

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, September 12, 2023, 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。

CALL TO ORDER

ROLL CALL

Vincent Tsoi, Chair
Marilynne Wilander, Vice Chair
David Arvizu, Commissioner
Angela Hui, Commissioner
Domenico Tallerico, 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 at 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. 2133** – Approving Tentative Parcel Map No. TPM 22-03 (84027) to subdivide the airspace for an approved three-unit multi-family residential condominium development at 709 S. Second Avenue
CEQA: Exempt
Recommendation: Adopt

Applicant: Philip Chan

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, September 25, 2023.

2. **Resolution No. 2128** – Approving Tentative Parcel Map No. TPM 23-03 (84177) to subdivide a 67,870 square foot single-family residential parcel into two legal lots at 1014 Hampton Road
CEQA: Exempt
Recommendation: Adopt

Applicant: Robert Tong

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, September 25, 2023.

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 August 22, 2023, Regular Meeting of the Planning Commission

Recommendation: Approve

MATTERS FROM CITY COUNCIL LIAISON

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 26, 2023, 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. Copies of individual Agenda Reports are available via email upon request (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.

欢迎来到阿卡迪亚规划委员会会议！

规划委员会鼓励公众参与并诚邀您分享对市政业务的看法。

会议：规划委员会的例会于每月的第二个及第四个星期二下午七时在市议会会议厅举行。可在市政厅、阿卡迪亚公共图书馆 (Arcadia Public Library) 和市政网站 (www.ArcadiaCA.gov) 上查阅包含所有备份信息的完整的规划委员会议程包。个人议程报告的副本可通过电子邮件的方式 (Planning@ArcadiaCA.gov) 索取。本议程发布后，分发至大多数规划委员会的文件可在规划服务办公室 (地址：City Hall, 240 W. Huntington Drive, Arcadia, California) 查阅。

公民参与：欢迎并邀请您参加规划委员会的所有会议。每次例会都为希望向规划委员会发表意见的听众预留时间。本市政要求向规划委员会发表意见的个人不得发表人身攻击、诽谤、亵渎或破坏性言论。当主持人邀请想要发言之人上台发言时，请说出自己的姓名和地址，以便记录。请向规划委员会提供您所在地址所使用的任何书面材料的副本，以及您希望分发给规划委员会的任何印刷材料的副本。

未列入日程的事项应在“公众征求意见”所指定的时间提出。一般而言，每位发言者都将获得 (5) 分钟的时间来向规划委员会表达自己的意见；但是主持人可以酌情缩短发言时间，以便可以让所有发言者都可以向规划委员会表达自己的想法。**根据州法律，规划委员会不得讨论或就议程外事项进行投票。此事项将自动提交至工作人员采取适当地行动或回应，或将列入今后会议的议程。**

公众听证会或上诉是需要或希望公众发表意见的计划项目。除了申请人或上诉人（规划委员会可酌情延长其发言时间）外，每位发言者的发言时间不得超过 (5) 分钟。市长可以酌情缩短发言时间，确保所有发言者都可以向市议会表达意见。申请人或上诉人也可获得额外的反驳意见机会。

议程事项：该议程包括规划委员会的正常议事日程。市政工作人员一般会在会议前审查和调查议程内事项，以便规划委员会在作出决定前充分了解有关事项。

获准日历：“获准日历”上所列事项被规划委员会视为例行公事，可通过一项动议采取行动。除非规划委员会成员、工作人员或公众要求，否则不会单独讨论这些事项。若出现这一情况，则该事项将从“获准日历”中删除，并对其进行单独审议和行动。

礼节：虽然公众可以自由地批评城市政策以及规划委员会或其成员的行动或拟议的行动，但公众不得采取破坏诉讼有序进行的行为，包括但不限于阻止其他听众在有机会发言时发表意见的行为，或阻止听众听到或看到诉讼进程。公众不得以人身伤害威胁任何人，或以可合理地解释为迫在眉睫的人身伤害威胁的方式行事。所有参加会议的人都应遵守本市的政策，禁止基于个人的种族、宗教信仰、肤色、国籍、血统、身体残疾、医疗状况、婚姻状况、性别、性取向或年龄而进行骚扰。警务处处长或警务处的此类成员可担任规划委员会会议的警卫官。警卫官应执行主持会议的官员为维持会议秩序和礼仪而发出的所有命令和指示。任何违反会议秩序和礼仪的人均可被逮捕，并可根据《刑法典》第403条或适用的《阿卡迪亚市政法典》相关部分的规定对其提起诉讼。



STAFF REPORT

Development Services Department

DATE: September 12, 2023

TO: Honorable Chairman and Planning Commission

FROM: Lisa Flores, Deputy Development Services Director
By: Alison MacCarley, Assistant Planner

SUBJECT: RESOLUTION NO. 2133 - APPROVING TENTATIVE PARCEL MAP NO. TPM 22-03 (84027) TO SUBDIVIDE THE AIRSPACE FOR AN APPROVED THREE-UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 709 S. SECOND AVENUE
CEQA: Exempt
Recommendation: Adopt

SUMMARY

The Applicant, Philip Chan, on behalf of the property owner Westlake Arcadia, LLC is requesting approval of Tentative Parcel Map Application No. TPM 22-03 (84027) to subdivide the airspace of a 7,986 square foot parcel for an approved three-unit residential condominium development located at 709 S. Second Avenue. The three-unit condominium project (Multi-Family Architectural Design Review No. MFADR 22-19) was approved by the City on February 17, 2023.

The proposed subdivision is consistent with the City's General Plan, Development Code and Subdivision Map Act. It is recommended that the Planning Commission adopt Resolution No. 2133 (Attachment No. 1) and find that his project is Categorically Exempt under CEQA and approve Tentative Parcel Map No. TPM 22-03 (84027), subject to the conditions listed in the staff report.

BACKGROUND

The subject site is a 7,986 square foot interior lot on the east side of the block between Genoa Street and Alice Street. and it is zoned High Density Residential (R-3) with a General Plan Land Use Designation of High Density Residential (refer to Attachment No. 2). The Multi-family Architectural Design Review MFADR No. 22-09 project was

conditionally approved on February 17, 2023, through the SB 330 process, which streamlines the review if the housing projects complies with all the zoning regulations and objective design review standards in the Development Code. This bill was part of the Housing Crisis Law that went into effect in 2019 to increase housing production.

The project is currently in plan check with the Building Services to develop an attached, three-story, three-unit development. The Applicant has filed the map so that the condominiums could be sold off individually. The 3-unit condominium project that was approved varied in size from 1,866 square feet to 2,013 square feet. Each of the units has an attached two-car garage at grade level – refer to Figure 1 below that shows the approved site plan of the development.

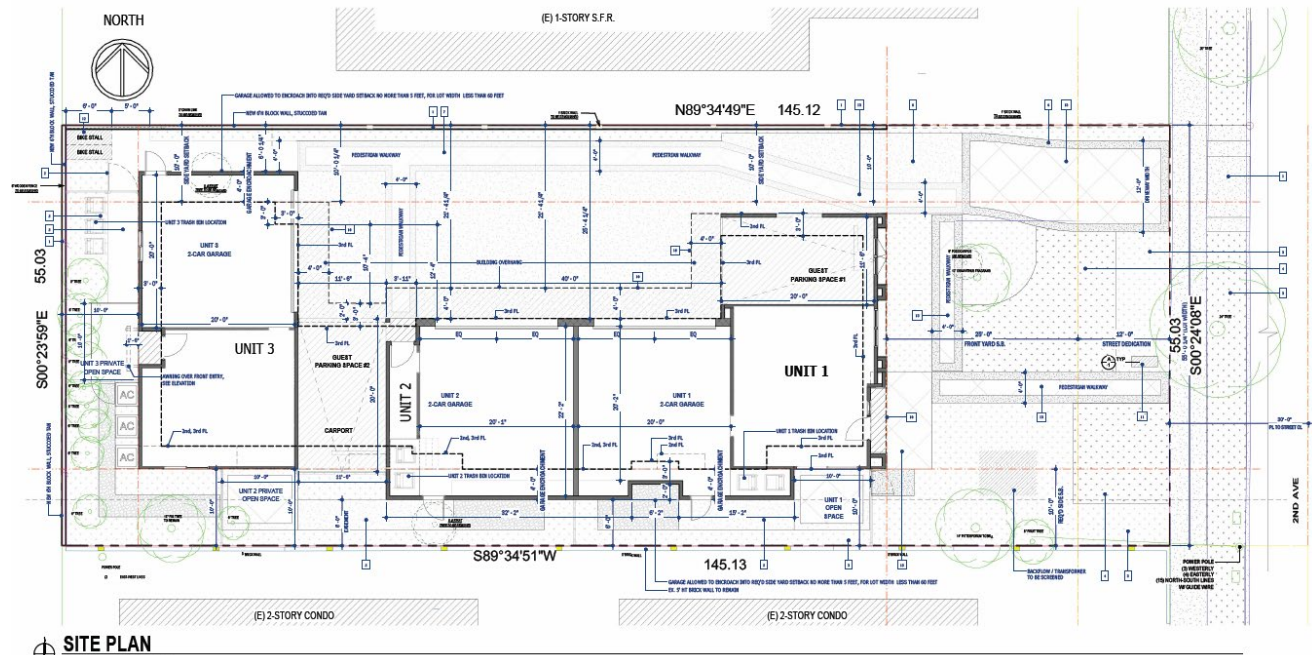


Figure 1: Approved Site Plan for 709 S. 2nd Avenue

ANALYSIS

The R-3 zone requires a minimum density of one dwelling unit per 2,200 square feet of lot area, and a maximum density of one unit per 1,450 square feet of lot area. The subject property measures 7,986 square feet in lot area. However, as part of the development, a 12-foot dedication will be required along the property frontage, which measures approximately 661 square feet, resulting in a new lot size of 7,325 square feet. For the purposes of calculating density, the proposed dedication was removed from the total lot area. This calculates to a minimum density of three (3) units and a maximum of five (5) units for the subject site; therefore, the approved three (3) unit development complies with the minimum density requirements of the underlying R-3 zone.

There have been no changes to the project site, applicable standards, or environmental setting of the project that would negate its eligibility to be subdivided into airspace for condominiums. Approval of the tentative parcel map will allow the applicant to move forward with the subdivision process to create the airspace for the three condominium units.

FINDINGS

The proposal to subdivide the airspace for an approved three-unit residential condominium development requires a subdivision through the Tentative Parcel Map process. The proposed subdivision complies with the subdivision regulations of the Arcadia Municipal Code and the Subdivision Map Act and would not violate any requirements of the California Regional Water Quality Control Board. The following findings are required for approval of a Tentative parcel map:

A. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable specific plan, and the Subdivisions Division of the Development Code.

Facts in Support of the Finding: The proposed tentative parcel map for an approved three (3) unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan, Development Code, and the State's Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan High Density Residential Land Use designation and the R-3, High Density Multiple Family Residential zoning designation. These designations are intended to accommodate high density, attached or detached residential units such as condominiums, within the appropriate neighborhoods. The proposed tentative parcel map complies with the Subdivision Map Act regulations, and there is no specific plan applicable to this Map. The site is physically suitable for the approved condominium project. The Map would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goal and policy:

Land Use and Community Design Element

- Policy LU-1.1: Promote new infill and redevelopment projects that are consistent with the City's land use and compatible with surrounding existing uses.

B. The site is physically suitable for the type and proposed density of development.

Facts in Support of the Finding: The R-3 Zone requires a minimum density of one dwelling unit per 2,200 square feet of lot area, and a maximum density of one unit per 1,450 square feet of lot area. Based on the lot area of 7,325 square feet,

a minimum of three (3) units and a maximum of five (5) units could be developed at this site. Therefore, the approved three (3) unit development complied with the density requirements of the underlying zone, as well as all other applicable zoning requirements including but not limited to parking, setbacks, height, and open space. The site is physically suitable for the three (3) unit multi-family residential development.

C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Facts in Support of the Finding: The tentative parcel map for three (3) multi-family residential units is a subdivision of an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. The subdivision would not cause substantial environmental damage or impact wildlife.

D. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.

Facts in Support of the Finding: The subdivision is to subdivide the airspace of three (3) units for condominium purposes. The construction would be in compliance with all applicable Building and Fire Codes to ensure public health and safety. The approved three (3) unit development complied with the density requirements of the underlying zone, and the City's existing infrastructure would adequately serve the new development. Therefore, the subdivision would not cause any public health or safety problems.

E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision).

Facts in Support of the Finding: There is an existing five-foot wide utility easement that runs parallel to another six-foot Edison easement for utility purposes, which are both owned by California Edison along the south side of the property line. The approved development does not conflict with the existing easements, as acquired by the public at large for access through or use of property within the proposed subdivision.

F. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements specified by the California Regional Water Quality Control Board.

Facts in Support of the Finding: The Arcadia Public Works Services Department determined that the City’s existing infrastructure would adequately serve the new development, and the requirements of the California Regional Water Quality Control Board would be satisfied.

G. That the proposed design and site improvements of the subdivision conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

Facts in Support of the Finding: The approved development and the proposed subdivision of the airspace for the multi-family development is in conformance with the City’s Development Code, as all development standards are being met, and all of the improvements required for the site would comply with the regulations in the City’s Development Code and requirements of any public agency having jurisdiction by law.

ENVIRONMENTAL IMPACT

The proposed subdivision will subdivide the airspace for a three-unit residential condominium development and will consist of four or fewer parcels; will comply with the General Plan and subject zoning, it will not require variances or exceptions; access and services to proposed parcels will be maintained; the parcel has not been involved in the division of a larger parcel within the past two (2) years, and the parcel does not have an average slope of greater than 20 percent. Therefore, the subdivision is exempt under Class 15 (Minor Land Divisions) pursuant to Section 15315 of the State California Environmental Quality Act (CEQA) Guidelines.

PUBLIC COMMENTS/NOTICE

The tenants were notified of this development back on December 12, 2022. Since then, the property is now vacant. A public hearing notice for this item was posted at the City Clerk’s Office, City Council Chambers, at the Arcadia Library, and on the City’s website on August 31, 2023. It was also mailed to the property owners located within 300 feet of the subject property. As of September 8, 2023, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission conditionally approve Tentative Parcel Map No. 22-03 (84027) and find that the Map is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2133, subject to the following conditions of approval:

1. The Map shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans and materials conditionally approved for Multiple-Family Architectural Design Review No. MFADR 22-09 and Tentative Parcel Map No. 22-03 (84027) subject to the approval of the Deputy Development Services Director, or designee.
2. Prior to approval of the Final Map the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Map and the following item(s)
 - Remove and replace existing sidewalk, curb and gutter from property line to property line.
 - Construct a new driveway approach per City Standard plan.
 - Dedicate 12 feet of additional right-of-way to the City of Arcadia along Second Avenue from property line to property line. Any proposed private sewer and drainage structures shall be placed on property behind the newly established property line.
3. Prior to occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, per the direction of the City Engineer. If the street is under the City's pavement moratorium list, the repair may extend from curb to curb, per the direction of the City Engineer.
4. All City requirements shall be complied with to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Public Works Services Director, and the Fire Marshal.
5. The Applicant/Property Owner shall comply with all conditions of approval that is applicable to the condominiums, as approved by the Development Services Department for MFADR 22-09.
6. 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 Deputy Development Services Director, 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.
7. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the 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 Tentative Parcel Map Application No. TPM 22-03 (84027) (“Map”) on the Map 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 Map. 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 Map.

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 Map, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. 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, the Applicant shall provide to the 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. The 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/Property Owner shall replenish the deposit each and every time in order for City’s legal team to continue working on the matter. The City shall only refund to the Applicant/Property Owner 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. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Map, this condition shall remain in effect if the entitlement(s) related to this Map is rescinded or revoked, at the request of the Applicant or not.

8. Approval of Tentative Parcel Map Application No. TPM 22-03 (84027) 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 executed Acceptance Form submitted 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 subdivision, the Commission should move to approve Tentative Parcel Map No. 22-03 (84027), state the subdivision satisfies the requisite findings, and adopt the attached Resolution No. 2133 that incorporates the requisite environmental, subdivision review 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 subdivision, the Commission should state the specific findings that the subdivision does not satisfy based on the evidence presented with specific reasons for denial and move to deny Tentative Parcel Map No. 22-03 (84027) 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 April 25, 2023, Planning Commission Meeting, please contact Assistant Planner, Alison MacCarley, at (626) 547- 5447, or amaccarley@ArcadiaCA.com.

Approved:



Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2133
- Attachment No. 2: Aerial Photo with Zoning Information
- Attachment No. 3: Tentative Parcel Map 22-03 (84027)
- Attachment No. 4: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2133

RESOLUTION NO. 2133

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. TPM 22-03 (84027) TO SUBDIVIDE AIRSPACE FOR AN APPROVED THREE UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 709 S. SECOND AVENUE

WHEREAS, on November 10, 2022, an application for Tentative Parcel Map No. TPM 22-03 (84027) (“Map”) was filed by Philip Chan on behalf of the property owner, West Lake Arcadia LLC, to subdivide the airspace for an approved three-unit multi-family residential condominium development at 709 S. 2nd Avenue; and

WHEREAS, on February 17, 2023, Development Services Department approved Multi-family Architectural Design Review No. MFADR No. 22-09 for an attached, three-story, three unit development under the SB 330 process; and

WHEREAS, on July 22, 2023, Planning Services completed an environmental assessment for the Map in accordance with the California Environmental Quality Act (“CEQA”), and recommends that the Planning Commission determine the Map is exempt under CEQA per Section 15315, Class 15 of the CEQA Guidelines because the Map is considered a Minor Land Division; and

WHEREAS, on September 12, 2023, a duly-noticed public hearing was held before the Planning Commission on said Map, 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 HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated September 12, 2023, are true and correct.

SECTION 2. This Commission finds, based upon the entire record:

A. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable specific plan, and this Division.:

FACT: The proposed tentative parcel map for an approved three (3) unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan, Development Code, and the State's Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan High Density Residential Land Use designation and the R-3, High Density Multiple Family Residential zoning designation. These designations are intended to accommodate high density, attached or detached residential units such as condominiums, within the appropriate neighborhoods. The proposed tentative parcel Map complies with the Subdivision Map Act regulations, and there is no specific plan applicable to this Map. The site is physically suitable for the approved condominium project. The Map would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goal and policy:

Land Use and Community Design Element

- Policy LU-1.1: Promote new infill and redevelopment projects that are consistent with the City's land use and compatible with surrounding existing uses.

B. The site is physically suitable for the type and proposed density of development.

FACT: The R-3 Zone requires a minimum density of one dwelling unit per 2,200 square feet of lot area, and a maximum density of one unit per 1,450 square feet of lot

area. Based on the lot area of 7,325 square feet, a minimum of three (3) units and a maximum of five (5) units could be developed at this site. Therefore, the approved three (3) unit development complied with the density requirements of the underlying zone, as well as all other applicable zoning requirements including but not limited to parking, setbacks, height, and open space. The site is physically suitable for the three (3) unit multi-family residential development.

C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.:

FACT: The tentative parcel map for three (3) multi-family residential units is a subdivision of an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. The subdivision would not cause substantial environmental damage or impact wildlife.

D. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.:

FACT: The subdivision is to subdivide the airspace of three (3) units for condominium purposes. The construction would be in compliance with all applicable Building and Fire Codes to ensure public health and safety. The approved three (3) unit development complied with the density requirements of the underlying zone, and the City's existing infrastructure would adequately serve the new development. Therefore, the subdivision would not cause any public health or safety problems.

E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within

the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to the review authority to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision).:

FACT: There is an existing five-foot wide utility easement that runs parallel to another six-foot Edison easement for utility purposes, which are both owned by California Edison along the south side of the property line. The approved development does not conflict with the existing easements, as acquired by the public at large for access through or use of property within the proposed subdivision.

F. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements specified by the California Regional Water Quality Control Board.:

FACT: The Arcadia Public Works Services Department determined that the City's existing infrastructure would adequately serve the new development, and the requirements of the California Regional Water Quality Control Board would be satisfied.

G. That the proposed design and site improvements of the subdivision conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.:

FACT: The approved development and the proposed subdivision of the airspace for the multi-family development is in conformance with the City's Development Code, as all development standards are being met, and all of the improvements required for the site would comply with the regulations in the City's Development Code and requirements of any public agency having jurisdiction by law.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act (“CEQA”), this Map is a Class 15 Categorical Exemption as a minor land division per Section 15315 of the CEQA Guidelines.

SECTION 4. For the foregoing reasons the Planning Commission determines that the Map is Categorically Exempt under the California Environmental Quality Act (“CEQA”) Section 15315, Class 15, and approves Tentative Parcel Map No. 22-03 (84027) to subdivide the airspace for an approved three (3) unit multi-family residential condominium development at 709 S. 2nd 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 12th day of September 2023.

Vincent Tsoi
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

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RESOLUTION NO. 2133

Conditions of Approval

1. The Map shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans and materials conditionally approved for Multiple-Family Architectural Design Review No. MFADR 22-09 and Tentative Parcel Map No. 22-03 (84027) subject to the approval of the Deputy Development Services Director, or designee.
2. Prior to approval of the Final Map the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Map and the following item(s):
 - Remove and replace existing sidewalk, curb and gutter from property line to property line
 - Construct a new driveway approach per City Standard plan.
 - Dedicate 12 feet of additional right-of-way to the City of Arcadia along Second Avenue from property line to property line. Any proposed private sewer and drainage structures shall be placed on property behind the newly established property line.
3. Prior to occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, per the direction of the City Engineer. If the street is under the City's pavement moratorium list, the repair may extend from curb to curb, per the direction of the City Engineer.
4. All City requirements shall be complied with to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Public Works Services Director, and the Fire Marshal.
5. The Applicant/Property Owner shall comply with all conditions of approval that is applicable to the condominiums, as approved by the Deputy Development Services Director for Multiple-Family Architectural Design Review No. MFADR 22-03.
6. 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 Deputy Development Services Director, 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.

7. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the 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 Tentative Parcel Map Application No. TPM 22-03 (84027) (“Map”) on the Map 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 Map. 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 Map.

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 Map, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. 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, the Applicant shall provide to the 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. The 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/Property Owner shall replenish the deposit each and every time in order for City’s legal team to continue working on the matter. The City shall only refund to the Applicant/Property Owner 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. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Map, this condition shall remain in effect if the entitlement(s) related to this Map is rescinded or revoked, at the request of the Applicant or not.

8. Approval of Tentative Parcel Map Application No. TPM 22-03 (84027) 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 executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

Attachment No. 2

Aerial Photo with Zoning Information and
Photos of the Subject Property and Vicinity

Site Address: **709 S 2ND AVE**

Property Owner(s): Property Owner



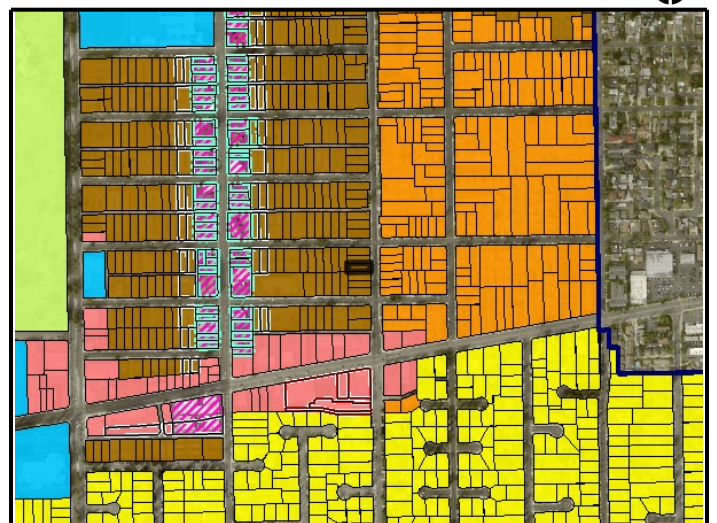
Property Characteristics

Zoning:	R-3
General Plan:	HDR
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	924
Year Built:	1962
Number of Units:	2

Overlays

Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia

Attachment No. 3

Tentative Parcel Map No. TPM 22-03

TENTATIVE PARCEL MAP NO. 84027

IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES

UTILITY SERVICES:

- WATER - CITY OF ARCADIA
- SEWER - CITY OF ARCADIA & COUNTY SANITATION DISTRICT
- GAS - SOUTHERN CALIFORNIA GAS CO.
- ELECTRICITY - SOUTHERN CALIFORNIA Edison CO.
- SCHOOL - A1&T
- FIRE - ARCADIA UNIFIED SCHOOL DISTRICT
- POLICE - CITY OF ARCADIA FIRE DEPARTMENT
- POLICE - CITY OF ARCADIA POLICE DEPARTMENT

OWNER:
WESTLAK ARCADIA, LLC
711 S. 1ST AVE.
ARCADIA, CA 91006

PREPARED BY:
HANK JONG, PE
EGL ASSOCIATES, INC.
11819 GOLDRING ROAD, UNIT A
ARCADIA, CA 91006
PH: 626-263-3588

NOTES:
-NO OAK TREES ON SITE.
-ALL PUBLIC UTILITIES
SHOULD BE FIELD VERIFIED.

BENCHMARK

CITY BENCH MARK: BM #688
SOUTH AVE & GENOA ST
NORTHWEST CORNER RETURN, 5' WEST
ELEV = 447.86'

SURVEY WAS PROVIDED BY ALFRED J. THELMWELL,
LS 6999 ON SEPTEMBER 13, 2022
MANAGED BY HANK JONG

FOR CONDOMINIUM PURPOSES

CONSTRUCTION NOTES

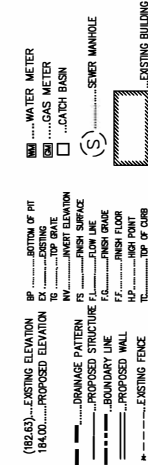
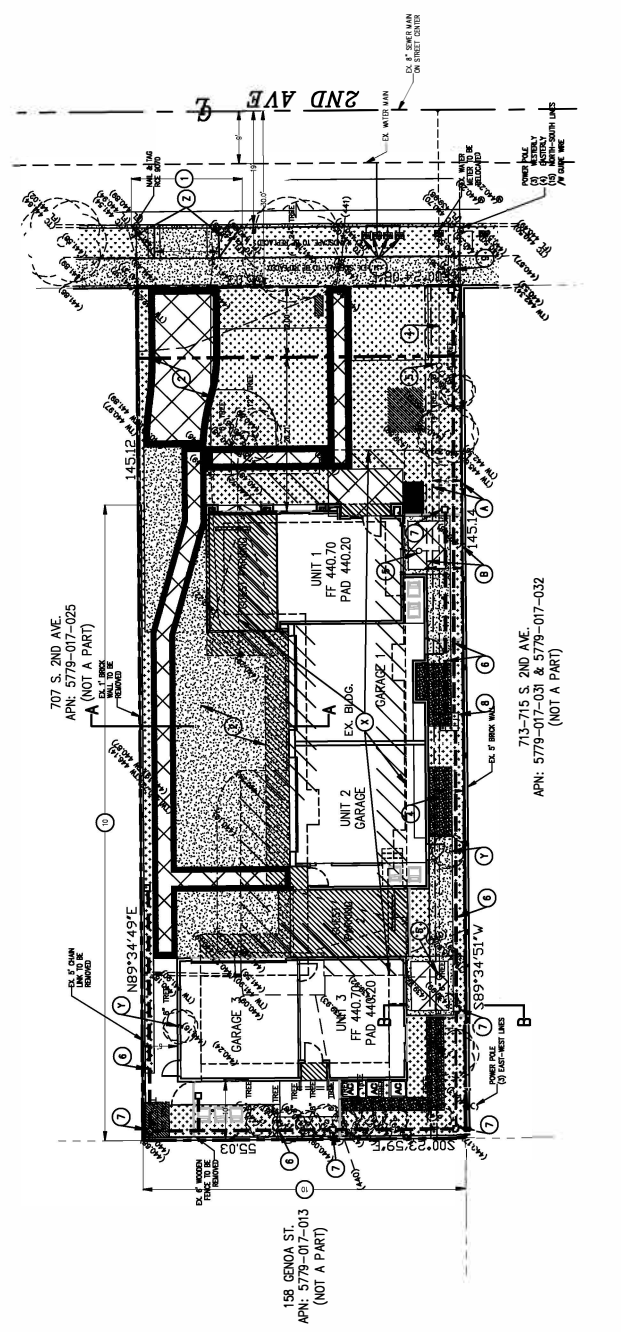
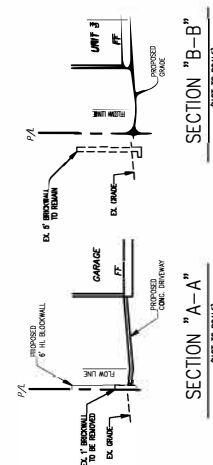
- PROP. NEW DRIVEWAY APPROACH
- PROP. NEW DRIVEWAY
- PROP. NEW WATER METER
- PROP. NEW SEWER LATERAL
- PROP. SEWER CLEANOUT.
- PROP. DRAINAGE PIPE.
- PROP. CATCH BASIN.
- PROP. SUMP PUMP.
- PROP. PARKWAY DRAIN
- PROP. 6" BLOCK WALL TO BE 2" INSIDE THE PL

DEMOLITION NOTES

- REMOVE EXISTING STRUCTURE.
- REMOVE EXISTING TREE.
- REMOVE EXISTING DRIVEWAY APPROACH

EASEMENT NOTES

- EX. 5' EDISON EASEMENT FOR POWER LINES PURPOSE RECORDED ON OCTOBER 21, 1941, IN BOOK 18870, PAGE 151 OF O.R.
- EX. 6' EDISON EASEMENT FOR PUBLIC UTILITIES PURPOSE RECORDED ON MAY 24, 1955, IN BOOK 47870, PAGE 273 OF O.R.



DATE	BY	REVISION
10/16/2022		
11/17/2022		
12/20/2022		

EGL Associates, Inc.
11819 GOLDRING ROAD, Unit A
ARCADIA, CA 91006
Tel: (626) 263-3588
Email: MAIL@EGLBB.COM

PREPARED FOR:
SUNNY CONSTRUCTION
711 S. 1ST AVE.,
ARCADIA, CA 91006
(626) 294-9402

PROJECT LOCATION:
3-UNIT CONDOMINIUM
709 S. 2ND AVENUE
ARCADIA, CA 91006
APN : 5779-017-011

TENTATIVE PARCEL MAP NO. 84027

Attachment No. 4

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	Tentative Parcel Map Application No. TPM 22-03 (84027) - A tentative parcel map for a three-unit residential condominium development with a Categorical Exemption under the California Environmental Quality Act ("CEQA")	
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):	709 S. 2 nd Avenue (On 2 nd Avenue between Genoa Street and Alice Street)	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Westlake Arcadia, LLC
	(2) Address	711 s. 1 st Avenue, Arcadia, CA
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:	15315 – Class 15 (Minor Land Divisions)
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: July 22, 2023

Staff: Alison MacCarley, Assistant Planner



STAFF REPORT

Development Services Department

DATE: September 12, 2023

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Deputy Development Services Director
By: Alison MacCarley, Assistant Planner

SUBJECT: RESOLUTION NO. 2128 - APPROVING TENTATIVE PARCEL MAP NO. 23-03 (84177) TO SUBDIVIDE A 67,870 SQUARE FOOT SINGLE-FAMILY RESIDENTIAL PARCEL INTO TWO LEGAL LOTS AT 1014 HAMPTON ROAD
CEQA: Exempt
Recommendation: Adopt

SUMMARY

The Applicant, Robert Tong on behalf of Henrui Properties LP, is requesting approval of Tentative Parcel Map No. TPM 23-03 (84177) to subdivide a 67,870 square foot single-family residential corner lot into two legal lots that is located at 1014 Hampton Road. The property is zoned R-0, Very Low Density with a minimum lot size of 30,000 square feet. The proposed development and subdivision are consistent with the City's General Plan, Development Code, and Subdivision Map Act. It is recommended that the Planning Commission adopt Resolution No. 2128 (refer to Attachment No. 1) and find that the Project is Categorical Exempt under CEQA and approve Tentative Parcel Map No. TPM 23-03 (84177), subject to the conditions listed in this staff report.

BACKGROUND

The subject site is a 67,870 square foot, corner lot located at the southwest corner of Hampton Road and Dexter Avenue. The property is zoned Very Low Density Residential Zone (R-0), with a minimum lot size of 30,000 square feet (refer to Attachment No. 2), and the General Plan Land Use designation is Residential Estates (RE). This property is located in the Rancho Santa Anita Property Owners Homeowners Association (Upper Rancho).

According to the L.A. County Assessor Map, it shows there are two lots under the same Assessor Parcel Number but are tied together through a “lot-tie.” And according to the title report, it was tied together as one legal lot. This subdivision will reverse it back to two legal lots. The ALTA survey did show that the overall square footage of the lots was slightly larger than what the L.A. County Assessor had - 67,870 vs. 67,704 square feet. Since the discrepancy is minor and within their “margin of error”, the L.A. County Assessor’s Office will accept the survey and that the change would be corrected during the Final Map Process.

The property is currently developed with a two-story residence that has an attached two-car garage, pool, and a sport court at the rear of the property. The single-family home was constructed in 1937. Upon approval of this map, a Certificate of Demolition (COD) will be issued and since the house crosses over the new property line, the house will be required to be demolished prior to approval of the Final Parcel Map by the City.

Based on the evaluation by the Architectural Historian, the property does not meet any of the minimum requirements for recognition as historical resources nor eligible for listing on the California Register because the residence is not a good example of architectural style and not representative of or associated with any important historical events or people—refer to Attachment No. 3 for the Historical Report.

ANALYSIS

The subject site is zoned R-0 with a minimum lot size of 30,000 square feet and has a minimum lot width and depth of 100 feet. Lot 1, a new corner lot will be at approximately 34,153 square feet; and Lot 2, a new interior lot and will be approximately 33,716 square feet (See Figure 1). Lot 1 will have a lot width of 136 feet and an average depth of 251 feet, Lot 2 will have a lot width of 125 feet and an average lot depth of 268—refer to Attachment No. 4 for Tentative Parcel Map No. 84177. Currently, no new construction is proposed as part of this request.

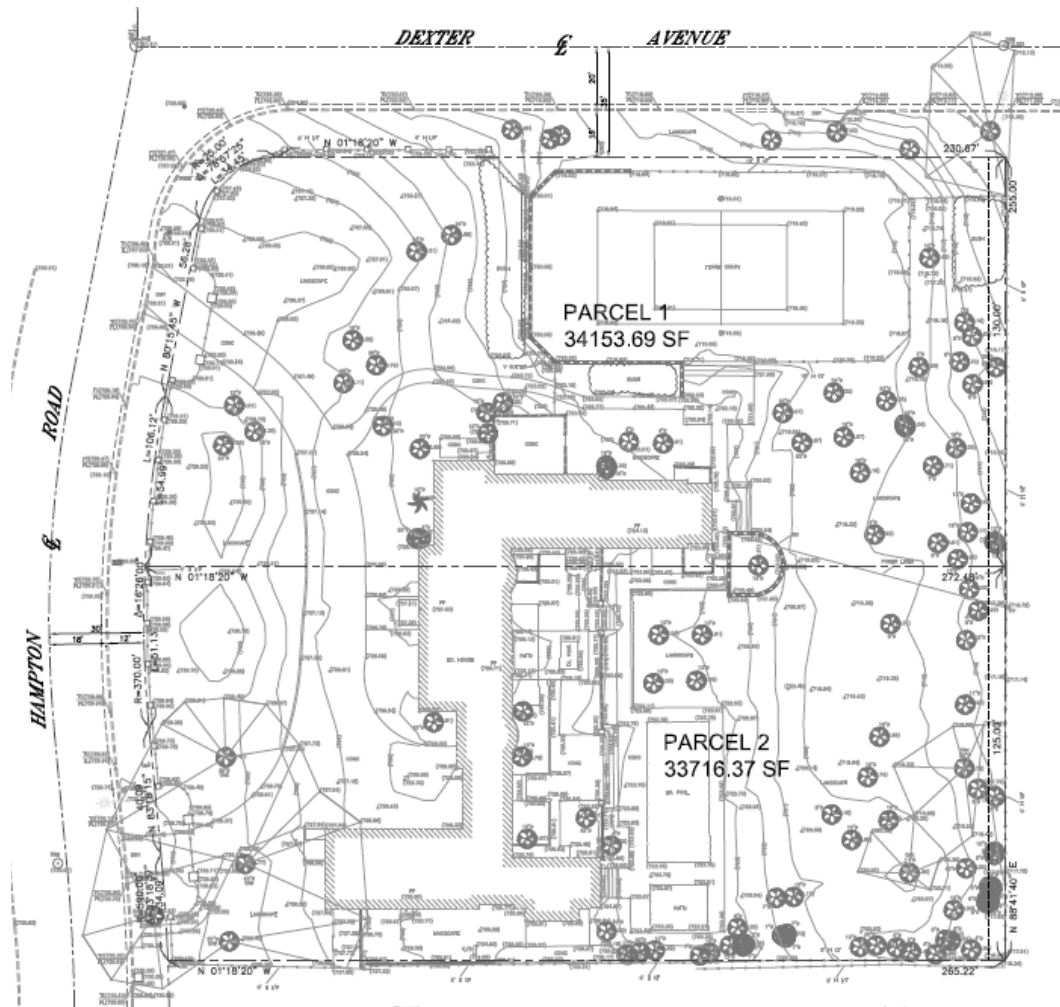


Figure 1 – Parcel Subdivision

ANALYSIS

The subdivision will comply with the density requirements of the R-0 (30,000) zone which allows for one single family dwelling per lot. Lots on the northern portion of this block of Hampton Road have an average lot size of 29,460 square feet and lot frontage of 115 feet while lots on the southern portion of this block have an average lot size of 31,212 square feet and lot frontage of 117 feet (See Figure 2). Therefore, the two new lots will be similar in size and frontage to other lots in the block. Any proposed homes on the new lots will be similar in size to other houses in the lot.

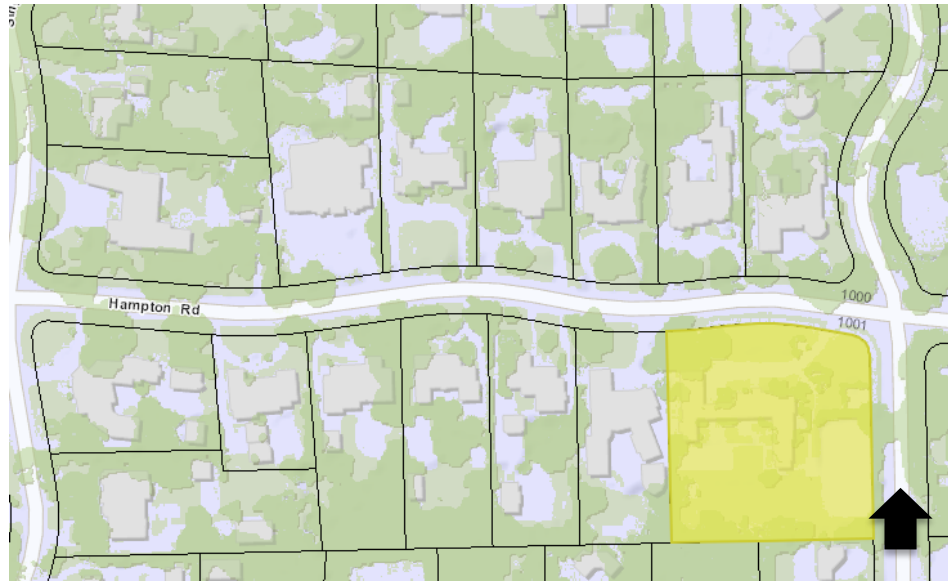


Figure 2: Surrounding Parcels along Hampton Road

While there is no new development proposed under this request, all the existing structures must be demolished prior to approval of the Final Parcel Map which is a condition to this proposal. There are five (5) Oak trees located throughout the site, none of which will be impacted by the proposed property lines. A future project on the new lots will require an evaluation of the trees if any are proposed to be removed or have their driplines encroached upon. There are no other protected trees that will be impacted by this subdivision. The map has been reviewed by various City departments to ensure compliance with the Arcadia Development Code and Subdivision Map Act.

FINDINGS

The proposal to subdivide the parcel into two legal lots requires that it be subdivided through the Tentative Map process. In addition to complying with the Subdivision Ordinance, the following findings are required for approval of a Tentative parcel map:

- A. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable specific plan, and this Division.**

Facts in Support of the Finding: The proposed tentative parcel map to subdivide the existing single-family lot into two new legal lots has been reviewed for compliance with the City's General Plan, Development Code, and the State's Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan Land Use designation of Residential Estates (R-E) and the Very Low Density Residential Zone, R-0. These designations are intended to accommodate detached single-family dwelling units on large lots and accessory structures compatible with the residential use of the zone. The proposed tentative parcel map complies with the Subdivision Map Act regulations and there is no specific plan applicable to this Project. The new lots will be physically suitable

for the type of development that is allowed in this zone. The subdivision would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

Land Use and Community Design Element

Policy LU-3.4: Strengthen neighborhood identity with new development that is compatible with surrounding structures through scale, massing, and preferred architectural style.

Policy LU-3.5: Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context, building forms, scale, and colors.

B. The site is physically suitable for the type and proposed density of development.

Facts in Support of the Finding: The proposed map will subdivide a 67,870 square foot single-family residential zoned parcel into two legal lots. The subject site has a Land Use designation of Residential Estates (R-E) with a density of one (1) dwelling unit per lot. The proposed subdivision will not create a greater density than what is allowed; therefore, it will be consistent with the General Plan. In addition, the proposed single-family lots will be compatible in terms of lot size with the surrounding neighborhood, as many of them are of similar depth, width of and size and all the lots on this side of the block have a minimum lot size of 30,000 square feet or greater.

C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Facts in Support of the Finding: The subdivision will subdivide one residential parcel into two legal lots within an established residential neighborhood. The subject site is located within an urbanized area and not in close proximity to any fish or wildlife habitat. Therefore, the subdivision would not cause substantial environmental damage or impact wildlife.

D. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.

Facts in Support of the Finding: Approval of the map will not cause serious public health or safety problems as the creation of the two new legal lots will be in established residential neighborhood and all future constructions on these lots will be in compliance with the applicable Building and Fire Codes to ensure public health and safety. The tentative parcel map has been reviewed by various City

departments to ensure compliance with applicable regulations and no impacts are anticipated.

- E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision).**

Facts in Support of the Finding: There is an existing five-foot wide easement for utility purposes at the rear of the property. The proposed subdivision of the two new legal lots would not conflict with the existing easement, as acquired by the public at large for access through or use of property within the proposed subdivision.

- F. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements specified by the California Regional Water Quality Control Board.**

Facts in Support of the Finding: The Arcadia Public Works Services Department determined that the City's existing infrastructure would adequately serve the any new development on the new lots, and the requirements of the California Regional Water Quality Control Board would be satisfied.

- G. That the proposed design and site improvements of the subdivision conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.**

Facts in Support of the Finding: The proposed subdivision of the two new legal lots is in conformance with the City's Development Code, as all development standards for are being met, and all of the improvements required for each lot would comply with the regulations in the City's Development Code and the regulations of any public agency having jurisdiction by law.

ENVIRONMENTAL IMPACT

The proposed subdivision will subdivide one parcel into two legal lots; will comply with the General Plan and subject zoning, it will not require variances or exceptions; access and services to proposed parcels will be maintained; the parcel has not been involved in the division of a larger parcel within the past two (2) years, and the parcel does not have an average slope of greater than 20 percent. Therefore, the subdivision is exempt under Class 15 (Minor Land Divisions) pursuant to Section 15315 of the State California

Environmental Quality Act (CEQA) Guidelines. Refer to Attachment No. 5 for the Preliminary Exemption Assessment.

PUBLIC COMMENTS/NOTICE

A public hearing notice for this item was posted at the City Clerk's Office, City Council Chambers, at the Arcadia Library, and on the City's website on August 31, 2023. It was also mailed to the property owners located within 300 feet of the subject property. As of September 8, 2023, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission conditionally approve Tentative Parcel Map No. 23-03 (84177) and find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2128, subject to the following conditions of approval:

1. No protected trees shall be removed as part of this approval.
2. 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 Tentative Parcel Map TPM 23-03 (84177), subject to the approval of the Deputy Development Services Director, or designee.
3. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall remove all buildings/structures including, but not limited to the swimming pool, sports court, private fences, and gates along the interior of the newly created property lines.
4. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Map including:
 - a. The removal and replacement of curb and gutter with 2' asphalt slot cut from property line to property line.
 - b. Remove the existing driveway approaches from the circular driveway and construct a new driveway approach for each legal lot.
5. Prior to approval of the Final Parcel Map Approval, the Applicant/Property Owner shall repair any damages caused by the demolition to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, per the direction of the City Engineer. If the street is under the City's pavement moratorium list, the repair may extend from gutter to gutter, per the direction of the City Engineer.

6. 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 Deputy Development Services Director, 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.
7. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the 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 TPM 23-03 (84177) ("Map") on the Map 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 Map. 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 Map.

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 Map, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. 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, the Applicant shall provide to the 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. The 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/Property Owner shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the Applicant/Property Owner 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. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party

challenge(s). In consideration for approval of the Map, this condition shall remain in effect if the entitlement(s) related to this Map is rescinded or revoked, at the request of the Applicant or not.

8. Approval of for Tentative Parcel Map No. TPM 23-01 (84177) 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 executed Acceptance Form submitted 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 subdivision, the Commission should move to approve Tentative Parcel Map No. 23-03 (84177), state the subdivision satisfies the requisite findings, and adopt the attached Resolution No. 2128 that incorporates the requisite environmental, subdivision review 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 subdivision, the Commission should state the specific findings that the subdivision does not satisfy based on the evidence presented with specific reasons for denial and move to deny Tentative Parcel Map No. 23-03 (84177) 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 12, 2023, Planning Commission meeting, please contact Assistant Planner, Alison MacCarley at (626) 574-5447 or amaccarley@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Deputy Development Services Director

Attachment No. 1: Resolution No. 2128

TPM 23-03 (84177)
1014 Hampton Road
September 12, 2023 - Page 10 of 10

- Attachment No. 2: Aerial Photo with Zoning Information and Photos of the Subject Property
- Attachment No. 3: Historical Report
- Attachment No. 4: Tentative Parcel Map 23-03 (84177)
- Attachment No. 5: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2128

RESOLUTION NO. 2128

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 23-03 (84177) TO SUBDIVIDE A 67,870 SQUARE FOOT SINGLE-FAMILY RESIDENTIAL PARCEL INTO TWO LEGAL LOTS AT 1014 HAMPTON ROAD

WHEREAS, on May 8, 2023, an application for Tentative Parcel Map No. TPM 23-03 (84177) (“Map”) was filed by Henrui Properties LP to subdivide a 67,870 square foot Very Low Density Residential Zoned (R-0-30,000) parcel into two legal lots at 1014 Hampton Road; and

WHEREAS, on May 30, 2023, Planning Services completed an environmental assessment for the Map in accordance with the California Environmental Quality Act (“CEQA”), and recommends that the Planning Commission determine the Map is exempt under CEQA per Section 15315, Class 15 of the CEQA Guidelines because the Map is considered a minor land division; and

WHEREAS, on September 12, 2023, a duly noticed public hearing was held before the Planning Commission on said Map, 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 HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated September 12, 2023, are true and correct.

SECTION 2. This Commission finds, based upon the entire record:

A. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable specific plan, and this Division.:

FACT: The proposed tentative parcel Map to subdivide the existing single-family lot into two new legal lots has been reviewed for compliance with the City's General Plan, Development Code, and the State's Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan Land Use designation of Residential Estates (R-E) and the Very Low Density Residential Zone (R-0). These designations are intended to accommodate detached single-family dwelling units on large lots and accessory structures compatible with the residential use of the zone. The proposed tentative parcel Map complies with the Subdivision Map Act regulations and there is no specific plan applicable to this Project. The new lots will be physically suitable for the type of development that is allowed in this zone. The subdivision would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

Land Use and Community Design Element

Policy LU-3.4: Strengthen neighborhood identity with new development that is compatible with surrounding structures through scale, massing, and preferred architectural style.

Policy LU-3.5: Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context, building forms, scale, and colors.

B. The site is physically suitable for the type and proposed density of development.:

FACT: The proposed Map will subdivide a 67,870 square foot single-family residential zoned parcel into two legal lots. The subject site has a Land Use designation of Residential Estates (R-E) with a density of one (1) dwelling unit per lot. The proposed

subdivision will not create a greater density than what is allowed; therefore, it will be consistent with the General Plan. In addition, the proposed single-family lots will be compatible in terms of lot size with the surrounding neighborhood, as many of them are of similar depth, width of and size and all the lots on this side of the block have a minimum lot size of 30,000 square feet or greater.

C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.:

FACT: The subdivision will subdivide one residential parcel into two legal lots within an established residential neighborhood. The subject site is located within an urbanized area and not in close proximity to any fish or wildlife habitat. Therefore, the subdivision would not cause substantial environmental damage or impact wildlife.

D. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.:

FACT: Approval of the Map will not cause serious public health or safety problems as the creation of the two new legal lots will be in established residential neighborhood and all future constructions on these lots will be in compliance with the applicable Building and Fire Codes to ensure public health and safety. The tentative parcel map has been reviewed by various City departments to ensure compliance with applicable regulations and no impacts are anticipated.

E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision (This finding shall apply only to easements of record or to

easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to the review authority to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision):

FACT: There is an existing five-foot wide easement for utility purposes at the rear of the property. The proposed subdivision of the two new legal lots would not conflict with the existing easement, as acquired by the public at large for access through or use of property within the proposed subdivision.

F. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements specified by the California Regional Water Quality Control Board.:

FACT: The Arcadia Public Works Services Department determined that the City's existing infrastructure would adequately serve the any new development on the new lots, and the requirements of the California Regional Water Quality Control Board would be satisfied.

G. The proposed design and site improvements of the subdivision conform to the regulations of the City's Development Code and the regulations of any public agency having jurisdiction by law.:

FACT: The proposed subdivision of the two new legal lots is in conformance with the City's Development Code, as all development standards for are being met, and all of the improvements required for each lot would comply with the regulations in the City's Development Code and the regulations of any public agency having jurisdiction by law.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act (“CEQA”), this Map is a Class 15 Categorical Exemption as a minor land division per Section 15315 of the CEQA Guidelines.

SECTION 4. For the foregoing reasons the Planning Commission determines that the Map is Categorically Exempt under the California Environmental Quality Act (“CEQA”) Section 15315, Class 15, and approves Tentative Parcel Map No. TPM 23-03 (84177) to subdivide a 67,870 square foot single-family residential parcel into two legal lots at 1014 Hampton Road, 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 12th day of September, 2023.

Vincent Tsoi
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

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RESOLUTION NO. 2128

Conditions of Approval

1. No protected trees shall be removed as part of this approval.
2. 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 Tentative Parcel Map TPM 23-03 (84177), subject to the approval of the Deputy Development Services Director, or designee.
3. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall remove all buildings/structures including, but not limited to the swimming pool, sports court, private fences, and gates along the interior of the newly created property lines.
4. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Map including:
 - a. The removal and replacement of curb and gutter with 2' asphalt slot cut from property line to property line.
 - b. Remove the existing driveway approaches from the circular driveway and construct a new driveway approach for each legal lot.
5. Prior to approval of the Final Parcel Map Approval, the Applicant/Property Owner shall repair any damages caused by the demolition to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, per the direction of the City Engineer. If the street is under the City's pavement moratorium list, the repair may extend from gutter to gutter, per the direction of the City Engineer.
6. 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 Deputy Development Services Director, 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.
7. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the 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 TPM 23-03 (84177) ("Map") on the Map 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 Map. 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 Map.

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 Map, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. 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, the Applicant shall provide to the 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. The 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/Property Owner shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the Applicant/Property Owner 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. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Map, this condition shall remain in effect if the entitlement(s) related to this Map is rescinded or revoked, at the request of the Applicant or not.

8. Approval of for Tentative Parcel Map No. TPM 23-01 (84177) 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 executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

Attachment No. 2

Aerial Photo with Zoning Information and
Photos of the Subject Property and Vicinity

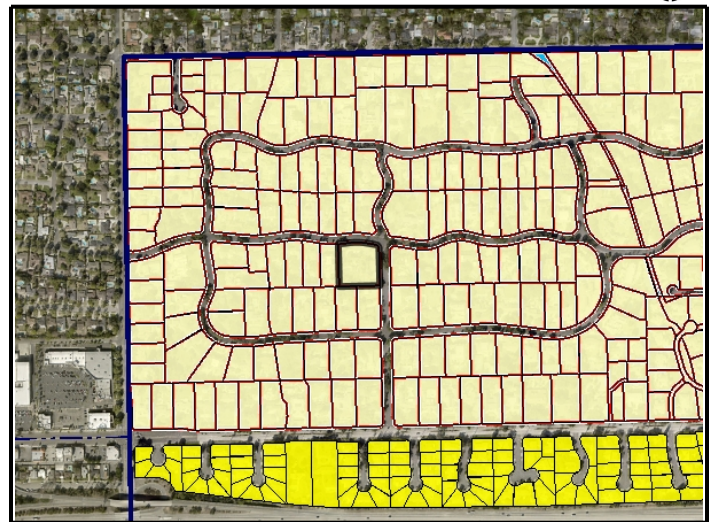
Site Address: **1014 HAMPTON RD**

Property Owner(s): Property Owner



Property Characteristics	
Zoning:	R-O (30,000)
General Plan:	RE
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	6,767
Year Built:	1937
Number of Units:	1
Overlays	
Architectural Design Overlay:	Yes
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia

Attachment No. 3

Historical Report

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code 6Z

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

Page 1 of 9 Resource Name or #: 1014 Hampton Road

P1. Other Identifier: _____

***P2. Location:** Not for Publication Unrestricted *a. County: Los Angeles and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Mt. Wilson, CA Date: 1988 T1N; R11W; S.B.B.M.

c. Address: 1014 Hampton Road City: Arcadia Zip: 91006

d. UTM: Zone: 11; _____mE/ _____mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) AIN: 5769-004-001

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

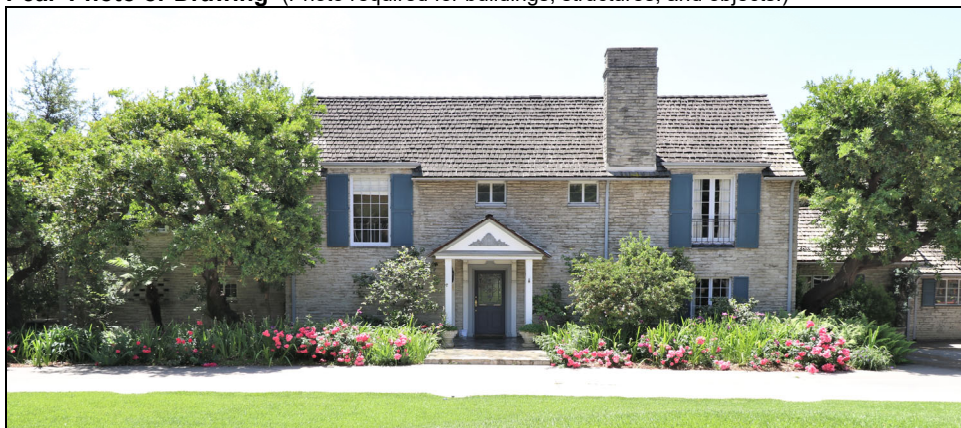
This two-story, wood-framed residence with a Federal influence is located on 1.56 acres at the southwest corner of Hampton Road and Dexter Avenue. The approximately 6,750 square-foot residence, which was originally designed to reflect an English country manor, is irregular in plan and rests on a raised foundation. It has a multi-level, multi-pitch gable roof sheathed with wood shake and has narrow eaves and three masonry chimneys. The exterior façade walls are clad with what appears to be grey concrete slump brick with weeping mortar, while the side and rear exteriors are covered with textured plaster.

The north-facing, asymmetrical façade (from east to west) includes a recessed, two-story wing, a two-story central bay with a Federal-style entry, two recessed one-story wings, and north/south-oriented attached garages. The eastern, two-story recessed wing has a metal-framed, multi-paned casement window (2nd floor), a pair of windows covered by a wood-framed screen visible between intentional gaps in the masonry siding (1st floor), and a pair of metal-framed, multi-paned casement windows (1st floor). The central bay has a pair of east-facing windows covered by a wood-framed screen visible between intentional gaps in the masonry siding (1st floor), a 4 over 5, through-the-cornice window with wooden shutters (2nd floor), two small pairs of metal-framed, multi-paned casement windows (2nd floor), and a pair of French through-the-cornice windows with shutters and a balconette above a pair of metal-framed, multi-paned casement windows flanked by shutters (1st floor). *See Continuation Sheet*

***P3b. Resource Attributes:** (List attributes and codes) HP2-Single-family property

***P4. Resources Present:** Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) Façade, views south and southwest (5/6/22)

***P6. Date Constructed/Age and Sources:** Historic Prehistoric Both
 1937 (Building permit)

***P7. Owner and Address:**
 Unknown

***P8. Recorded by:** (Name, affiliation, and address)
 Casey Tibbet, M.A.
 LSA Associates, Inc.
 1500 Iowa Avenue, Suite 200
 Riverside, CA 92507

***P9. Date Recorded:**
 May 6, 2022

***P10. Survey Type:** (Describe)
 Intensive-level CEQA compliance

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") None.



See Continuation Sheet

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) 1014 Hampton Road

B1. Historic Name: _____

B2. Common Name: _____

B3. Original Use: Single-family residence **B4. Present Use:** Single-family residence

***B5. Architectural Style:** Federal influence

***B6. Construction History:** (Construction date, alterations, and date of alterations) Except where noted, the following information is from building permits and historic aerial photographs (City of Arcadia var.; Historicaerials.com var.).

1937 Permit issued to owner Alva C. Surber for a new residence, tennis court, and swimming pool. Contractor is listed as C. C. Boening. According to a news article, the residence was designed by architect H. Roy Kelley for Dr. and Mrs. Alva C. Surber (*Los Angeles Times* 1937).

1952 An aerial photograph shows a double-wide lot with a tennis court on the west side of the property (now a separate residential lot). The recessed west wing of the residence and the attached north/south oriented garages are not apparent. There is a single walkway from the street to the front entry, but no driveway access from Hampton Road.

1956 A real estate advertisement for the "2 story English" home on a two-acre corner lot mentions a large pool and beautiful trees (*Los Angeles Times* 1956).

1957 Permits issued to owner Amussen for water heater. Application for lot split by C. V. Amussen.

***B7. Moved?** No Yes Unknown **Date:** _____ **Original Location:** _____

***B8. Related Features:** swimming pool and tennis court

B9a. Architect: H. Roy Kelley, AIA **b. Builder:** C. C. Boening

***B10. Significance: Theme:** Residential Development, 1936-1941 **Area:** City of Arcadia

Period of Significance: 1937 **Property Type:** Single-family residence **Applicable Criteria:** NA

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This 1937 altered residence does not meet the criteria for listing in the California Register of Historical Resources (California Register) or for designation under the local ordinance. It is not a historical resource as defined by the California Environmental Quality Act (CEQA).

Historic Context: Originally owned by the San Gabriel Mission and then a part of Rancho Santa Anita, the land that includes present-day Arcadia was also owned by Scottish immigrant Hugo Reid (Architectural Resources Group 2016). Reid was the first to make a modern impact on the land, raising cattle and building the first structure. After a succession of owners, in 1875 Elias J. "Lucky" Baldwin purchased the land, along with much of the surrounding area and named it Arcadia (Ibid.). Residential development from 1875 to 1909 is one of the first important themes in the City's history (Architectural Resources Group 2016). See *Continuation Sheet*

B11. Additional Resource Attributes: (List attributes and codes)

***B12. References:**

Ancestry.com

Var. A variety of records were accessed online in April and May 2022 at: <http://home.ancestry.com/>. These include city directories, voter registration records, and United States Census Data.

Architectural Digest

1939 Residence of Dr. and Mrs. Alva C. Surber, Jr. —Rancho Santa Anita. January 1939, pages 64 and 65.

Arcadia Historical Society

2021 Arcadia History. Our History. Accessed online in September

2021 at: <https://arcadiahistoricalsociety.org/arcadia-history/>

See *Continuation Sheet*

B13. Remarks:

***B14. Evaluator:** Casey Tippet, M.A., LSA Associates, Inc., 1500 Iowa Avenue, Suite 200, Riverside, CA 92507

***Date of Evaluation:** May 2022

(Sketch Map with north arrow required.)

Refer to Location Map

(This space reserved for official comments.)

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 3 of 9

*Resource Name or #: (Assigned by recorder) 1014 Hampton Road

*Recorded by LSA Associates, Inc.

*Date: May 2022

Continuation Update

P3a. Description (continued from page 1)

The primary entry features a wood and glass door sheltered beneath a small projecting gable with a paneled wood ceiling and a pediment that is supported by two square posts, two pilasters, and two braces. There is a decorative medallion centered in the pediment. On the central bay facing west, there is a metal-framed, multi-paned, casement window with shutters on each level. The first recessed one-story wing has a metal-framed, multi-paned ribbon window with casement end vents and shutters. The second recessed one-story wing has a metal-framed, multi-paned ribbon window with casement end vents and shutters, a pair of metal-framed, multi-paned casement windows with shutters, a masonry chimney, and a slightly lower roof than the other one-story wing. The one-story garage wing has an east-facing wood and glass door and three east-facing garage doors.

The well-maintained property includes a tennis court, a swimming pool, a spa, patios, a large trellis, and lush gardens featuring numerous rose bushes and mature trees (oak, sycamore, liquid amber and others). A wrought-iron fence with masonry pillars secures the front yard adjacent to the streets and a 10 foot-high chain link fence runs along the east side of the tennis court adjacent to Dexter Avenue. The residence appears to be in good condition, but based on the original plans and early photographs, it has sustained alterations to the façade including the addition of the Federal style entry and the attached garages. There have been alterations to the rear of the residence as well, including the removal of most of the original masonry siding, enclosure of two patios, the addition of a large trellis along the loggia, the conversion of the original garage (adjacent to Dexter Avenue) into living area, a small addition to the south end of the converted garage, and installation of some modern windows and doors (east and rear elevations). In addition, the original tennis court on the west side of the house was replaced by a residence (now a separate parcel), additional concrete patio areas and a spa were added to the rear of the residence, and a new tennis court was built on the east side of the residence. All of these alterations have compromised the integrity of the original design, materials, and workmanship, and to a lesser extent, the setting.

P5a. Photo (continued from page 1)

DISTINCTIVE RESIDENCE RISES IN RANCHO TRACT



Among the many distinctive new residences in the Foot-hill Boulevard section of Rancho Santa Anita is the above one being built for Dr. and Mrs. Alva C. Surber.

Architect H. Roy Kelley designed it. Homes under construction there total more than \$200,000 investment, according to Raymond A. Dorn Co., the tract's developers.

Artist rendering of the residence at 1014 Hampton Road (*Los Angeles Times* 1937).

See Continuation Sheet

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

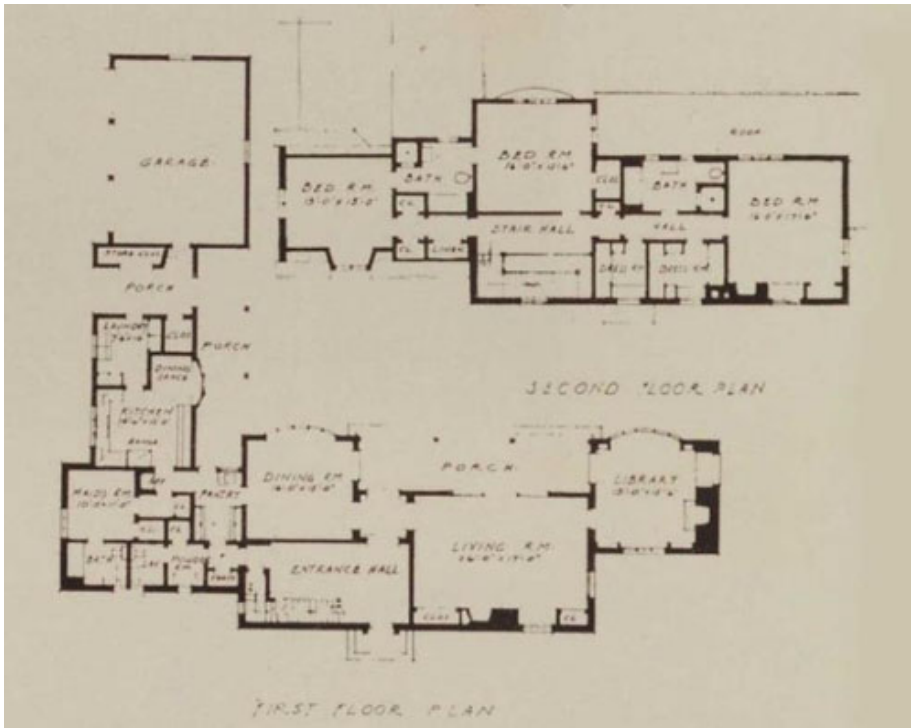
Primary # _____
HRI # _____
Trinomial _____

Page 4 of 9 *Resource Name or #: (Assigned by recorder) 1014 Hampton Road
*Recorded by LSA Associates, Inc. *Date: May 2022 Continuation Update

P5a. Photo (continued from page 4)



Façade, view to the southwest (*Architectural Digest* 1939).



First and second floor plans (*Architectural Digest* 1939).

See Continuation Sheet

State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
 HRI # _____
 Trinomial _____

Page 5 of 9 *Resource Name or #: (Assigned by recorder) 1014 Hampton Road
 *Recorded by LSA Associates, Inc. *Date: May 2022 Continuation Update

P5a. Photo (continued from page 4)



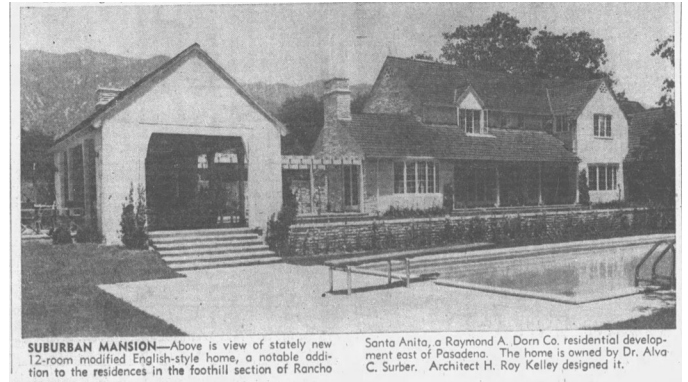
South elevation of enclosed patio on the southwest end of the rear elevation. View north (5/6/22).



View from covered patio (now enclosed) looking northeast at the rear of the residence, where there is now a large trellis and patios (*Architectural Digest* 1939).



Partial view of the south (rear) elevation and non-original trellis in front of the loggia, view north (5/6/22).



Rear of residence, view northeast (*Los Angeles Times* 1939).

B6. Construction History: (continued from page 2)

- 1958 Permit issued to owner Carl Amussen to remove the existing kitchen and add a new room, a new kitchen, a new bathroom, and an attached garage, and remodel residence. Permit notes that house has a shingle roof and the construction is frame, stucco, and veneer. Architect is listed as J. A. Catapano and the contractor is Gerardo R. Caporaso.
- 1959 A real estate advertisement for the approximately 6,000 square-foot, "two-story English" home, states that a 40-foot loggia with a wall of glass opens onto gardens and a pool (*Los Angeles Times* 1959).
- 1960 A real estate advertisement states that the house is a "stunning Colonial on a double lot" and has a pool (*Los Angeles Times* 1960).
- 1964 An aerial photograph shows a semi-circular driveway with two curb cuts on Hampton Road; the walkway has been removed. The western one-third of the property, where the tennis court was in the 1950s, has been developed with a residence. The residence appears to have been expanded to the west.
- 1965 A real estate advertisement describes the house as an "English Stone Manor" with a pool (*Los Angeles Times* 1965).
- 1968 Permits issued to owners Mr. and Mrs. Charles Blalack for a pool heater and to construct a low wall, concrete slab and open sided roof structure (105 square-feet) to be used as a bike shelter.

See Continuation Sheet

CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 6 of 9 *Resource Name or #: (Assigned by recorder) 1014 Hampton Road

*Recorded by LSA Associates, Inc. *Date: May 2022 Continuation Update

B6. Construction History: (continued from page 2)

- 1969 Permit issued to owner Charles Blalack to remove existing roofing and reroof using red cedar shakes.
- 1974 Permits issued to owner M. L. Nash to alter approximately 1,500 square-feet by adding a bathroom, enclosing a porch, and changing partitions. Permit also issued to construct two driveway approaches and install four heating and air conditioning units.
- 1977 Permit issued to owner Mr. M. Nash to install a new furnace and coil. Aerial photographs show a tennis court on the east side of the property.
- 1979 Permit issued to owner Nash for a 6 foot by 9 foot spa.
- 1987 Approval by the Rancho Santa Anita Property Owner's Association of a 6 foot high wrought iron fence with masonry pillars in the front yard and street side yard.
- 1988 Permit issued to owner Mr. Nash for lawn sprinklers.
- 1998 Permits issued to owner Merrill Nash to reroof house and garage with wood shake, construct a garage addition approximately 50 feet from Hampton Road, and minor interior alterations, and relocate two vents.

***B10. Significance:** (continued from page 2)

In 1885, the main line of the Santa Fe Railroad, in which Baldwin was a stockholder, was opened through Baldwin's property, making it practical to subdivide part of the land into a town site. By 1887, Baldwin was actively attempting to draw residents to the area, but sales were slow and the densest development occurred in the core of the town near the intersection of the railroads (Architectural Resources Group 2016:33). Residential development in this part of town was on small lots, while development further south was on multi-acre parcels (Ibid.). As late as 1903, when a census was taken to ascertain the population of the proposed City of Arcadia, the area only had 642 residents and many lived and worked on the Baldwin Ranch or were temporary residents working for the railroads (Ibid.). Regardless, with a booming economy increasingly based on entertainment, sporting, hospitality, and gambling, Arcadia was incorporated in 1903, with Baldwin as its first mayor (Arcadia Historical Society 2021).

Moving into the 1910s, Arcadia's growth remained slow and steady (Architectural Resources Group 2016). However, the city began shifting away from "its sporting days to more respectable pursuits, as it outlawed liquor licensing in 1912 and embarked on a series of civic improvements" (Architectural Resources Group 2016:44). By 1915, electric streetlights had been installed in some areas and streets were graded and oiled (Ibid.). Residential development in the 1910s saw the subdivision of larger parcels into smaller ones (2.5 to 5 acres) that attracted a wider variety of buyers who were interested in a more suburban lifestyle with room for some agricultural pursuits (Architectural Resources Group 2016:49). Most of the 1910s subdivisions followed a grid pattern with graded and sometimes paved roads without curbs or sidewalks (Architectural Resources Group 2016).

After World War I, the region thrived and the 1920s were a transformative period in Arcadia's development (Ibid.). Residential subdivision accelerated with tracts designed in grid patterns like those of the 1910s, but with smaller lots (Architectural Resources Group 2016:36). Single-family residential construction dominated the period (Ibid.). Most of these were modest in size and the earliest were constructed in the Craftsman style, with Period Revival styles becoming dominant in the mid-1920s and into the 1930s (Ibid.). The smaller lot subdivisions were located closer to the original town center, Pacific Electric lines, and the commercial district at Huntington and First, while the larger multi-acre lots were in what was then the southern part of town (Ibid.).

The 1936 to 1945 period was characterized nationally by massive unemployment and economic uncertainty, but Arcadia was one of the few places that did not experience a near cessation of construction (Architectural Resources Group 2016:65). The major factors for this were Anita Baldwin selling off the remaining approximately 1,300 acres of the Baldwin Ranch; establishment of military facilities and the related increase in demand for commercial businesses; and construction of a County park, which was a large Works Progress Administration (WPA) project (Ibid.). The Baldwin acreage was parceled out into a number of residential subdivisions, including Rancho, Upper Rancho, Santa Anita Village, and Colorado Oaks, that jumpstarted construction between 1936 and 1941 (Ibid.). The subject property is in the Upper Rancho neighborhood that is bounded by North Baldwin Avenue, West Foothill Boulevard, North Michillinda Avenue, and West Orange Grove Avenue. Upper Rancho was initially developed in the late 1930s as an exclusive residential area with curvilinear streets, large lots, mature oak and sycamore trees, and ornamental street lights (Architectural Resources Group 2016). Many of the homes were architect-designed and included lush landscaping. Development continued into the post-World War II (WWII) period.

With the end of WWII and the return of thousands of veterans, Arcadia and the greater Los Angeles area saw an enormous explosion in the development of affordable housing. Much of this development took the architectural vocabulary of the pre-war years and combined it into simplified styles suitable for mass developments and small-scale apartments (City of Los Angeles 2011). Development during the 1945-1970 period transformed the city from semi-rural to suburban earning it the nickname a "Community of Homes" (Architectural Resources Group 2016).

See Continuation Sheet

CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 7 of 9

*Resource Name or #: (Assigned by recorder) 1014 Hampton Road

*Recorded by LSA Associates, Inc.

*Date: May 2022

Continuation Update

B10. Significance: (continued from page 4)

People Associated with this Residence. Research revealed that the residence was designed by noted architect H. Roy Kelley and built by C. C. Boening for owner Alva C. Surber in 1937 (City of Arcadia var.). Research did not yield much information about C. C. Boening. An online search of Los Angeles County newspaper articles from 1923 to 1970 revealed that Mr. Boening started his business in 1924. From 1924 through 1929, he was mentioned in conjunction with a few small residential projects, but in 1930 and 1931 he worked on several residential projects and at least one commercial project primarily in Pasadena. Between 1942 and 1952, several advertisements for his company were found as well as a few mentions regarding residential projects and commercial building façade remodeling work he did in Pasadena. No additional relevant information was found for Mr. Boening.

Architect H. Roy Kelley (1893-1989) "was renowned for his exceptional renditions of period revival homes from Palos Verdes to Pasadena throughout the 1920's and 1930's, which earned him a heap of honors from both architectural press and his fellow practitioners" (Vaught 2011). Harold Roy Kelley was born in New York and educated at Cornell University, which now houses the Kelley Papers including information about the Surber house on Hampton Road (not currently accessible except in person). He settled in Los Angeles in 1920 and "won the first of several national competitions for house design in 1929, served on the architectural advisory board of Good Housekeeping magazine from 1931 to 1938 and was commissioned by Life magazine in 1937 to design a model home for all the nation" (*Los Angeles Times* 1989). His design for the English Country Manor-style house at 1021 Stone Canyon Road in Bel-Air (built in 1937) won "the 1938 "house Beautiful" prize from the Architectural League of New York, the fourth time he was so honored" (Ibid.). The Pringle house is similar to the Hampton Road house, which was featured in the January 1939 edition of *Architectural Digest*.

Kelley was known for creating designs that related to the outdoor setting and had "a harmonious flow between the spaces through use of windows, French doors, loggias and terraces" (Ibid.). He served on the architectural advisory committees for Bel-Air Estates and Palos Verdes Estates...After the war [WWII] he designed the RAND headquarters and several hospitals, churches and office buildings" (*Los Angeles Times* 1989).

The original owner, Alva Claude Surber, Jr. was born in 1901 in Muncie, Indiana (Ancestry.com var.). According to the 1930 Census, Mr. Surber married his wife Alice around 1926 and was an officer in the Navy (Ancestry.com var.). His 1942 draft card indicates he was a physician and a surgeon (Ancestry.com var.). He died in 1973 in Orange County (Ancestry.com var.).

Carl V. Amussen, President of Western Aluminum Corporation, and his wife Anne owned the residence for less than five few years in the late 1950s (City of Arcadia var.; Ancestry.com var.). In 1960, the property was for sale and from at least 1962 to 1966, Dominic C. Sturniolo, who was either the president or manager of The Derby, and his wife Lorene owned the property (Ancestry.com var.). In 1968 and 1969, Charles M. Blalack and his wife Boni were listed as the owners (City of Arcadia var.; Ancestry.com var.). Blalack was chairman of the board of Blalack and Wells, a San Marino-based investment company (*Arcadia Tribune* 1967). By 1974, Merrill L. Nash, president of Brown Company a Pasadena-based producer of forest products and building materials, owned the property (City of Arcadia var.; *Star-News* 1972).

Significance Evaluation. In compliance with CEQA, this property is being evaluated under the California Register criteria and the City of Arcadia criteria for Landmarks (Chapter 1, Section 9103.17.060 of the City's Municipal Code). The State criteria and 1-4 of the local criteria are identical, therefore, they have been grouped together to avoid redundancy. The additional local criteria (5 and 6) are addressed separately.

Criterion 1 - Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. This residence was part of the 1,300-acre Baldwin land that included the Rancho, Upper Rancho, Santa Anita Village, and Colorado Oaks subdivisions collectively known as Rancho Santa Anita, that jump started development in the Depression/pre-WWII period beginning in 1936. Lots ranged in size from less than half an acre to over two acres. This was one of the early group of homes built in these subdivisions. However, on its own, the residence does not convey this pre-WWII pattern of development.

Criterion 2 - Associated with the lives of persons important to local, California or national history. Based on the research discussed above, the residence does not appear to be associated with persons important in history.

Criterion 3 - Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values. This residence was designed by well-known architect H. Roy Kelley for Dr. and Mrs. Alva C. Surber, Jr.. The house, which was representative of the English Country Manor style that Kelley was known for at that time, was included in *Architectural Digest* in January 1939. However, in the years since, it has sustained alterations that have compromised Kelley's original design. Façade alterations include the addition of a Federal-style projecting pedimented gable over the entry and large garage additions. Alterations to the side and rear elevations, including removal of the original masonry siding, have also compromised the integrity of design, materials, and workmanship. Therefore, the residence is no longer an excellent representation of Kelley's work and is not significant for its association with him. For the same reasons, it is not significant as a representative example of a particular architectural style or for possessing high artistic values. See *Continuation Sheet*

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 8 of 9 *Resource Name or #: (Assigned by recorder) 1014 Hampton Road
*Recorded by LSA Associates, Inc. *Date: May 2022 Continuation Update

***B10. Significance:** (continued from page 5)

Criterion 4 - Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation. This residence was built in 1937 using common materials and construction practices. It does not have the potential to yield information important to the history or prehistory of the local area, California, or the nation.

Local Criterion 5 – Is listed on the National Register of Historic Places and/or California Register of Historical Resources. The online National Register database (current through 2012) and the National Register weekly lists from 2013 through the present, were searched, but no listings for this property were found (National Park Service n.d.a and n.d.b). In addition, a variety of sources were consulted including the California Office of Historic Preservation's (OHP) Built Environment Resource Directory (BERD), the 2016 Citywide Historic Resources Survey Report, and the Los Angeles Conservancy website to determine whether this property is listed in or is eligible for listing in either the National Register or California Register (California Office of Historic Preservation 2021). No listing for this property was found.

Local Criterion 6 – Is an iconic property. According to the City's ordinance, iconic means a property that "exhibits the City's unique character, history, or identity and/or has been visited and photographed so often by residents and visitors to the city that it has become inextricably associated with Arcadia" (9103.17.160 Definitions). Renderings and photographs of this residence were in the *Los Angeles Times* in 1937 and 1939 and it had a two-page spread in *Architectural Digest* in 1939. Online searches of historic images of Arcadia did not reveal any photos of this property and research did not reveal that it has been the location of important social or community events. It does not appear to be a well-known or iconic property.

***B12. References:** (continued from page 2)

Arcadia Tribune

1967 Blalack-Goss Elected to New Offices. December 14, page 9.

Architectural Resources Group

2016 "City of Arcadia Citywide Historic Context Statement." Accessed online at: <https://www.arcadiaca.gov/government/city-departments/development-services/historic-preservation>

City of Arcadia

Var. Building permits for 1014 Hampton Road. Accessed online in April 2022 at: <https://laserfiche.arcadiaca.gov/WebLink/Browse.aspx?startid=537578&cr=1>

California Office of Historic Preservation (OHP)

2021 Built Environment Resource Directory for Los Angeles County. Accessed online in May 2022 at: https://ohp.parks.ca.gov/?page_id=30338

City of Los Angeles

2011 Jefferson Park HPOZ Preservation Plan, City of Los Angeles. On file at the City of Los Angeles.

Historicaerials.com

Var. Aerial photographs of the property accessed online in May 2022 at: <https://www.historicaerials.com/viewer>

Los Angeles County Office of the Assessor

n.d. Property information accessed online in April 2022 at: <https://maps.assessor.lacounty.gov/m/>

Los Angeles Times

1937 Distinctive Residences Rises In Rancho Tract. December 5, page 81.

1939 Suburban Mansion (photo caption). July 9, page 61.

1956 Santa Anita Oaks, real estate advertisement. January 29, page 197.

1959 Beach & Flaaten, real estate advertisement. April 5, page 399.

1960 1014 Hampton Rd (Arcadia). January 17, page 273.

1965 1014 Hampton Road, Arcadia. June 6, page 377.

1989 H. Roy Kelley, 95; Architect and Designer. April 20. Accessed online in May 2022 at: <https://www.latimes.com/archives/la-xpm-1989-04-20-mn-2095-story.html>

National Park Service

n.d.a National Register Database and Research. Accessed online in May 2022 at: <https://www.nps.gov/subjects/nationalregister/weekly-list.htm>

n.d.b Weekly Lists Previous Years. Accessed online in May 2022 at: <https://www.nps.gov/subjects/nationalregister/weekly-lists-previous-years.htm>

Star-News

1972 Brown Co. Plans Merger with Illinois Concrete Firm. June 16, page A3.

Vaught, Steve

2011 Paradise Leased. *Blowin' the Bazoo in Bel-Air with Bob "Bazooka" Burns*. Accessed online in May 2022 at: <https://paradisereleased.wordpress.com/2011/02/07/blowin-the-bazoo-in-bel-air-with-bob-bazooka-burns/>

State of California - Resource Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # _____
 HRI # _____
 Trinomial _____

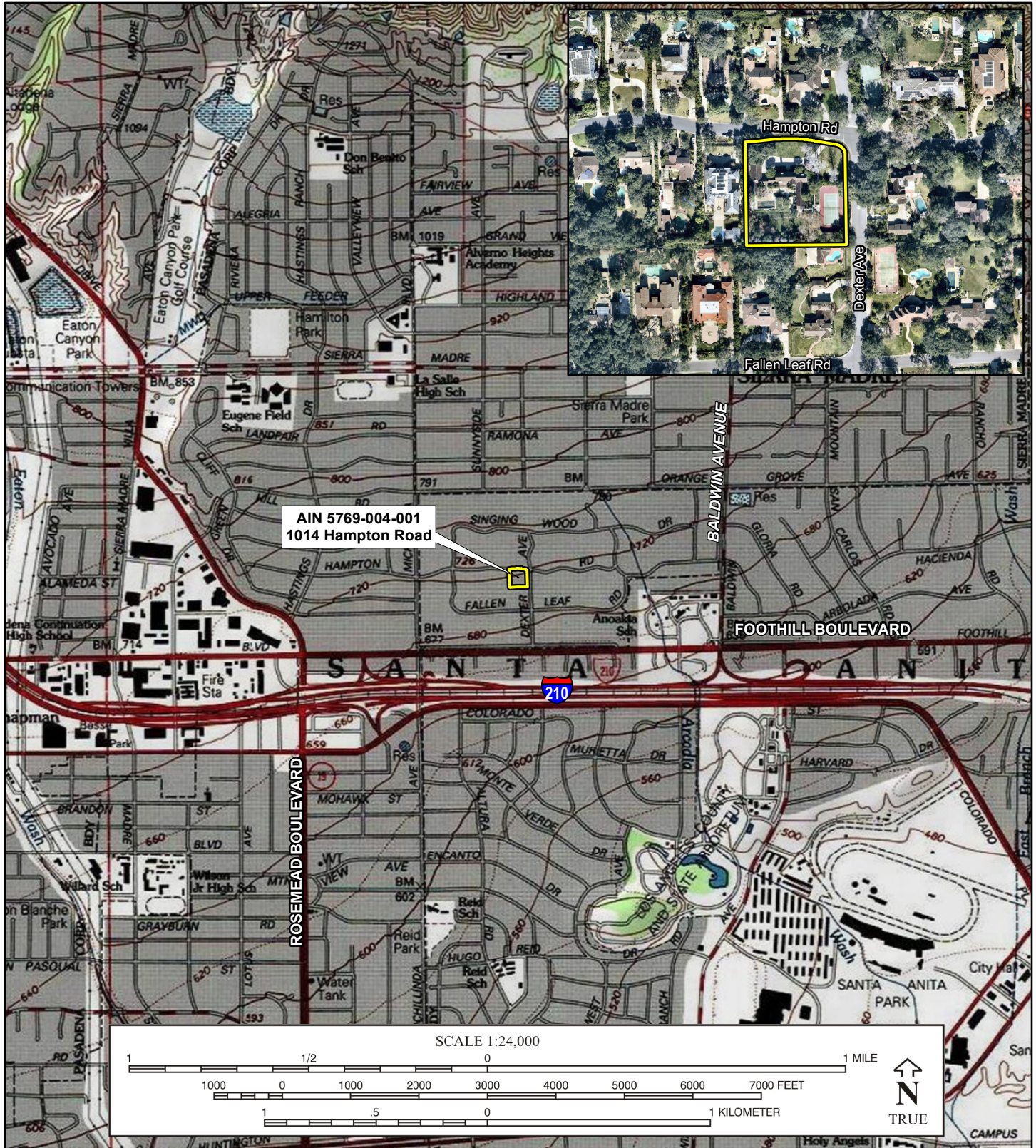
Page 9 of 9

*Resource Name or 1014 Hampton Road

*Map Name: USGS 7.5' Quad, Mt. Wilson; Nearmap

*Scale: 1:24000

*Date of Map: 1988; 2022



Attachment No. 4

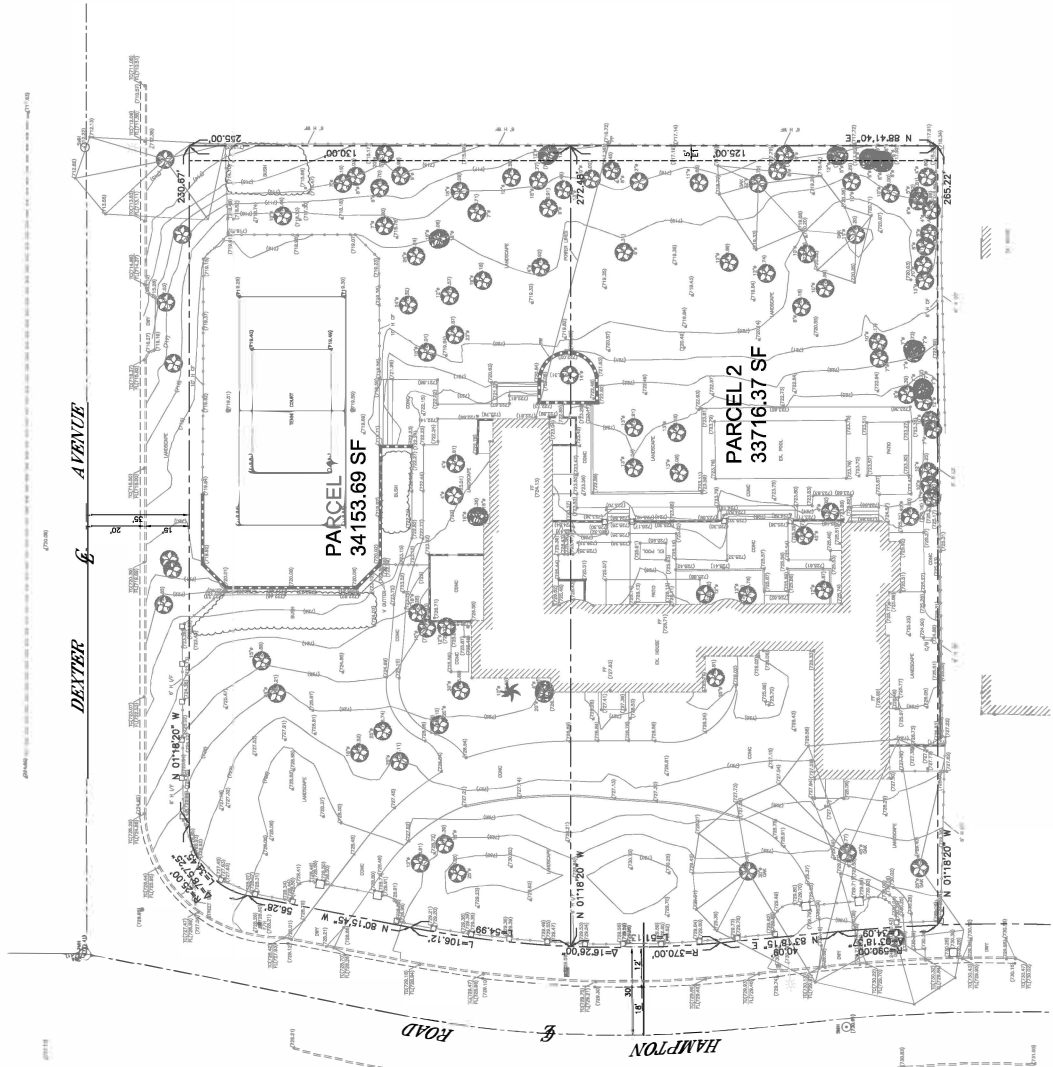
Tentative Parcel Map 23-03 (84177)

TENTATIVE PARCEL MAP NO. 84177

IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

LOTS 54 AND 55 OF TRACT NO. 11204, IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 197 PAGES 18 TO 20 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5769-004-001
FOR SUBDIVISION PURPOSE



- ABBREVIATIONS**
- CBW..... CONC BLOCK WALL
 - C&G..... CURB AND GUTTER
 - D/A..... DRIVEWAY APRON
 - D/W..... DRIVEWAY
 - E/P..... EMBOSSED POLE
 - EX..... EXISTING
 - FI..... FIRE HYDRANT
 - GM..... GAS METER
 - MH..... MANHOLE
 - FF..... FINISH FLOOR
 - S/W..... SIDEWALK
 - SD..... STORM DRAIN
 - FS..... FINISH SURFACE
 - TO..... TOP OF CURB
 - TV..... TOP OF VALVE
 - WV..... WATER VALVE
- LEGENDS:**
- (527.63)..... EXISTING ELEVATION
 - 520.00..... PROPOSED ELEVATION
 - (530)..... EXISTING CURB
 - (530)..... PROPOSED CURB
 - (530)..... EXISTING PATERN
 - (530)..... PROPOSED PATERN
 - SW..... SIDE WALK
 - CL..... CENTER LINE
 - PL..... PROPERTY LINE
 - EXISTING NOTES
 - EXISTING FIRE HYDRANT
 - EXISTING WATER LINE
 - GAS

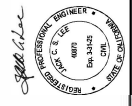
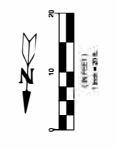
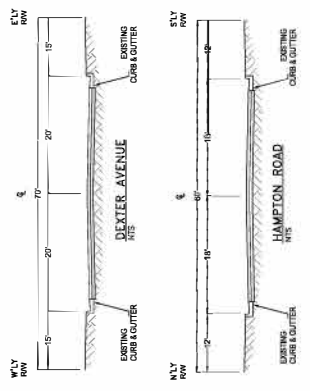


UTILITY SERVICES:

- WATER - CITY OF ARCADIA WATER
- SEWER - CITY OF ARCADIA SEWER
- GAS - SOUTHERN CALIFORNIA GAS CO.
- ELECTRICAL - SOUTHERN CALIFORNIA EDISON CO.
- TELEPHONE - PACIFIC BELL
- SCHOOL - ARCADIA UNIFIED SCHOOL
- FIRE - CITY OF ARCADIA FIRE DEPARTMENT
- SHERIFF - CITY OF ARCADIA POLICE

NOTES:

- EXISTING ZONE R-O (90,000)
- LOT SIZE: 67,870.08 SF/1.589 AC
- NO. OF EXISTING LOT: 1
- NO. OF PROPOSED LOT: 2
- PARCEL 1: 34153.69 SF
- PARCEL 2: 33716.37 SF
- SEWERAGE DISPOSAL: BY GRAVITY SEWER PIPES TO STREET MAIN



CAL LAND ENGINEERING, INC.
dba QUARTECH CONSULTANTS
576 E LAMBERT ROAD, BREA, CA 92821
TEL: (714) 671-1050 FAX: (714) 671-1090

RELEASED

REVISIONS

PROJECT LOCATION:
1014 Hampton Road,
Arcadia, CA 91006

DATE: 07/26/2023
SHEET NO.: 22-201-118
SCALE: 1" = 20'
TIT. NUMBER: 1" = 20'

T-1

SHEET 1 OF 1 SHEET

Attachment No. 5

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	Tentative Parcel Map Application No. TPM 23-03 (84177) to subdivide a 67,870 square foot single-family residential zoned parcel into two legal lots that is located at 1014 Hampton Road Categorical Exemption under the California Environmental Quality Act ("CEQA")	
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):	1014 Hampton Road (The corner of Hampton Road and Dexter Avenue)	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Henrui Properties LP
	(2) Address	8 S. Old Ranch Road Arcadia, CA 91006
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:	15315 – Class 15 (Minor Land Divisions)
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: May 30, 2023

Staff: Alison MacCarley, Assistant Planner



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, August 22, 2023**

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

ROLL CALL

PRESENT: Chair Tsoi, Vice Chair Wilander, Arvizu, and Hui

ABSENT: Tallerico

It was moved by Vice Chair Wilander and seconded by Commissioner Arvizu to excuse Commissioner Tallerico from the meeting. Commissioner Hui attended the meeting at 7:05 p.m.

Without objection, the motion was approved.

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

There were none to report.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

1. **Resolution No. 2131** – Approving Conditional Use Permit No. CUP 23-23 to allow an educational center with a maximum of 18 students at 20 East Foothill Boulevard, Unit 212 and 217

CEQA: Exempt

Recommendation: Adopt

Applicant: Star International Center

MOTION - PUBLIC HEARING

Chair Tsoi introduced the item and Assistant Planner Alison MacCarley presented the staff report.

The Commissioners had no questions for staff.

The public hearing was opened.

The Applicant, Chaoying Guo, spoke about her business proposal and the classes her educational center will offer. Ms. Guo provided some background about her robotics team and the reason they are looking to expand into a brick-and-mortar location. Furthermore, she described her goals and aspirations to compete in robotics competitions and how this approval will help her achieve that.

No one else spoke in favor of the proposal.

Chair Tsoi asked if there were any speakers in opposition of the proposal.

No one spoke in opposition of the proposal.

It was moved by Commissioner Arvizu, seconded by Vice Chair Wilander, to close the public hearing.

Without objection, the motion was approved.

DISCUSSION

Vice Chair Wilander thanked the Applicant and staff, she had no concerns and was in favor of the proposal.

Commissioner Hui asked what the difference was between operating the classes at home and operating in a commercial space. Given that the public hearing had been closed, the question was directed to staff.

Ms. MacCarley explained a commercial space was more suitable than the limited space at home to meet their goals of competing in robotics competitions.

Commissioner Arvizu was thrilled about the proposal and said it was a great opportunity for the community to have more access to STEM courses and for a business to offer both art and science classes.

Chair Tsoi agreed with the Commissioner's sentiments and was in favor of the proposal.

MOTION

It was moved by Commissioner Wilander, seconded by Commissioner Arvizu to adopt Resolution No. 2131 approving Conditional Use Permit No. CUP 23-03 to allow an educational center with a maximum of 18 students at 20 East Foothill Boulevard, Unit 212 and 217

ROLL CALL

AYES: Chair Tsoi, Vice Chair Tsoi, Arvizu, and Hui

NOES: None

ABSENT: Commissioner Tallerico

The motion was approved.

There is a 10-day appeal period. Appeals are to be filed by 4:30 p.m. on Friday, September 1, 2023.

PUBLIC HEARING

- 2. Resolution No. 2132** – Approving Planning Commission Administrative Modification No. PC AM 23-02 to legalize a reduction to the rear yard setback for the constructed six-unit multi-family project at 1027 Arcadia Avenue

CEQA: Exempt

Recommendation: Adopt

Applicant: Henry Phung

MOTION - PUBLIC HEARING

Chair Tsoi introduced the item and Deputy Development Services Director Lisa Flores presented the staff report.

Vice Chair Wilander understood the situation but asked how the oversight occurred. Ms. Flores explained it was an oversight from the builder and the City and it was discovered after the project was completely built.

Commissioner Arvizu expressed concerns about the oversight of the reduced setback and asked for clarification of what is the purpose of a “setback.”

Ms. Flores explained the setback is the distance between the building and the property line that must remain unobstructed from any structures.

Commissioner Arvizu pointed out that it does help there is a parking lot behind this property. He asked is it more likely for the City to approve a setback modification if there is a parking lot or an open area behind a proposed building.

Ms. Flores said an open area like that does help make the findings because there would be greater distance between the buildings and privacy would be less of a concern.

Commissioner Arvizu asked if the City has previously worked with the surveyor or builder who worked on this project.

Ms. Flores stated she is not familiar with the surveyor or the builder.

Commissioner Arvizu expressed concerns about this situation setting a precedent for future projects and asked how much square footage was increased due to the setback encroachment.

Ms. Flores indicated that the length increased by 12-18 inches, and the setback varies due to the indentation or projections at the rear of the building. She deferred the question about square footage to the Applicant.

Commissioner Arvizu pointed out that the property value will increase in value due to the additional square footage, and asked if the City will benefit from it.

Ms. Flores stated the City does not look at the project from a financial standpoint.

Commissioner Hui expressed concern about this case setting a precedent to future similar cases.

Ms. Flores indicated that this project will not set a precedent since it was a one-off and it will not change the land use pattern as there are other developments that have similar setbacks as this development.

Commissioner Hui asked if the builder would benefit financially from the additional square feet.

Ms. Flores explained the City does not analyze the financial gains and nor should the Planning Commission when making a decision.

Commissioner Hui asked if it was possible for the building to be reduced in length to meet the setback requirements.

Ms. Flores explained a portion of the building would have to be demolished, and all the utilities in the rear would have to be relocated.

Commissioner Arvizu asked if the Cypress trees are on the adjacent property or this property. He also asked if the distance between the planter and the electrical panel were inspected by the fire department.

Ms. Flores indicated that the Cypress trees were on the adjacent property and the site was inspected and signed-off by the fire department. Ms. Flores went on to explain why the electrical panel was placed where it was.

Commissioner Arvizu expressed concern about the distance between the planter and the electrical panel and requested that the Commission consider having that planter removed.

Ms. Flores explained why the planter was placed in its current location, she said Staff is not recommending its removal, but it can be removed if that is the Commission's preference.

Vice Chair Wilander pointed out the planter could provide some privacy.

Vice Chair Wilander asked for clarification about the finding and how many needed to be made to justify the modification. Ms. Flores confirmed at least one finding must be made.

Chair Tsoi commented how unique this case is and pointed out the discrepancies from the original plans.

Commissioner Arvizu asked at what point of construction did the ownership changed.

Ms. Flores said it was during the demolition period.

The Commissioners had no further questions for staff.

The public hearing was opened.

Kevin Tang introduced himself as the property owner. Mr. Tang answered the Commissioner's questions and clarified a few comments. Mr. Tang provided some background and went on to explain where the discrepancies might have occurred. Additionally, Mr. Tang addressed the comment regarding monetary benefit and confirmed the units affected by the setback encroachment did not gain square footage.

Commissioner Hui asked if the rear unit has been sold.

Mr. Tang indicated that a couple of the units are in escrow, but they have not closed since it is contingent upon tonight's decision and obtaining a Certificate of Occupancy from the City.

Commissioner Arvizu asked if Southern California Edison had seen the electrical panel after planter was installed.

Mr. Tang confirmed that they did, and the planter was in place before the electrical panel was installed.

Commissioner Arvizu continued to express concerns about the proximity of the planter to the electrical panel.

Ms. Flores suggested the planter can be removed as a condition of approval.

The Applicant confirmed the distance between the planter and the building is more than 36 inches.

Chair Tsoi stated that the Commission should require As-built plans for the entire project (both interior and exterior) as a condition of approval.

No one else spoke in favor of the proposal.

Chair Tsoi asked if there were any speakers in opposition.

There were none.

It was moved by Vice Chair Wilander, seconded by Commissioner Arvizu, to close the public hearing.

Without objection, the motion was approved.

DISCUSSION

Commissioner Arvizu said his biggest concern was the clearance between the planter and the electrical panel and would prefer to see it removed.

Vice Chair Wilander commented that the planter serves no purpose and agreed with the Commissioner Arvizu's concerns.

Commissioner Hui agreed with making the removal of the planter as a condition of approval and was in favor of approving the modification.

Chair Tsoi understood the issue at hand, and that he would like the City to have the final As-Built plans on record.

Ms. Flores mentioned the two new conditions into the record – removal of the planter in the rear and the Applicant shall submit As-Built plans (exterior and interior) to the City prior to issuance of a Certificate of Occupancy.

MOTION

It was moved by Commissioner Hui, seconded by Vice Chair Wilander to approve Planning Commission Administrative Modification No. PC AM 23-02 to legalize a reduction to the rear yard setback for the constructed six-unit multi-family project at 1027 Arcadia Avenue in which findings no. 1 and no. 2 were made and is exempt from CEQA.

ROLL CALL

AYES: Chair Tsoi, Vice Chair Wilander, Arvizu, and Hui
NOES: None
ABSENT: Commissioner Tallerico

The motion was approved.

There is a 10-day appeal period. Appeals are to be filed by 4:30 p.m. on Friday, September 1, 2023.

CONSENT CALENDAR

- 1. Minutes of the July 25, 2023, Regular Meeting of the Planning Commission

Recommended: Approve

Commissioner Arvizu made a motion to approve the minutes and seconded by Commissioner Hui.

ROLL CALL

AYES: Chair Tsoi, Arvizu, and Hui
NOES: None
ABSENT: Commissioner Tallerico

Vice Chair Wilander abstained since she was not present at the July 25, 2023, meeting.

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

Dr. Cao reported that the Mayor is hosting the State of the City community breakfast on Wednesday, September 6.

MATTERS FROM THE PLANNING COMMISSONERS

Commissioner Hui informed the Commissioners about a fundraising concert for the Arcadia Performing Arts Foundation on September 23, 2023.

MATTERS FROM ASSISTANT CITY ATTORNEY

Assistant City Attorney Yeo had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Flores reported that there are two items for the September 12 meeting and two items for the September 26 meeting.

Ms. Flores also reported that the Draft DIR for the Derby Mixed Use Project is out for public comment until September 19.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:15 p.m., to Tuesday, September 12, 2023, at 7:00 p.m. in the City Council Chamber.

Chair Tsoi, Planning Commission

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission