

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, September 14, 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. 2079** – Approving Single Family Architectural Design Review No. SFADR 21-08, and Administrative Modification No. PC AM 21-02 with a Categorical Exemption under the California Environmental Quality Act (CEQA) for setback modifications to the proposed first and second story additions, and to maintain the existing legal nonconforming setbacks of the existing two-story residence that will become a rebuild at 252 Sharon Road

Recommendation: Adopt Resolution No. 2079

Applicant: Xin Wang on behalf of Jonathan Huang

There is a ten day appeal period after the adoption of the Resolution. If adopted, appeals are to be filed by 5:30 p.m. on Monday, September 27, 2021.

PLANNING & COMMUNITY DEVELOPMENT ADMINSTRATOR'S REPORT

2. Report on Housing Element Update

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.

3. Minutes of the July 27, 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, September 28, 2021, at 7:00 p.m.



STAFF REPORT

Development Services Department

DATE: September 14, 2021

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Planning & Community Development Administrator
By: Christine Song, Associate Planner

SUBJECT: RESOLUTION NO. 2079 – APPROVING SINGLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. SFADR 21-08 AND ADMINISTRATIVE MODIFICATION NO. PC AM 21-02 WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR SETBACK MODIFICATIONS TO THE PROPOSED FIRST AND SECOND STORY ADDITIONS, AND TO MAINTAIN THE EXISTING LEGAL NONCONFORMING SETBACKS OF THE EXISTING TWO-STORY RESIDENCE THAT WILL BECOME A REBUILD AT 252 SHARON ROAD
Recommendation: Adopt Resolution No. 2079

SUMMARY

The Applicant, Xin Wang, on behalf of the property owner, Jonathan Huang, is requesting approval of Single Family Architectural Design Review No. SFADR 21-08 and Administrative Modification No. PC AM 21-02 to construct a 1,170 square foot addition to the first floor and a 205 square foot addition to the second floor, which will become a rebuild. The proposed modifications will allow the following: 1) Maintain existing legal nonconforming side yard setbacks along the existing portions of the first and second floors as part of the proposed rebuild; 2) The first floor addition to encroach into the required side yard setback of 9'-9", but maintain the existing side yard setback that varies from 8'-5" to 9'-0"; and 3) A second story addition at a 9'-0" and 11'-0" westerly side yard setback instead of 19'-8" to line up with the first floor addition. This item was originally scheduled for the July 27, 2021 Planning Commission meeting, but due to discrepancies found in the architectural drawings, the item was pulled from the agenda in order to provide the Applicant with time to revise the drawings.

It is recommended that the Planning Commission adopt Resolution No. 2079 (refer to Attachment No. 1), find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), and approve SFADR 21-08 and PC AM 21-02, subject to the conditions listed in this staff report.

BACKGROUND

The subject property is a 14,907 square foot interior lot, currently improved with a 2,680 square foot, two-story residence with an attached two-car garage that was built in 1963 (see Figure 1). The property is zoned R-0, Low Density Residential with a General Plan Land Use Designation of Very Low Density Residential – refer to Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the Subject Property. The property is surrounded by other R-0 zoned properties to the north, south, west, and east.

Since the Applicant is proposing to demolish more than 50% of the building's exterior walls, the entire residence must be brought into compliance with the current code regulations. The house complies with all the zoning regulations, including the required parking except for the requested setback modifications.



Figure 1 – Existing Residence

PROPOSAL

The Applicant is proposing to remodel and construct a first and second story addition to the existing two-story residence, which will become a rebuild. The residence has an existing legal nonconforming easterly side yard setback of 8'-5" and a westerly side yard setback of 9'-0" on the first floor, whereas the Development Code requires 9'-9". Additionally, there is an existing legal nonconforming side yard setback of 9'-0" on the second floor along the west side, whereas 19'-8" is required. Modifications to first floor

interior side yard setbacks are processed administratively by staff and modifications to second floor setbacks are subject to the Planning Commission's approval. In this case, all the proposed setback modifications are being reviewed together under the Planning Commission's review.

As part of the addition and remodel project, an existing covered patio and an enclosed patio at the rear will be demolished to accommodate the 1,170 square foot one-story addition of the expanded kitchen, a new family room, a new recreation room, and expansions of the living room, dining room, and bedroom with den. The project will also add a 205 square foot second story addition to expand the master bedroom and bathroom and add a walk-in closet – refer to Attachment No. 3 for Architectural Plans. The new total floor area ratio (FAR) of the residence will be 4,070, whereas 6,462 square feet is allowed. The site will have a total lot coverage of 3,301 square feet, whereas 5,217 square feet is allowed. The overall height of the residence will remain unchanged at 20'-10". The project will not impact any of the existing trees on site.

The proposed addition is subject to the following modifications:

- **Reduction to Side Yard Setbacks for One Story Addition and Maintain Existing Legal Nonconforming Side Yard Setbacks for Rebuild :** The existing house currently does not comply with the required 9'-9" first floor side yard setback nor does it comply with the required 19'-9" second floor side yard setback. The proposed one-story addition on the east side proposes to maintain the nonconforming side yard setback of 8'-5". Most of the one-story addition to expand the kitchen area is proposed within the existing building footprint of where the covered patio is currently located, so requiring the 9'-9" side yard setback would result in an imbalanced appearance along that side of the house (see Figure 2). The proposed one-story addition on the west side will provide 9'-0" and 11'-0" side yard setbacks. Since the Applicant is proposing to demolish more than 50% of the building's exterior walls, the entire residence should be brought into compliance with the current code regulations. However, in order to keep some of the existing exterior walls and limit unnecessary construction, the Applicant is proposing to maintain the legal nonconforming side yard setbacks along the first and second floors.

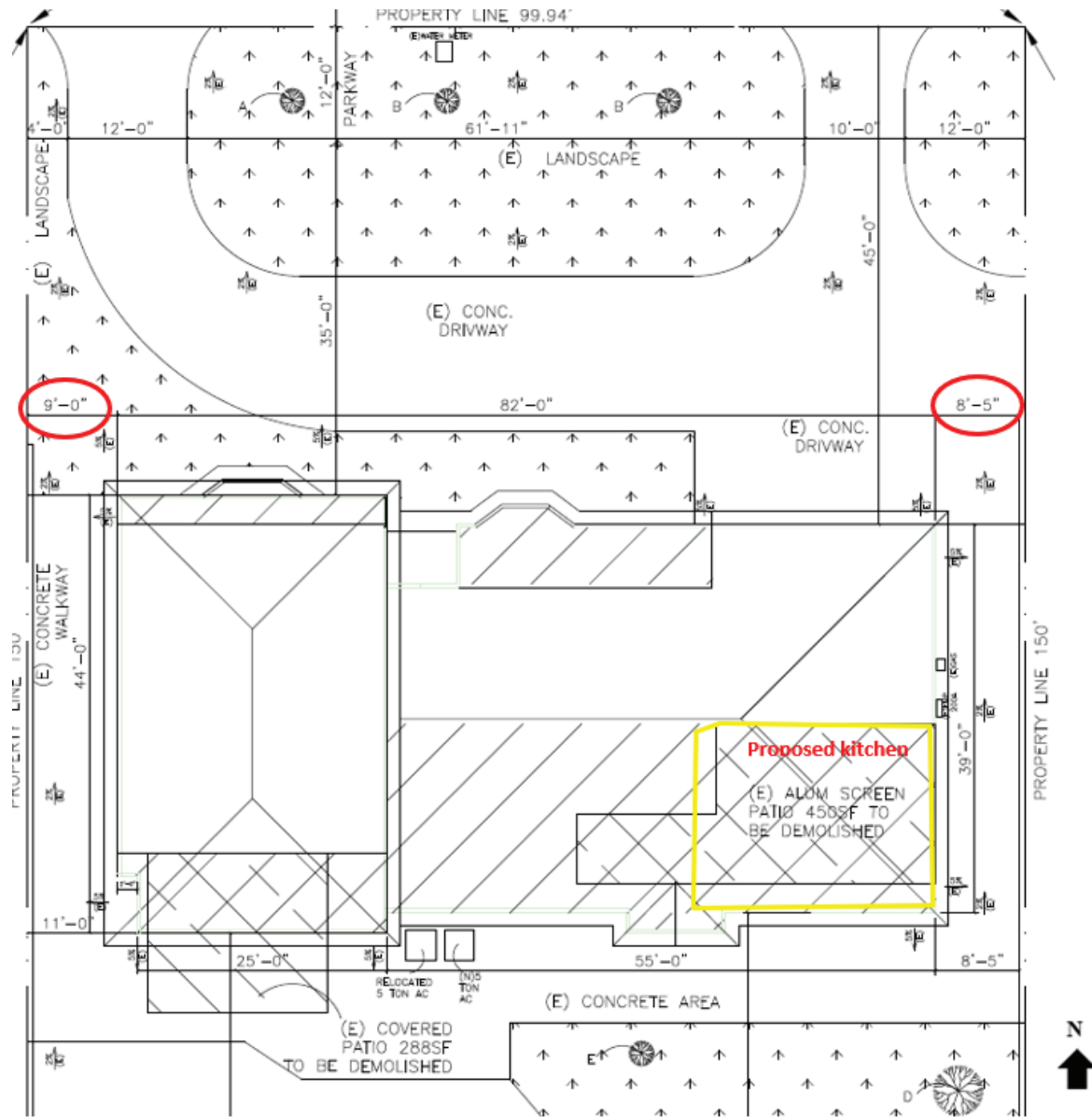


Figure 2 – Site Plan Detail

Reduction to Second Floor Westerly Side Yard Setback (PC AM 21-02): The proposed second story addition will be constructed directly above the first floor addition footprint and the second story addition will encroach into the required 19'-8" second floor side yard setback. The Applicant's request to expand the master bedroom toward the rear of the second floor by 8'-0" (205 square foot addition) is to accommodate a walk-in closet and a bathroom expansion. A small portion of the addition will provide a 9'-0" side yard setback and the larger portion of the addition will provide a 11'-0" side yard setback. There is an existing second story side yard setback of 9'-0". The proposed second story addition initially lines up with the existing building wall and then provides an additional 2'-0" setback in order to

provide a break along the long continuous wall plane. The proposed project will comply with all other required setbacks and development standards.

ANALYSIS

According to Arcadia Development Code Section 9107.05.050, it states that an Administrative Modification may be approved if at least one of the following findings can be made:

- 1. Secure an appropriate improvement of a lot;**
- 2. Prevent an unreasonable hardship; or**
- 3. Promote uniformity of development**

The proposed modifications will secure an appropriate improvement of the lot and promote uniformity of development. The proposed modifications will allow the following: 1) Maintain existing legal nonconforming side yard setbacks along the existing portions of the first and second floors as part of the proposed rebuild; 2) A first floor addition to encroach into the required side yard setback of 9'-9" but maintain the existing side yard setback that varies from 8'-5" to 9'-0"; and 3) A second story addition at a 9'-0" and 11'-0" westerly side yard setback instead of 19'-8" to line up with the first floor addition. The proposed encroachments into the first floor side yard setbacks are minimal and would not result in any negative impacts to the neighboring properties. If required to comply with the 9'-9" side yard setback, the proposed first story addition would appear imbalanced and would not result in a seamless addition to the existing house. The addition along the west side will add 8 feet to the overall length of the existing building wall and the addition along the east side will mostly replace the existing enclosed patio area.

The proposed encroachment into the second floor side yard setback is warranted because it is the Applicant's intention to expand the master bedroom by lining up the small addition (205 square feet) with the existing second floor at the rear. Requiring the 19'-8" setback would result in an addition that appears fragmented and incompatible with the existing house. A portion of the proposed second story addition provides an additional 2'-0" side yard setback to create a visual break along an otherwise long and flat wall plane. The alternative option would be to propose the addition on the east side of the existing second floor to meet the required side yard setback, but from a design perspective this would create additional massing along the front elevation and emphasize the verticality of the house. Additionally, it would require significant structural engineering to modify the existing roof to accommodate a horizontal second story addition. The proposed addition provides a logical expansion of the existing floor plan and a compatible continuation of the first and second floors.

Overall, the project is compatible with the surrounding area in terms of scale and design, will adequately fit in with the streetscape, and is consistent with the Single-Family Residential Design Guidelines. For the reasons stated in this report, it is recommended that the Planning Commission approve the project.

ENVIRONMENTAL ASSESSMENT

The proposed project qualifies under Class 1 and Class 5 exemptions as a minor addition to an existing structure and a minor alteration to the land use limitations of the California Environmental Quality Act (CEQA) under Sections 15301(e) and 15305 of the CEQA Guidelines. Refer to Attachment No. 5 for the Preliminary Exemption Assessment.

PUBLIC NOTICE/COMMENTS

A public hearing notice for this item was published in the Arcadia Weekly newspaper and mailed to the property owners located within 300 feet of the subject property on September 2, 2021. As of September 9, 2021, staff received one public comment in opposition of the project (refer to Attachment No. 4).

RECOMMENDATION

It is recommended that the Planning Commission approve SFADR 21-08 and PC AM 21-02, find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2079, subject to the following conditions of approval:

1. The project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for SFADR 21-08 and PC AM 21-02.
2. The plans submitted for Building plan check shall comply with the latest adopted edition of the following codes as applicable:
 - a. California Building Code
 - b. California Electrical Code
 - c. California Mechanical Code
 - d. California Plumbing Code
 - e. California Energy Code
 - f. California Fire Code
 - g. California Green Building Standards Code
 - h. California Existing Building Code
 - i. Arcadia Municipal Code
3. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Planning & Community Development Administrator, or their respective designees. Compliance with these requirements is to be determined by having fully detailed

construction plans submitted for plan check review and approval by the foregoing City officials and employees.

4. 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 SFADR 21-08 and PC AM 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.

5. Approval of SFADR 21-08 and PC AM 21-02 shall not be in effect unless the Property Owner/Applicant has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved the appeal. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

PLANNING COMMISSION ACTION

Approval

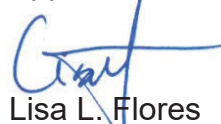
If the Planning Commission intends to approve this project, the Commission should move to approve Single Family Architectural Design Review No. SFADR 21-08 and Administrative Modification No. PC AM 21-02, state that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2079 that incorporates the requisite environmental and subdivision findings, and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission is to deny this project, the Commission should state the specific findings that the proposal does not satisfy based on the evidence presented with specific reasons for denial, and move to deny Single Family Architectural Design Review No. SFADR 21-08 and Administrative Modification No. PC AM 21-02, 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 September 14, 2021, hearing, please contact Associate Planner, Christine Song, at (626) 574-5447, or by email at csong@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Planning & Community Development Administrator

- Attachment No. 1: Resolution No. 2079
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: Architectural Plans
- Attachment No. 4: Comment Letter
- Attachment No. 5: Preliminary Environmental Assessment

Attachment No. 1

Resolution No. 2079

RESOLUTION NO. 2079

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING SINGLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. SFADR 21-08 AND ADMINISTRATIVE MODIFICATION NO. PC AM 21-02, WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR SETBACK MODIFICATIONS TO THE PROPOSED FIRST AND SECOND STORY ADDITIONS, AND TO MAINTAIN THE EXISTING LEGAL NONCONFORMING SETBACKS OF THE EXISTING TWO-STORY RESIDENCE THAT WILL BECOME A REBUILD AT 252 SHARON ROAD

WHEREAS, on March 22, 2021, applications for a Single Family Architectural Design Review No. SFADR 21-08 and an Administrative Modification PC AM No. 21-02 were filed by Xin Wang on behalf of the property owner, Jonathan Huang, requesting approval of three (3) modifications as part of a remodel and addition to an existing two-story house at 252 Sharon Road. The modifications consist of: 1) maintaining existing legal nonconforming side yard setbacks along the existing portions of the first and second floors as part of the proposed rebuild; 2) the first floor addition encroaching into the required side yard setback of 9'-9", but maintaining the existing side yard setback that varies from 8'-5" to 9'-0"; and 3) a second story addition at a 9'-0" and 11'-0" westerly side yard setback instead of 19'-8" to line up with the first floor (collectively, "Project"); and

WHEREAS, on June 29, 2021, Planning Services completed an environmental assessment for the Project in accordance with the California Environmental Quality Act ("CEQA") and recommends that the Planning Commission determine that the Project qualifies as a Class 1 and Class 5 Categorical Exemptions under CEQA pursuant to sections 15301(e) and 15305 from the California Environmental Quality Act (CEQA) as a minor addition to an existing structure and minor alteration in land use limitations per the CEQA Guidelines; and

WHEREAS, on September 14, 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 September 14, 2021 are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Section 9107.05.050 of the Arcadia Development Code, at least one of the following findings can be made.

1. Secure an appropriate improvement of a lot;
2. Prevent an unreasonable hardship; or
3. Promote uniformity of development

This Commission further finds that the Project is consistent with the City's Single Family Residential Design Guidelines, pursuant to Section 9107.19.050 of the Arcadia Development Code.

FACT: The Project will secure an appropriate improvement of the lot and promote uniformity of development. The Project will allow the following: 1) maintain existing legal nonconforming side yard setbacks along the existing portions of the first and second floors as part of the proposed rebuild; 2) a first floor addition to encroach into the required side yard setback of 9'-9" but maintain the existing side yard setback that varies from 8'-5" to 9'-0"; and 3) a second story addition at a 9'-0" and 11'-0" westerly side yard setback instead of 19'-8" to line up with the first floor addition. The proposed encroachments into

the first floor side yard setbacks are minimal and would not result in any negative impacts to the neighboring properties. If required to comply with the 9'-9" side yard setback, the proposed first story addition would appear imbalanced and would not result in a seamless addition to the existing house. The addition along the west side will add 8 feet to the overall length of the existing building wall and the addition along the east side will mostly replace the existing enclosed patio area. The proposed encroachment into the second floor side yard setback is warranted because it is the Applicant's intention to expand the master bedroom by lining up the small addition (216 square feet) with the existing second floor at the rear. Requiring the 19'-9" setback would result in an addition that appears fragmented and incompatible with the existing house. A portion of the proposed second story addition provides an additional 2'-0" side yard setback to create a visual break along an otherwise long and flat wall plane. The alternative option would be to propose the addition on the east side of the existing second floor to meet the required side yard setback, but from a design perspective this would create additional massing along the front elevation and emphasize the verticality of the house. Additionally, it would require significant structural engineering to modify the existing roof to accommodate a horizontal second story addition. The Project provides a logical expansion of the existing floor plan and a compatible continuation of the first and second floors.

Overall, the Project is compatible with the surrounding area in terms of scale and design, will adequately fit in with the streetscape, and is consistent with the Single-Family Residential Design Guidelines.

SECTION 3. For the foregoing reasons the Planning Commission determines that the Project is Categorically Exempt per Section 15301(e) and 15305 of the California

Environmental Quality Act (CEQA) Guidelines, and approves Single Family Architectural Design Review No. SFADR 21-08 and Administrative Modification No. PC AM 21-02 for setback modifications to the proposed first and second story additions, and to maintain the existing legal nonconforming setbacks of the existing two-story residence that will become a rebuild at 252 Sharon Road, subject to the conditions of approval attached hereto.

SECTION 4. The Secretary shall certify to the adoption of this Resolution.


Passed, approved and adopted this 14th day of September, 2021.

Marilynne Wilander
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



for
Stephen P. Deitsch
City Attorney

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RESOLUTION NO. 2079

Conditions of Approval

1. The project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for SFADR 21-08 and PC AM 21-02, subject to the satisfaction of the Planning & Community Development Administrator or designee.
2. The plans submitted for Building plan check shall comply with the latest adopted edition of the following codes as applicable:
 - a. California Building Code
 - b. California Electrical Code
 - c. California Mechanical Code
 - d. California Plumbing Code
 - e. California Energy Code
 - f. California Fire Code
 - g. California Green Building Standards Code
 - h. California Existing Building Code
 - i. Arcadia Municipal Code
3. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Planning & Community Development Administrator, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
4. 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 SFADR 21-08 and PC AM 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.

5. Approval of SFADR 21-08 and PC AM 21-02 shall not be in effect unless the Property Owner/Applicant has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved the appeal. 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 &
Photos of the Subject Property

Subject Site – 252 Sharon Road



East of subject site



West of subject site



Northeast of subject site



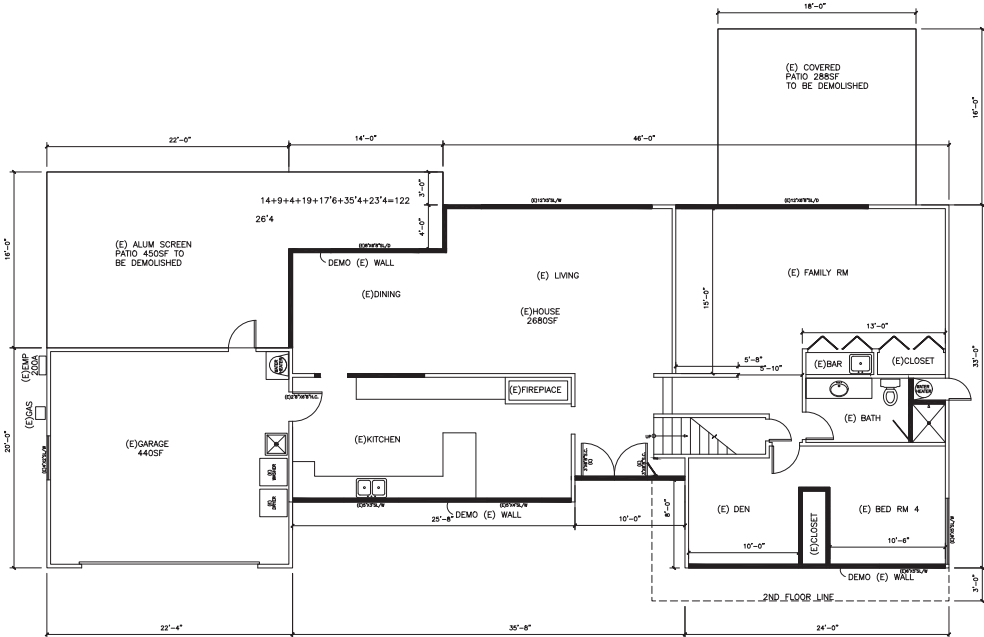
North of the subject site



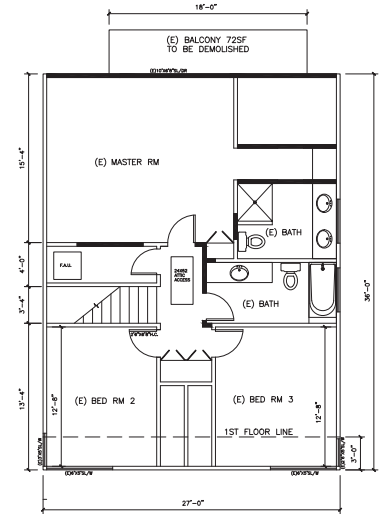
Attachment No. 3

Architectural Plans

NOTE:
 TOTAL WALL
 DEMOLISHED: $14+9+4+19+17'6+35'4+23'4+26'4+16+22+14+18+16=233'$
 $224+126+16+22+14+18+16=436'$
 $233/436=53.44\%$ DEMOLISHED OVER 50%



EXISTING 1ST FLOOR PLAN
 SCALE: 3/16"=1'-0"



EXISTING 2ND FLOOR PLAN
 SCALE: 3/16"=1'-0"

LEGEND

- WALL MOUNTED LIGHT FIXTURE
- ◇ CEILING MOUNTED LIGHT FIXTURE
- CEILING RECESSED LIGHT FIXTURE

- ⊕ ELECT. OUTLET, AFCI, TAMPER RESISTANT SINGLE POLE SWITCH @48" U.N.O.
- ⊖ VACANCY SENSOR SWITCH
- ⊗ CEILING FAN W/LIGHT FIXTURE

- ⊕ HARD WIRE INTERCONNECTED SMOKE DETECTOR W/BATTERY BACK-UP
- ⊖ CARBON MONOXIDE ALARM - HARD WIRE INTERCONNECTED W/ BATTERY BACK-UP

- ⊕ PROVIDE EXHAUST FAN (PROVIDING 50 CFM PER HOUR W/BACKDRAFT DAMPER) TYP.
- ⊖ WATER HOSE

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- NEW WALL

S.L. : HORIZONTAL SLIDING
 S.C. : SOLID CORE (1-3/4" THICKNESS)
 H.C. : HOLLOW CORE (1-3/8" THICKNESS)

DEMOLITION NOTES:
 1. DO NOT DEMOLISH ANY STRUCTURAL ELEMENTS PRIOR TO SHORING.
 2. CONTRACTOR TO VERIFY WITH ENGINEER OF RECORD IF ANY DISCREPANCY BETWEEN PLAN AND JOB SITE, AND ANY DANGEROUS CONDITION EXIST ON JOB SITE BEFORE ANY DEMOLITION IS DONE.

| REVISIONS | |
|-----------|----|
| DATE | NO |
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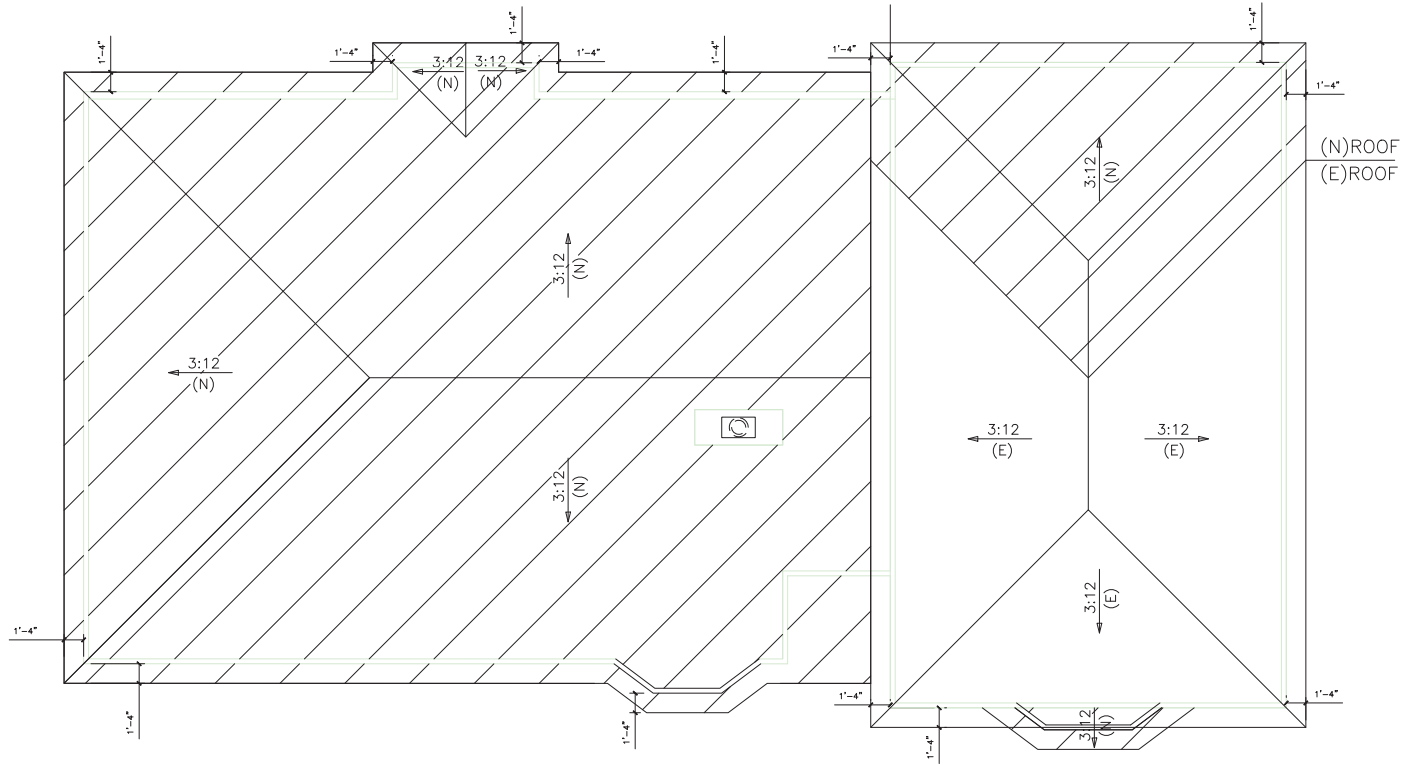
DESIGNER:
 XIN WANG 626-321-3439
 385 S LEMON AVE
 WALNUT, CA 91789

JOB ADDRESS:
JONATHAN HUANG'S RESIDENCE
 252 SHARON RD
 ARCADIA, CA 91007

SHEET TITLE:
 EXISTING FIRST FLOOR PLAN
 EXISTING SECOND FLOOR PLAN

STAMP:
 Date 3-9-21
 Scale AS SHOWN
 Drawn XW
 Job 030921
 Sheet

A-2



PROPOSED ROOF PLAN
 SCALE: 1/4" = 1'-0"

| REVISIONS | |
|-----------|----|
| DATE | NO |
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DESIGNER:
 XIN WANG 626-321-3439
 385 S LEMON AVE
 WALNUT, CA 91789

JOB ADDRESS:
JONATHAN HUANG'S RESIDENCE
 252 SHARON RD
 ARCADIA, CA 91007

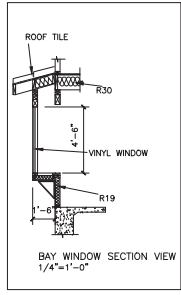
SHEET TITLE:
 PROPOSED ROOF PLAN

STAMP:
 Date 3-9-21
 Scale AS SHOWN
 Drawn XW
 Job 030921
 Sheet

A-5

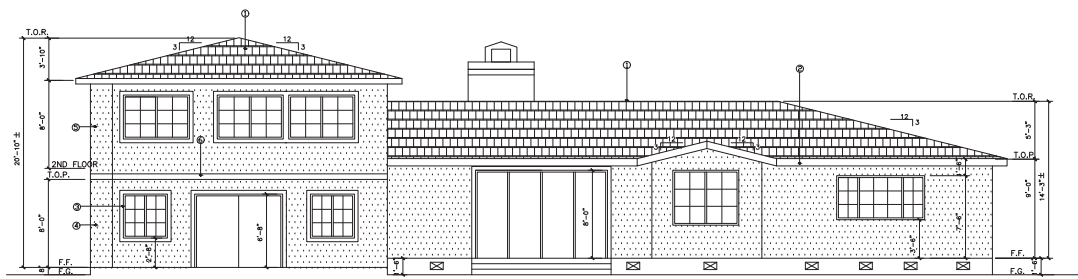


PROPOSED NORTH ELEVATION
SCALE: 3/16"=1'-0"



BAY WINDOW SECTION VIEW
1/4"=1'-0"

- ① ROOF TILE CLASS A EAGLE ROOFING
8707 SIERRA BLEND, LIGHT WEIGHT
SR#:11 ORR#:0918-0070 ESR#:1900
 - ② 2X8 FASCIA BOARD WHITE COLOR TO MATCH EXISTING
 - ③ VINYL WINDOW WHITE TO MATCH EXISTING
 - ④ 3/4" STUCCO OVER WIRE MESH
LA HABRA STUCCO 81584 SUFFOLK, ROUGH
FINISH TO MATCH EXISTING.
 - ⑤ 3/4" STUCCO OVER WIRE MESH
LA HABRA STUCCO X-23 ASPEN, ROUGH
FINISH
 - ⑥ BANDING, WHITE COLOR
- STUCCO WALL COVERINGS:
- A. 7/8" THICKNESS
 - B. 2-LAYERS OF GRADE 'D' PAPER
IF APPLIED OVER PLYWOOD/
OSB SHEATHING
 - C. A CORROSION-RESISTANT WEEP SCREED
(26-GAUGE) IS REQUIRED BELOW THE STUCCO
A MINIMUM 4"/2" ABOVE GRADE/SLAB.



PROPOSED SOUTH ELEVATION
SCALE: 3/16"=1'-0"

| REVISIONS | |
|-----------|----|
| DATE | NO |
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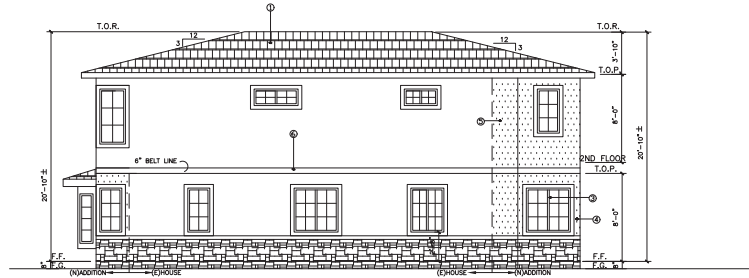
DESIGNER:
XIN WANG 626-321-3439
385 S LEMON AVE
WALNUT, CA 91789

JOB ADDRESS:
JONATHAN HUANG'S RESIDENCE
252 SHARON RD
ARCADIA, CA 91007

SHEET TITLE:
PROPOSED ELEVATIONS

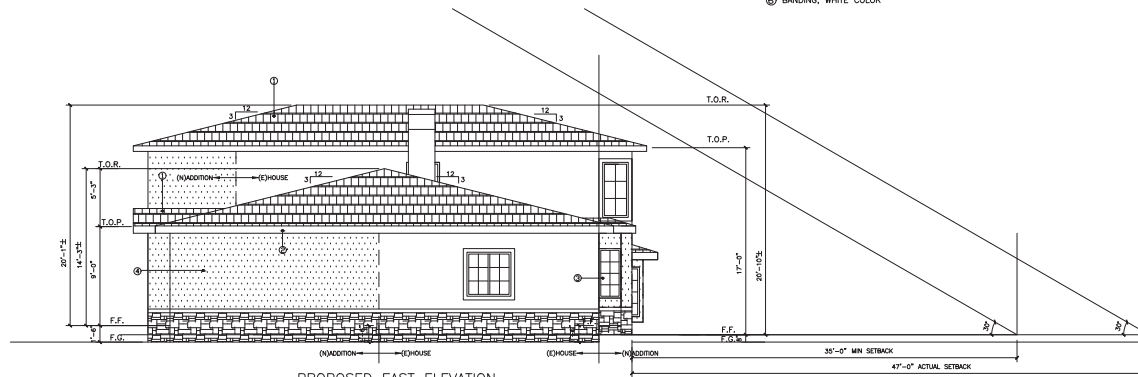
STAMP:
Date 3-9-21
Scale AS SHOWN
Drawn XW
Job 030921
Sheet

A-6



PROPOSED WEST ELEVATION
SCALE: 3/16"=1'-0"

- ① ROOF TILE CLASS A EAGLE ROOFING
8707 SIERRA BLEND, LIGHT WEIGHT
SRI#:11 CRRC#0918-0070 ESR#:1900
 - ② 2X8 FASCIA BOARD WHITE COLOR TO MATCH EXISTING
 - ③ VINYL WINDOW WHITE TO MATCH EXISTING
 - ④ 3/4" STUCCO OVER WIRE MESH
LA HABRA STUCCO 81584 SUFFOLK, ROUGH
FINISH TO MATCH EXISTING.
 - ⑤ 3/4" STUCCO OVER WIRE MESH
LA HABRA STUCCO X-23 ASPEN, ROUGH
FINISH
 - ⑥ BANDING, WHITE COLOR
- STUCCO WALL COVERINGS:
 A. 7/8" THICKNESS
 B. 2-LAYERS OF GRADE 'D' PAPER
 IF APPLIED OVER PLYWOOD/
 OSB SHEATHING.
 C. A CORROSION-RESISTANT WEEP SCREED
 (26-GAUGE) IS REQUIRED BELOW THE STUCCO
 A MINIMUM 4 1/2" ABOVE GRADE/SLAB.



PROPOSED EAST ELEVATION
SCALE: 3/16"=1'-0"

| REVISIONS | |
|-----------|----|
| DATE | NO |
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| | |

DESIGNER:
 XIN WANG 626-321-3439
 385 S LEMON AVE
 WALNUT, CA 91789

JOB ADDRESS:
JONATHAN HUANG'S RESIDENCE
252 SHARON RD
ARCADIA, CA 91007

SHEET TITLE:
 PROPOSED ELEVATIONS

STAMP:
 Date 3-9-21
 Scale AS SHOWN
 Drawn XW
 Job 030921
 Sheet

A-7

Attachment No. 4

Comment Letter

From: [Mailbox - Planning](#)
To: [Christine Song](#)
Cc: [Lisa Flores](#)
Subject: FW: to Marilynne Wilander and the Planning Commission.
Date: Monday, August 9, 2021 8:38:01 AM

Hi Christine,

Below is a comment received in the Planning inbox regarding SFADR 21-08 & PC AM 21-02.

Thanks,

Jeramie

From: Teresa Schreiner <lhs6366@gmail.com>
Sent: Sunday, August 8, 2021 3:29 PM
To: Mailbox - Planning <planning@ArcadiaCA.gov>
Subject: to Marilynne Wilander and the Planning Commission.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am a resident at 255 West Lemon and attended the last Commission meeting which was scheduled to discuss the property at 252 West Lemon. (an aside: I held the council chamber door open for you that evening). The discussion was ultimately postponed by the Planning Commission.

I have tried to communicate with the owner of the property in question, by knocking on his door but to no avail. (I don't know their name or phone number, only the name and number of a previous resident...another aside!)

Most building in the city happens without too much difficulty it seems; however, I really don't want any building to extend too close to my property (or anyone else's) nor a second story that overlooks my property with ease. Right now their second story is about midway of their property and is shrouded by a wall of greenery. I understood someone to say that the add-on will just take the place of the shed that is right now in the backyard, on the south side of the pool and right up against the wall abutting my property. No add on can be the same as a shed, which has no windows and no one living in it. A shed should never be considered or compared to a living space.

I believe your date for this discussion is this coming Tuesday, a date I will not be in town. Please consider my comments and how overbuilding poorly affects all of us and our inherent right to privacy.

Thank you for your time and consideration.

Teresa Schreiner

resident of Arcadia since 1966.

sent Sunday, August 8, 2021

--

Terry Schreiner

Yesterday is gone

Tomorrow has not come

We only have today

So let us begin.

Mother Teresa

Attachment No. 5

Preliminary Environmental Assessment



PRELIMINARY EXEMPTION ASSESSMENT

| | | | | | | | | | |
|---|---|---|--|-----------------------------|---|----------|----------|-------------|---|
| 1. Name or description of project: | Single Family Architectural Design Review No. SFADR 21-08, Administrative Modification No. PC AM 21-02 – A request to construct a first and second story addition which will become a rebuild of the existing two-story residence at 252 Sharon Road. The modifications consist of: 1) A request to maintain an existing 8'-5" side yard setback (east side) and an existing 9'-0" side yard setback (west side) on the first floor, in lieu of the required 9'-9"; and 2) A second floor side yard setback of 9'-0" and 11'-0"(west side), in lieu of the required 19'-8". | | | | | | | | |
| 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): | 252 Sharon Road –The closest intersection is located east of the property at Sharon Road and El Monte Avenue. | | | | | | | | |
| 3. Entity or person undertaking project: | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">A.</td> </tr> <tr> <td colspan="2" style="padding: 2px;">B. Other (Private)</td> </tr> <tr> <td style="width: 10%; padding: 2px;">(1) Name</td> <td style="padding: 2px;">Xin Wang</td> </tr> <tr> <td style="padding: 2px;">(2) Address</td> <td style="padding: 2px;">19834 Camino de Rosa Walnut CA 91789</td> </tr> </table> | A. | | B. Other (Private) | | (1) Name | Xin Wang | (2) Address | 19834 Camino de Rosa Walnut CA 91789 |
| A. | | | | | | | | | |
| B. Other (Private) | | | | | | | | | |
| (1) Name | Xin Wang | | | | | | | | |
| (2) Address | 19834 Camino de Rosa Walnut CA 91789 | | | | | | | | |
| 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"/> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is categorically exempt.</td> </tr> <tr> <td style="width: 40%; padding: 2px;">Applicable Exemption Class:</td> <td style="padding: 2px;">15301(e) – Class 1 (Addition to existing structure) 15305 – Class 5 (Minor alteration to land use limitations)</td> </tr> </table> | The project is categorically exempt. | | Applicable Exemption Class: | 15301(e) – Class 1 (Addition to existing structure) 15305 – Class 5 (Minor alteration to land use limitations) | | | | |
| The project is categorically exempt. | | | | | | | | | |
| Applicable Exemption Class: | 15301(e) – Class 1 (Addition to existing structure) 15305 – Class 5 (Minor alteration to land use limitations) | | | | | | | | |
| f. <input type="checkbox"/> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is statutorily exempt.</td> </tr> <tr> <td style="width: 40%; padding: 2px;">Applicable Exemption:</td> <td style="padding: 2px;"></td> </tr> </table> | The project is statutorily exempt. | | Applicable Exemption: | | | | | |
| The project is statutorily exempt. | | | | | | | | | |
| Applicable Exemption: | | | | | | | | | |
| g. <input type="checkbox"/> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">The project is otherwise exempt on the following basis:</td> <td style="padding: 2px;"></td> </tr> </table> | The project is otherwise exempt on the following basis: | | | | | | | |
| The project is otherwise exempt on the following basis: | | | | | | | | | |
| h. <input type="checkbox"/> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project involves another public agency which constitutes the Lead Agency.</td> </tr> <tr> <td style="width: 40%; padding: 2px;">Name of Lead Agency:</td> <td style="padding: 2px;"></td> </tr> </table> | The project involves another public agency which constitutes the Lead Agency. | | Name of Lead Agency: | | | | | |
| The project involves another public agency which constitutes the Lead Agency. | | | | | | | | | |
| Name of Lead Agency: | | | | | | | | | |

Date: June 29, 2021

Staff: Christine Song, Associate Planner



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JULY 27, 2021**

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

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Chair Wilander, Vice Chair Lin, Commissioner Chan, Thompson, and Tsoi
ABSENT: None

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Ms. Flores announced that Item No. 2 will be pulled from the agenda due to misinformation on the plans and will not be heard tonight.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

1. **Resolution No. 2080** – Approving Tentative Tract Map No. TTM 21-05 (83054) to subdivide the airspace for 96 residential units and 5 commercial units for condominium purposes for an approved mixed-use development (Seabiscuit Pacifica Specific Plan) with a Categorical Exemption under the California Environmental Quality Act (“CEQA”) located at 180 W. Huntington Drive

Recommendation: Adopt Resolution No. 2080

Applicant: Jonathan Tseng on behalf of SAICP, LLC.

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

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

Mr. Eric Chen responded on behalf of the Applicant.

Chair Wilander opened the public hearing.

There were no speakers for this item.

MOTION- PUBLIC HEARING

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

DISCUSSION

Commissioner Thompson stated that there should be a condition of approval that ties the Tentative Tract Map approval to the approved Seabiscuit Pacifica Specific Plan.

Vice Chair Lin echoed Commissioner Thompson’s comment.

Ms. Flores confirmed that Condition of Approval No. 4 does tie the Tentative Tract Map approval to the approved Seabiscuit Pacifica Specific Plan, and this condition should meet the Commissioner’s intent. The Commission agreed.

Assistant City Attorney Maurer added that the Final Tract Map will be subject to City Council’s review.

MOTION

It was moved by Vice Chair Lin, seconded by Commissioner Tsoi to adopt Resolution No. 2080, approving Tentative Tract Map No. TTM 21-05 (83054) to subdivide the airspace for 96 residential units and 5 commercial units for condominium purposes for an approved mixed-use development (Seabiscuit Pacifica Specific Plan) with a Categorical Exemption under the California Environmental Quality Act (“CEQA”) located at 180 W. Huntington Drive

ROLL CALL

AYES: Chair Wilander, Vice Chair Lin, Commissioner 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 4:30 p.m. on Friday, August 6, 2021.

CONSENT CALENDAR

- 2. Minutes of the July 13, 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 July 13, 2021 Planning Commission Regular Meeting.

ROLL CALL

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

Vice Chair Lin abstained as he was absent at the July 13, 2021 meeting.

MATTERS FROM CITY COUNCIL LIAISON

Council Member Beck announced that Congresswoman Judy Chu awarded a recent Arcadia High School graduate, Ellie Yakoda, with the Congressional Award for her collaboration with a local drug store that

distributed vaccines to 2000 individuals; Foothill Unity was honored as the non-profit organization of the year; the State Fair at the Santa Anita Racetrack will take place from July 29 to August 22; concerts on the City Hall lawn have returned and everyone is encouraged to participate in this fun event.

MATTERS FROM THE PLANNING COMMISSONERS

The Commissioners had nothing to report.

MATTERS FROM ASSISTANT CITY ATTORNEY

Assistant City Attorney Maurer had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Flores announced that there is no agenda item for the next Planning Commission Regular Meeting.

ADJOURNMENT

The Planning Commission adjourned the meeting at 7:20 p.m. to Tuesday, August 10, 2021, at 7:00 p.m. in the City Council Chamber at 240 W. Huntington Drive, Arcadia.

Marilynne Wilander
Chair, Planning Commission

ATTEST: _____
Lisa Flores
Secretary, Planning Commission