

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, July 13, 2021, 7:00 p.m.

Location: City Council Chambers, 240 W. Huntington Drive, Arcadia

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from Planning Services at (626) 574-5423. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

根据《美国残障人法案》的规定，需要提供残障相关调整或便利设施才能参加会议的残障人士（包括辅助器材或服务），可向规划服务部请求获得此类调整或便利设施，电话号码 (626) 574-5423。请在会前 48 小时通知规划服务部，以便作出合理安排，确保顺利参加会议。

Pursuant to the City of Arcadia's Language Access Services Policy, limited-English proficient speakers who require translation services in order to participate in a meeting may request the use of a volunteer or professional translator by contacting the City Clerk's Office at (626) 574-5455 at least 72 hours prior to the meeting.

根据阿凯迪亚市的语言便利服务政策，英语能力有限并需要翻译服务才能参加会议的人可与市书记官办公室联系（电话：626-574-5455），请求提供志愿或专业翻译服务，请至少在会前 72 小时提出请求。

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Marilynne Wilander, Chair
Zi Lin, Vice Chair
Kenneth Chan, Commissioner
Brad Thompson, Commissioner
Vincent Tsoi, Commissioner

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

PUBLIC COMMENTS (5 minute time limit per person)

Each speaker is limited to five (5) minutes per person, unless waived by the Planning Commission. Under the Brown Act, the Commission or Board Members are prohibited from discussing or taking action on any item not listed on the posted agenda.

PUBLIC HEARING

All interested persons are invited to appear at a public hearing and to provide evidence or testimony concerning any of the proposed items set forth below for consideration. Separate and apart from the applicant (who may speak longer in the discretion of the Commission) speakers shall be limited to **five (5) minutes per person**. The applicant may additionally submit rebuttal comments, at the discretion of the Commission.

You are hereby advised that should you desire to legally challenge in court or in an administrative proceeding any action taken by the City Council regarding any public hearing item, you may be limited to raising only those issues and objections you or someone else raised at the public hearing or in written correspondence delivered to the City Council at, or prior to, the public hearing.

1. **Resolution No. 2078** – Approving Conditional Use Permit No. CUP 21-02 with a Categorical Exemption under the California Environmental Quality Act (CEQA) for a new tattoo shop at 832 S. Baldwin Avenue

Recommendation: Adopt Resolution No. 2078

Applicant: Wang Xiu Liu

There is a ten day appeal period after the adoption of the Resolution. If adopted, appeals are to be filed by 4:30 p.m. on July 23, 2021.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Commission, staff, or the public request that specific items be removed from the Consent Calendar for separate discussion and action.

2. Minutes of the May 25, 2021 Regular Meeting of the Planning Commission

Recommendation: Approve

MATTERS FROM CITY COUNCIL LIASION

MATTERS FROM PLANNING COMMISSIONERS

MATTERS FROM ASSISTANT CITY ATTORNEY

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

ADJOURNMENT

The Planning Commission will adjourn this meeting to Tuesday, July 27, 2021, at 7:00 p.m.



STAFF REPORT

Development Services Department

DATE: July 13, 2021

TO: Honorable Chairman and Planning Commission

FROM: Lisa L. Flores, Planning & Community Development Administrator
By: Vanessa Quiroz, Associate Planner

SUBJECT: RESOLUTION NO. 2078 – APPROVING CONDITIONAL USE PERMIT NO. CUP 21-02 WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) FOR A NEW TATTOO SHOP AT 832 S. BALDWIN AVENUE
Recommendation: Adopt Resolution No. 2078

SUMMARY

The Applicant, Wang Xin Liu, is requesting approval of Conditional Use Permit No. CUP 21-02 to allow a new tattoo shop (dba: Ants Tattoo) at 832 S. Baldwin Avenue. The tattoo shop will only have one (1) tattoo station. It is recommended that the Planning Commission adopt Resolution No. 2078 (Attachment No. 1) and find this project Categorically Exempt under CEQA and approve Conditional Use Permit No. CUP 21-02, subject to the conditions listed in this staff report.

BACKGROUND

The subject site is a 20,990 square foot, interior lot located along S. Baldwin Avenue between W. Huntington Drive and Fairview Avenue. The site is surrounded by other commercial properties to the north, south, west, and with multi-family zoned properties to the east (rear) - refer to Figure No. 1 below for an aerial view of the site and Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the subject property. The site is a legal non-conforming lot and is developed with a 4,420 square foot single-story commercial building that has five (5) commercial units that was built in 1949, and a single-family residence at the rear of the parking lot area that was built in 1939 with a detached garage. The single-family residence is currently occupied. As for the commercial units that front S. Baldwin Avenue, they consist of a hair salon, a real estate office, a small take-out restaurant, and a fortune teller. The proposed tattoo business will occupy a 750

square foot unit that was previously occupied by an upholstery repair shop since 1988. The parking lot at the rear has (6) parking spaces and a detached garage that are shared by the commercial units and residential unit. This area is accessed by a narrow driveway next to the commercial building along the south side of the property. Since there are only six parking spaces, each tenant has at least one parking space available to them. By Code, a total of 14 parking spaces are currently required for the commercial uses, however, parking does not have to be brought up into compliance since the uses do not require more parking spaces than the previous uses.



Figure No. 1 – Aerial view of the site

PROPOSAL

Ants Tattoo offers a variety of tattoo artwork and designs to customers. The Applicant is looking to expand his existing tattoo business and open a second location in the City. Their existing business is located in the City of Tustin and has been there for 3 years. The existing location operates at a larger scale with five (5) stations that runs by both appointments and walk-ins.

The proposed business will operate at a smaller scale with only one tattoo station that will be used by their existing employees from the other location, to train new employees, and for licensed tattoo artists to rent for a one-day use or short-term use of a couple of days. The business will operate by appointment only from 11:00 AM to 8:00 PM, seven days a week.

The layout of the unit will consist of the tattoo station, a waiting area, a check-in area, a restroom, and the rest of the area will be used for consultations – see Figure No. 2 below for the Floor Plan and Attachment No. 3 for the Site Plan and Floor Plan. With the exception of the work proposed to the existing restroom that has to be brought up into

compliance with ADA (Americans with Disabilities Act), no other additional tenant improvements are proposed.

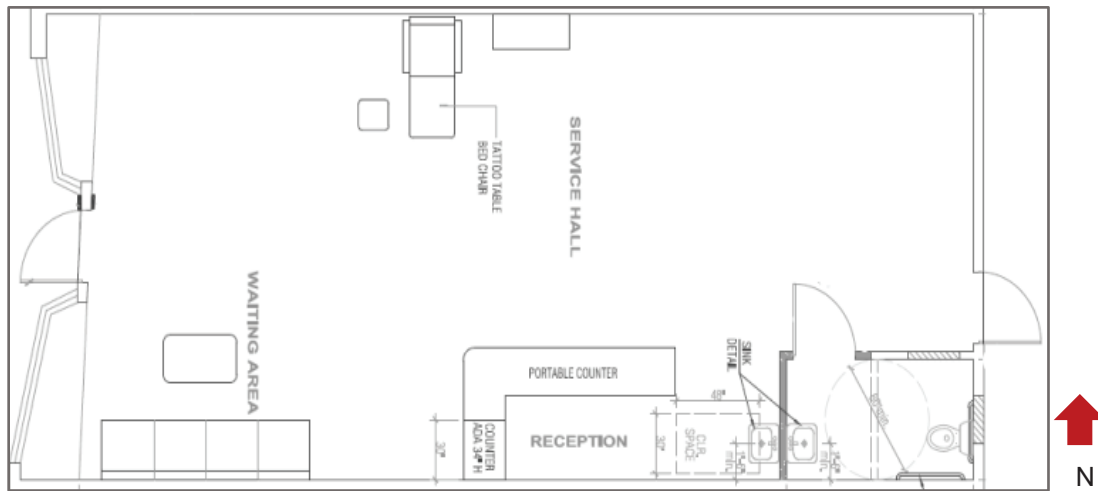


Figure No. 2 – Proposed Floor

ANALYSIS

The City's Development Code allows tattoo uses in the C-G zone subject to the review and approval of a Conditional Use Permit to ensure that the proposed business is an appropriate use for the property and is compatible with other uses in the surrounding area. The proposed tattoo shop is taking over a vacant tenant space that was previously occupied by an upholstery business. Both uses have the same parking requirement of one (1) parking space per 200 square feet of gross floor area, which based on the unit size of 750 square feet, equates to four (4) parking spaces. Thus, the change in business will not impact parking as the new business does not require more parking spaces than the previous use.

The proposed tattoo shop will only have one station and will operate by appointment only. There are three other existing businesses on the site that operate by appointment only (SLJ Real Estate, Votre Salon, and The Psychic Center). Therefore, the nature of the business will be compatible with the other existing businesses on the site that also have relatively small business operations.

The City's Police Department has reviewed the request and did not have any concerns with the proposed business. In addition, Staff contacted the City of Tustin Police Department and Code Services Division to inquiry about the Applicant's existing business, and according to their records, there were no reports of crimes, call for services, or code violations for this business. The business will comply with all requirements and protocols required by the Los Angeles County Health Department.

FINDINGS

Section 9107.09.050(B) of the Development Code requires that the Planning Commission may approve a Conditional Use Permit if all of the following findings can be made:

- 1. The proposed use is consistent with the General Plan and any applicable specific plan and is allowed within the applicable zone, subject to the granting of a Conditional Use Permit, and comply with all other applicable provisions of the Development Code and the Municipal Code.**

Facts to Support This Finding: The proposed tattoo shop will be consistent with the Arcadia General Plan which allows for a wide-range of commercial uses that serve citywide markets. The site is zoned C-G (General Commercial) which under Development Code Section 9102.03.020, Table 2-8, allows Personal Restricted Services such as the proposed tattoo use, subject to the review and approval of a Conditional Use Permit. The tattoo business will comply with all other applicable provisions of the Development Code and the Municipal Code. The use will be consistent with the intended commercial use of the property, and will be required to comply with all applicable Los Angeles County Health Department requirements; therefore, approval of a tattoo business will not adversely affect the comprehensive General Plan, and is consistent with the following General Plan policy:

Land Use and Community Design Element

Policy LU-6.7: Encourage a balanced distribution of commercial development throughout the City, ensuring that neighborhoods and districts have adequate access to local-serving commercial uses.

- 2. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.**

Facts to Support This Finding: The proposed tattoo shop will occupy a 750 square foot tenant space within an existing commercial building. The proposed tattoo shop does not require any additional parking since it requires the same amount of parking as the previous business. The proposed use will be compatible with the existing uses on the site and will have similar operational characteristics as the other businesses on the site. The tattoo shop will only have one tattoo station, and will operate by an appointment only. The business will also close by 8:00 PM, which is earlier than most commercial businesses. Therefore, the proposed tattoo use will not be detrimental to the existing and future land uses in the vicinity.

- 3. The site is physically suitable in terms of:**

- a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;**

Facts to Support This Finding: The business will occupy an existing unit space that is physically suitable to accommodate the use since the tattoo shop only consist of one tattoo station. Besides upgrading the existing restroom in order to provide an ADA compliant restroom, no other major renovations to the unit or existing building are required to accommodate the use. A tattoo shop is a type of business that is typically located within multi-tenant commercial center with small tenant spaces that consists of a variety of service based businesses that are compatible to one another. No additional parking is required for the new business. Therefore, the unit and site are suitable for the proposed use.

b. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access.

Facts to Support This Finding: The site is located along S. Baldwin Avenue between W. Huntington Drive and Fairview Avenue. These streets are designated with the capacity to accommodate both public and emergency vehicles. The streets are adequate in width and pavement type to carry emergency vehicles and traffic generated by the proposed and existing uses on the site.

c. Public protection services (e.g., fire protection, police protection, etc.).

Facts to Support This Finding: The Fire and Police Departments have reviewed the application and determined that no additional improvements are needed to provide adequate protection services to the subject site.

d. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).

Facts to Support This Finding: The subject unit is located within an existing commercial building which is adequately serviced by existing utilities. Therefore, no impact to utilities or the City's infrastructure are anticipated.

4. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

Facts to Support This Finding: The proposed tattoo use will not be detrimental to the public health or welfare, or the surrounding properties. The size and nature of the proposed use will be compatible with the other existing uses in the commercial building and it is a relatively small operation since it will only have one customer at a time and it will close by 8:00 PM, which is earlier than most commercial businesses. No additional parking is required since the use has the same parking requirement as the previous business. The business shall be subject to all of the regulations and requirements of the Los Angeles County Health Department requirements. The

Arcadia Police Department reviewed the application and had no concerns. Therefore, the site is suitable for the proposed use.

ENVIRONMENTAL IMPACT

It has been determined that the project qualifies as a Class 1 Categorical Exemption per the provisions of the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 of the CEQA Guidelines for the use of an existing facility - refer to Attachment No. 4 for the Preliminary Exemption Assessment.

PUBLIC COMMENTS/NOTICE

Public hearing notices for this item were mailed to the owners of those properties that are located within 300 feet of the subject property and published in the Arcadia Weekly on July 1, 2021. As of July 9, 2021, staff did not receive any public comments on this project.

RECOMMENDATION

It is recommended that the Planning Commission adopt Resolution No. 2078 approving Conditional Use Permit No. CUP 21-02 for a new tattoo business and find that the project is Categorical Exempt under the California Environmental Quality Act (CEQA), subject to the following conditions of approval:

1. The use approved by CUP 21-02 shall be limited to a tattoo shop with one (1) station, and it shall be operated and maintained in a manner that is consistent with the approved plans, and may be subject to periodic inspections to ensure that the business is operated per the approval.
2. The operating hours shall be limited to 11:00 AM to 8:00 PM, seven days a week. Any changes to the hours of operation shall be subject to review and approval of the Planning Commission.
3. Any tattoo artist operating as a self-proprietor and who is not under the employment of the tattoo business shall be required to obtain a business license with the City of Arcadia before commencing any work in the tattoo shop.
4. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/applicant to the satisfaction of the Building Official, City Engineer, Planning & Community Development Administrator, Fire Marshall, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.

5. Noncompliance with the plans, provisions and conditions of approval for CUP 21-02 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this CUP.
6. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. CUP 21-02 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will promptly notify the Applicant of the claim, action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, Applicant shall provide to City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. City shall only refund to Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s) or take any position adverse to the Applicant in connection with such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, whether or not at the request of the Applicant.

7. Approval of CUP 21-02 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar

days after the Planning Commission has adopted the Resolution. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

PLANNING COMMISSION ACTION

Approval

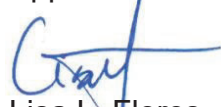
If the Planning Commission intends to approve this proposal, the Commission should approve a motion to approve Conditional Use Permit No. CUP 21-02, stating that the proposal satisfies the requisite findings, and adopting the attached Resolution No. 2078 that incorporates the requisite environmental and Conditional Use Permit findings and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny Conditional Use Permit No. CUP 21-02, stating that the finding(s) of the proposal does not satisfy with reasons based on the record, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner or other interested party has any questions or comments regarding this matter prior to the July 13, 2021 hearing, please contact Associate Planner, Vanessa Quiroz, at (626) 574-5422, or by email at vquiroz@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Planning & Community Development Administrator

- Attachment No. 1: Resolution No. 2078
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: Site Plan and Floor Plan
- Attachment No. 4: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2078

RESOLUTION NO. 2078

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. CUP 21-02 WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FOR A NEW TATTOO SHOP AT 832 S. BALDWIN AVENUE

WHEREAS, on March 2, 2021 an application for Conditional Use Permit No. CUP 21-02 was filed by the business owner, Wang Xiu Lui ("Applicant"), to allow a new tattoo shop within a unit of an existing multi-tenant commercial building located at 832 S. Baldwin Avenue; and

WHEREAS, on May 28, 2021, Planning Services completed an environmental assessment for the tattoo shop in accordance with the California Environmental Quality Act ("CEQA") and determined that the tattoo shop is exempt under Class 1, Section 15301 of the CEQA Guidelines pertaining to the use of an existing facility; and

WHEREAS, on July 13, 2021, a duly noticed public hearing was held before the Planning Commission on said application, at which time all interested persons were given full opportunity to be heard and to present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated July 13, 2021 are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Section 9107.09.050 of the Arcadia Development Code, all of the following findings can be made.

1. The proposed use is consistent with the General Plan and any applicable specific plan and is allowed within the applicable zone, subject to the granting of a Conditional Use Permit, and comply with all other applicable provisions of the Development Code and the Municipal Code.

FACT: The proposed tattoo shop will be consistent with the Arcadia General Plan which allows for a wide-range of commercial uses that serve citywide markets. The site is zoned C-G (General Commercial) which under Development Code Section 9102.03.020, Table 2-8, allows Personal Restricted Services such as the proposed tattoo use, subject to the review and approval of a Conditional Use Permit. The tattoo shop will comply with all other applicable provisions of the Development Code and the Municipal Code. The proposed use will be consistent with the intended commercial use of the property, and it will be required to comply with all applicable health regulations mandated by the Los Angeles County Health Department for tattoo shops. Therefore, approval of a tattoo shop will not adversely affect the comprehensive General Plan, and is consistent with the following General Plan policy:

Land Use and Community Design Element

Policy LU-6.7: Encourage a balanced distribution of commercial development throughout the City, ensuring that neighborhoods and districts have adequate access to local-serving commercial uses.

2. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.

FACT: The proposed tattoo shop will occupy a 750 square foot tenant space within an existing commercial building. The proposed tattoo shop does not require any additional

parking since it requires the same amount of parking as the previous business. The proposed use will be compatible with the existing uses on the site and will have similar operational characteristics as the other businesses on the site. The tattoo shop will only have one tattoo station, and will operate by an appointment only. The business will also close by 8:00 PM, which is earlier than most commercial businesses. Therefore, the proposed tattoo use will not be detrimental to the existing and future land uses in the vicinity.

3. The site is physically suitable in terms of:

a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;

FACT: The business will occupy an existing unit space that is physically suitable to accommodate the use since the tattoo shop only consists of one tattoo station. Besides upgrading the existing restroom in order to provide an ADA compliant restroom, no other major renovations to the unit or existing building are required to accommodate the use. A tattoo shop is a type of business that is typically located within multi-tenant commercial center with small tenant spaces that consist of a variety of service based businesses that are compatible to one another. No additional parking is required for the new business. Therefore, the unit and site are suitable for the proposed use.

b. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;

FACT: The site is located along S. Baldwin Avenue between W. Huntington Drive and Fairview Avenue. These streets are designated with the capacity to accommodate both public and emergency vehicles. The streets are adequate in width and pavement type to carry emergency vehicles and traffic generated by the proposed and existing uses on the site.

c. Public protection services (e.g., fire protection, police protection, etc.); and

FACT: The Fire and Police Departments have reviewed the application and determined that no additional improvements are needed to provide adequate protection services to the subject site.

d. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).

FACT: The subject unit is located within an existing commercial building which is adequately serviced by existing utilities. Therefore, the proposed use will have no impact on the utilities or the City's infrastructure.

4. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

FACT: The proposed tattoo use will not be detrimental to the public health or welfare, or the surrounding properties. The size and nature of the proposed use will be compatible with the other existing uses in the commercial building and it is a relatively small operation since it will only have one customer at a time and it will close by 8:00 PM,

which is earlier than most commercial businesses. No additional parking is required since the use has the same parking requirement as the previous business. The business shall be subject to all of the regulations and requirements of the Los Angeles County Health Department requirements. The Arcadia Police Department reviewed the application and had no concerns. Therefore, the site is suitable for the proposed use.

SECTION 3. The proposed tattoo shop is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301, of the CEQA Guidelines pertaining to the use of an existing facility.

SECTION 4. For the foregoing reasons the Planning Commission determines that the tattoo shop is Categorically Exempt per Class 1, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, and approves Conditional Use Permit No. CUP 21-02 to allow a new tattoo shop within a 750 square foot unit of an existing multi-tenant commercial building at 832 S. Baldwin Avenue, subject to the conditions of approval attached hereto.

SECTION 5. The Secretary shall certify to the adoption of this Resolution.

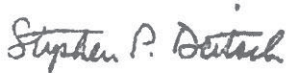
Passed, approved and adopted this 13th day of July 2021.

Marilynne Wilander
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Stephen P. Deitsch
City Attorney

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RESOLUTION NO. 2078

Conditions of Approval

1. The use approved by CUP 21-02 shall be limited to a tattoo shop with one (1) station, and it shall be operated and maintained in a manner that is consistent with approved plans, and may be subject to periodic inspections to ensure that the business is operated per the approval.
2. The operating hours shall be limited to 11:00 AM to 8:00 PM, seven days a week. Any changes to the hours of operation shall be subject to review and approval of the Planning Commission.
3. Any tattoo artist operating as a self-proprietor and who is not under the employment of the tattoo business shall be required to obtain a business license with the City of Arcadia before commencing any work in the tattoo shop.
4. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/applicant to the satisfaction of the Building Official, City Engineer, Planning & Community Development Administrator, Fire Marshall, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.
5. Noncompliance with the plans, provisions and conditions of approval for CUP 21-02 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this CUP.
6. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. CUP 21-02 on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will promptly notify the Applicant of the claim, action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, Applicant shall provide to City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. City shall only refund to Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s) or take any position adverse to the Applicant in connection with such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, whether or not at the request of the Applicant.

7. Approval of CUP 21-02 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

Attachment No. 2

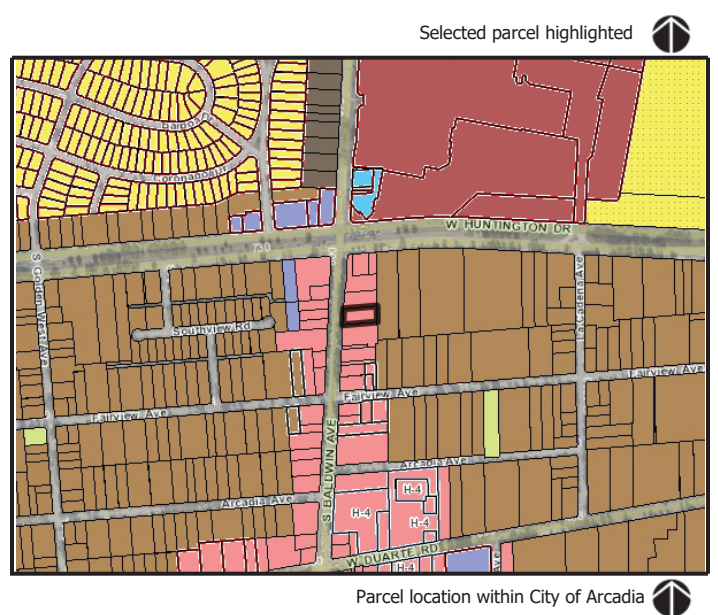
Aerial Photo with Zoning Information and
Photos of the Subject Property and the
Surrounding Properties

Site Address: 830 S BALDWIN AVE

Property Owner(s): GERSHMAN, ALICE Q TR ALICE Q OBER TRUST



Property Characteristics	
Zoning:	C-G
General Plan:	C
Lot Area (sq ft):	20,990
Main Structure / Unit (sq. ft.):	4,420
Year Built:	1949
Number of Units:	1
Overlays	
Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A







An adjacent commercial property north of the subject site.



An adjacent commercial property south of the subject site.



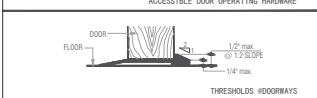
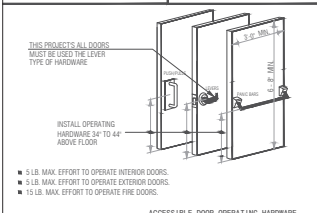
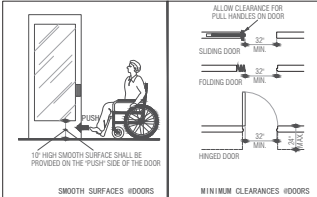




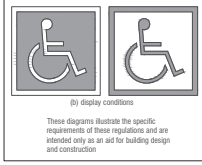
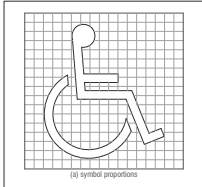
Attachment No. 3

Site Plan and Floor Plan

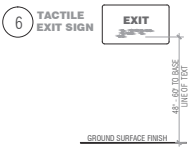
- GENERAL NOTE:**
- ALL WORK, INCLUDING MATERIALS AND WORKMANSHIP, SHALL CONFORM TO THE LOCAL CODES, LAWS, AND ORDINANCES. ALL WORK SHALL COMPLY WITH THE CODES.
 - CURRENT CODES:**
 - THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE (CBC)
 - THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC)
 - THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC)
 - THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC)
 - THE 2019 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE
 - THE 2019 EDITION OF THE CALIFORNIA ENERGY STANDARDS.



4 ACCESSIBILITY DOOR DETAILS



5 PICTORIAL SIGNAGE



- RESTROOM FLOORS SHALL HAVE A SMOOTH, HARD NON-ABSORBENT SURFACE SUCH AS CONCRETE, TILE OR OTHER APPROVED MATERIAL AND EXTEND UPWARD ONTO THE WALLS AT LEAST 3000 INCHES.
- RESTROOM WALLS WITHIN 2 FT. OF THE FRONT AND SIDES OF URINALS AND WATER CLOSETS SHALL HAVE A SMOOTH, HARD NON-ABSORBENT SURFACE SUCH AS CONCRETE, TILE OR OTHER APPROVED MATERIAL TO A HEIGHT OF 4 FT.
- WATER CLOSETS MUST ELONGATED BOWL TYPE. WATER CLOSET SEATS MUST BE ELONGATED OPEN-FRONT TYPE.
- WATER HEAT SHALL BE STRAPPED FOR SEISMIC LATERAL LOAD AT 1/3 POINT FROM THE TOP AT 1/3 POINT FROM THE BOTTOM OF THE RIB. RESPECTIVELY VENT GOES THROUGH THE ROOF TOP TO OUTSIDE RELEASE SHALL NOT WATER AWAY FROM EXTERIOR WALL 6 INCH TO SOIL.
- POST SIGNIFICANT:** "THIS DOOR TO REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED" THE DOOR OF LOWER 19" IS SMOOTH & PLANE SURFACE
- TACTILE EXIT SIGNS:** TACTILE BRASS CHARACTERS AND BRASS TIE EXIT SIGNS ARE REQUIRED ON THE WALL ADJACENT TO THE LATCH SIDE AT 48" - 60" TO THE BASE LINE OF TEXT.
- THRESHOLD HEIGHT TO NOT EXCEED 1/2 INCHES IN HEIGHT ABOVE FLOOR AND EXTERIOR LANDING, WITH VERTICAL SURFACES NOT MORE THAN 1/4 INCHES IN HEIGHT.
- DOOR TO HAVE LEVER TYPE HARDWARE OPERABLE WITH ONE HAND AND SINGLE EFFORT WITH NO TWISTING OR GRASPING OF HARDWARE REQUIRED, AND WITH NO MORE THAN 5 POUNDS EFFORT.
- A PRIMARY ENTRANCE TO THE BUILDING AND THE PRIMARY PATH OF TRAVEL TO THE ALTERED AREA MUST BE SHOWN TO COMPLY WITH ALL ACCESSIBILITY FEATURES.

FINISH SCHEDULE					
ROOMS	WATERPROOF	RESTROOM	MECHANICAL	CEILING	NOTE
CEILING					
DRY WALL CEILING					
SEMI GLOSS ENAMEL PAINT SEE NOTE 1					
WASHABLE SMOOTH					
1" BAR CEILING PANEL					
1/2" GYPSUM, WHITE VINYL					
2x4 OR 2x2 ACOUSTIC CLG PANEL					
DRY WALL (GYPSUM BD.) WITH PAINT					
SEMI GLOSS ENAMEL PAINT SEE NOTE #1					
WASHABLE SMOOTH					
CERAMIC TILE TO CEILING					
CERAMIC TILE 4" (SHOWER RM TILE 80"X)					
QUARRY TILE (SMOOTH, NON-SLIP) 1/4"					
CERAMIC TILE (SMOOTH, NON-SLIP)					
VINYL TILE 12"x12"					
SHEET VINYL FLOOR (CONTINUE)					
FLOOR					
HARD WOOD FLOOR					
EXISTING CONC. FL.					
META FLOOR (FOR WALK IN PRESETO)					
QUARRY TILE 6"X (SMOOTH) 1/4"					
CERAMIC TILE 6"X (CONTINUE)					
COVER BASE					

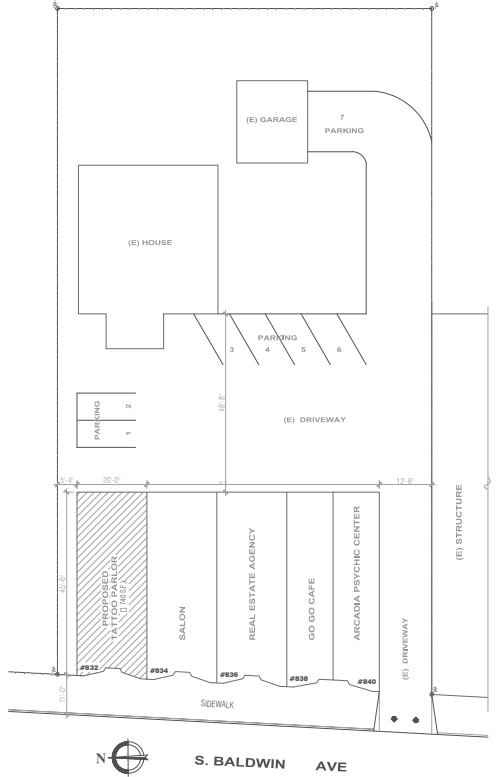
PROJECT SUMMARY

BUSINESS NAME: ANTS TATTOO
 JOB ADDRESS: 832 S BALDWIN AVE
 ARCADIA, CA 91007

FLOOR AREA: 740 S.F.
 TYPE OF BUSINESS: TATTOO SERVICE

TYPE OF CONSTRUCTION: V-B
 SPRINKLERED: NO
 NUMBER OF STORY: 1
 OCCUPANCY TYPE: B
 OCCUPANCY LOAD: 740 S.F. / 100 S.F. = 7 OCC.

- SCOPE OF WORK**
- CHANGE USE FROM—UNDOCTERY SERVICE SHOP TO A TATTOO SERVICE PARLOR.
 - REMODEL THE (E) RESTROOM TO MEET 'ADA' STANDARD.
 - KEEP ALL OTHER EQUIPMENTS.



Revisions	By

VARIETY
 & ASSOCIATE DESIGN

6710 N. ROSEHEAD BL.
 SAN GABRIEL, CA 91775
 TEL: 626-833-0035

ENGINEER:

PROJECT:

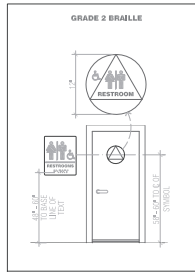
SITE PLAN

OWNER:

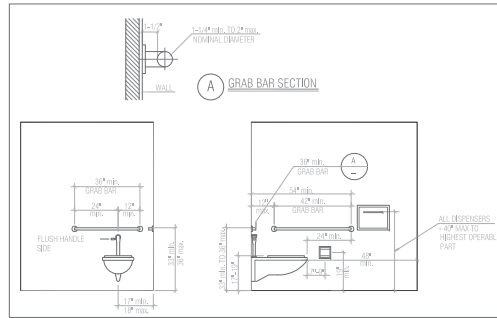
ANTS TATTOO
 832 S. BALDWIN AVE
 ARCADIA, CA 91007
 TEL: 626-592-7310

Date: 1/4/2021
 Scale: 1/16"=1'-0"
 Checked:
 Drawn: LIFU JU

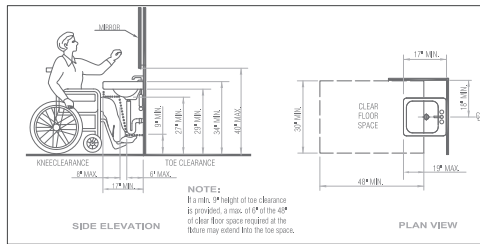
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 Of Sheets



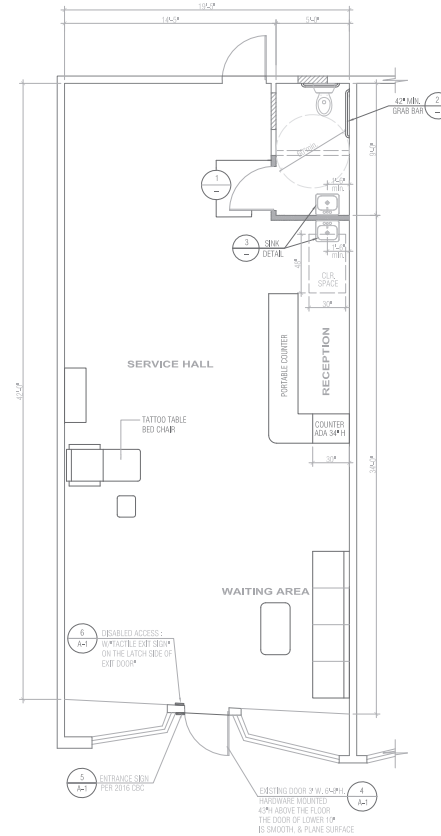
1 PICTORIAL SIGNAGE (UNISEX)



2 FRONT & SIDE ELEVATION



3 KNEE & TOE SPACE FOR SINK AND MIRROR LOCATION



FLOOR PLAN SC : 1/4"=1'-0"

Revisions	By

VARIETY
 & ASSOCIATE DESIGN
 6710 N. ROSEHEAD BL.
 SAN GABRIEL, CA 91775
 TEL: 626-833-0035

ENGINEERS

FLOOR PLAN

PROJECT:
ANTS TATTOO
 832 S. BALDWIN AVE
 ARCADIA, CA 91007
 TEL: 626-592-7310

OWNER:
 Date: 1/4/2021
 Scale: 1/4"=1'-0"
 Checked:
 Drawn: L/FU/JU

A - 2
 Of Sheets

Attachment No. 4
Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	CUP 21-02 Conditional Use Permit to allow a new tattoo shop with one station.	
2. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name):	832 S. Baldwin Ave – The business is located at	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Wang Xin Liu
	(2) Address	17292 McFadden Ave, Unit J Tustin, CA 92780
4. Staff Determination:	<p>The Lead Agency's Staff, having undertaken and completed a preliminary review of this project in accordance with the Lead Agency's "Local Guidelines for Implementing the California Environmental Quality Act (CEQA)" has concluded that this project does not require further environmental assessment because:</p>	
a. <input type="checkbox"/>	The proposed action does not constitute a project under CEQA.	
b. <input type="checkbox"/>	The project is a Ministerial Project.	
c. <input type="checkbox"/>	The project is an Emergency Project.	
d. <input type="checkbox"/>	The project constitutes a feasibility or planning study.	
e. <input checked="" type="checkbox"/>	The project is categorically exempt.	
	Applicable Exemption Class:	15301 – Class 1 (Use of an existing facility)
f. <input type="checkbox"/>	The project is statutorily exempt.	
	Applicable Exemption:	
g. <input type="checkbox"/>	The project is otherwise exempt on the following basis:	
h. <input type="checkbox"/>	The project involves another public agency which constitutes the Lead Agency.	
	Name of Lead Agency:	

Date: March 28, 2021

Staff: Vanessa Quiroz, Associate Planner



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 25, 2021**

CALL TO ORDER Chair Wilander called the meeting to order at 7:00 p.m. on Zoom.

She informed the public of Zoom's "raise hand" feature for public comments.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

There were none.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- Resolution No. 2077** – Approving Administrative Modification No. PC AM 21-01 with a Categorical Exemption under the California Environmental Quality Act (CEQA) for setback modifications to the first and second story addition to the existing two-story residence at 1436 Oaklawn Road

Recommendation: Adopt Resolution No. 2077

Applicant: Johnny Lee, Property Owner

Chair Wilander introduced the item and turned it over to Assistant Planner Vanessa Quiroz to present the staff report.

The Commissioners did not have any questions for staff.

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

Mr. Lee responded and explained that his childhood home needs a major renovation and the modifications are minor since the improvements will enhance the overall architectural style of the home.

Architect Al Saito added that most of the proposed additions falls within the existing footprint of the house and the modifications are necessary to accommodate the additions and to achieve the desired appearance.

Chair Wilander opened the public hearing.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the City's Planning Services Office located at 240 W. Huntington Drive, Arcadia, California, during normal business hours.

There were no callers for this item.

MOTION- PUBLIC HEARING

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

DISCUSSION

Vice Chair Lin stated that the proposal is appropriate.

Commissioner Tsoi expressed concerns regarding the design in the east elevation.

Mr. Saito responded that the two-dimensional drawing may be a little misleading as there is in fact a lot of façade and articulation on the east elevation.

Commissioner Thompson stated that the mass, scale and architectural design are compatible with surrounding properties; the project was already approved by the Santa Anita Oaks Architectural Review Board and City staff; the proposal is an appropriate improvement of the lot and he is in favor of approval.

Commissioner Chan echoed his fellow Commissioners' remarks and wished the Applicant success with the renovation.

Chair Wilander agreed that the Staff Report was well written; the proposed design, already approved by the HOA's Architectural Review Board, is attractive and compatible; and she was also in favor of approval.

MOTION

It was moved by Commissioner Chan, seconded by Commissioner Thompson to adopt Resolution No. 2077, approving Administrative Modification No. PC AM 21-01 with a Categorical Exemption under the California Environmental Quality Act (CEQA) for setback modifications to the first and second story addition to the existing two-story residence at 1436 Oaklawn Road

ROLL CALL

AYES: Chair Wilander, Vice Chair Lin, Chan, Thompson, and Tsoi
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, June 7, 2021.

CONSENT CALENDAR

2. Minutes of the March 23, 2021 Regular Meeting of the Planning Commission

Recommendation: Approve

It was moved by Commissioner Chan, seconded by Commissioner Thompson to approve the minutes of the March 23, 2021 Planning Commission Regular Meeting.

ROLL CALL

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

MATTERS FROM CITY COUNCIL LIAISON

Council Member Beck was not present.

MATTERS FROM THE PLANNING COMMISSONERS

Commissioner Thompson stated that he is looking forward to returning to in-person meetings.

Commissioner Chan agreed but added that it would be best to wait until everyone is fully vaccinated out of an abundance of caution.

MATTERS FROM ASSISTANT CITY ATTORNEY

Assistant City Attorney Maurer had nothing to report.

Commissioner Chan asked for an update regarding Senate Bill 9.

Mr. Maurer responded that there has been no firm direction or any changes yet.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Flores announced that there is no items scheduled for the June 8, 2021 meeting and that the Commissioners will still have the option to call in after in-person meetings resume.

ADJOURNMENT

The Planning Commission adjourned the meeting at 7:20 p.m. to Tuesday, June 8, 2021, at 7:00 p.m. on Zoom for the next virtual meeting.

Marilynne Wilander
Chair, Planning Commission

ATTEST: _____
Lisa Flores
Secretary, Planning Commission