

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, June 27, 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

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

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

PUBLIC COMMENTS (5 minute time limit per person)

Each speaker is limited to 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. 2130** – Approving an Amendment to Multi-family Architectural Design Review No. MFADR 21-01 to include a new basement to an approved, new second multi-family unit at 525 S. Second Avenue
CEQA: Exempt
Recommendation: Adopt

Applicant: Mitzi Linscott

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, July 10, 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.

2. Minutes of the May 23, 2023, Regular Meeting of the Planning Commission

Recommendation: Approve

PLANNING COMMISSION REORGANIZATION

3. Planning Commission Reorganization

Recommended Action: It is recommended the Secretary initiate the procedure for the reorganization of the Planning Commission.

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, July 11, 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: June 27, 2023

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Deputy Development Services Director
By: Fiona Graham, Planning Services Manager

SUBJECT: RESOLUTION NO. 2130 – APPROVING AN AMENDMENT TO MULTI-FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 21-01 TO INCLUDE A BASEMENT TO AN APPROVED, NEW SECOND MULTI-FAMILY UNIT AT 525 S. SECOND AVENUE
CEQA: Exempt
Recommendation: Adopt

SUMMARY

The Applicant and Property Owner, Mitzi Linscott, is requesting approval of an amendment to Multi-Family Architectural Design Review No. MFADR 21-01 to construct a new basement to a new multi-family unit that was previously approved by the Planning Commission on June 14, 2022, at 525 S. Second Avenue. Extension No. EXT 23-03 was approved on April 10, 2023, extending the expiration date of MFADR 21-01 and PC AM 21-03 from June 25, 2023 to June 25, 2024. It is recommended that the Planning Commission adopt Resolution No. 2130 (refer to Attachment No. 1), find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), subject to the conditions listed in this staff report.

BACKGROUND

The subject property is a 7,518 square foot corner lot, currently improved with a 1,016 square foot, single-story residence and a detached two-car garage that was built in 1949 (see Figure 1). The property is zoned R-3, High Density Residential with a General Plan Land Use Designation of High Density Residential – refer to Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the Subject Property. The property is surrounded by other R-3 (High Density Residential) zoned properties to the north, south, and west, and R-2 (Medium Density Residential) zoned property to the east.

On June 14, 2022, the Planning Commission approved Multi-Family Architectural Design Review No. MFADR 21-01 and Administrative Modification No. PC AM 21-03 to construct a new, second multi-family unit at 525 S. Second Avenue that will be attached to the front unit (refer to Attachment No. 3 for the June 14, 2022, Planning Commission staff report without the attachments). An extension to the Project was approved on April 10, 2023. The Project was delayed and has not been submitted to Building plan check because the property owner realized that a basement is necessary to meet her future needs, which necessitated an amendment to the original approval and changes to the plans.

No alterations, other than the addition of the basement and re-orientation of the exterior staircase to access the basement are proposed under this amendment. The exterior design and layout of the new two-story multi-family unit will remain the same, as shown below in Figure 1.

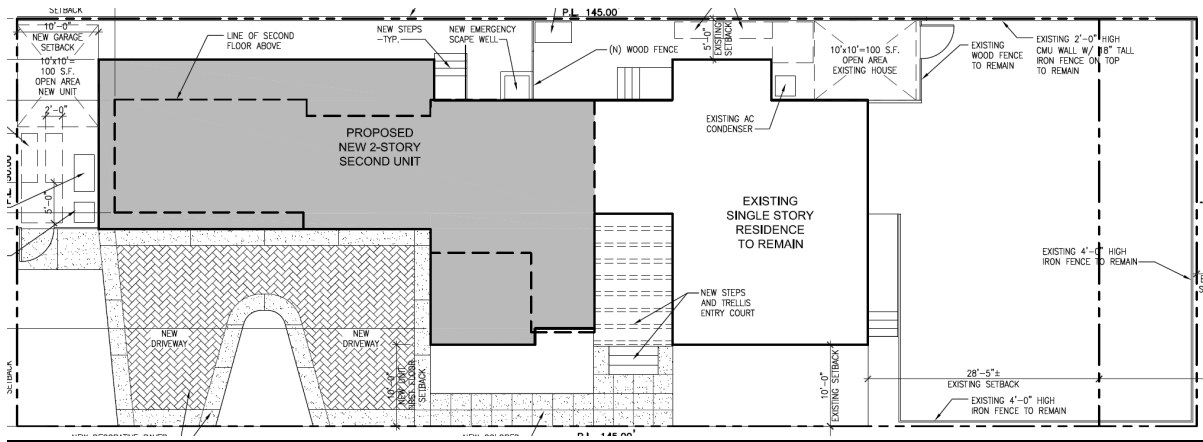


Figure 1 – Two-unit, multi-family development

PROPOSAL

The amendment will add a new 465 square foot basement level below a portion of the new multi-family unit - refer to Figure 2 for the floor plan and Figure 3 for a cross-section. No portion of the basement will be visible from the grade level. The reason for the amendment to the original approval was because the property owner intends to reside at the property and determined that additional square footage would be ideal for the storage of personal items as the new unit will cover most of the property's rear yard, preventing the construction of a storage shed. For any basements, it must have an egress window or a basement window well. For this unit, a basement window well is required per the Building and Fire Codes for emergency egress from the basement. The well must be at least 9 square feet in area with a minimum dimension in any direction of 3 feet, and it will be located on the northerly side of the basement. Per the Development Code, a basement window well is allowed to encroach into the required side yard setback with a minimum side yard setback of five (5) feet. It is proposed at seven (7) feet from the northerly property line.

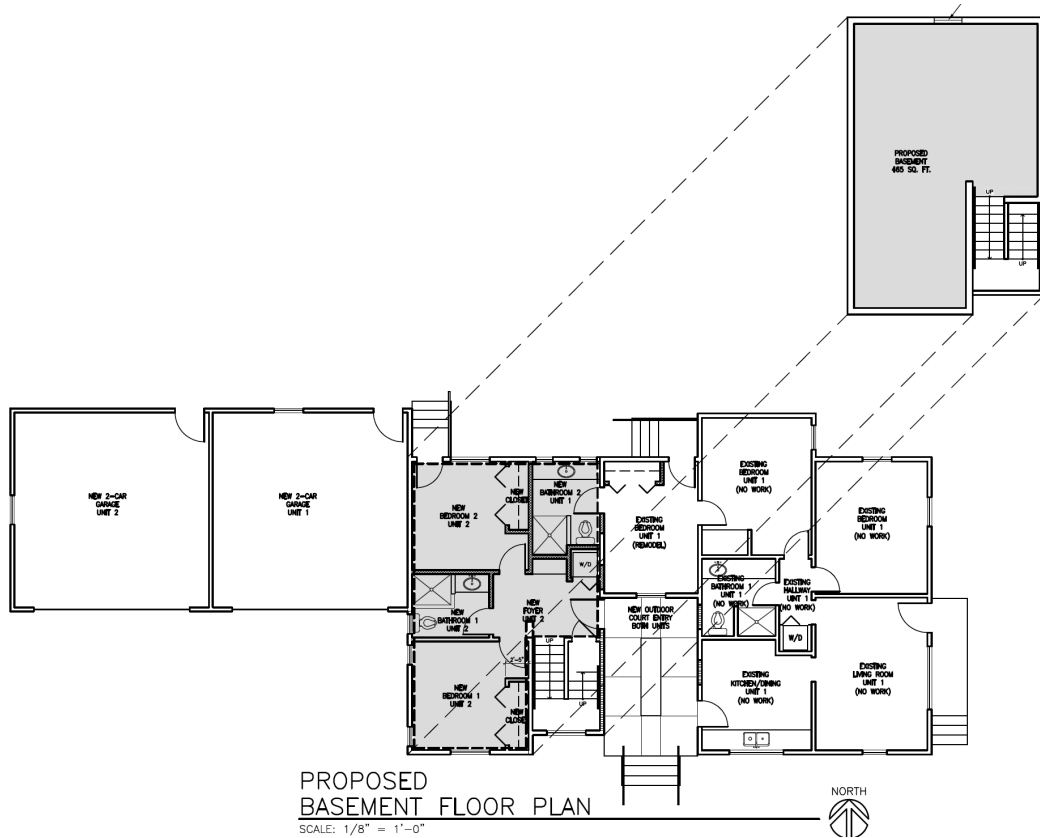


Figure 2 – Floor plan of the proposed basement added under a portion of the new addition.

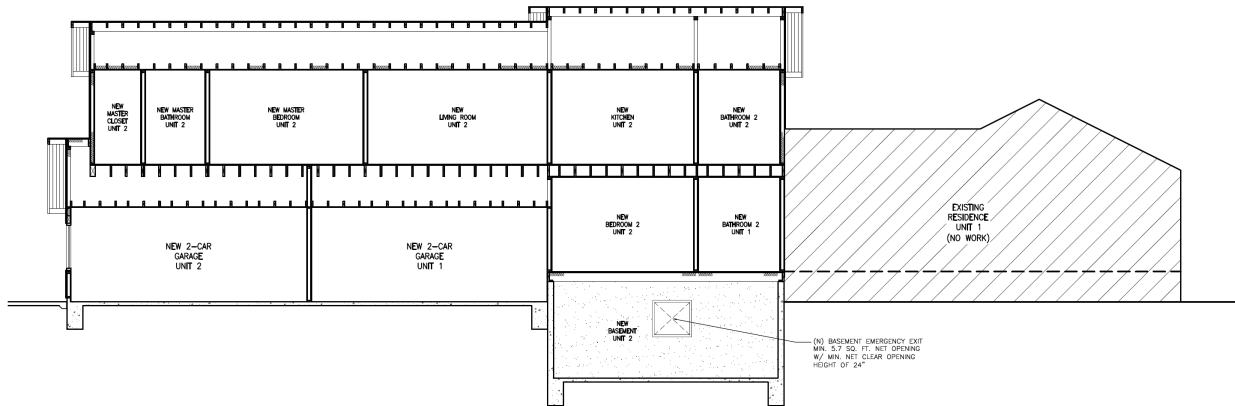


Figure 3 – Cross section showing the location of the proposed basement

ANALYSIS

The proposed 465 square foot basement will be located wholly below grade and no portion of it will be visible above grade of the approved, second multi-family unit. No exterior changes are proposed, and the project complies with all the regulations that were previously approved for this unit – refer to Attachment No. 4 for architectural plans. Although the unit will increase from 1,518 square feet to 1,983 square feet because of the basement, it will require an increase to onsite parking spaces, open space, or landscaping. The basement complies with all other applicable standards of the Development Code.

Any changes to the approval of the multi-family project requires an amendment to the Architectural Design Review approval and the Planning Commission consideration to make all the applicable findings below since it is an amendment to their original approval.

1. The Project is in compliance with all applicable development standards and regulation in the Development Code.

Facts to support findings: The proposed amendment adding a basement complies with all the standards and regulations in the Development Code, as the additional square footage to the basement does not trigger any additional requirements. Therefore, the proposed basement that is wholly below grade complies with all applicable development standards and regulations in the Development Code.

2. The Project is consistent with the objectives and standards of the applicable Design Guidelines.

Facts to support findings: The proposed basement will not be visible, and no changes are proposed to the exterior of the building from what was previously approved by the Planning Commission on June 14, 2022, under Resolution No. 2098. Therefore, the inclusion of a basement will be consistent with the objectives and standards of the Multi Family Architectural Design Guidelines.

3. The Project is compatible in terms of scale and aesthetic design with surrounding properties and developments.

Facts to support findings: The proposed basement will not be visible since it is wholly below grade and no alteration to the overall design to the second multi-family unit is proposed, therefore the finding that the original approval to the design is compatible in terms of scale and aesthetic design with surrounding properties and developments as outlined in Resolution No. 2098 still stands. The inclusion of a basement under an approved, new, second multi-family unit will not change the appearance or aesthetic design of the subject property as it will not be visible from the building's exterior. The proposed basement also meets all setback

requirements. Therefore, the project is still compatible with surrounding properties and developments.

4. Have an adequate and efficient site layout in terms of access, vehicular circulation, parking and landscaping.

Facts to support findings: The property will still have an adequate and efficient site layout in terms of access, vehicular circulation, parking and landscaping, as the proposed basement will be located below grade under the new building footprint. Furthermore, the basement will not be visible from the building's exterior. Therefore, the proposed basement will not affect the approved site layout in terms of access, vehicular circulation, parking, and landscaping.

5. Be in compliance with all of the applicable criteria identified in Subparagraph 9107.19.040 C.5. of the Development Code.

Facts to support findings: The proposed basement to a new multi-family unit will be in compliance and consistent with all of the applicable criteria identified in Subparagraph 9107.19.04(C)(5), which are the City's Development Code and the General Plan. No changes are proposed to the exterior of the new, second multi-family unit, therefore it will still be consistent with the City's Multi-family Design Guidelines. For these reasons, the proposed basement complies with all the applicable criteria identified in the Development Code.

ENVIRONMENTAL ASSESSMENT

The proposed project qualifies as a Class 3 Exemption, for new construction relating to the development of a multi-family project, under the California Environmental Quality Act (CEQA) pursuant to Section 15303(b) of the CEQA Guidelines. Refer to Attachment No. 5 for the Preliminary Exemption Assessment.

PUBLIC NOTICE/COMMENTS

A public hearing notice for this item was published in the *Arcadia Weekly* newspaper and mailed to the property owners located within 300 feet of the subject property on June 15 2023. As of June 22, 2023, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission approve an amendment to MFADR 21-01, find that the proposed basement to a new multi-family unit is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2130, subject to the following conditions of approval:

1. The proposed basement shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted

and conditionally approved under this Amendment to MFADR 21-02, subject to the approval of the Deputy Development Services Director or designee.

2. The conditions of approval that were approved under Resolution No. 2098 and later extended for one year until June 25, 2024, under Extension No. EXT 23-03 for the second multi-family still applies to this project.
3. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and 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.
4. 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 the amendment to MFADR 21-01 (“Project”) on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant’s contractors, agents, tenants, employees or any other persons acting on Applicant’s behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will 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 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 Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice. 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 Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, at the request of the Applicant or not.

5. Approval of the Amendment to MFADR 21-01 shall not be in effect unless the Applicant/Property Owner has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved 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 amendment, the Commission should move to approve the Amendment to Multi-Family Architectural Design Review No. MFADR 21-01, state that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2130 that incorporates the requisite environmental and Site Plan and Design Review findings, and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission is to deny this amendment, the Commission should state the specific findings that the proposal does not satisfy based on the evidence presented with specific reasons for denial and move to deny the amendment to Multi-Family Architectural Design Review No. MFADR 21-01, 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 June 27, 2023, hearing, please contact Associate Planner, Fiona Graham, at (626) 574-5442, or by email at fgraham@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2130
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: June 14, 2022 Planning Commission Staff Report (no attachments)
- Attachment No. 4: Architectural Plans
- Attachment No. 5: Preliminary Environmental Assessment

Attachment No. 1

Resolution No. 2130

RESOLUTION NO. 2130

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING AN AMENDMENT TO MULTIFAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 21-01 TO INCLUDE A NEW BASEMENT TO AN APPROVED, NEW SECOND MULTI-FAMILY UNIT AT 525 S. 2ND AVENUE

WHEREAS, on March 23, 2023, an application to amend Multi Family Architectural Design Review No. MFADR 21-01 was filed by Mitzi Linscott, the property owner, to add a basement under an approved, new second multi-family unit at 525 S. Second Avenue (collectively, "Project"); and

WHEREAS, on April 10, 2023, an initial extension, Extension No. EXT 23-03 was approved, extending the expiration date for Multi Family Architectural Design Review No. MFADR 21-01 and Planning Commission Administrative Modification No. PC AM 21-03 from June 25, 2023 to June 25, 2024; and

WHEREAS, on May 12, 2023, Planning Services completed an environmental assessment for the Project in accordance with the California Environmental Quality Act ("CEQA") and recommends that the Planning Commission determine that the Project qualifies as a Class 3 Categorical Exemption under CEQA pursuant to section 15303(b) of the CEQA Guidelines as new construction or the conversion of small structures relating to the development of a multi-family project; and

WHEREAS, on June 27, 2023, a duly noticed public hearing was held before the Planning Commission on said application, at which time all interested persons were given full opportunity to be heard and to present evidence.

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

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated June 27, 2023 are true and correct.

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

1. The Project is in compliance with all applicable development standards and regulation in the Development Code.

FACT: The proposed amendment adding a basement complies with all the standards and regulations in the Development Code, as the additional square footage to the basement does not trigger any additional requirements. Therefore, the proposed basement that is wholly below grade complies with all applicable development standards and regulations in the Development Code.

2. The Project is consistent with the objectives and standards of the applicable Design Guidelines.

FACT: The proposed basement will not be visible, and no changes are proposed to the exterior of the building from what was previously approved by the Planning Commission on June 14, 2022, under Resolution No. 2098. Therefore, the inclusion of a basement will be consistent with the objectives and standards of the Multi Family Architectural Design Guidelines.

3. The Project is compatible in terms of scale and aesthetic design with surrounding properties and developments.

FACT: The proposed basement will not be visible since it is wholly below grade and no alteration to the overall design to the second multi-family unit is proposed, therefore the finding that the original approval to the design is compatible in terms of scale and aesthetic design with surrounding properties and developments as outlined in Resolution No. 2098

still stands. The inclusion of a basement under an approved, new, second multi-family unit will not change the appearance or aesthetic design of the subject property as it will not be visible from the building's exterior. The proposed basement also meets all setback requirements. Therefore, the project is still compatible with surrounding properties and developments.

4. Have an adequate and efficient site layout in terms of access, vehicular circulation, parking and landscaping.

FACT: The property will still have an adequate and efficient site layout in terms of access, vehicular circulation, parking and landscaping, as the proposed basement will be located below grade under the new building footprint. Furthermore, the basement will not be visible from the building's exterior. Therefore, the proposed basement will not affect the approved site layout in terms of access, vehicular circulation, parking, and landscaping.

5. Be in compliance with all of the applicable criteria identified in Subparagraph 9107.19.040 C.5. of the Development Code.

FACT: The proposed basement to a new multi-family unit will be in compliance and consistent with all of the applicable criteria identified in Subparagraph 9107.19.04(C)(5), which are the City's Development Code and the General Plan. No changes are proposed to the exterior of the new, second multi-family unit, therefore it will still be consistent with the City's Multi-family Design Guidelines.. For these reasons, the proposed basement complies with all the applicable criteria identified in the Development Code.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act ("CEQA"), this Project qualifies as a Class 3 Categorical Exemption under CEQA

pursuant to section 15303(b) of the CEQA Guidelines as new construction or the conversion of small structures relating to the development of a multi-family project.

SECTION 4. For the foregoing reasons the Planning Commission determines that the Project is Categorically Exempt per Section 15303(b) of the California Environmental Quality Act (CEQA) Guidelines, and approves the amendment to Multi Family Architectural Design Review No. MFADR 21-01 to add a basement under an approved, new, second multi-family unit at 525 S. Second Avenue, subject to the conditions of approval attached hereto.

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

Passed, approved and adopted this 27th day of June, 2023.


Chair, Planning Commission

SIGNATURES ON THE NEXT PAGE

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

Page Internationally Left Blank

RESOLUTION NO. 2130

Conditions of Approval

1. The proposed basement shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved under this Amendment to MFADR 21-01, subject to the approval of the Deputy Development Services Director or designee.
2. The conditions of approval that were approved under Resolution No. 2098 and later extended for one year until June 25, 2024 under Extension No. EXT 23-03 for the second multi-family still applies to this project.
3. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and 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.
4. 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 the amendment to MFADR 21-01 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will 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 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 Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice. 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 Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, at the request of the Applicant or not.

5. Approval of the Amendment to MFADR 21-01 shall not be in effect unless the Applicant/Property Owner has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved 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

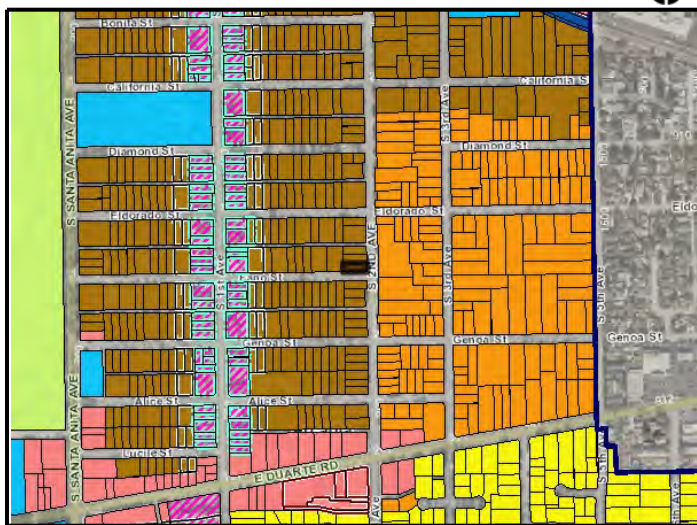
Site Address: 525 S 2ND AVE

Property Owner(s): Property Owner



Property Characteristics	
Zoning:	R-3
General Plan:	HDR
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	1,016
Year Built:	1949
Number of Units:	1
Overlays	
Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia



PHOTO - EAST SIDE - 2ND AVENUE



PHOTO - SOUTH SIDE - FANO STREET



PHOTO - SOUTH SIDE - FANO STREET



PHOTO - NORTH EAST SIDE - 2ND AVENUE

Attachment No. 3

June 14, 2022 Planning Commission Staff
Report (No Attachments)



STAFF REPORT

Development Services Department

DATE: June 14, 2022

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Planning & Community Development Administrator
By: Fiona Graham, Planning Services Manager

SUBJECT: RESOLUTION NO. 2098 – APPROVING MUTLI-FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 21-01 AND ADMINISTRATIVE MODIFICATION NO. PC AM 21-03 WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR A NEW SECOND MULTI-FAMILY UNIT AT 525 S. SECOND AVENUE
Recommendation: Adopt Resolution No. 2098

SUMMARY

The Applicant and Property Owner, Mitzi Linscott, is requesting approval of Multi-Family Architectural Design Review No. MFADR 21-01 and Administrative Modification No. PC AM 21-03 to construct a new second multi-family unit at 525 S. Second Avenue. The proposed unit will be attached to an existing residence, resulting in the development of a duplex. The proposed project is subject to several modifications to reduce the minimum density from three units to two units, reduce the required street-side yard setback from 25 feet to 24'-2" - 10 feet; and eliminate the one required guest parking space for the site. It is recommended that the Planning Commission adopt Resolution No. 2098 (refer to Attachment No. 1), find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), and approve MFADR 21-01 and PC AM 21-03, subject to the conditions listed in this staff report.

BACKGROUND

The subject property is a 7,518 square foot corner lot, currently improved with a 1,016 square foot, single-story residence and a detached two-car garage that was built in 1949 (see Figure 1). The property is zoned R-3, High Density Residential with a General Plan Land Use Designation of High Density Residential – refer to Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the Subject Property. The property is

surrounded by other R-3 (High Density Residential) zoned properties to the north, south, and west, and R-2 (Medium Density Residential) zoned property to the east.



Figure 1 – Existing Residence

PROPOSAL

The Applicant is proposing to construct a new, two-story unit that will be attached to the rear of the existing single-family residence, resulting in the development of a duplex. To accommodate the construction, the existing one car detached garage and detached accessory structure will be demolished.

The existing residence is 1,016 square feet and comprises of a living room, kitchen, bathroom and three bedrooms. The home is legal nonconforming because the house currently does not comply with the minimum side yard setback of five (5) feet, whereas 10 feet is required or the street side yard setback of 10 feet, whereas 25 feet is required.

The existing residence will be retained largely intact. An existing enclosed porch and stairs to the rear will be demolished to allow for the construction of a new, shared entry court for both residences. The home's interior will remain unchanged except that some

windows will be removed and a new 70 square foot bathroom, contained within the new unit, will be attached to an existing rear bedroom. The house will subsequently become a part of a duplex as part of the multi-family development of the property.

The proposed second unit, and garages, will be constructed to the rear of the existing house and attached to it. A new, shared entry courtyard, constructed between the two units along the Fano Street frontage, will provide for a front entry for the new unit, and a rear entry to the existing residence. The new 1,518 square foot, two-story unit will include a bedroom, den/office, and bathroom on the ground floor and a master bedroom, kitchen, living and dining room on the second floor. Two, 400 square foot two-car garages will be constructed on the ground floor under the new unit with each garage serving one of the residences. The garages will be accessed by a split driveway fronting Fano Street. At the Fano Street property line, each of the two driveways will be 12 feet wide and are separated by a 12-foot-wide landscaped area. The driveways widen towards the garage doors, providing vehicle access to each two-car garage. Bicycle parking for each unit is to be maintained on the site, within the setback areas.

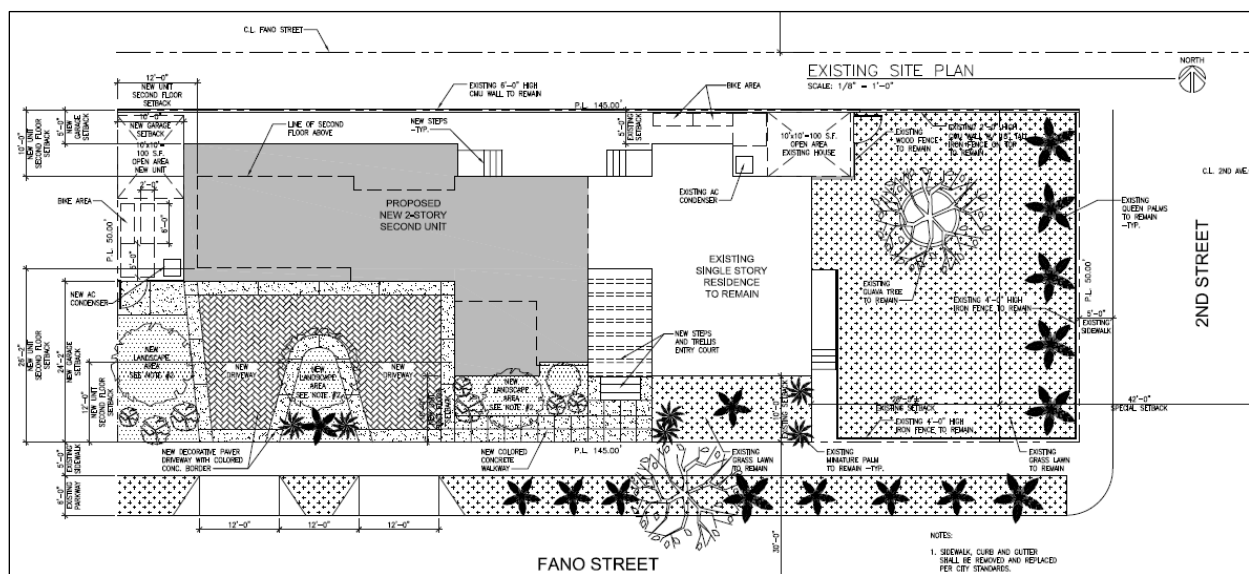


Figure 2 – Proposed two-unit development – site plan

The interior side yard setback is five (5) feet to the new garages and 10 feet to the ground floor living areas and second story. The Development Code requires a minimum 10 foot side yard setback except that an enclosed single-story garage may encroach a maximum of five feet into the required interior side setback when a lot is less than 65 feet wide. The new unit complies with this exception. The project includes a modification for the street side yard setback. The existing front yard and some side yard landscaping will be retained, however the rear yard will have new landscaping. Additionally, each unit will provide the minimum required 100 square feet of open space in the setback areas.

The proposed development will have an overall building height of 24'-11", which is below the maximum height limit of 33'-0" with a pitched roof. The development complies with the front, rear and interior side yard setback requirements. It should be noted that Second Avenue has a special setback requirement which the project also meets. The special setback requires that the front setback is measured from 42 feet from the centerline of the street on Second Avenue. A dedication of 12 feet will be required for future widening of this street and to all properties along Second Avenue. The house will still comply with the minimum front yard setback after the dedication. Condition of approval No. 13 requires that the property owner dedicate the first 12 feet of the property to the City for right-of-way.



Figure 3 – Proposed two-unit development – elevations

The property does not have any protected trees. The existing front yard landscaping will be retained as part of the project. The Applicant is proposing a few new trees and drought-tolerant landscaping throughout the property.

ANALYSIS

The project is subject to a Multi-Family Architectural Design Review and Administrative Modification for the new multi-family unit. The proposed second unit has been designed to match the architectural style of the existing house, which is a traditional style design. The new unit continues the horizontal board cladding, and roof style and pitch. To accommodate the development on the site, the proposal includes three modifications as follows:

- 1) Reduce the minimum density from three units to two units per the underlying R-3 zone.
- 2) Reduce the street side yard setback from 25 feet to 10 feet.
- 3) Eliminate the required guest parking space.

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

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

The proposed modifications will secure an appropriate improvement of the lot, prevent an unreasonable hardship, and promote uniformity of development.

Each modification is discussed separately below:

- **Reduce the minimum density** - The first modification is to reduce the minimum density from three (3) units to two (2) units and add a new second unit to the existing single-family residence, thereby creating a duplex. In the R-3 zones, the minimum density is one (1) unit per 2,200 square feet of lot area with a maximum density of 1,450 square feet of lot area. As such, the minimum density for this site requires three (3) units and the maximum density is five (5) units. However, the Development Code allows a lot width of 50 feet or less to be developed with less than the required density but not less than two dwelling units on the lot through a modification process – Development Code Section 9102.01.100.A.1. The modification is warranted to reduce the minimum density since the property owner plans to retain the existing single-family residence and convert it into a multi-family unit and the remaining area of the lot would not be large enough to accommodate two more units and comply with all the zoning requirements since it is a corner narrow lot. Therefore, the modification to allow a reduced density of two units is an appropriate improvement to the lot given that the owner is increasing the number of units on this property than what was previously there, and duplexes are common in the multi-family zones.

- **Reduce the Required Street-Side Yard Setback** - The second modification is to reduce the required street-side yard setback from 25 feet to 24'-2" to 10 feet to accommodate a new multi-family unit. This modification is necessary since the property lot width is 50 feet wide and if all the setbacks were to be applied, it would only leave a buildable area of 15 feet. Having a building footprint that is only 15 feet wide would be incongruous with the existing home which has a building width of 35 feet. Also, a narrow building of 15 feet would limit the size of living areas in the proposed unit and restrict the ability to add any building articulation. The existing residence on this property currently has a 10 feet street-side setback so it would be a compatible continuation since the proposed multi-family unit will be attached to the residence. This is the only setback the project cannot comply with, and it is a reasonable request given the constraints of the size of the lot, it has greater setbacks because it is a corner lot, and any development would have to request for a modification regardless to have a reasonable sized building. Therefore, the modification is warranted since it will promote uniformity of development.
- **Eliminate the required guest parking space** - The last modification is to eliminate the one required guest parking space. The Development Code requires one (1) guest parking space for every two (2) units. Due to the lot size, width, and the location of the existing unit, the remaining area does not have any space area outside of the setback area to provide a guest parking space and the 10-foot setback area adjacent to the garages is not wide enough since an 11'-6" wide parking space is required when it is adjacent to a wall, and that area is being utilized for the required bike parking and open space area. Furthermore, the garages cannot be reduced in size since they are already proposed at the minimum interior dimension of 20 feet by 20 feet, and if the livable space on the ground floor was to reduce it would leave that area with very small bedrooms/bathrooms. The lot is having further constraints because it is a corner lot with greater setback requirements and the lot is only 50 feet wide. For these reasons, the site is not able to provide a guest parking space on the site in addition to the residential garages and provide sufficient living space in the second unit. Although on-street parking cannot be counted as guest parking, there are parking available on Fano Street and Second Avenue. Therefore, the elimination of a guest parking space will allow for an appropriate improvement of the lot, without unreasonably limiting the size of the second unit, or restricting private open space or landscaping.

The modifications for the development of a second multi-family unit will secure an appropriate improvement of a lot, prevent an unreasonable hardship, and promote uniformity of development. Approval of these modifications will allow for the construction of a two-unit, multi-family development, which includes the retention of the existing house fronting Second Avenue. The development of the second unit that architecturally complements the existing home and provides sufficient living space, necessitates a

reduction in the minimum density, street side setback, and on-site guest parking. As such, the modifications will allow for an appropriate improvement of the lot and will promote uniformity of development. Strict application of all Development Standards would result in reduced living space and architectural incompatibility between the existing unit and proposed unit, which is an unreasonable hardship.

Architectural Design Review

Concurrent with the modification application, the Planning Commission must approve, conditionally approve, or deny the architectural design of the project. The project is designed in a Traditional architectural style – refer to Attachment No. 3.

The proposed development is located within the High Density Residential (R-3) Zone, which is intended to provide a variety of medium to high density residential development. The proposed design of the two-unit multi-family project is compatible with existing multi-family developments in the surrounding neighborhood in terms of massing, and scale. The traditional style architecture is compatible with other multi-family developments in the surrounding area. The area has a mix of architectural styles including traditional and Spanish. The proposed development will also be similar in height to the other multi-family developments on this street and retention of the existing, single-story home will reduce the overall mass. Identifiable design features of the existing house which are being carried through to the new unit include the roof style and pitch, the use of gables with vertical battens, horizontal cladding, stone-clad raised elevation, and the window and door styles. The site will remain accessible to vehicular and pedestrian traffic from Fano Street. In addition, the proposed design is consistent with the City's Multifamily Residential Design Guidelines.

All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the Applicant/Property Owner to the satisfaction of the Building Official, City Engineer, Planning & Community Development Administrator, Fire Marshal, and Public Works Services Director, or their respective designees.

ENVIRONMENTAL ASSESSMENT

The proposed project qualifies as a Class 3 exemption, for new construction or the conversion of small structures relating to the development of a duplex, under the California Environmental Quality Act (CEQA) pursuant to Section 15303(b) of the CEQA Guidelines. Refer to Attachment No. 4 for the Preliminary Exemption Assessment.

PUBLIC NOTICE/COMMENTS

A public hearing notice for this item was published in the *Arcadia Weekly* newspaper and mailed to the property owners located within 300 feet of the subject property on June 2, 2022. As of June 10, 2022, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission approve MFADR 21-01 and PC AM 21-03, find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2098, subject to the following conditions of approval:

1. The project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for MFADR 21-01 and PC AM 21-03, subject to the approval of the Planning & Community Development Administrator or designee.
2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall subject to review and approval by the Planning & Community Development Administrator, or designee.
3. The plans submitted for Building plan check shall comply with the latest adopted edition of the following codes as applicable:
 - a. California Building Code
 - b. California Electrical Code
 - c. California Mechanical Code
 - d. California Plumbing Code
 - e. California Energy Code
 - f. California Fire Code
 - g. California Green Building Standards Code
 - h. California Existing Building Code
 - i. Arcadia Municipal Code
4. No utilities or fixtures shall be located on the exterior walls of the building that face a street.
5. The Applicant/Property Owner shall install separate water meter for each unit. A common water meter for each unit can be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
6. All residential units shall require a separate water service and meter for common area landscape irrigation.

7. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to permit issuance of a building permit for the new residential unit
8. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department, Engineering Section. Abandonment of existing water services, if necessary, shall be carried out by the Applicant/Property Owner, according to Public Works Services Department, Engineering Division specifications.
9. Applicant/Property Owner shall utilize existing sewer lateral, if possible.
10. If any drainage fixture elevation is lower than the elevation of the next upstream manhole cover (457.78), an approved type of backwater valve is required to be installed on the lateral at the right of way.
11. The Applicant/Property Owner shall provide, and accommodate for, a total of three trash containers per unit, one each for trash, recycling and greenwaste/foodwaste, to the satisfaction of the Public Works Services Director, or designee. The Applicant/Property Owner shall size the trash enclosure areas accordingly per the trash provider requirements.
12. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall dedicate to the City twelve (12'-0") feet of private land that fronts Second Avenue for City's right-of-way. The dedication can be made through an Offer of Dedication, subject to review and approval by the City's Development Services Department – Engineering Division.
13. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall remove and replace existing sidewalk, curb and gutter from property line to property line, including additional sidewalk to provide adequate ADA clearance around all obstacles.
14. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall construct a new driveway approach per the City standard plan.
15. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall replace the street trees along Fano Street per the City's Street Tree Master Plan. The landscape plans shall be subject to review and approval by the Public Works Department prior to planting any new street trees.
16. Prior to issuance of a Certificate of 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.

17. All structures (new and existing) shall be provided with an automatic fire sprinkler system per the City of Arcadia Fire Department's Multi-Family Dwelling Sprinkler Standard.
18. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Planning & Community Development Administrator, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
19. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with MFADR 21-01 and PC AM 21-03 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will promptly notify the Applicant of the claim, action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, Applicant shall provide to City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. City may draw funds from the deposit for such fees, costs, and expenses. Within five (5) business days of each and every notice from City that the deposit has fallen below the initial amount,

Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. City shall only refund to 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 that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s) or take any position adverse to the Applicant in connection with such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, whether or not at the request of the Applicant.

20. Approval of MFADR 21-01 and PC AM 21-03 shall not be in effect unless the Applicant/Property Owner has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved 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 project, the Commission should move to approve Multi-Family Architectural Design Review No. MFADR 21-01 and Administrative Modification No. PC AM 21-03, state that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2098 that incorporates the requisite environmental and subdivision findings, and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission is to deny this project, the Commission should state the specific findings that the proposal does not satisfy based on the evidence presented with specific reasons for denial and move to deny Multi-Family Architectural Design Review No. MFADR 21-01 and Administrative Modification No. PC AM 21-03, 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 June 14, 2022, hearing, please contact Planning Services Manager, Fiona Graham, at (626) 574-5442, or by email at FGraham@ArcadiaCA.gov.

MF ADR 21-01 and PC AM 21-03
525 S. Second Avenue
June 14, 2022
Page 12 of 12

Approved:

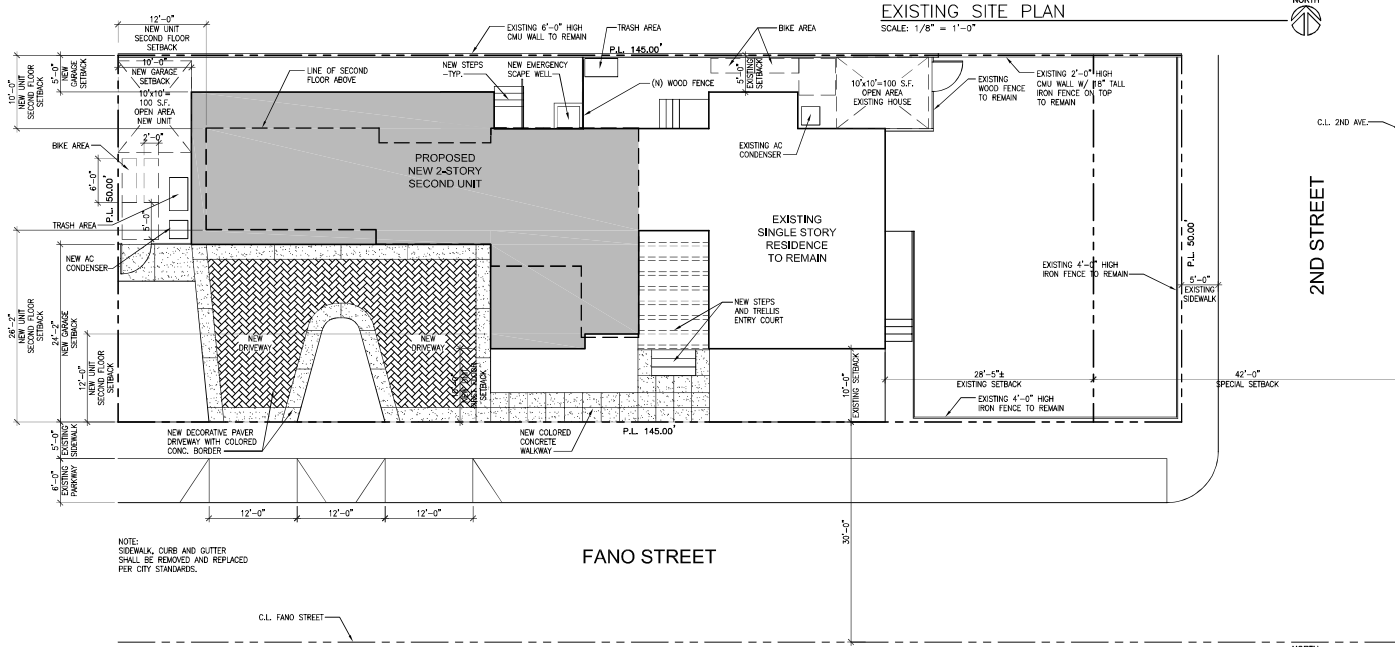
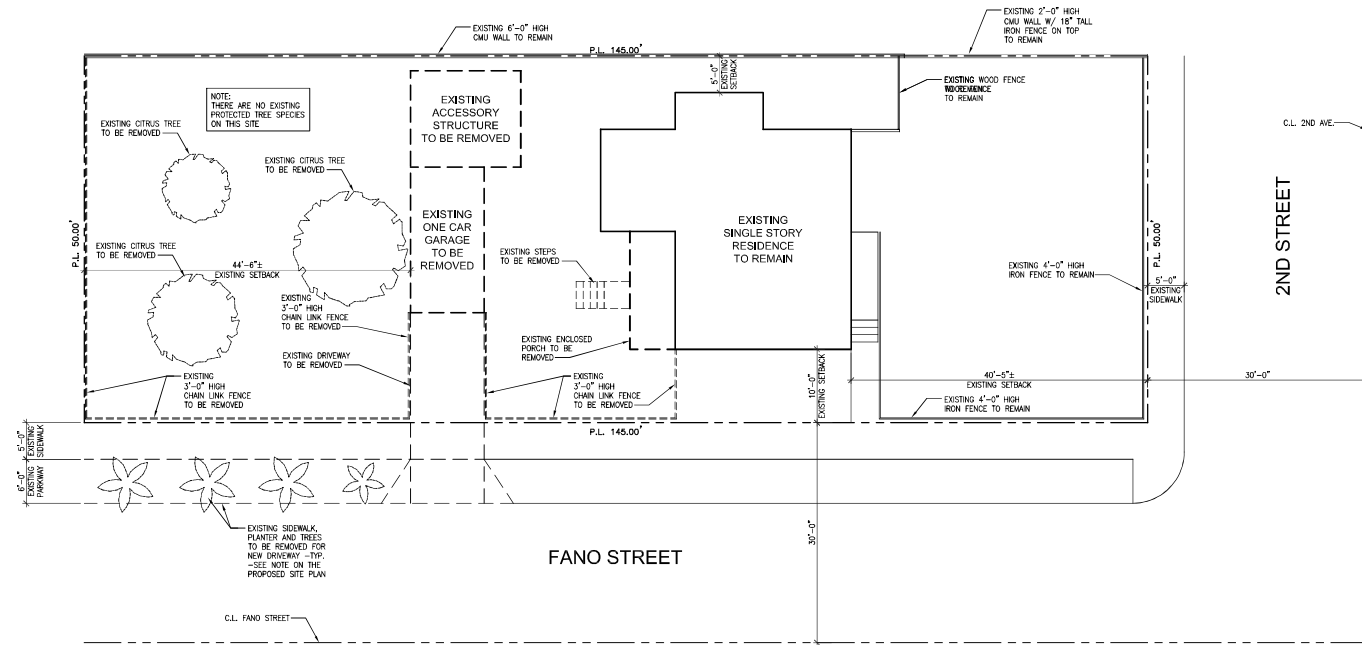


Lisa L. Flores
Planning & Community Development Administrator

- Attachment No. 1: Resolution No. 2098
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: Architectural Plans
- Attachment No. 4: Preliminary Environmental Assessment

Attachment No. 4

Architectural Plans



NOTE:
SIDEWALK, CURB AND GUTTER
SHALL BE REMOVED AND REPLACED
PER CITY STANDARDS.

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

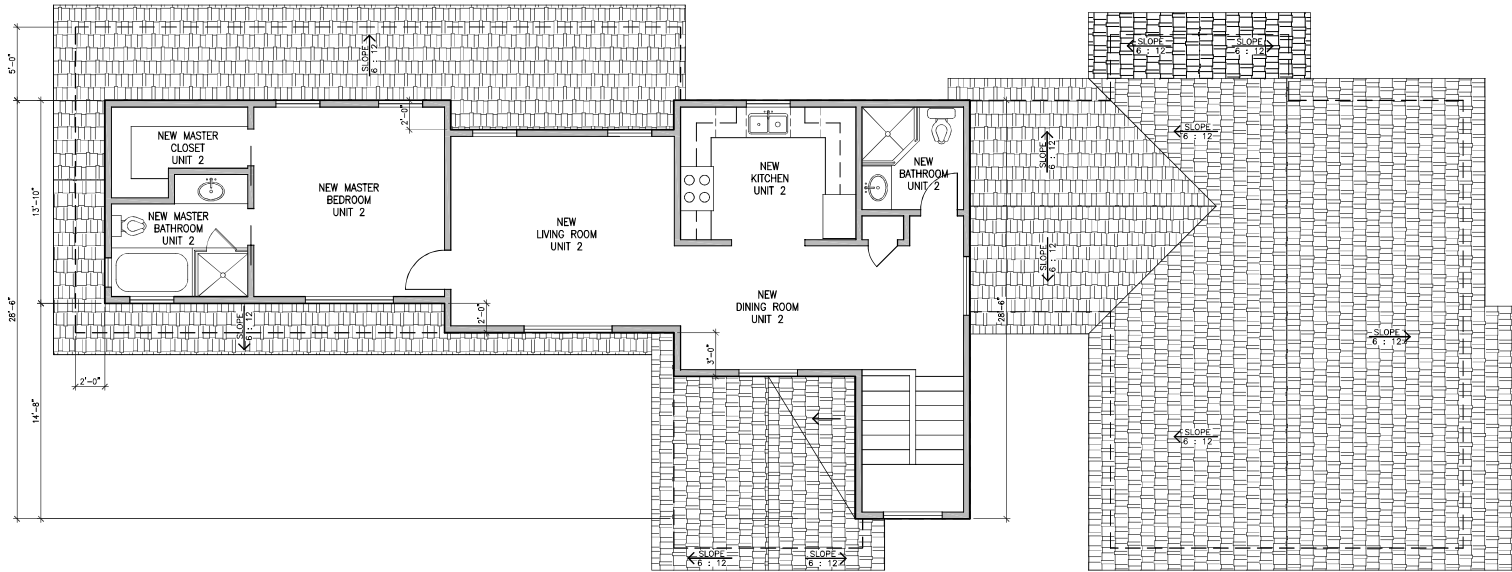
Revisions



ARCHITECT:
SIAMAK SAHAND
1044 N. MAR VISTA AVE.
PASADENA, CA 91104
626-824-0045

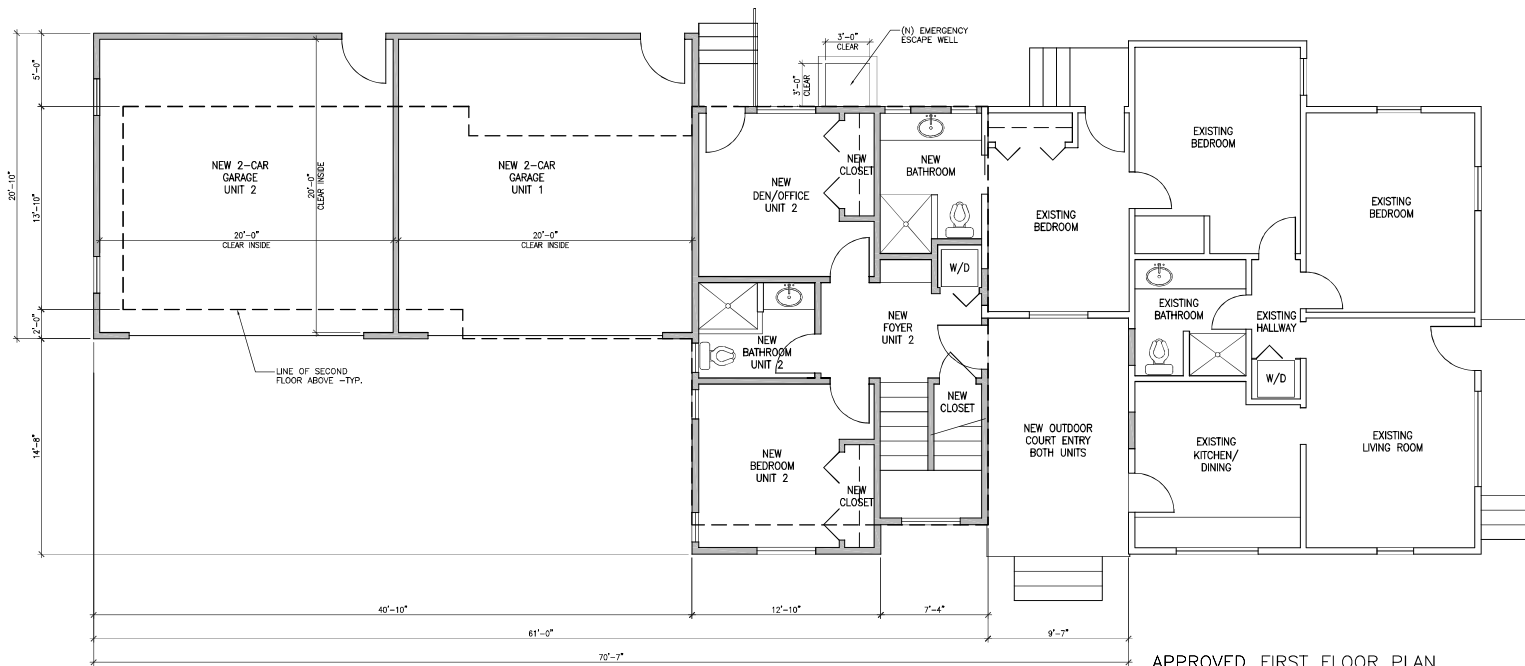
EXISTING SITE PLAN
APPROVED SITE PLAN
NEW TWO STORY UNIT
LINSOTT RESIDENCE
525 SOUTH 2ND STREET, ARCADIA, CA 91006

Drawn
Checked
Date 02-14-2022
Job No.
Sheet No.
A-1
of sheets



APPROVED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



APPROVED FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

Revisions



ARCHITECT:
SIAMAK SAHAND
1044 N. MAR VISTA AVE.
PASADENA, CA 91104
626-824-0045

APPROVED FIRST AND SECOND FLOOR PLANS

NEW TWO STORY UNIT
LINSOTT RESIDENCE

525 SOUTH 2ND STREET, ARCADIA, CA 91006

Drawn

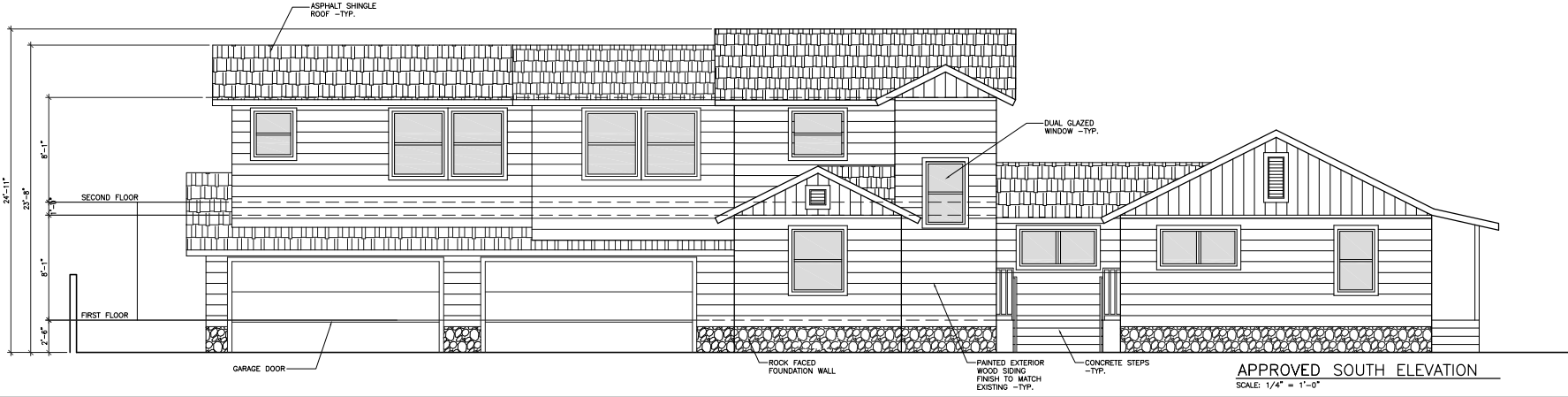
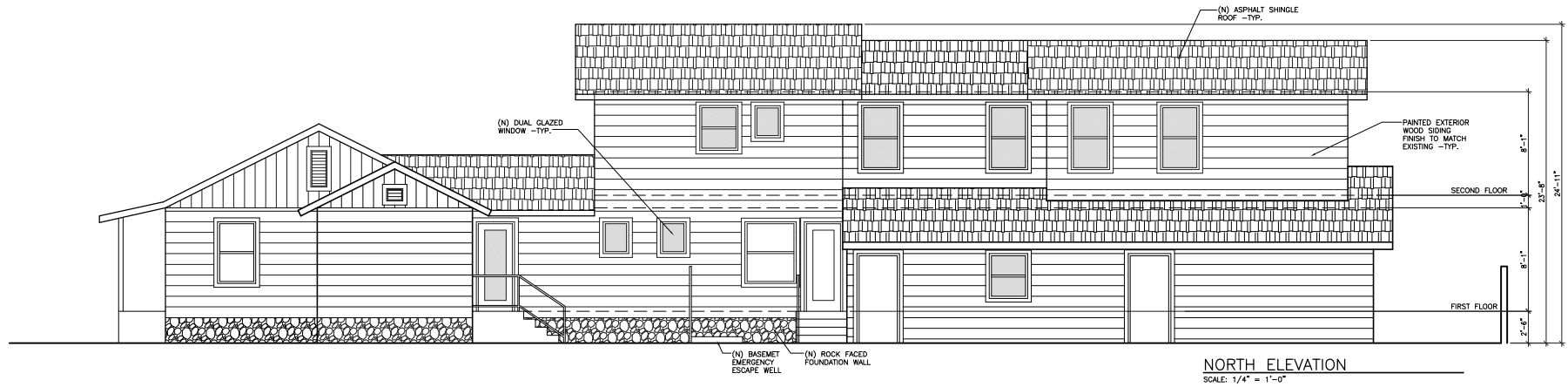
Checked

Date 02-14-2022

Job No.

Sheet No.

A-3
of sheets



Revisions



ARCHITECT:
SAVAN SAHANI
1044 N. MAR VISTA AVE.
PASADENA, CA 91104
626-824-0045

APPROVED EXTERIOR ELEVATIONS
NEW TWO STORY UNIT
LINSOTT RESIDENCE
525 SOUTH 2ND STREET, ARCADIA, CA 91006

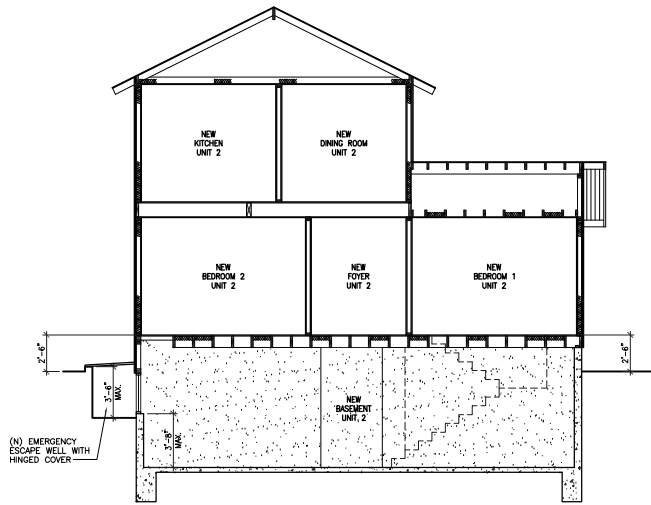
Drawn

Checked

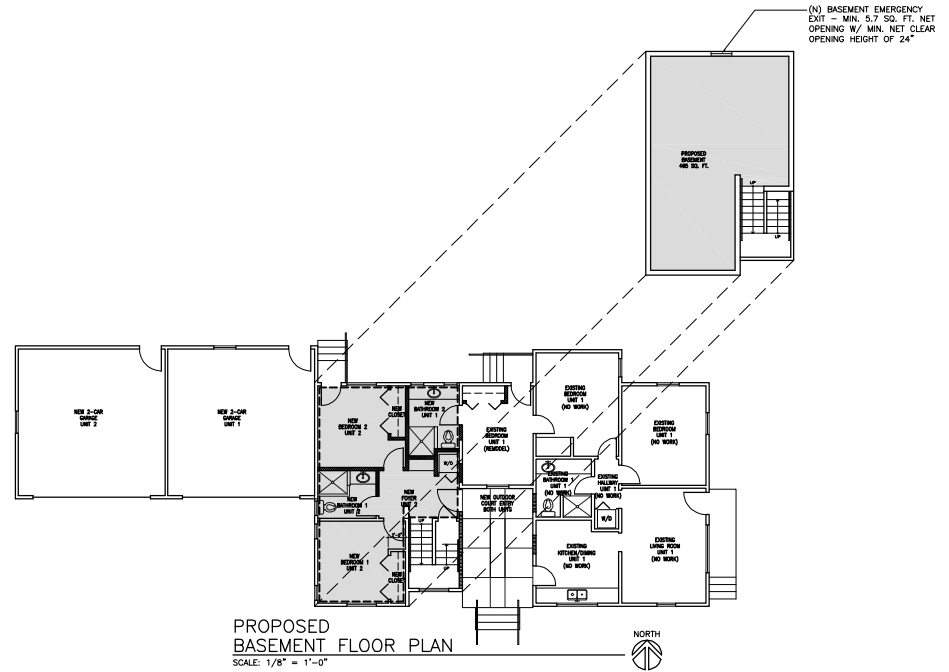
Date 08-30-2021

Job No.

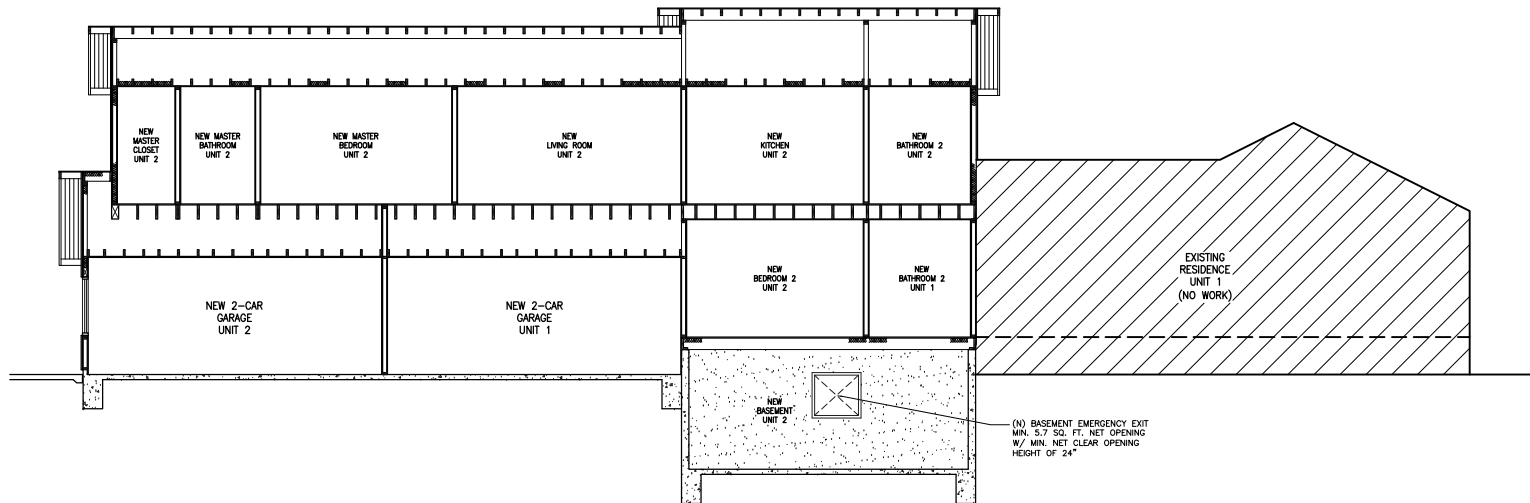
Sheet No.
A-4
of sheets



PROPOSED SECTION B-B
SCALE: 1/8" = 1'-0"



PROPOSED BASEMENT FLOOR PLAN
SCALE: 1/8" = 1'-0"



PROPOSED SECTION A-A
SCALE: 1/4" = 1'-0"

Revisions

03-22-2023
ADDED SHEET



ARCHITECT:
SIAMAK SAHAND
1044 N. MAR VISTA AVE.
PASADENA, CA 91104
626-824-0045

BASEMENT FLOOR PLAN
BUILDING SECTIONS
NEW TWO STORY UNIT
LINSOTT RESIDENCE
525 SOUTH 2ND STREET, ARCADIA, CA 91006

Drawn

Checked

Date 06-30-2021

Job No.

Sheet No.

A-5
of sheets

Attachment No. 5

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	Amendment to Multi-family Architectural Design Review No. MFADR 21-01, to include a basement to an approved, new second multi-family unit.	
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):	525 S. Second Avenue, Arcadia, located on the north-west corner of S. Second Avenue and Fano Street.	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Mitzi Linscott
	(2) Address	525 S. Second Avenue, 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:	15303(b) – Class 3 (Development of a multi-family project)
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 12, 2023

Staff: Fiona Graham, Planning Services Manager



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 23, 2023**

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

ROLL CALL

PRESENT: Chair Thompson, Hui, Tallerico, and Wilander

ABSENT: Vice Chair Tsoi

It was moved by Commissioner Wilander and seconded by Commissioner Tallerico to excuse Vice Chair Tsoi from the meeting.

Without objection, the motion was approved.

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Planning Services Manager, Fiona Graham, informed the Commissioners there were minor revisions to the Planning Commission Minutes and that they received four letters of concerns to Agenda Item No. 1. Those documents were emailed earlier to the Commissioners, and a hard copy was provided on the dais.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- 1. Resolution No. 2127** – Approving Multiple Family Architectural Design Review No. MFADR 22-01, Tentative Parcel Map No. TPM 23-01 (84114), and Planning Commission Administrative Modification No. PC AM 23-01 for a four-unit, Contemporary-style, multi-family residential condominium development with a front yard setback modification of 23'-1" in lieu of the required 25'-0" at 1025 La Cadena Avenue
CEQA: Exempt
Recommendation: Adopt

Applicant: Philip Chan

MOTION - PUBLIC HEARING

Chair Thompson introduced the item and Associate Planner Edwin Arreola presented the staff report, which included an overview of alternative project layouts.

Commissioner Tallerico asked why each unit will have 3 bedrooms. Mr. Arreola responded that 3-bedroom units are pretty typical in most of the new developments in the City.

Commissioner Tallerico asked if the structure in the area typically maximizes the development standards. Mr. Arreola said there are some developments in the area that do and others that do not depending on the size of the lot and the lot configuration.

Commissioner Tallerico asked if the alternative project site layouts, including a three-unit option, met the development standards. Mr. Arreola said that they did meet all development standards but had design limitations. Mr. Tallerico asked if the design limitations violate any objective development standards. Mr. Arreola confirmed they do not.

Commissioner Tallerico asked if all the findings can be made for the Administrative Modification. Mr. Arreola confirmed that they can.

Commissioner Tallerico asked if the properties on La Cadena Avenue with nonconforming setbacks were older. Mr. Arreola confirmed that the buildings were older and built in the 1950s and 1960s.

Commissioner Wilander asked if the Design Guidelines are meant to be objective or subjective. Mr. Arreola confirmed that the design guidelines are subjective and are meant to create high quality development in the City. Commissioner Wilander then asked what the minimum density is for this site. Mr. Arreola indicated that the minimum density is 3 units, and the maximum is 5 units.

Commissioner Hui did not have any questions for staff.

Chair Thompson did not have any questions for staff.

The public hearing was opened.

The Applicant, Philip Chan, introduced himself as the Architect for the proposed project and provided some background about the design process. Mr. Chan went over the various site limitations, the lot depth, the possible configurations, and why the proposed design was the preferred option. Mr. Chan addressed the public comments and stated improvements can be made to the plans to resolve the privacy concerns, such as reducing the size of windows on the north-facing elevation of Building 1 and increasing the box size of trees/shrubs along the northerly property line from 15 inches to 24 inches.

Commissioner Wilander asked why the garage walls were so thick. Mr. Chan explained the walls were six inches thick on one side in order to accommodate recessed windows on the building's front facade to comply with the City's design guidelines.

Chair Thompson asked if there will be any window covering on the garage windows that faces the street to obscure the view into the garages. Mr. Chan said the windows could be obscured glass, if required.

Commissioner Tallerico asked Mr. Chan if he was familiar with the California Housing Defense Fund, the organization who submitted a letter for public comment in favor of the project. Mr. Chan said he is familiar with the organization, and they frequently support multi-family projects.

Commissioner Tallerico asked if Mr. Chan had reached out to the neighbors who were opposed to the project. Mr. Chan said he did not.

Commissioner Tallerico asked Mr. Chan to elaborate on the five alternative project layouts for this site. Mr. Chan discussed each alternative, and why the proposed alternative was the best. Mr. Chan stated the proposed site layout was best because the building was oriented to the street, and the driveway and garages were contained within the lot, improving the curb appeal of the design.

Commissioner Tallerico asked if multi-family developments cannot have front-facing garages. Mr. Arreola stated that the Design Guidelines does discourage it, however there are circumstances where it may be appropriate, such as with narrow lots.

The Commissioners had no further questions for the Applicant.

Chair Thompson asked if there were any other speakers in favor of the proposal.

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

It was moved by Commissioner Tallerico, seconded by Commissioner Hui, to close the public hearing.

Without objection, the motion was approved.

DISCUSSION

Commissioner Tallerico said he thinks the project is fine, in and of itself, but believes it may set a bad precedent to use of some of the subjective guidelines. He said that he did not believe there was sufficient justification for the reduced front setback. His other concern was the letter from the California Housing Defense Fund and the determination made in their letter. Chair Thomson clarified they do not make a determination and that it is simply input for the Commission to consider.

Commissioner Wilander agreed there is a housing shortage but did not believe this development would meet our affordable housing requirements. Ms. Wilander agreed with staff's recommendation.

Commissioner Hui had no concerns with the setback modification, felt that the project is consistent with the neighborhood, and was in favor of the project.

Chair Thompson said the architectural style is compatible with existing and future developments along the street. The front landscaping will be maximized due to the garage entrances being in the back. The property is compatible with the Development Code, the General Plan, and the Design Guidelines, and that findings 1 and 3 can be made for the Administrative Modification. The project is consistent with the overall mass and scale of the surrounding developments, therefore he was in favor of the project.

Chair Thompson had two suggestions to the Applicant: 1) Make the north-facing windows smaller on the Building 1; and 2) Add window covering to the front facing, garage windows.

Commissioner Wilander stated that she disagreed with privacy issues that the nearby residents raised and that they would not be negatively impacted by the development.

Chair Thompson asked if staff needed to amend the conditions to ensure the requested changes to the development's windows will be made. Ms. Graham agreed that the conditions should be amended to include the changes, and that it can be left to staff's discretion during the plan-check process.

Commissioner Tallerico could not make the findings for the administrative modification for the reduced setback and one of the findings for Tentative Parcel Map in this project was not suitable for this site.

Chair Thompson believed the modification was appropriate because it met at least one of the required findings. Additionally, he thought the modification was warranted; otherwise, the garage depth and turning radius would have to be reduced.

MOTION

It was moved by Commissioner Wilander, seconded by Commissioner Hui to adopt Resolution No. 2127 that the project is categorically exempt from CEQA, and approving Multiple Family Architectural Design Review No. MFADR 22-01, Tentative Parcel Map No. TPM 23-01 (84114), and Planning Commission Administrative Modification No. PC AM 23-01 for a four-unit, Contemporary style, multi-family residential condominium development with a front yard setback modification of 23'-1" in lieu of the required 25'-0" with the amended conditions of approval at 1025 La Cadena Avenue.

ROLL CALL

AYES: Chair Thompson, Hui, and Wilander
NOES: Tallerico
ABSENT: Vice Chair Tsoi

There is a 10-day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, June 5, 2023.

CONSENT CALENDAR

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

Recommendation: Approve

Commissioner Tallerico motioned to approve the minutes as amended and seconded by Commissioner Hui.

ROLL CALL

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

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

Dr. Cao reported that L.A. County Supervisor Kathryn Barger will have their 25th annual tribute to Veterans and military families at the Arcadia Community Regional Park on May 27, 2023. The start time is at 10:30 a.m.

MATTERS FROM THE PLANNING COMMISSONERS

The Planning Commissioners had nothing to report.

MATTERS FROM ASSISTANT CITY ATTORNEY

Assistant City Attorney Yeo had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Graham reported that there is nothing scheduled for the June 13 Planning Commission meeting. There will be two items scheduled for the June 27 Planning Commission meeting including a Text Amendment for a change to the artificial turf regulations in the Development Code and an amendment to an approved Multiple Family Application that was approved by the Planning Commission in 2022.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:02 p.m., to Tuesday, June 13, 2023, at 7:00 p.m. in the City Council Chamber.

Brad Thompson
Chair, Planning Commission

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission