

# CITY OF ARCADIA

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## Arcadia Planning Commission Regular Meeting Agenda



**Tuesday, September 27, 2022, 7:00 p.m.**

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。

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### CALL TO ORDER

### ROLL CALL

Brad Thompson, Chair  
Vincent Tsoi, Vice Chair  
Angela Hui, Commissioner  
Domenico Tallerico, Commissioner  
Marilynne Wilander, Commissioner

### SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

### PUBLIC COMMENTS (5 minute time limit per person)

Each speaker is limited to three (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. 2103** – Approving an Amendment to Conditional Use Permit No. CUP 84-24 with a Parking Modification and a Categorical Exemption Under the California Environmental Quality Act (“CEQA”) to allow Arcadia Care Center to increase the number of patients and beds from 117 to 161 at the existing convalescent facility located at 1601 S. Baldwin Avenue

**Recommendation:** Adopt Resolution No. 2103

**Applicant:** Keith Levine

*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, October 10, 2022.*

### **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 July 26, 2022, 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, October 11, 2022, at 7:00 p.m.

# Welcome to the Arcadia Planning Commission Meeting!

The Planning Commission encourages public participation, and invites you to share your views on City business.

**MEETINGS:** Regular Meetings of the Planning Commission are held on the second and fourth Tuesdays of each month at 7:00 p.m. in the City Council Chambers. A full Planning Commission agenda packet with all backup information is available at City Hall, the Arcadia Public Library, and on the City's website at [www.ArcadiaCA.gov](http://www.ArcadiaCA.gov). Copies of individual Agenda Reports are available via email upon request ([Planning@ArcadiaCA.gov](mailto:Planning@ArcadiaCA.gov)). Documents distributed to a majority of the Planning Commission after the posting of this agenda will be available for review at the Planning Services Office in City Hall, 240 W. Huntington Drive, Arcadia, California.

**CITIZEN PARTICIPATION:** Your participation is welcomed and invited at all Planning Commission meetings. Time is reserved at each regular meeting for those in the audience who wish to address the Planning Commission. The City requests that persons addressing the Planning Commission refrain from making personal, slanderous, profane, or disruptive remarks. When the Chair asks for those who wish to speak please come to the podium and state your name and address for the record. Please provide a copy of any written materials used in your address to the Planning Commission as well as a copy of any printed materials you wish to be distributed to the Planning Commission.

**MATTERS NOT ON THE AGENDA** should be presented during the time designated as "PUBLIC COMMENTS." In general, each speaker will be given (5) minutes to address the Planning Commission; however, the Chair, at his/her discretion, may shorten the speaking time limit to allow all speakers time to address the Planning Commission. **By State law, the Planning Commission may not discuss or vote on items not on the agenda. The matter will automatically be referred to staff for appropriate action or response, or will be placed on the agenda of a future meeting.**

**PUBLIC HEARINGS AND APPEALS** are items scheduled for which public input is either required or desired. Separate and apart from an applicant or appellant (who may speak longer at the discretion of the Planning Commission), speakers shall be limited to (5) minutes per person. The Chair, at his/her discretion, may shorten the speaking time limit to allow all speakers to address the Planning Commission. The applicant or appellant may also be afforded an additional opportunity for rebuttal comments.

**AGENDA ITEMS:** The Agenda contains the regular order of business of the Planning Commission. Items on the Agenda have generally been reviewed and investigated by the City Staff in advance of the meeting so that the Planning Commission can be fully informed about a matter before making its decision.

**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine by the Planning Commission and may be acted upon by one motion. There will be no separate discussion on these items unless a member of the Planning Commission, Staff, or the public so requests. In this event, the item will be removed from the Consent Calendar and considered and acted on separately.

**DECORUM:** While members of the public are free to level criticism of City policies and the action(s) or proposed action(s) of the Planning Commission or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the proceedings, including, but not limited to, conduct that prevents other members of the audience from being heard when it is their opportunity to speak, or which prevents members of the audience from hearing or seeing the proceedings. Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. All persons attending the meeting are expected to adhere to the City's policy barring harassment based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, sexual orientation, or age. The Chief of Police, or such member or members of the Police Department, may serve as the Sergeant-at-Arms of the Planning Commission meeting. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding official for the purpose of maintaining order and decorum at the meeting. Any person who violates the order and decorum of the meeting may be placed under arrest and such person may be prosecuted under the provisions of Penal Code Section 403 or applicable Arcadia Municipal Code section.



# STAFF REPORT

Development Services Department

**DATE:** September 27, 2022

**TO:** Honorable Chairman and Planning Commission

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

**SUBJECT:** RESOLUTION NO. 2103 – APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. CUP 84-24 WITH A PARKING MODIFICATION AND A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) TO ALLOW ARCADIA CARE CENTER TO INCREASE THE NUMBER OF PATIENTS AND BEDS FROM 117 TO 161 AT THE EXISTING CONVALESCENT FACILITY LOCATED AT 1601 S. BALDWIN AVENUE  
**Recommendation: Adopt**

## **SUMMARY**

The Applicant, Keith Levine, on behalf of the Arcadia Care Center, is requesting to amend Conditional Use Permit Application No. CUP 84-24 with a parking modification to increase the number of patients and beds from 117 to 161 and reduce the required parking from 67 spaces to 54 spaces at the existing convalescent facility located at 1601 S. Baldwin Avenue. The amendment would include a valet service for certain hours of the day and a shared parking agreement with the property at 1505 S. Baldwin Avenue. It is recommended that the Planning Commission adopt Resolution No. 2103 (Attachment No. 1) and find this project Categorical Exempt under CEQA and approve Amendment to Conditional Use Permit No. CUP 84-24 with a parking modification, subject to the conditions listed in this staff report.

## **BACKGROUND**

The subject site is approximately 2.16 acres and is currently developed with a 44,643 square foot, single-story building that has three courtyards in the middle – refer to Figure No. 1 below for an aerial view of the site. The property is zoned High Density Residential (R-3) with a High Density Residential (HDR) Land Use Designation. The site is located south of the commercial area along S. Baldwin Avenue between Camino Real Avenue

and Callita Street. The site is surrounded by a convalescent/retirement facility to the north, multi-family residential properties across the street, and single-family properties to the south - refer to Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the subject property.

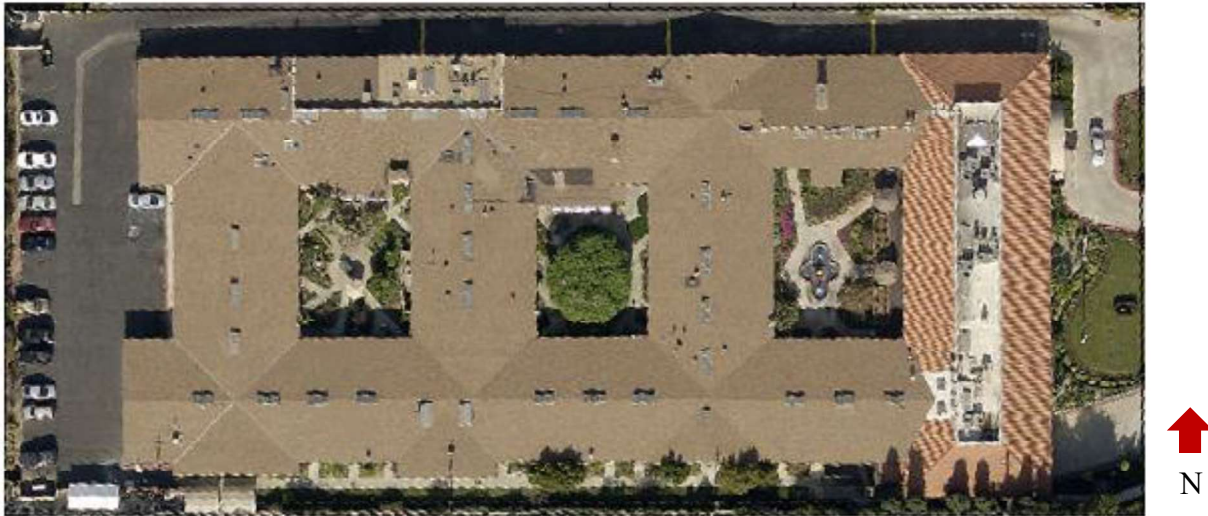


Figure No. 1 Aerial view of the subject site

In November of 1960, the convalescent facility was approved by the City Council with up to 66 patients and beds under Variance application No. 60-10. In 1966, the City Council increased the occupancy from 66 to 74 patients and beds, and in 1984, Conditional Use Permit No. 84-24 was approved with a parking modification to allow up to 117 patients and beds with a subterranean parking structure for 52 spaces in lieu of 59 spaces. Of the 52 parking spaces, 20 surface parking spaces are located at the rear of the site and the remaining 32 parking spaces are within the subterranean parking structure. The site has three driveways; one to access the parking lot at the rear of the site, another one to access the subterranean parking structure, and a one-way circular driveway for passenger loading/unloading along the front of the property.

In March of 2020, the State issued an Emergency Order (Executive Order No. N-39-20) which allowed hospitals and post recovery facilities to exceed their capacities for patients during the Covid-19 pandemic. During this time, Arcadia Care Center was allowed to increase their capacity with 47 extra beds to assist Arcadia's Methodist Hospital (now USC Arcadia) with the overflow of patients that needed additional post recovery care support after they were released. Since 2020, the facility had 164 patients and beds. The Emergency Order expires on October 1, 2022.

## **PROPOSAL**

The Arcadia Care Center has been in operation since 1962 and provides 24-hour nursing care for long-term and short-term recovery care to patients ages 65 and older – see Figure No. 2 below for a front view of the convalescent facility. They are now requesting to amend the CUP along with the existing parking modification to keep 44 of the 47 additional patients and beds that they were allowed for under the Emergency Order (Executive

Order No. N-39-20) since 2020. The convalescent facility was able to accommodate the new patients and beds within existing patient rooms without having to expand the building – refer to Attachment No. 3 for the floor plans. A total of 28 single bedrooms were converted to doubles, and four were converted to quads. The existing visiting hours are from 10:00 a.m. to 6:00 p.m., daily. The visitation is limited to 30 minutes per guest.

For a care facility, the Development Code requires one parking space for every 3 beds. A total of 15 parking spaces are required for the extra 44 beds, resulting in a total of 67 required parking spaces for all the beds within the facility. Since the site is built-out and does not have space to provide new parking stalls on the site, the convalescent facility is proposing a new valet service during the busiest times of the day from 6:45 a.m. to 3:45 p.m., daily, however since visitation hours does not end until 7:00 p.m., Staff is requiring that the valet service ends



**Figure No. 2 – Arcadia Care Center**

at 7:00 p.m., after the last guests' leaves - refer to condition no. 3. The valet company can park 12 more vehicles on site and all the employees and guests will be required to use the valet service during this time, except for the ADA parking spaces which must remain as self-parked at all times per the Building Code. The valet company that evaluated the site has been in business for over 50 years. Their proposal is to have two drivers on-site to manage all the parking. Six of the 12 new valet parking spaces will be located in the subterranean parking structure and the other six spaces will be provided at the rear parking lot – refer to Attachment No. 4 for the Valet Operation Statement and Parking Plan. The existing one-way circular driveway at the front of the building will be used as a loading/unloading area for visitors. Staff's vehicle pick-up and drop-off will take place on the subterranean parking structure driveway – see Figure 3 below for the Site Plan.

The property owner is also leasing five (5) parking spaces from the adjacent commercial site at 1505 S. Baldwin Avenue since they have six (6) extra parking spaces available beyond what the Code requires for their use. The five parking spaces will only be used by Arcadia Care Center staff and the shared parking agreement will remain in place while this Amendment is in place – refer to condition of approval no. 3. As for the rest of the business hours from 7:30 p.m. to 6:30 a.m., the site has sufficient parking for the employees as it has in the last two years during the pandemic. Staff confirmed with the Arcadia Police Department and Code Services and no complaints were received regarding any issues related to parking over the last two years.



During the valet hours, the operator will arrange the vehicles in a manner that provides sufficient space for circulation and will provide a turnaround area so that all vehicles can be safely maneuvered in and out of the parking lots. No vehicles shall be parked behind the ADA stalls nor in the fire lane.

The convalescent facility will continue to accommodate the capacity of the proposed amendment and will continue to be a compatible use with the surrounding residential properties and the adjacent convalescent/retirement facility. A condition has been placed on the project that if this Amendment creates any future parking impacts to the adjacent uses and/or streets, that the parking management plan and/or valet service maybe adjusted to mitigate any potential problems, or the City could require other solutions. The convalescent facility will still be required to comply with all the requirements regulated by the Los Angeles County Public Health Department and any State agencies that regulate the convalescent facility.

## **FINDINGS**

### **Conditional Use Permit**

Section 9107.09.050(B) of the Development Code requires that for an Amendment to a Conditional Use Permit to be granted, it must be found that all of the following prerequisite conditions can be satisfied:

- 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 Amendment to CUP No. 84-24 with the parking modification to increase the number of patients and beds within the existing convalescent facility is still consistent with the goals and provisions of the Arcadia General Plan and the Development Code in that the use will continue to provide a health care service to help the patients in need of short-term recovery and/or rehab after surgery or serious illness. The use of the convalescent facility will not change under this Amendment, and the additional beds for the new patients will comply with all the provisions of the Development Code since the new valet service and shared parking agreement with the adjacent property owner at 1505 S. Baldwin Avenue will help mitigate the parking deficiency from the new patients. Therefore, the Amendment to the CUP is consistent with the City's General Plan goals and policy and the Development Code in that the General Plan encourages the retention, rehabilitation, and development of diverse housing that meets people's needs in all stages of their lives.

**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 Arcadia Care Center has been in operation for over 60 years and the Amendment to CUP No. 84-24 will allow for more patients and beds within the existing facility, but the use will continue to be compatible with the surrounding uses since the operation is not changing and no expansion to the building footprint is being proposed. All of the rooms can accommodate the additional beds. Additionally, the proposed Amendment will not impact the overall operational characteristic of the convalescent facility or create a potential parking issue since this will be mitigated through a new valet service from 6:30 a.m. to 7:00 p.m., every day and a shared parking agreement for five (5) additional parking spaces off-site at 1505 S. Baldwin Avenue. A condition of approval allows the City to extend the hours for the valet service and/or other solutions to rectify the situation should the use create a potential impact to the nearby uses in terms of parking in the future. Therefore, the increase in patients and beds at this convalescent facility will continue to be compatible with 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 site is physically suitable to accommodate the proposed Amendment to CUP 84-24 for the additional 44 new patients and beds within the existing convalescent facility since they will be placed within the existing rooms and all of them have ample space to accommodate the extra beds. The Applicant/Property Owner will be required to bring the facility up into compliance with all the Fire and Building Code requirements. The valet service and the shared parking agreement with the adjacent property owner at 1505 S. Baldwin Avenue will help to ensure the required parking is met during their peak periods from 6:30 a.m. to 7:00 p.m., every day. The site will be required to meet all the accessibility requirements, including parking. Therefore, the site will be able to physically accommodate the Amendment to the existing convalescent facility and will continue to be suitable for the 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 the west side of S. Baldwin Avenue between Camino Real Avenue and Callita Street. These streets are still adequate in width and pavement type to carry the traffic generated by the existing convalescent facility and any emergency vehicle. Therefore, the Amendment will not impact these streets.

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

**Facts to Support This Finding:** The Fire Department has reviewed the Amendment and has included conditions of approval to ensure Fire and Building Code requirements are met as part of the increase in the number of patients and beds prior to clearance from the Fire Department. The Police Department has also reviewed the application and they do not have any concerns. Therefore, no impacts to public protection services are anticipated.

- 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 existing building was built with adequate utilities. No physical expansion or additional square footage is proposed to this building as part of the increase in the number of patients and beds, nor are any upgrades required. Therefore, no impacts to utilities 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 Amendment to CUP 84-24 will not change the overall operation of the use but it will allow the convalescent facility to continue to provide support to the local hospital and recovery care support to their patients. The business has shown that they could handle this additional capacity since the facility had provided the extra beds and patients during Covid to assist the nearby hospital with the overflow of patients who needed recovery and/or rehab under the State's Emergency Order. The amount of parking required for the additional beds will be accommodated by a new valet service and shared parking during the peak hours of the convalescent facility. Therefore, no potential impacts to parking are anticipated. The convalescent facility will continue to comply with all the requirements of the Los Angeles County Public Health Department and any State agencies that regulate the convalescent facility. As such, the Amendment to the convalescent facility will not create a nuisance or be materially injurious to the improvements, persons, property and uses within the site and vicinity, or the other surrounding residential and commercial properties, or detrimental to the general public health or welfare.

## **ENVIRONMENTAL ANALYSIS**

It has been determined that the amendment qualifies as a Class 1 Categorical Exemption per the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines for the use of an existing facility - refer to Attachment No. 5 for the Preliminary Exemption Assessment.

## **PUBLIC COMMENTS/NOTICE**

The item was originally scheduled for the August 9, 2022, Planning Commission Meeting, however, one of the property owners of the Arcadia HealthCare LLC requested to postpone the item since they wanted to change their leasing agreement with Arcadia Care Center. The 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 28, 2022, and again on September 15, 2022. Staff has not received any comments from either of the notices.

### **RECOMMENDATION**

It is recommended that the Planning Commission adopt Resolution No. 2103 approving Amendment to Conditional Use Permit No. CUP 84-24 with a parking modification to increase the number of patients and beds to from 117 to 161 and reduce the required parking from 67 to 54 spaces at the existing convalescent facility, and find that the project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), subject to the following conditions of approval:

1. The approval is limited to an Amendment to CUP 84-24 with a parking modification to increase the number of patients and beds from 117 to 161 within the existing convalescent facility. The use shall remain as a convalescent facility.
2. The Applicant/Property Owner shall enter into a contract for valet service and maintain valet service at all times while the Amendment to CUP 84-24 remains in place. Within 45 days from this approval, the Applicant/Property Owner shall submit a copy of the contract for the valet service and parking management plan to the Planning Division. The 45-day deadline may be extended upon approval by the Planning & Community Development Administrator, if the Applicant/Property Owner is showing good faith in negotiation and executing a contract with a valet company. The valet service hours shall begin at 6:30 AM and end no sooner than 7:00 PM, daily. The Planning & Community Development Administrator has the ability to extend the hours of the valet service and/or modify the parking management plan to address any parking concerns, provide new solutions if there is a potential impact, or remand this approval back to the Planning Commission for review and reconsideration of the use after due notice to the Applicant/Property Owner.
3. The Applicant/ Property Owner shall prepare a shared parking agreement for five (5) parking spaces between both properties at 1601 S. Baldwin Avenue and 1505 S. Baldwin Avenue and recorded against both properties in the Office of the Los Angeles County Recorder's Office prior to Building Final. Prior to their recordation, the Applicant/Property Owner shall submit the shared parking agreement to the City for review and approval by the City and shall obtain the City Attorney's approval therefor. For this purpose, the Applicant/Property Owner shall submit to the City with the proposed shared parking agreement a deposit of \$3,000 for purposes of such review, of which any funds remaining after review of the agreement by the City shall be returned to the Applicant/Property Owner.
4. All parking and access area pertaining to Americans with Disability Act ("ADA") and fire lane shall be kept clear at all times.

5. The subject site must provide at least three (3) accessible parking stalls and passenger loading/unloading area that complies with all applicable code sections under Chapter 11B of the California Building Code. The final parking plan must be approved by the City's Building Official prior to restriping the parking lot. This must be completed prior issuance of a final permit from Building Services.
6. All tenant improvement to the building shall require a Building Permit and must comply with any applicable Code sections from the following 2022 Building and Fire Code:
  - 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
7. The following plans shall be submitted to the Fire Department for the review and approval prior to an inspection:
  - a. An updated egress plan for the building. The egress plan must comply with the California Building Code Section Chapter 10 regulations.
  - b. A floor plan that shows the location of the new beds and furniture. The floor plan must comply with California Building Code sections 1225.5.1.2.1 and 1225.5.1.2.2 regulations.
  - c. A new storage plan that shows all the existing and new storage plans. The storage plan must comply with the California Building Code Section 1225.4.5 regulations.
8. The Applicant/Property owner shall build a new trash enclosure for the trash bins and if applicable, the enclosure and roof shall comply with National Pollutant Discharge Elimination System (NPDES).
9. Deliveries to the facility shall remain from 7:00 AM to 10:00 PM.
10. All City requirements in relation to ADA 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 Marshal, 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.

11. Noncompliance with the plans, provisions and conditions of approval for the Amendment to CUP 84-24 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the convalescent facility.
12. To the maximum extent permitted by law, Property Owner/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 Property Owner/Applicant’s activities in connection with Amendment to Conditional Use Permit No. CUP 84-24 with a parking modification (“Project”) on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Property Owner/Applicant’s contractors, agents, tenants, employees or any other persons acting on Property Owner/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 Property Owner/Applicant of the claim, action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Property Owner/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, Property Owner/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, Property Owner/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 Property Owner/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 Property Owner/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 Property Owner/Applicant.

13. Approval of Amendment to CUP 84-24 with a parking modification 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 Amendment to Conditional Use Permit Application No. CUP 84-24 with a parking modification, stating that the proposal satisfies the requisite findings and adopting the attached Resolution No. 2103 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 Amendment to Conditional Use Permit Application No. CUP 84-24 with a parking modification, 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 September 27, 2022, hearing, please contact Associate Planner, Vanessa Quiroz, at 626-574-5422, or by email at [vquiroz@ArcadiaCA.gov](mailto:vquiroz@ArcadiaCA.gov).

Approved:



Lisa L. Flores  
Planning & Community Development Administrator

- Attachment No. 1: Resolution No. 2103
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property and Surrounding Properties
- Attachment No. 3: Architectural Plans
- Attachment No. 4: Valet Operation Statement and Parking Plan
- Attachment No. 5: Preliminary Exemption Assessment

# **Attachment No. 1**

Resolution No. 2103

RESOLUTION NO. 2103

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. CUP 84-24 WITH A PARKING MODIFICATION AND A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") TO ALLOW ARCADIA CARE CENTER TO INCREASE THE NUMBER OF PATIENTS AND BEDS FROM 117 TO 161 AT THE EXISTING CONVALESCENT FACILITY LOCATED AT 1601 S. BALDWIN AVENUE

WHEREAS, on November 9, 2021, Arcadia Care Center, an existing convalescent facility, filed an application to amend their Conditional Use Permit No. CUP 84-24 with a parking modification to increase the number of patients and beds from 117 to 161 and reduce the required parking from 67 spaces to 54 spaces within the existing facility located at 1601 S. Baldwin Avenue ("Amendment"); and

WHEREAS, on February 22, 2022, Planning Services completed an environmental assessment for the Amendment in accordance with the California Environmental Quality Act ("CEQA") and determined that the Amendment is exempt under Class 1, Section 15301 of the CEQA Guidelines pertaining to the use of an existing facility; and

WHEREAS, on September 27, 2022, 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 27, 2022, 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 Amendment to CUP No. 84-24 with the parking modification to increase the number of patients and beds within the existing convalescent facility is still consistent with the goals and provisions of the Arcadia General Plan and the Development Code in that the use will continue to provide a health care service to help the patients in need of short-term recovery and/or rehab after surgery or serious illness. The use of the convalescent facility will not change under this Amendment, and the additional beds for the new patients will comply with all the provisions of the Development Code since the new valet service and shared parking agreement with the adjacent property owner at 1505 S. Baldwin Avenue will help mitigate the parking deficiency from the new patients. Therefore, the Amendment to the CUP is consistent with the City's General Plan goals and policy and the Development Code in that the General Plan encourages the retention, rehabilitation, and development of diverse housing that meets people's needs in all stages of their lives.

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 Arcadia Care Center has been in operation for over 60 years and the Amendment to CUP No. 84-24 will allow for more patients and beds within the existing facility, but the use will continue to be compatible with the surrounding uses since the operation is not changing and no expansion to the building footprint is being proposed. All of the rooms can accommodate the additional beds. Additionally, the proposed Amendment will not impact the overall operational characteristic of the convalescent facility or create a potential parking issue since this will be mitigated through a new valet service from 6:30 a.m. to 7:00 p.m., every day and a shared parking agreement for five (5) additional parking spaces off-site at 1505 S. Baldwin Avenue. A condition of approval allows the City to extend the hours for the valet service and/or other solutions to rectify the situation should the use create a potential impact to the nearby uses in terms of parking in the future. Therefore, the increase in patients and beds at this convalescent facility will continue to be compatible with 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 site is physically suitable to accommodate the proposed Amendment to CUP 84-24 for the additional 44 new patients and beds within the existing convalescent facility since they will be placed within the existing rooms and all of them have ample space to accommodate the extra beds. The Applicant/Property Owner will be required to bring

the facility up into compliance with all the Fire and Building Code requirements. The valet service and the shared parking agreement with the adjacent property owner at 1505 S. Baldwin Avenue will help to ensure the required parking is met during their peak periods from 6:30 a.m. to 7:00 p.m., every day. The site will be required to meet all the accessibility requirements, including parking. Therefore, the site will be able to physically accommodate the Amendment to the existing convalescent facility and will continue to be suitable for the 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 the west side of S. Baldwin Avenue between Camino Real Avenue and Callita Street. These streets are still adequate in width and pavement type to carry the traffic generated by the existing convalescent facility and any emergency vehicle. Therefore, the Amendment will not impact these streets.

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

FACT: The Fire Department has reviewed the Amendment and has included conditions of approval to ensure Fire and Building Code requirements are met as part of the increase in the number of patients and beds prior to clearance from the Fire Department. The Police Department has also reviewed the application and they do not have any concerns. Therefore, no impacts to public protection services are anticipated.

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 existing building was built with adequate utilities. No physical expansion or additional square footage is proposed to this building as part of the increase in the number of patients and beds, nor are any upgrades required. Therefore, no impacts to utilities 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.

FACT: The Amendment to CUP 84-24 will not change the overall operation of the use but it will allow the convalescent facility to continue to provide support to the local hospital and recovery care support to their patients. The business has shown that they could handle this additional capacity since the facility had provided the extra beds and patients during Covid to assist the nearby hospital with the overflow of patients who needed recovery and/or rehab under the State's Emergency Order. The amount of parking required for the additional beds will be accommodated by a new valet service and shared parking during the peak hours of the convalescent facility. Therefore, no potential impacts to parking are anticipated. The convalescent facility will continue to comply with all the requirements of the Los Angeles County Public Health Department and any State agencies that regulate the convalescent facility. As such, the Amendment to the convalescent facility will not create a nuisance or be materially injurious to the improvements, persons, property and uses within the site and vicinity, or the other

surrounding residential and commercial properties, or detrimental to the general public health or welfare.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act (“CEQA”), this Amendment to CUP No. 84-24 to allow 44 additional patients and beds with a parking modification is categorically exempt from CEQA under Class 1 Categorical Exemption per Section 15301 of the CEQA Guidelines as the use of an existing facility.

SECTION 4. For the foregoing reasons the Planning Commission determines that the proposed changes are Categorical Exempt per Class 1, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines and approves the Amendment to Conditional Use Permit No. CUP 84-24 with a parking modification to allow Arcadia Care Center, an existing convalescent facility, to increase the number of patients and beds from 117 to 161 and reduce the required parking from 67 to 54 spaces at 1601 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 27th day of September 2022.

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Brad Thompson  
Chair, Planning Commission

ATTEST:

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Lisa L. Flores  
Secretary

APPROVED AS TO FORM:

Stephen P. Deitsch

Stephen P. Deitsch  
City Attorney

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RESOLUTION NO. 2103

**Conditions of Approval**

1. The approval is limited to an Amendment to CUP 84-24 with a parking modification to increase the number of patients and beds from 117 to 161 within the existing convalescent facility. The use shall remain as a convalescent facility.
2. The Applicant/Property Owner shall enter into a contract for valet service and maintain valet service at all times while the Amendment to CUP 84-24 remains in place. Within 45 days from this approval, the Applicant/Property Owner shall submit a copy of the contract for the valet service and parking management plan to Planning Services. The 45-day deadline may be extended upon approval by the Planning & Community Development Administrator, in his/her sole discretion, if the Applicant/Property Owner is showing good faith in negotiation and executing a contract with a valet company. The valet service hours shall begin at 6:30 AM and end at 7:00 PM, daily. The Planning & Community Development Administrator has the ability to extend the hours of the valet service and/or modify the parking management plan to address any parking concerns, provide new solutions, or remand this approval back to the Planning Commission for review after due notice to the Applicant/Property Owner.
3. The Applicant/ Property Owner shall prepare a shared parking agreement for five (5) parking spaces between both properties at 1601 S. Baldwin Avenue and 1505 S. Baldwin Avenue and recorded against both properties in the Office of the Los Angeles County Recorder's Office prior to Building Final. Prior to their recordation, the Applicant/Property Owner shall submit the shared parking agreement to the City for review and approval by the City and shall obtain the City Attorney's approval therefor. For this purpose, the Applicant/Property Owner shall submit to the City with the proposed shared parking agreement a deposit of \$3,000 for purposes of such review, of which any funds remaining after review of the agreement by the City shall be returned to the Applicant/Property Owner.
4. All parking and access area pertaining to Americans with Disability Acts ("ADA") and fire lane shall be kept clear at all times.
5. The subject site must provide at least three (3) accessible parking stalls and passenger loading/unloading area that complies with all applicable code sections under Chapter 11B of the California Building Code. The final parking plan must be approved by the City's Building Official prior to restriping the parking lot. This must be completed prior issuance of a final permit from Building Services.
6. All tenant improvement to the building shall require a Building Permit and must comply with any applicable Code sections from the following 2022 Building and Fire Code:

- 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
7. The following plans shall be submitted to the Fire Department for the review and approval prior to an inspection:
    - a. An updated egress plan for the building. The egress plan must comply with the California Building Code Section Chapter 10 regulations.
    - b. A floor plan that shows the location of the new beds and furniture. The floor plan must comply with California Building Code sections 1225.5.1.2.1 and 1225.5.1.2.2 regulations.
    - c. A new storage plan that shows all the existing and new storage plans. The storage plan must comply with the California Building Code Section 1225.4.5 regulations.
  8. The Applicant/Property owner shall build a new trash enclosure for the trash bins and if applicable, the enclosure and roof shall comply with National Pollutant Discharge Elimination System (NPDES).
  9. Deliveries to the facility shall remain from 7:00 AM to 10:00 PM.
  10. All City requirements in relation to the ADA 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 Marshal, 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.
  11. Noncompliance with the plans, provisions and conditions of approval for the Amendment to CUP 84-24 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the convalescent facility.
  12. To the maximum extent permitted by law, Property Owner/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 Property Owner/Applicant's activities in connection with Amendment to Conditional Use Permit No. CUP 84-24 with a parking modification ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Property Owner/Applicant's contractors, agents, tenants, employees or any other persons acting on Property Owner/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 Property Owner/Applicant of the claim, action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Property Owner/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, Property Owner/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, Property Owner/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 Property Owner/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 Property Owner/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 Property Owner/Applicant.

13. Approval of Amendment to CUP 84-24 with a parking modification 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.

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# **Attachment No. 2**

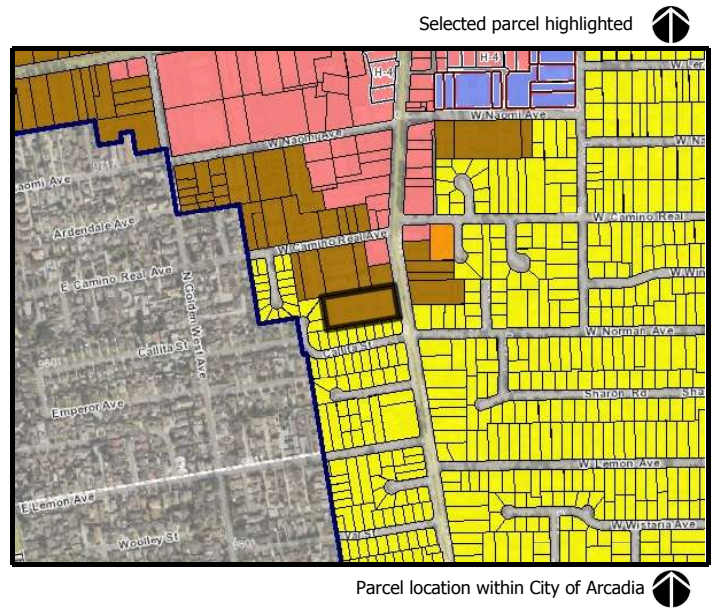
Aerial Photo and Zoning Information  
and Photos of the Subject Property and  
Surrounding Properties

**Site Address: 1601 S BALDWIN AVE**

**Property Owner(s): Property Owner**



Property Characteristics	
<b>Zoning:</b>	R-3
<b>General Plan:</b>	HDR
<b>Lot Area (sq ft):</b>	
<b>Main Structure / Unit (sq. ft.):</b>	44,643
<b>Year Built:</b>	1962
<b>Number of Units:</b>	0
Overlays	
<b>Architectural Design Overlay:</b>	N/A
<b>Downtown Overlay:</b>	N/A
<b>Downtown Parking Overlay:</b>	N/A
<b>Parking Overlay:</b>	N/A
<b>Racetrack Event Overlay:</b>	N/A
<b>Residential Flex Overlay:</b>	N/A
<b>Special Height Overlay:</b>	N/A





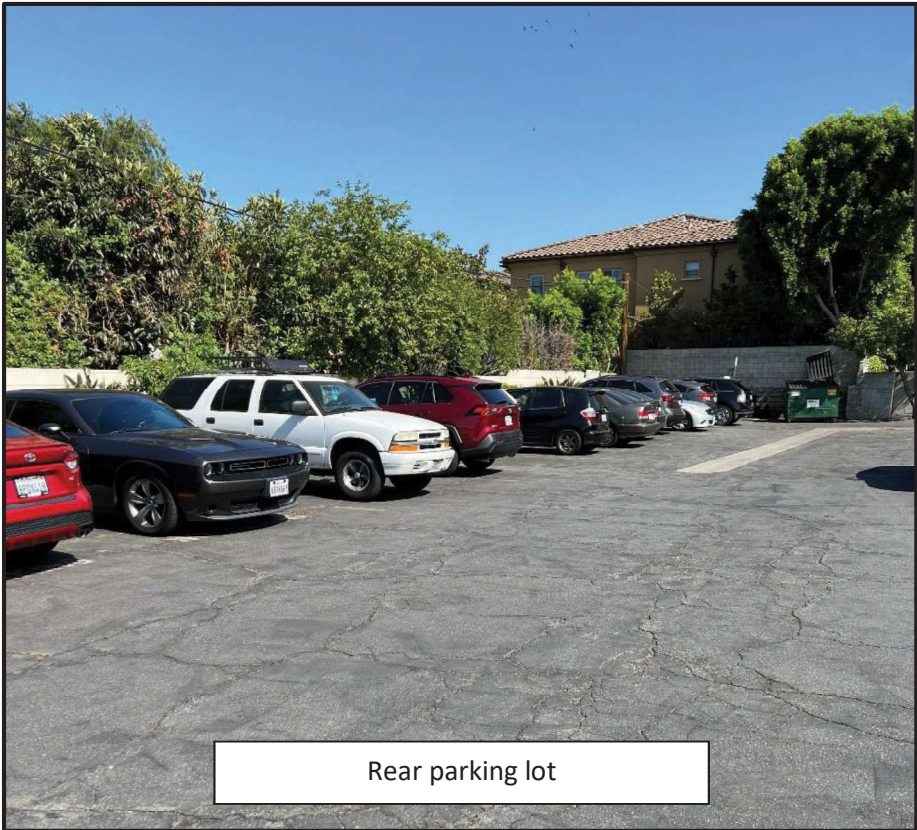
Subject Site: Arcadia Care Center



Interior courtyard



Interior courtyard



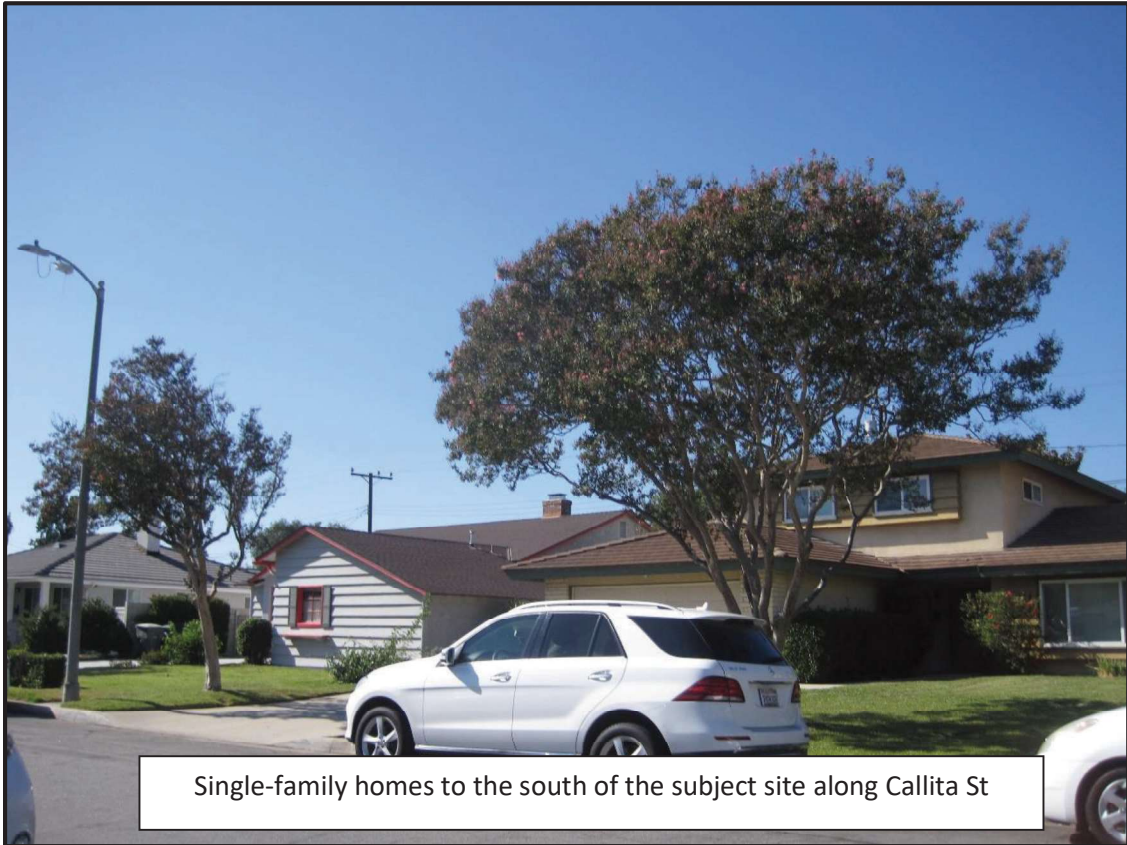
Rear parking lot



Basement parking lot



Single-family homes to the south of the subject site along Callita St



Single-family homes to the south of the subject site along Callita St



Single-family home to the south of the subject site along Callita St



Single-family home to the south of the subject site along Callita St



Single-family home to the south of the subject site along Callita St



Single-family home to the south of the subject site along Callita St



Single-family home to the south of the subject site along Callita St



Single-family homes to the rear of the subject site along Cambury Ave



Single-family home across the street of the subject site along S. Baldwin Ave



Single-family home across the street of the subject site along S. Baldwin Ave



Multifamily development across the street of the subject site along S. Baldwin Ave



Multifamily development across the street of the subject site along S. Baldwin Ave



Multifamily development across the street of the subject site along S. Baldwin Ave



Adjacent convalescent home/retirement facility to the north at 720 W. Camino Real Ave –  
Building frontage along W. Camino Real Ave



Adjacent convalescent home/retirement facility to the north at 720 W. Camino Real Ave –  
Building section fronting S. Baldwin Ave





Commercial site at the corner of S. Baldwin Ave and W. Camino Real Ave



Commercial site at the corner of S. Baldwin Ave and W. Camino Real Ave

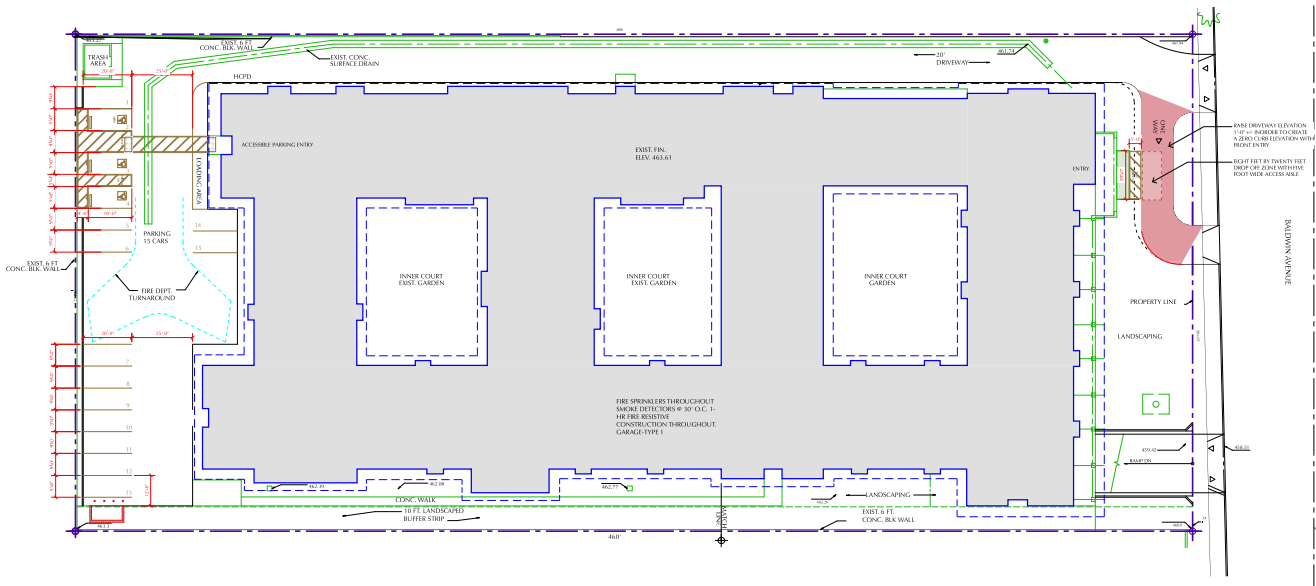
# **Attachment No. 3**

## Architectural Plans

Arcadia  
Care Center

Conditional Use  
Permit

1601 S. Baseline Ave • Arcadia, CA • 91006



REFERENCE PLAN

Site Plan  
Option 2

All design, title, and graphics are prepared by these drawings and specifications are the property and copyright of the architect and shall remain the work of art. All other work shall be the responsibility of the client.

Scale	
Plot Number	18-21
Project Address	1601
Drawn By	LS
Checked By	MS
Approval Date	10/18/2011

Printed: 10/18/2011  
PLAN APPROVAL STAMP:

A-1

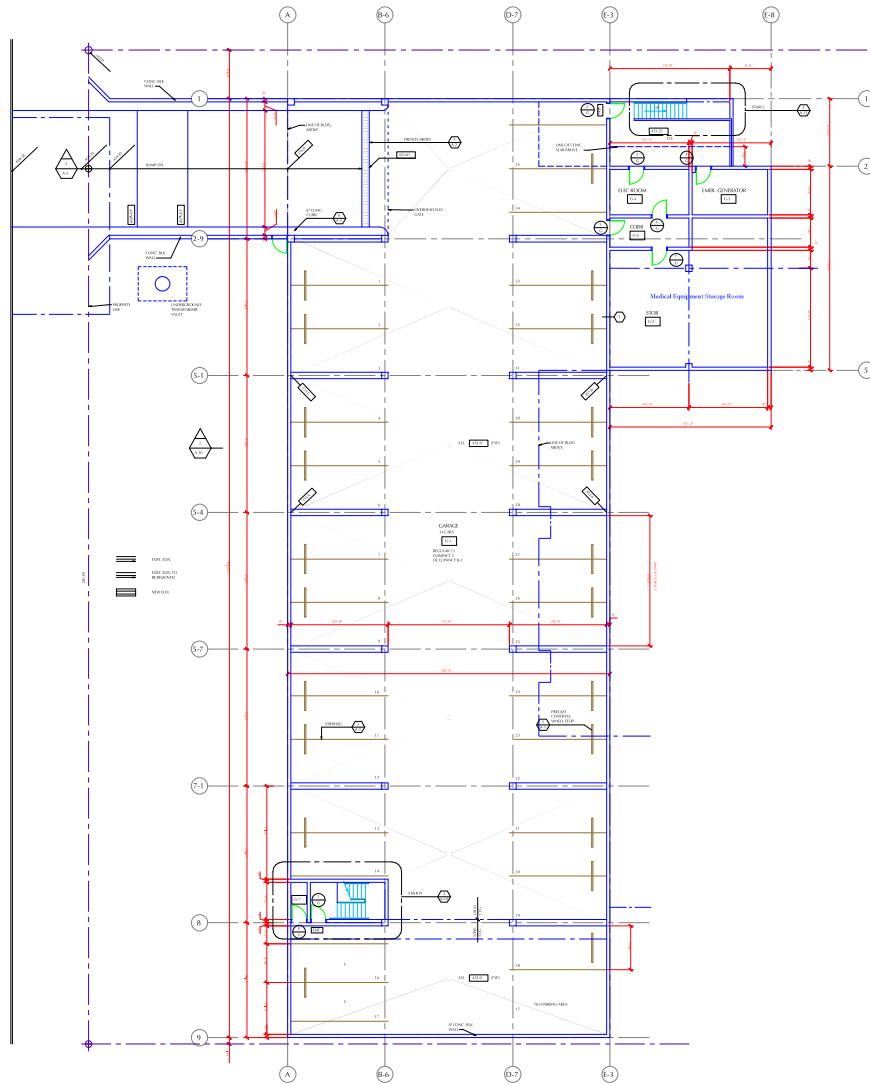
SITE PLAN  
SCALE: 1/8" = 1'-0"



4







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



4

Arcadia  
Care Center

Conditional Use  
Permit

1601 S Baldwin Ave • Arcadia, CA • 91006



REFERENCE PLAN

Garage Plan

All designs, drawings, specifications and plans are the property of MJP arca, inc. and shall remain the property of the architect and shall not be used for any other work, or be allowed to any other person for any other purpose without written permission from MJP arca, inc.

Scale	AS-BUILT
Job Number	19-31
Client/Architect	MJP
Project No.	19
Revision No.	001

Submitted Date: 03.18.2021

PLAN APPROVAL STAMP:

A-3

**Attachment No. 4**  
Valet Operation Statement  
and Parking Plan

Donald Roberts  
Valet Parking Service  
*Established 1969*

9/5/2022

Donald Roberts  
Valet Parking  
P.O. Box 3810  
South Pasadena  
California, 91031

Donald Roberts Valet Parking Service has done a revised assessment, September 5, 2022 on the parking availability of Arcadia Care Center located at 1601 South Baldwin Ave Arcadia CA 91007.

Currently the facility utilizes 35 spots in the underground parking and 18 spots in the rear parking.

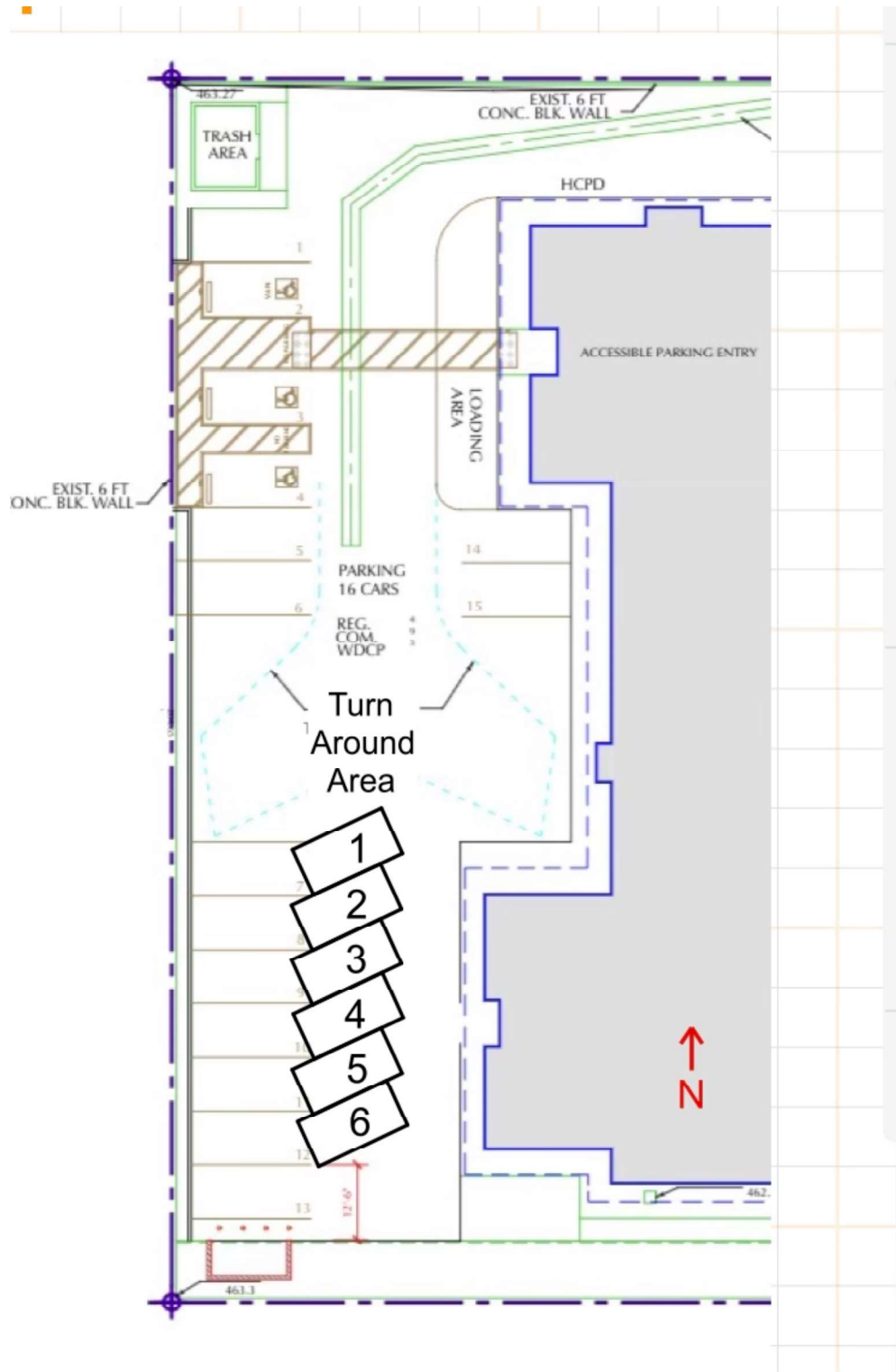
This assessment has resulted as follows:

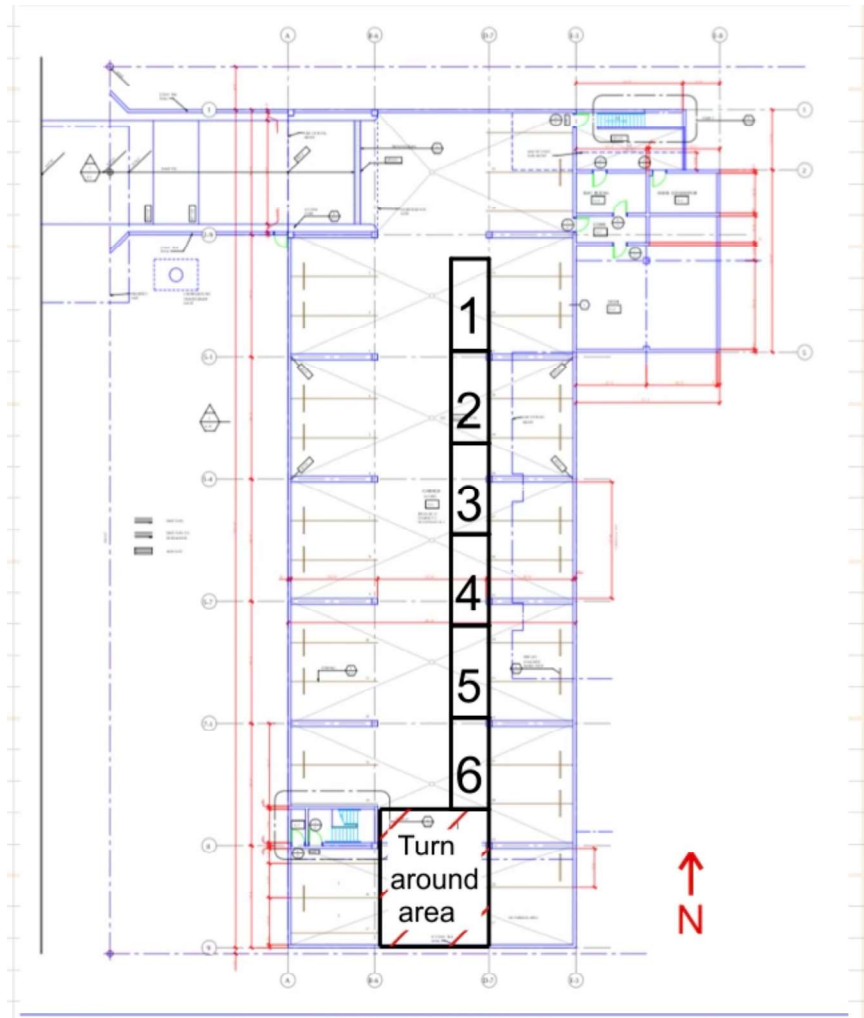
With valet personnel and utilizing a tandem parking structure, we can add an additional 6 parking spots in the underground parking lot and an additional 6 parking spots in the rear. Additionally, we have been informed that the Medical Offices on the corner of Baldwin Ave. and Camino Real has provided 5 additional parking spots, which currently aren't being utilized. Totaling 17 additional spots.

The process will work as follows:

There will be 2 valet attendants starting at 6:45am, receiving the first shift of staff who begin at 7am. The valet will run for 9 hours a day, allowing the valet to assist the exiting shift at 3pm and the incoming shift at 3:30pm.

This assessment was done  
By Luis Espinoza  
Reviewed by Donald Roberts





**Attachment No. 5**  
Preliminary Exemption Assessment



CITY OF  
ARCADIA

## PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	Amendment to CUP 84-24 with a parking modification to allow the increase in the number of patients and beds from 117 to 164 and a parking reduction from 68 to 55 parking spaces for the existing convalescent facility (dba: Arcadia Care Center)	
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):	1601 S. Baldwin Avenue between Camino Real Avenue and Callita Street	
3. Entity or person undertaking project:	A. Keith Levine, Arcadia Care Center	1601 S. Baldwin Avenue, Arcadia CA 91007
	B. Other (Private)	
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: February 22, 2022

Staff: Vanessa Quiroz, Associate Planner



**ARCADIA PLANNING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, JULY 26, 2022**

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**CALL TO ORDER** Chair Lin called the meeting to order at 7:00 p.m.

**ROLL CALL**

PRESENT: Chair Thompson, Vice Chair Tsai, Commissioner Hui, Commissioner Tallerico, and Commissioner Wilander

ABSENT: None

**SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS**

Ms. Flores notified the Commission that a revised Resolution for item No. 1 has been distributed.

**PUBLIC COMMENTS (5 minute time limit per person)**

There were none.

**PUBLIC HEARING**

- 1. Resolution No. 2101** – Recommending that the City Council approve Text Amendment No. TA 22-02 (Ordinance No. 2390) amending various sections of Arcadia’s Development Code related to new Objective Design Standards for Multi-Family and Mixed-Use Development, updates to the Density Bonus Ordinance, and Minor Changes to the Accessory Dwelling Unit Ordinance with a Categorical Exemption from the California Environmental Quality Act

**Recommendation:** Adopt Resolution No. 2101

**Applicant:** City of Arcadia

**MOTION- PUBLIC HEARING**

Chair Thompson introduced the item and Planning Manager Fiona Graham presented the proposed text amendment with Scott Martin from RRM Design Group who assisted City staff with this effort.

Vice Chair Tsoi said he read through SB 330 and he wanted to confirm his understanding that housing occupied by low income tenants needs to be replaced under SB 330. Ms. Graham confirmed that he was correct.

Commissioner Hui asked will the new Objective Design Standards become effective once they have been approved. Ms. Graham answered that once the standards are adopted by City Council, they will go into effect thirty days later and would apply to all new applications after the effective date. Commissioner Hui also asked for further explanation how the Objective Design Standards would allow driveways that do not face the street without requiring additional space for more maneuvering. Mr. Martin clarified that the non-street facing garages would apply only to multi-family projects, not single-family homes, and added that the intent is to provide a common access point for the units without having multiple driveways facing the street.

Chair Thompson asked if there were more Objective Design Standards than the four shown in the Staff Report. Mr. Martin clarified that the four items in the Staff Report were shown as examples of how an existing design guideline was changed into an objective design standard, and that there are many more standards than those four. Chair Thompson also asked why the City would allow a waiver of up to three Standards. Ms. Flores explained the waivers will allow for some flexibility when certain standards do not fit with a project's overall design, and they are reviewed on a case-by-case basis.

There were no public comments.

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

## **DISCUSSION**

Commissioner Wilander commented that the proposed objective standards will provide many more details that are important to maintaining the quality of housing that Arcadia is known for while complying with State law.

Vice Chair Tsoi and Commissioner Tallerico agreed with Commissioner Wilander and were in support of making a recommendation to City Council in support of the proposed Text Amendments.

Commissioner Hui asked how the additional housing units will affect the water supply since the State is currently in a drought. Commissioner Wilander added that if the City allowed desert landscaping, that it could help further reduce water use. Ms. Flores responded that elements of desert landscape can be used in conjunction with other drought tolerant landscaping. Mr. Kruckeberg added that while complete desert landscaping is not allowed, drought tolerant landscaping is encouraged on all projects.

Chair Thompson added that the proposed Text Amendments are consistent with both the Housing Element and General Plan and agreed with the rest of the Commission that they would bring the Development Code into compliance with State law while also maintaining the design integrity the City is known for.

## **MOTION**

It was moved by Chair Thompson, seconded by Commission Wilander that the Planning Commission recommends City Council to approve Text Amendment No. TA 22-02 (Ordinance No. 2390) amending various sections of Arcadia's Development Code related to new Objective Design Standards for Multi-Family and Mixed-Use Development, updates to the Density Bonus Ordinance, and Minor Changes to the Accessory Dwelling Unit Ordinance with a Categorical Exemption from the California Environmental Quality Act

## **ROLL CALL**

AYES: Chair Thompson, Vice Chair Tsoi, Hui, Tallerico, Wilander  
NOES: None

## **CONSENT CALENDAR**

2. Minutes of the June 28, 2022, Regular Meeting of the Planning Commission

**Recommendation:** Approve

It was moved by Commissioner Wilander, seconded by Vice Chair Tsoi to approve the minutes of the June 28, 2022, Planning Commission Regular Meeting.

**ROLL CALL**

AYES: Chair Thompson, Vice Chair Tsoi, Hui, Tallerico, Wilander  
NOES: None

**MATTERS FROM CITY COUNCIL LIAISON**

Council Member Sho Tay welcomed the two new Planning Commissioners.

**MATTERS FROM THE PLANNING COMMISSIONERS**

Commissioner Wilander shared an upcoming local event with the Commission.

**MATTERS FROM ASSISTANT CITY ATTORNEY**

Mr. Mauer welcomed the new Commissioners and provided them with a brief overview of how the meetings are run and how to make a motion on an item.

**MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS**

Ms. Flores informed the Commission that there is one item scheduled for the next meeting and informed them of the orientation meeting she had with each of the new Commissioners.

**ADJOURNMENT**

The Planning Commission adjourned the meeting at 7:44 p.m., to Tuesday, August 9, 2022, at 7:00 p.m. in the City Council Chamber.

\_\_\_\_\_  
Brad Thompson  
Chair, Planning Commission

ATTEST: \_\_\_\_\_  
Lisa Flores  
Secretary, Planning Commission