Good afternoon,

Thank you very much for sending the Notice of Public hearing regarding Conditional Use Permit 24-01: A request to allow live entertainment on-site in conjunction with an existing restaurant, Duffer's Bar and Grill, located within the Rancho Duarte Golf Course.

As residents of the City of Duarte, my family and I would like to express that we hope this request is not granted due to the noise pollution that may result in the neighborhood and surrounding areas. We are already often affected by the high volume of music, singing, and sometimes even high pitched yelling from microphones coming from the location of the Rancho Duarte Golf Course. We had noticed this noise tends to occur at night, which affects the quality of sleep of individuals like my family who tends to rest early due to work schedules. We fear the passing of this permit may further affect the quality of life of the families in this area and deeply implore the city to please consider not allowing this permit to be granted.

Thank you very much for your time and we hope our voices can be considered.

Sincerely,
The Han family.

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JUL 08 2024

Mena Abdul Ahad <mabdulahad@accessduarte.com>

CITY OF DUARTE
COMMUNITY DEVELOPMENT

Please approve Conditional use permit 24-01 - Life entertainment at Duffer's

1 message

Mary Morgan <marytad@sbcglobal.net>

Mon, Jul 8, 2024 at 12:52 PM

To: "mabdulahad@accessduarte.com" <mabdulahad@accessduarte.com>

I encourage the commission to approve the permit requested and look forward to listening to live entertainment at Duffer's Bar & Grill in the Rancho Duarte Golf Course as soon as possible.

Mary Morgan
1020 Bradbourne Ave. #27
Duarte, CA 91010