



ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JANUARY 26, 2021

CALL TO ORDER Chair Wilander called the meeting to order at 7:00 p.m. in the Council Chamber.

She also informed the public of a call-in number that was established for public comments.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Chair Wilander
PRESENT (Via telephone): Vice Chair Lin, Chan, and Thompson
ABSENT: None

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Planning & Community Development Administrator Lisa Flores announced that staff received one late correspondence related to Agenda Item No. 2 which would be read into the record during the public hearing for the item.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

1. **Resolution No. 2070** – Approving Conditional Use Permit No. CUP 19-17 with a Categorical Exemption under the California Environmental Quality Act (CEQA) to allow the sale of beer and wine for on-site consumption within an existing full-service restaurant at 815 W. Naomi Avenue, Suite F

Recommendation: Adopt Resolution No. 2070

Applicant: Young Min Chung, on behalf of MKZ Global Corp

Chair Wilander introduced the item and turned it over to Senior Planner Luis Torrico to present the staff report.

Chair Wilander asked if the Applicant would like to speak on the item.

The Applicant responded and was available to answer any questions.

Chair Wilander opened the public hearing.

There were no callers.

MOTION- PUBLIC HEARING

It was moved by Commissioner Thompson, seconded by Vice Chair Lin to close the public hearing. Without objection, the motion was approved.

DISCUSSION

There was a consensus amongst the Commissioners that the sale of beer and wine would be an appropriate addition to the existing Shabu Shabu restaurant.

Commissioner Thompson added that the business has been in operation since 2018, and this use is compatible with the other businesses in the center. The application was reviewed by all applicable city departments, including the Arcadia Police Department and no concerns were raised.

MOTION

It was moved by Commissioner Thompson, seconded by Vice Chair Lin to adopt Resolution No. 2070, approving Conditional Use Permit No. CUP 19-17 with a Categorical Exemption under the California Environmental Quality Act (CEQA) to allow the sale of beer and wine for on-site consumption within an existing full-service restaurant at 815 W. Naomi Avenue, Suite F

ROLL CALL

AYES: Chair Wilander, Vice Chair Lin, Chan, and Thompson
NOES: None
ABSENT: None

There is a ten day appeal period after the adoption of the Resolution. Appeals are to be filed by 5:30 p.m. on Monday, February 5, 2021.

- Resolution No. 2071** – Approving Multiple Family Architectural Design Review No. MFADR 19-04 and Tentative Parcel Map No. TPM 20-03 (83113), with a Categorical Exemption under the California Environmental Quality Act (CEQA) for a three-unit, multi-family residential condominium development at 147 Alice Street

Recommendation: Adopt Resolution No. 2071

Applicant: Tom Li of Prestige Design, Planning & Development, on behalf of the Property Owner, Soliel Homes, Inc.

Chair Wilander introduced the item and turned it over to Senior Planner Luis Torrico to present the staff report.

Chair Wilander asked if the Applicant would like to speak on the item.

Mr. Li responded.

Chair Wilander opened the hearing for public comments. Ms. Abeyta informed the Commission there was one person on the line.

Rachel McHenry, a current tenant of the subject site, expressed concern with relocating during the Covid-19 pandemic with just a 60-day notice. She requested at least a six (6) month notice to secure housing prior to the construction of this project.

Ms. Flores noted that Ms. McHenry also provided a written comment and a copy of that email was already distributed to the Planning Commission.

Mr. Li responded to Ms. McHenry and stated that delaying the project would be up to the property owner; that being said, it typically takes approximately 6-8 months before permits are issued following the approval of a project.

Commissioner Chan inquired as to what eviction protections are available at the City level.

Ms. Flores stated that the City does not have an eviction ordinance, but the property owner would be required to comply with the eviction laws, and the tenants will have whatever rights they have under the laws. The City Council elected to defer the County's eviction moratorium, and so the City Council does not have an eviction policy.

MOTION- PUBLIC HEARING

It was moved by Commissioner Chan, seconded by Vice Chair Lin to close the public hearing. Without objection, the motion was approved.

DISCUSSION

Commissioner Chan thought it was a good project; he expressed concern with tenant relocation, given the absence of a definite time frame from the Applicant. He wondered if the Planning Commission could address this through the conditions of approval and provide a time frame such as requiring a 90-120 day notice from the meeting.

Commissioner Thompson was concerned with the functionality of the proposed vehicular ingress and egress of the site, and the location and small size of the garages. Although the report noted that similar projects have been approved, the Code allows for a case by case basis evaluation of projects. He referenced several articles and the findings of a transportation engineer to support his analysis. He would support a redesign of the project units to make this a functional development.

Vice Chair Lin was also concerned with eviction issues, and he asked for clarification from Assistant City Attorney Maurer as to what authority the Planning Commission has on this matter, if any. With regard to parking, he expressed the challenge of evaluating parking requirements based upon practicality, given the parking meets City Code, which may not be sufficient to deny the project. Parking has been an ongoing concern in projects such as this.

Chair Wilander sympathized with the tenant, however she is not inclined to make specific action on these issues beyond what the law states. She noted the narrow lot could be reconfigured with two (2) units rather than three (3). She would like to study the practicality of parking further, and suggested continuing the item to the next meeting until further study can be conducted.

Mr. Maurer spoke to several of the concerns raised by the commissioners. He explained ownership or tenancy issues are typically outside of the scope of the Planning Commission. Absent a City Ordinance, the property owner and tenants would need to defer to Los Angeles County or the State of California laws

pertaining to evictions. With regard to parking, he recommended that the public hearing be reopened to allow the Applicant to respond before there is any consideration to continue the project.

MOTION

It was moved by Commissioner Thompson seconded by Vice Chair Lin to reopen the public hearing. Without objection, the motion was approved.

Mr. Li presented several images of an adjacent property of similar size and ingress/egress configuration; he has heard of no issues with ingress and egress at this site; people tend to drive smaller cars now with sensors to assist; he was able to maneuver without much difficulty at the neighboring site; the lot is narrow but they have done their best to design the project within the Code requirements given the lot limitations.

Commissioner Thompson asked if an outside study was done to take into account ingress and egress and turning radius for various vehicles.'

Mr Li explained that the project meets the Code requirements, and although there was no study performed by an outside engineer, the plans were reviewed by all City departments, including the City Engineer.

Vice Chair Lin inquired as to whether he would be open to continuing the hearing and providing further study on the matter.

Mr. Li stated that he would need to defer to the property owner, given the study would require additional time and money; the project meets the Code requirements and has been reviewed by City staff who have deemed the project acceptable.

Chair Wilander asked about the size of the vehicle which was shown in the images provided by Mr. Li. Staff noted the vehicle is less than 15 feet in length.

MOTION- PUBLIC HEARING

Without further questions of the Applicant, it was moved by Commissioner Thompson, seconded by Vice Chair Lin to close the public hearing.

Commissioner Chan acknowledged that while ingress and egress to the proposed garages may be tight, and while the garages may be small, the market will dictate the success of this project and that the developer maintains the responsibility of getting these units occupied. Further traffic studies by a hired engineer may not result in an unbiased analysis; an unbiased review has already been completed by the City Engineer.

Commissioner Thompson is not inclined to request a continuance, given the Applicant does not want to conduct further study, but he is not inclined to approve the project without a redesign or reconfiguration to make this a functional project.

Vice Chair Lin agreed with Commissioner Chan that he does not feel comfortable denying the application based upon impracticality of ingress and egress to the garage. Further study would require additional cost on behalf of the property owner, or the City. He does not feel a continuation is necessary unless the Applicant is open to providing additional information.

Chair Wilander does not think an outside traffic study is necessary per say, but she would not be in favor of approval of the project at this time without additional information.

Assistant City Manager/Development Services Director Jason Kruckeberg stated that staff can provide additional information as needed with additional direction from the Commissioners. Staff can review similar projects but if the development standards are the issue, then that is a separate issue for staff to consider on a broader scale.

MOTION

It was moved by Vice Chair Lin, seconded by Commissioner Chan to adopt Resolution No. 2071, approving Multiple Family Architectural Design Review No. MFADR 19-04 and Tentative Parcel Map No. TPM 20-03 (83113), with a Categorical Exemption under the California Environmental Quality Act (CEQA) for a three-unit, multi-family residential condominium development at 147 Alice Street

ROLL CALL

AYES: Vice Chair Lin, and Chan
NOES: Chair Wilander, and Thompson
ABSENT: None

The motion failed on a 2-2 vote.

SECONDARY MOTION

Upon discussion of a continuance of the item, Ms. Flores requested for clarification as to why type of studies the Commission would like to see, if any.

Vice Chair Wilander requested more information on the functionality of the ingress and egress at the site, and the functionality of the garages and if two cars can be parked within the garage.

It was moved by Chair Wilander to continue Multiple Family Architectural Design Review No. MFADR 19-04 and Tentative Parcel Map No. TPM 20-03 (83113), with a Categorical Exemption under the California Environmental Quality Act (CEQA) for a three-unit, multi-family residential condominium development at 147 Alice Street to the February 9, 2021 meeting with additional studies of the ingress/egress at the site and study of the garages.

This motion failed with no second.

Mr. Maurer provided clarity as to the available motions which could be made given the failure of the first two (2) motions, and what is required of a denial motion including addressing the findings that support denial. If a majority decision cannot be made, then he recommends exhausting all potential motions. If there is no motion for denial, then a motion to continue would be recommended before proceeding.

Mr. Kruckeberg added that the appointment of a new Planning Commissioner is pending approval by the City Council, which would provide an additional vote should there be a tie vote at the next meeting.

FINAL MOTION

Vice Chair Lin indicated he would move to continue the item to the February 9, 2021 meeting. When asked if that includes additional staff information, he stated his motion is to continue the item as is, without additional staff information.

It was moved by Vice Chair Lin, seconded by Commissioner Chan to continue Multiple Family Architectural Design Review No. MFADR 19-04 and Tentative Parcel Map No. TPM 20-03 (83113), with a Categorical Exemption under the California Environmental Quality Act (CEQA) for a three-unit, multi-family residential condominium development to the February 9, 2021 Planning Commission meeting

ROLL CALL

AYES: Chair Wilander, Vice Chair Lin, Chan, and Thompson
NOES: None
ABSENT: None

The item was continued, as is, to the February 9, 2021 Planning Commission Meeting. Commissioner Thompson noted that he would like to see additional information from a traffic engineer on ingress and egress at the site.

CONSENT CALENDAR

- 3. Minutes of the December 22, 2020 Regular Meeting of the Planning Commission

Recommendation: Approve

It was moved by Vice Chair Lin, seconded by Commissioner Thompson to approve the minutes of the December 22, 2020 Planning Commission Regular Meeting.

ROLL CALL

AYES: Chair Wilander, Vice Chair Lin, Chan, and Thompson
NOES: None
ABSENT: None

MATTERS FROM CITY COUNCIL LIAISON

Council Liaison Cheng confirmed that the City Council will be appointing a new Planning Commissioner. The City Council and staff have been working diligently to bring a vaccination center to the City, hopefully by February.

MATTERS FROM THE PLANNING COMMISSONERS

Commissioner Thompson inquired about the bi-weekly modified trash removal schedule in the City.

Mr. Kruckeberg informed the Commission that the trash removal schedule is set to return to normal February 1, 2021; Commissioner Chan received a mailer and confirmed this date.

MATTERS FROM ASSISTANT CITY ATTORNEY

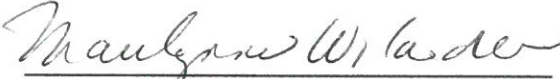
Mr. Maurer stated that he would provide a report to the Commission on legislation as it becomes available this year.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

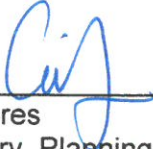
Ms. Flores announced that the item continued this evening will be the only item for the February 9, 2021 agenda. Additionally, the Planning Commissioners Academy will be taking place virtually this year and she will be reaching out to the Commissioners at a later date to see who would be interested in attending.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:29 p.m. to Tuesday, February 9, 2021 at 7:00 p.m. in the City Council Chamber for the next virtual meeting.



Marilynne Wilander
Chair, Planning Commission

ATTEST: 

Lisa Flores
Secretary, Planning Commission