

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, August 22, 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. 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
CEQA: Exempt
Recommendation: Adopt

Applicant: Star International Center

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

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

There is a ten day appeal period. Appeals are to be filed by 4:30 p.m. on Friday, September 1, 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 July 25, 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 12, 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: August 22, 2023

TO: Honorable Chair and Planning Commission

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

SUBJECT: 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

CEQA: Exempt
Recommendation: Adopt Resolution No. 2131

SUMMARY

The Applicant, Star International Center, is requesting approval of Conditional Use Permit No. CUP 23-03 for an educational center for robotics and coding classes, dance, acting, modeling classes, and Chinese language classes. The proposed educational center will have up to eighteen (18) students, elementary through middle school grade, and up to five (5) instructors. The proposed use will occupy two office units totaling 2,894 square feet that are located within an existing two-story commercial office building at 20 E. Foothill Boulevard, Units 212 and 217. It is recommended that the Planning Commission adopt Resolution No. 2131 (Attachment No. 1) and find this project Categorical Exempt under CEQA and approve Conditional Use Permit No. CUP 23-03, subject to the conditions listed in this staff report.

BACKGROUND

The subject site measures approximately 60,966 square feet and is developed with an existing two-story commercial office building measuring approximately 25,162 square feet (See Figure 1). The commercial office building has 16 units which have vehicular access from E. Foothill Boulevard and has a shared parking lot at the rear of the building with 97 spaces. The property is zoned C-G (General Commercial) and has a General Plan Land Use Designation of Commercial. Unit 212 is 825 square feet and Unit 217 is 2,070 square feet for a total area of 2,894 square feet. The units are currently vacant and were previously occupied by an office use. The site is surrounded by other commercial properties to the west, east and north, and single-family residential properties to the south

- refer to Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the subject property.



Figure 1 - Aerial of Subject Site

PROPOSAL

The Applicant is requesting approval of a Conditional Use Permit (CUP) to operate an educational center for students from elementary up to middle school age. The use will include robotics and coding classes, dance, acting, modeling classes, and Chinese language classes. There will be five (5) rooms available for classroom use. Classrooms 1, 2, and 6 will be used for group classes and classrooms 3, 4 and 5 will be used for private lessons (refer to Figure 2 below and Attachment No. 3). There is a restroom outside of the units around the corner – refer to site plan under Attachment No. 3. The student will be escorted by their teacher or one of staff members at all times.

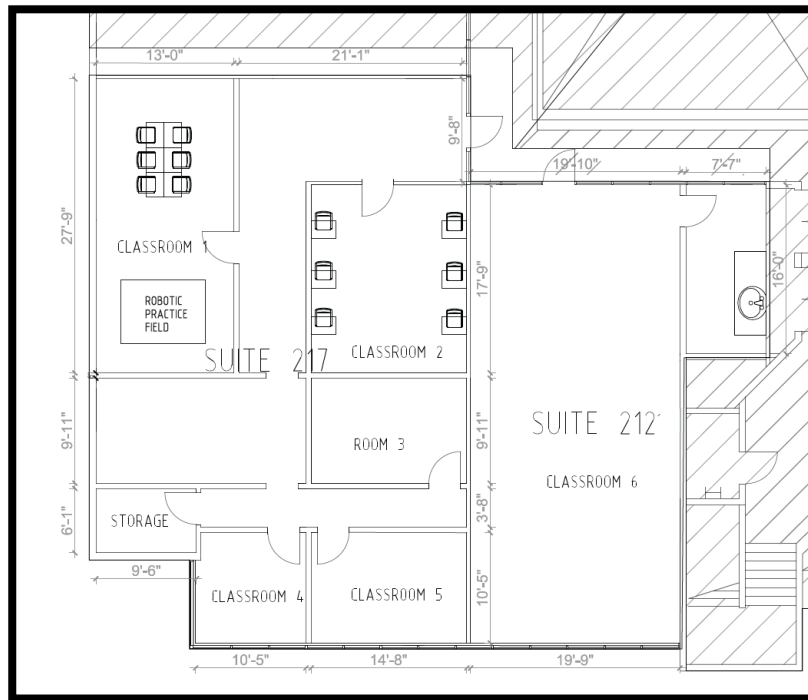


Figure 2 - Proposed Floor Plan

Each class will accommodate up to six (6) students; however, no more than 18 students and five instructors will be present at any given time. Classrooms 1 and 2 will be used for robotics, coding, and Chinese language classes. The robotics and coding classes will be open to any child with beginning, intermediate, and advanced levels and utilize VEX Robotics kits and learning programs. VEX Robotics uses specialized plastic pieces that snap together to construct robots then use coding software to program the robots. The educational center will also have competition robotics team that is chosen from long term and interested students to compete in VEX Robotics competition projects. The competition classes are considered a part of the group classes for the education center. Classroom 6 will be used as a studio for dancing, modeling, and acting classes and as a practice room for the competition robotics team as needed. Classrooms 3, 4 and 5 will be used on an as needed basis for private, one-on-one educational which would occur outside of the scheduled group class periods. Each educational session or class, whether group or one-on-one, will be approximately one hour. The dance, acting, and modeling classes will only be held after 6:00 p.m. on weekdays, and on weekends, so as not to disturb the current offices uses at the site since all of the businesses within the building closes at 6:00 p.m. and are not open on the weekends.

The group classes will operate Monday through Sunday during the following hours:

- 3:30 p.m. to 7:30 p.m. – Monday through Friday
- 9:00 a.m. to 4:30 p.m. – Saturday
- 11:00 a.m. to 3:30 p.m. – Sunday

The private one-on-one classes will operate Monday through Friday during the hours of 1:00 p.m. – 3:00 p.m. and 4:30 – 5:30 p.m. The educational center will have limited hours of operation in the summer as there will be no competition team robotics classes from July to August. The Applicant believes that this community would benefit from their business as they have met many Arcadian parents at robotics and modeling competitions who have been asking for classes like these for their kids locally. The Applicant’s previous business was “Star International Modeling and Talent School,” and they rented out spaces in two locations in Irvine and Rowland Heights.

ANALYSIS

The Arcadia Development Code allows educational centers in the C-G Zone subject to the review and approval of a Conditional Use Permit. The proposed use will have five (5) classrooms for up to eighteen students and five (5) instructors. The robotics and coding classes will occur during the afternoon hours on the weekdays and are not expected cause any impacts to the other existing office uses. In addition, most of the classes are proposed to take place on the weekends in order to not disturb the offices uses on site. The proposed educational center has been reviewed by the Building Division and Fire Department and no concerns were raised.

As required for all educational centers, the Applicant has replaced each classroom of the classroom doors with a French door to allow observation from outside of the rooms as shown in Figure 3, below. In addition, a condition of approval has been placed on this business that requires all the French doors shall remain unobstructed with no window coverings to allow for easy viewing from the hallway into the classrooms (refer to condition no. 2).

To mitigate any potential sound and noise impacts to the existing tenants and any future offices uses in the building, a condition has been placed that all dance classes must begin at 6:00 p.m. or after, Monday through Friday (refer to condition no. 3). Staff verified that by 6:00 p.m. all other existing businesses in building have closed, therefore, any noise or disturbance that could come from the dancing and music will not affect the office uses. The property owner did not have any concerns with this request either. Staff also conducted a site visit where the Applicant played music at a high volume and found that there was little to no sound that would project from the unit to outside area. The dance studio is not adjacent to any other existing office uses in the building other than the unit they are leasing, and the elevator shaft and stairwell.



Figure 3 – Interior of Classroom (Inside Unit 217) and dance studio (Unit 212)

Parking

The site has a total of 97 existing parking spaces for all the commercial office uses in the building, however, the site has a Code requirement of 120 parking spaces, please see Table 1 for a breakdown of the parking requirements. Therefore, pursuant to the requirements of the Development Code, there is an existing deficit of 23 spaces.

Table 1 – Existing Tenants, Unit Square Footage, and Required Parking

Suite #	Tenant Name	Rentable Area (SF)	Required Parking
1	T-Mobile	Equipment Storage	0
2	Clear Wireless (sprint)	Equipment Storage	0
3	AT&T	154.74	1
100	CSI Wealth Management	1490.32	6
105	Vacant	5243	21
108	Vacant	1333	5
118	Vacant	1464	6
128	LaserStar	3506	14
200	Vacant	1426	6
203	FITS Accounting	818	3
205	Vacant	3089	12
208	Vacant	1534	6
212	Vacant	824	3
213	Vacant	1250	5
215	Vacant	1542	6
216	Umbrella Tutoring	762	6

217	Vacant	2070	8
218	Jac Property Management	536	2
220	M.A.N. Occupation Therapy	2391	10
		Total Parking	120

The educational center will be for elementary and middle school students only; currently there are no classes for high school aged students. For an educational center that serves students under high school age, the Development Code requires one (1) parking space for every five (5) students and one (1) for every employee. With up to 18 students and five (5) instructors, a total of nine (9) parking spaces are required. The previous office use had a parking requirement of 11 spaces; therefore, the proposed use will decrease the parking demand for these units by two (2) spaces. Pursuant to Section 9103.07.020 of the Development Code, where a new use has a lower parking requirement than the previous use, a parking modification is not required.

But to ensure there is sufficient parking on site to accommodate all the existing uses and the proposed educational center, a parking survey was conducted by the Applicant from July 13 through July 19, 2023, during the hours of 3:30 p.m. to 5:30 p.m. Please refer to Attachment No. 4 for the parking counts with dates and times. The survey found there was an average of 91 parking spaces available during this time period each day, and a minimum of 88 spaces at 4:30 on Friday, July 14, 2023. The findings of this parking survey are similar to those from a survey done in 2020 for a separate educational center located in this same building called UC Tutoring Services. UC Tutoring Services was approved in 2020 by the Planning Commission (CUP 20-01) and it is still in operation. The 2020 parking survey found an average of 68 parking spaces were available throughout the week during the proposed tutoring center’s business hours of 1:00 p.m. to 6:00 p.m. weekdays. Since that survey was completed, several businesses at the site have closed and no new businesses have opened. The two parking surveys together show that although the site may be under-parked per Development Code standards, the actual parking demand is significantly less. In addition, Staff also recently visited the site on various days and observed the same parking conditions as shown in the July 2023 parking survey. Therefore, parking on site is not anticipated to be impacted by the proposed use as there is adequate parking at the site for all current uses and the proposed educational center.

The parents are not expected to stay at the educational center while their children are in attendance. Parents and students can access the unit through the rear of the building and the parking lot in the rear is available for student pick-up and drop-off. In addition, there is a loading/unloading area available in the parking lot for parents to use for pick-up and drop-off, please refer to Attachment No. 3 for location details.

FINDINGS

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

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

Facts to Support This Finding: The proposed educational center use for robotics, coding, Chinese, dance, and acting and modeling classes is consistent with the Commercial Land Use designation, and it will not adversely impact the objectives of the General Plan. The Commercial land use designation is intended to permit a wide-range of commercial uses which serve both neighborhood and citywide markets. The designation allows a broad array of commercial uses, including neighborhood-serving uses such as educational centers. The proposed use will occupy two vacant commercial office units and the robotics and coding classes that occur during regular business hours will complement the existing office uses in the building and in the vicinity. The dance, acting, and modeling which may have additional noise will be outside of regular business hours so as not to disturb any existing or future office uses at the site. The site has an adequate number of parking spaces to accommodate the proposed use and the existing uses. The proposed educational center complies with all other applicable provisions of the Arcadia Development Code and the Arcadia Municipal Code and is complementary to the surrounding commercial uses. The use is consistent with the following General Plan and policy:

Land Use and Community Design Element

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

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

Facts to Support This Finding: The design, location, size, and operating characteristics of the proposed educational center are compatible with the existing and future land uses in the vicinity. The proposed educational center will occupy two existing units for a total of 2,894 square foot commercial space located within an existing two-story commercial office building. The educational center's hours of operation will be limited to weekday afternoons during the school year, Saturdays, and Sundays, and with limited hours during the summer. The robotics and coding classes will have hours of operation that are similar to other commercial uses in the vicinity while the dance classes will be held outside of the usual hours for office uses, therefore, any noise disturbance would be mitigated. There is already an existing

educational center at the site and there are no known issues regarding that use at this site. While the site is under parked per the Development Code, the proposed use requires less parking than the previous use and a parking study showed an abundance of available parking during the proposed operating hours. Therefore, there no impacts to parking at the site are anticipated. Therefore, adequate parking will be provided at the subject site for the existing uses and the proposed educational center. In addition, the proposed operating hours will be compatible with the hours of operation of other office uses in the building.

3. The site is physically suitable in terms of:

- a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, site improvements loading, and parking.**

Facts to Support This Finding: The site is physically suitable to accommodate the proposed educational center. The use will occupy two vacant units within an existing multi-tenant commercial office building which was previously used for a professional office use. The operating hours are limited to weekday afternoons and evenings and weekends. The site has a surface parking lot that will provide sufficient parking for the proposed business and existing business. It is anticipated that most of the parents will drop off and pick up at the rear of the unit in the surface parking lot. While there is an existing parking deficit at the site, the new purposed use does not require more parking than the previous use and a parking count showed that there is sufficient onsite parking for the use. Therefore, the site is suitable to accommodate the proposed use.

- b. Streets and highways adequate to accommodate public and emergency vehicle (e.g., fire and medical) access.**

Facts to Support This Finding: The site is located along East Foothill Blvd, which is designated and designed with the capacity to accommodate both public and emergency vehicles. The street is adequate in width and pavement type to carry the traffic that could be generated by the educational center and the existing uses in the center, and to support emergency vehicle access.

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

Facts to Support This Finding: The proposed educational center will be located within an existing commercial office building. Conditions of approval have been included to ensure the educational center will be operated in a safe manner, and not impact public protection service. The request has been reviewed by the Fire Department and Police Department, and neither department raised concerns. Therefore, no impacts to public protection services are anticipated.

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

Facts to Support This Finding: The subject unit is located within an existing commercial office building, which is adequately serviced by existing utilities. The request does not include new construction that will impact the provision of utilities, nor will it be operated in a manner that will impact the provisions of utilities. Therefore, no impacts to the provision of utilities are anticipated.

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

Facts to Support This Finding: The proposed educational center will not be detrimental to the public health or welfare, or the surrounding properties. The size and nature of the operations of the use will not negatively affect the existing uses in the commercial office building, or the surrounding businesses and properties. The robotics and coding classes will have hours of operation are similar to other commercial uses in the vicinity and are no expected to cause any excessive noise or nuisance while the dance and modeling classes will be held outside of the usual hours for office uses, therefore, any noise disturbance to the existing uses would be mitigated. A condition of approval has been placed to ensure any dance and modeling classes begin outside of office use hours and that if there any impacts to the existing or future tenants in the building from the dance and modeling classes, that the Applicant will be responsible in further mitigating or eliminating the dance and modeling classes. In addition, conditions of approval, such requiring that each classroom have windows to allow observation from outside of the rooms, and that the use be subject to periodic inspections have been included to mitigate any potential impacts.

ENVIRONMENTAL IMPACT

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

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 10, 2023. It was also mailed to the property owners located within 300 feet of the subject property. As of August 18, 2023, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission adopt Resolution No. 2131 approving Conditional Use Permit No. CUP 23-03 for a new educational center with up to eighteen (18) students and find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), subject to the following conditions of approval:

1. The use approved by CUP 23-03 is limited to an educational center for up to 18 students from elementary to middle school grades only and shall be operated and maintained in a manner that is consistent with the proposal and plans submitted and approved for CUP 23-03. The Deputy Development Services Director has the ability to remand this issue back to the Planning Commission for review and consideration.
2. Noncompliance with the plans, provisions and conditions of approval for CUP 23-03 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this use.
3. The classrooms shall maintain clear windows and other openings that allow for observation outside of the room.
4. All dance class shall start at or after 6:00 p.m. from Monday through Friday. If complaints are received by the City regarding noise impacts associated with the operation, the Applicant shall work with the Deputy Development Services Director, or designee to mitigate any noise-related complaints. This may include improvements to the units to mitigate the house, and/or adjustment to the start time for these classes, number of classes allowed per week, or the number of students.
5. The existing fire alarm system shall be evaluated by the City's Fire Marshall to ensure compliance with Group E occupancies with more one classroom and if the system requires upgrades or modifications, then the system shall be certified by a qualified contractor prior to occupancy.
6. The main exit door shall be equipped with panic or lever type hardware. Latched or key operated locks are not permitted. A minimum rated 2A:10BC fire extinguisher shall be provided at an approved location, as determined by the City's Fire Marshal.
7. A knox box shall be provided at an approved location, as determined by the City's Fire Marshal.
8. Prior to the issuance of a Certificate of Occupancy from the Building Division, one (1) Automated External Defibrillator (AED) shall be installed. The location of the AED shall be identified on the plans submitted for plan check in Building Services and is subject to review and approval by the Deputy Development Services Director, or designee.
9. The Project 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
10. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/Applicant to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Fire Marshal, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.
11. Noncompliance with the plans, provisions and conditions of approval for CUP 23-03 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the educational center.
12. 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 CUP 23-03 (“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 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.

13. Approval of CUP 23-03 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

PLANNING COMMISSION ACTION

Approval

If the Planning Commission intends to approve this proposal, the Commission should approve a motion to approve Conditional Use Permit Application No. CUP 23-03, stating that the proposal satisfies the requisite findings, and adopting the attached Resolution No. 2131 that incorporates the requisite environmental and Conditional Use Permit findings and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny Conditional Use Permit No. CUP 23-03, stating that the finding(s) that the proposal does not satisfy, with reasons based on the record, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner or other interested party has any questions or comments regarding this matter prior to the August 22, 2023, hearing, please contact Assistant Planner, Alison MacCarley, at (626) 574-5447, or by email at amaccarley@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2131
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: Architectural Plans
- Attachment No. 4: Parking Survey
- Attachment No. 5: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2131

RESOLUTION NO. 2131

RESOLUTION NO. 2131 – APPROVAL OF CONDITIONAL USE PERMIT NO. 23-03 TO ALLOW AN EDUCATIONAL CENTER WITH A MAXIMUM OF 18 STUDENTS AT 20 EAST FOOTHILL BOULEVARD, UNIT 212 AND 217

WHEREAS, on April 6, 2023, an application for Conditional Use Permit No. CUP 23-03 was filed by the business owner, Star International Center (“Applicant”), for a new tutoring center with up to 18 students and 5 staff members at 20 E. Foothill Boulevard; and

WHEREAS, on June 26, 2023, Planning Services completed an environmental assessment for the proposed tutoring center in accordance with the California Environmental Quality Act (“CEQA”) and recommends that the Planning Commission determine that the proposed tutoring center qualifies as a Class 1 Categorical Exemption under CEQA pursuant to Section 15301(a) of the CEQA Guidelines as the use of an existing facility; and

WHEREAS, on August 22, 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 August 22, 2023 are true and correct.

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

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

FACT: The proposed educational center use for robotics, coding, Chinese, dance, and acting and modeling classes is consistent with the Commercial Land Use designation, and it will not adversely impact the objectives of the General Plan. The Commercial land use designation is intended to permit a wide-range of commercial uses which serve both neighborhood and citywide markets. The designation allows a broad array of commercial uses, including neighborhood-serving uses such as educational centers. The proposed use will occupy two vacant commercial office units and the robotics and coding classes that occur during regular business hours will complement the existing office uses in the building and in the vicinity. The dance, acting, and modeling which may have additional noise will be outside of regular business hours so as not to disturb any existing or future office uses at the site. The site has an adequate number of parking spaces to accommodate the proposed use and the existing uses. The proposed educational center complies with all other applicable provisions of the Arcadia Development Code and the Arcadia Municipal Code and is complementary to the commercial uses in the surrounding area. The use is consistent with the following General Plan and policy:

Land Use and Community Design Element

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

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

FACT: The design, location, size, and operating characteristics of the proposed educational center are compatible with the existing and future land uses in the vicinity. The proposed educational center will occupy two existing units for a total of 2,894 square foot commercial space located within an existing two-story commercial office building. The educational center's hours of operation will be limited to weekday afternoons during the school year, all day Saturdays and Sundays throughout the year, and with limited hours during the summer. The robotics and coding classes will have hours of operation that are similar to other commercial uses in the vicinity while the dance classes will be held outside of the usual hours for office uses, therefore, any noise disturbance would be mitigated. There is already an existing educational center at the site, and there are no known issues regarding that use at this site. In addition, the proposed operating hours will be compatible with the hours of operation of other office uses in the building.

3. The site is physically suitable in terms of:

A. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, site improvements loading, and parking;

FACT: The site is physically suitable to accommodate the proposed educational center. The use will occupy two vacant units within an existing multi-tenant commercial office building which was previously used for a professional office use. The operating

hours are limited to weekday afternoons and evenings and weekends. The site has a surface parking lot that will provide sufficient parking for the proposed business and existing business. It is anticipated that most of the parents will drop off and pick up the students at the rear of the unit in the surface parking lot. While the site is under parked per the Development Code, the proposed use requires less parking than the previous use, and a parking study showed an abundance of available parking during the proposed operating hours. Further, the new proposed use does not require more parking than the previous use, and a parking count showed that there is sufficient onsite parking for the use. Therefore, no impacts to parking at the site are anticipated. The site is suitable to accommodate the proposed use.

B. Streets and highways adequate to accommodate public and emergency vehicle (e.g., fire and medical) access;

FACT: The site is located along East Foothill Blvd, which is designated and designed with the capacity to accommodate both public and emergency vehicles. The street is adequate in width and pavement type to carry the traffic that could be generated by the educational center and the existing uses in the center, and to support public and emergency vehicle access.

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

FACT: The proposed educational center will be located within an existing commercial office building. Conditions of approval have been included to ensure the educational center will be operated in a safe manner, and not impact public protection service. The request has been reviewed by the Fire Department and Police Department,

and neither department raised concerns. Therefore, no impacts to public protection services are anticipated.

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

FACT: The subject unit is located within an existing commercial office building, which is adequately serviced by existing utilities. The request does not include new construction that will impact the provision of utilities, nor will it be operated in a manner that will impact the provisions of utilities. Therefore, no impacts to the provision of utilities are anticipated.

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

FACT: The proposed educational center will not be detrimental to the public convenience, health or welfare, or the surrounding properties. The size and nature of the operations of the use will not negatively affect the existing uses in the commercial office building, or the surrounding businesses and properties. The robotics and coding classes will have hours of operation are similar to other commercial uses in the vicinity and are no expected to cause any excessive noise or nuisance while the dance and modeling classes will be held outside of the usual hours for office uses, therefore, any noise disturbance to the existing uses would be mitigated. A condition of approval has been placed to ensure any dance and modeling classes begin outside of office use hours and that if there any

impacts to the existing or future tenants in the building from the dance and modeling classes, that the Applicant will be responsible in further mitigating or eliminating the dance and modeling classes. In addition, conditions of approval, such as requiring that each classroom have windows to allow observation from outside of the rooms, and that the use be subject to periodic inspections have been included to mitigate any potential impacts.

5. This Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(a) of the CEQA Guidelines pertaining to the use of an existing facility.

SECTION 3. For the foregoing reasons the Planning Commission determines that the proposed tutoring center is Categorically Exempt per Class 1, Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines and approves Conditional Use Permit No. CUP 23-03 for a new tutoring center within an existing commercial unit at 20 E. Foothill Boulevard, subject to the conditions of approval attached hereto.

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


Passed, approved and adopted this 22nd day of August, 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. 2131

Conditions of Approval

1. The use approved by CUP 23-03 is limited to an educational center for up to 18 students from elementary to middle school grades only and shall be operated and maintained in a manner that is consistent with the proposal and plans submitted and approved for CUP 23-03. The Deputy Development Services Director has the ability to remand this issue back to the Planning Commission for review and consideration.
2. Noncompliance with the plans, provisions and conditions of approval for CUP 23-03 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this use.
3. The classrooms shall maintain clear windows and other openings that allow for observation outside of the room.
4. All dance class shall start at or after 6:00 p.m. from Monday through Friday and no restrictions on the weekends. If complaints are received by the City regarding noise impacts associated with the operation, the Applicant shall work with the Deputy Development Services Director, or designee to mitigate any noise-related complaints. This may include improvements to the units to mitigate the noise, and/or adjustment to the start time for these classes, number of classes allowed per week, or the number of students.
5. The existing fire alarm system shall be evaluated by the City's Fire Marshall to ensure compliance with Group E occupancies with more than one classroom and if the system requires upgrades or modifications, then the system shall be certified by a qualified contractor prior to occupancy.
6. The main exit door shall be equipped with panic or lever type hardware. Latched or key operated locks are not permitted. A minimum rated 2A:10BC fire extinguisher shall be provided at an approved location, as determined by the City's Fire Marshal.
7. A knox box shall be provided at an approved location, as determined by the City's Fire Marshal.
8. Prior to the issuance of a Certificate of Occupancy from the Building Division, one (1) Automated External Defibrillator (AED) shall be installed. The location of the AED shall be identified on the plans submitted for plan check in Building Services and is subject to review and approval by the Deputy Development Services Director, or designee.
9. The Project 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
10. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/Applicant to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Fire Marshal, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.
 11. Noncompliance with the plans, provisions and conditions of approval for CUP 23-03 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the educational center.
 12. 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 CUP 23-03 (“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 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.

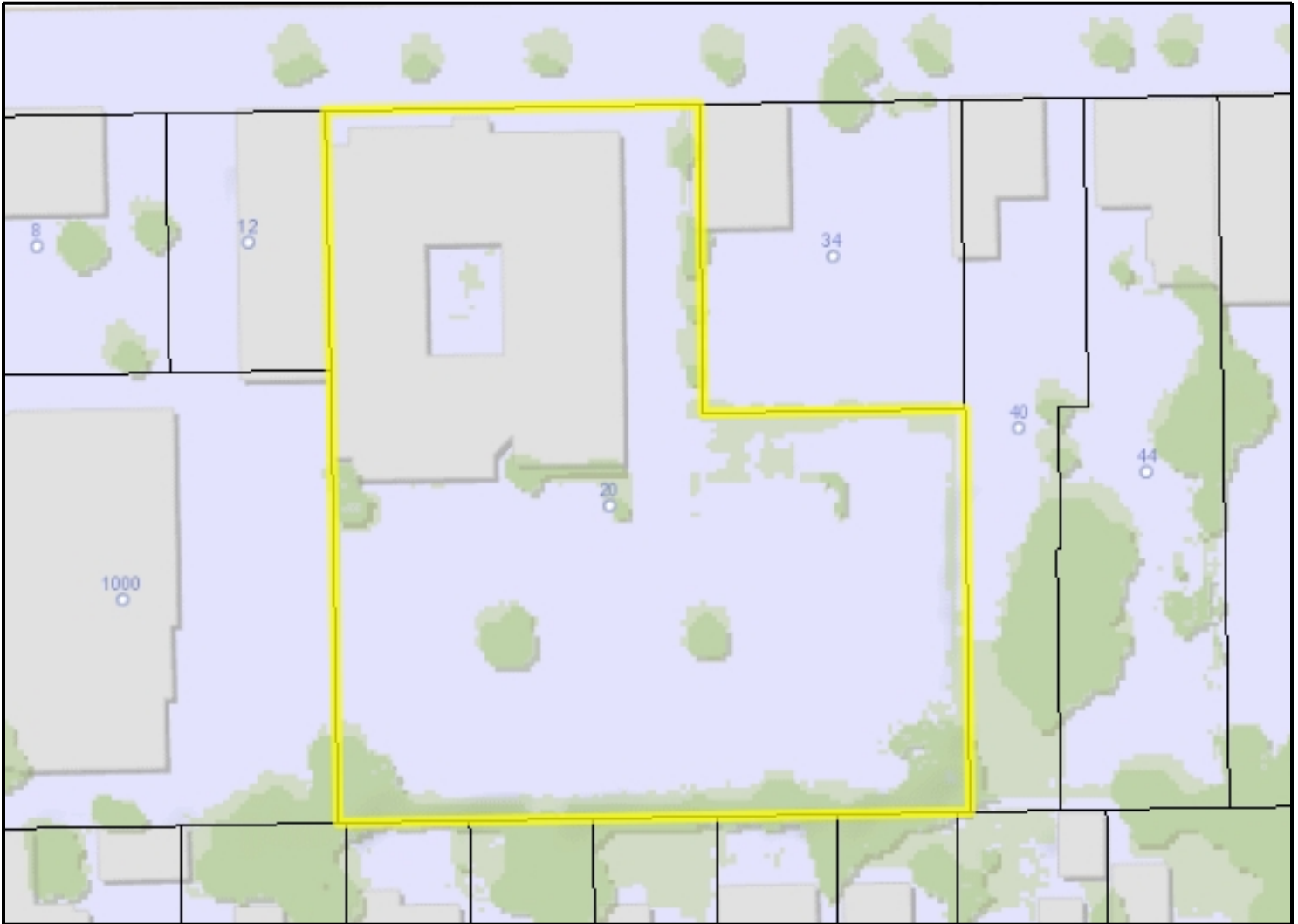
13. Approval of CUP 23-03 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

Attachment No. 2

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

Site Address: **20 E FOOTHILL BLVD**

Property Owner(s): Property Owner



Property Characteristics	
Zoning:	C-G
General Plan:	C
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	25,162
Year Built:	1980
Number of Units:	0
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

Architectural Plans

PROJECT DATA:

NAME: STAR INTERNATIONAL CENTER
 JOB ADDRESS: 20 E FOOTHILL BLVD
 SUITE 212 AND 217
 ARCADIA CA 91006
 626-347-4525
 5772-001-028
 APN: COMMERCIAL
 OCCUPANCY GROUP:
 OCCUPANCY CLASSIFICATION: C
 ZONING: C-G
 CONSTRUCTION TYPE: III
 AREA OF LOT: 8,637,961 S.F.
 AREA OF THE BUILDING: 29,559 S.F.
 AREA OF THE SUITE: 2,894 SF

PROPERTY OWNER: J.A.C. WINDOW, INC.
 PHONE NUMBER: 626-831-4890

TENANT: STAR INTERNATIONAL CENTER
 PHONE NUMBER: 626-636-1588

TENANT OCCUPANCY: OFFICE
 PROPOSED USE: TUTORING AND EDUCATION CENTER

SCOPE OF WORK:

APPLY FOR CONDITIONAL USE PERMIT FOR TUTORING AND EDUCATION CENTER USE FOR ZONING C-G OF THE PROPERTY:
 20 E FOOTHILL BLVD, SUITE 212 AND 217, ARCADIA, CA 91006

SHEET INDEX:

SHEET A-1 PROJECT DATA AND NOTES
 SHEET A-2 SITE PLAN AND PHOTOS
 SHEET A-3 FLOOR PLAN, ELEVATIONS AND PHOTOS

GENERAL NOTES:

THE ISSUANCE OF A PERMIT SHALL NOT PREVENT THE BUILDING OFFICIAL FROM REQUIRING THE CORRECTION OF ERRORS ON THESE PLANS OR FROM PREVENTING ANY VIOLATION OF THE CODES ADOPTED BY THE CITY, RELEVANT LAWS, ORDINANCES, RULES AND/OR REGULATIONS.

LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. (R401.3 CRC)

APPLICATIONS FOR WHICH NO PERMIT IS ISSUED WITHIN 180 DAYS FOLLOWING THE DATE OF APPLICATION SHALL AUTOMATICALLY EXPIRE. (R105.3.2 (C) NOTE ON PLANS.

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS WORK AUTHORIZED IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE OR IF THE WORK AUTHORIZED IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS. A SUCCESSFUL INSPECTION MUST BE OBTAINED WITHIN 180 DAYS. NOTE ON PLANS. (R105.5 CRC)

SOLAR AS A DEFERRED SUBMITTAL.

SEPARATE PERMIT SHALL FIRST BE OBTAINED FROM THE CITY PUBLIC WORKS DEPARTMENT PRIOR TO PLACEMENT OF ANY CONSTRUCTION MATERIALS OR EQUIPMENT IN THE PUBLIC WAY.

WHEN ANY PORTION OF ANY STRUCTURE DEVIATES FROM SUBSTANTIAL COMPLIANCE WITH CONVENTIONAL FRAMING REQUIREMENTS FOR WOODFRAME CONSTRUCTION FOUND IN THIS CODE, THE BUILDING OFFICIAL SHALL REQUIRE THE CONSTRUCTION DOCUMENTS TO BE APPROVED AND STAMPED BY A CALIFORNIA LICENSED ARCHITECT OR ENGINEER FOR THAT IRREGULAR OR NONCONFORMING PORTION OF WORK. NOTWITHSTANDING OTHER SECTIONS OF LAW, THE LAW ESTABLISHING THESE PROVISIONS IS FOUND IN BUSINESS AND PROFESSIONS CODE SECTIONS 5537 AND 6737.1.

- AT THE TIME OF PERMIT ISSUANCE, CONTRACTOR SHALL SHOW THEIR VALID WORKERS' COMPENSATION INSURANCE CERTIFICATE.
- ALL WORK SHALL CONFORM TO ALL REQUIREMENTS OF STATE OF CALIFORNIA TITLE 24 REGARDLESS OF THE INFORMATION INDICATED ON THESE PLANS. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL SUPERVISING THE CONSTRUCTION TO ENSURE THAT THE WORK IS DONE IN ACCORDANCE WITH CODE REQUIREMENTS PRIOR TO REQUESTING INSPECTION.
- EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
- SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
- STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
- TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
- FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQM) SHALL BE NOTIFIED IN ACCORDANCE WITH CALIFORNIA STATE LAW PRIOR TO START OF ANY DEMOLITION, ADDITION, AND/OR REMODEL WORK. THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT OFFICE IS LOCATED AT 21865 COPLEY DRIVE IN DIAMOND BAR, PHONE NO. 9093962000. BE ADVISED, SCAQM MAY REQUIRE A 10 DAY WAIT PERIOD PRIOR TO START OF WORK.

GENERAL INFORMATION:

c) PROVIDE A SAMPLE CLASS SCHEDULE AND DESCRIPTION OF HOW MANY CLASSES WILL BE PROVIDED ON WEEKDAYS AND ON SATURDAYS. INCLUDE CLASS DURATION AND TIME BETWEEN CLASS START TIMES AND END TIMES.
 ANSWER: WHEN WE JUST START THE TRAINING CENTER, IT MAY NOT HAVE MANY CLASSES. IT TAKE TIME TO BUILD UP STUDENTS BASE AND HAVE MORE CLASSES. IDEALLY, WE DESIRE TO HAVE 2 OR 3 CLASSES STARTING FROM 3:30PM TO 5:30PM OR 6:30PM EVERY WEEKDAYS AND 9:00AM TO 4PM EVERY WEEKENDS IN THE FUTURE. EACH CLASS'S DURATION IS ONE HOUR.

a) THE PARKING REQUIREMENT IS BASED ON THE AGE OF THE STUDENTS. PLEASE PROVIDE A BREAKDOWN OF THE NUMBER OF STUDENTS UNDER HIGH SCHOOL AGE AND NUMBER OF STUDENTS OF HIGH SCHOOL AGE OR OLDER.
 ANSWER: WE HAVE PLENTY OF COVERED PARKING SPOTS AT THE BACK OF OUR BUILDING. OUR TARGET STUDENTS ARE MAINLY ELEMENTARY SCHOOL STUDENTS AND MIDDLE SCHOOL STUDENTS. THEREFORE, STUDENTS DO NOT DRIVE CARS. INSTEAD OF IT, PARENTS WILL DROP OFF AND PICK UP THEIR OWN KIDS. SINCE WE HAVE NOT STARTED THE BUSINESS AT THAT LOCATION, WE ARE NOT ABLE TO PREDICT NUMBER OF STUDENTS. HOWEVER, WE WISH WE HAVE 10-15 STUDENTS AT EACH CLASS HOUR.

b) PLEASE PROVIDE THE NUMBER OF EMPLOYEES AND/OR INSTRUCTORS THAT WILL BE HIRED FOR THE TUTORING CENTER.
 ANSWER: WE PLAN TO HAVE 3-5 EMPLOYEES AND/OR INSTRUCTORS AT THE BEGINNING WE RUN THE BUSINESS AT THAT LOCATION. WE WILL HIRE MORE EMPLOYEE AND/OR INSTRUCTORS WHEN WE HAVE MORE CLASS SCHEDULES.

c) PLEASE CLARIFY THE TOTAL NUMBER OF STUDENTS THAT WILL ALL BE AT THE CENTER AT THE SAME TIME OR THROUGHOUT THE CENTER'S OPERATING HOURS. INDICATE HOW MANY STUDENTS PER CLASSROOM/PER INSTRUCTOR WILL BE AT THE CENTER AT ANY GIVEN TIME.
 ANSWER: OUR CLASS SIZE WILL BE 1-8 PEOPLE PER CLASS. MAXIMUM 10-15 PEOPLE PER CLASS HOUR AT THAT LOCATION.

d) WILL THERE BE ANY CHANGES TO SCHEDULING DURING THE SUMMER MONTHS?
 ANSWER: IF WE CAN GET THE BUSINESS LICENSE BEFORE THE SUMMER MONTHS, WE INTEND TO HAVE A 2-WEEK SUMMER CAMP. IF WE HAVE THE SUMMER CAMP, WE PLAN TO RUN 9AM TO 4PM FOR THAT SUMMER CAMP.

e) HAS THE APPLICANT HAD ANY PREVIOUS EXPERIENCE RUNNING A TUTORING, ACTING, DANCE AND ROBOTICS CENTER BEFORE?
 ANSWER: YES. OUR ROBOTICS TEAMS WON STATE CHAMPIONS AND NATIONAL CHAMPIONS IN 2022-2023 VEX IQ ROBOTICS SEASON. OUR MODELING TEAM WON MANY AWARD IN IMTA. BESIDES OF IT, OUR MODELING STUDENTS ACT IN MANY COMMERCIALS AND FILMS. SOME OF THEM WON AWARDS IN VARIOUS FILM FESTIVALS.

f) PLEASE PROVIDE INFORMATION ABOUT HOW THE CENTER WILL HANDLE BATHROOM BREAKS FOR THE YOUNGER CHILDREN SINCE IT APPEARS THAT THE BATHROOMS ARE OUTSIDE OF THE SUITES.
 ANSWER: WE WILL MAKE SURE PARENTS SEND THEIR KIDS TO THE RESTROOM BEFORE DROPPING OFF THEM AT THE CLASSROOM. PARENTS WILL PICK UP THEIR KIDS AFTER THE CLASS. IF ANY KID WANTS TO GO TO RESTROOM DURING THE CLASS, OUR EMPLOYEE WILL TAKE THE KID TO THE RESTROOM AND ALSO BRING THE KID BACK TO THE CLASSROOM.

g) WILL PARENTS BE ALLOWED TO STAY ON-SITE DURING CLASSES?
 ANSWER: NO.

TENANT LIST

- PROPERTY = 20 E FOOTHILL OFFICE BUILDING
- TENANT ACTIVITY
- AS OF DATE: 05/05/2023
- UNIT TENANT
- 20 E FOOTHILL OFFICE BUILDING
- 001 T-MOBILE WEST TOWER LLC (CROWN CASTLE SITE 824710)
- 002 CLEAR WIRELESS LLC (SPRINT) LAS2XC207
- 003 (AT&T SITE 10086697) NEW (INGULAR WIRELESS PCS, LLC
- 100 RICHARD ANTHONY MILLER (CSI WEALTH MANAGEMENT)
- 105 COMPANION MANAGEMENT GROUP
- 118 ALLSTATE INSURANCE
- 128 LASERSTAR TECHNOLOGIES CORP.
- 203 FITS ACCOUNTING
- 216 UMBRELLA EDUCATION CORPORATION
- 218 MODERN PROPERTY SERVICES, INC.
- 220 PEDIATRIC THERAPY SPECIALISTS, INC., A CALIF. CORP
- 228 BUSINESS SAVVY SOLUTIONS

CONSULTANT CONTACT INFO:

PLANS PREPARED BY:
 MING ARC DESIGN
 626-347-4525

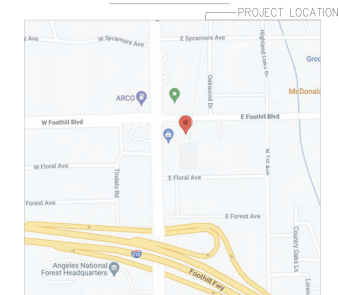
RADIUS MAP AND MAILING LIST PREPARED BY:
 MORE SERVICES
 626-350-5944

APPLICABLE CODE:

2023 CITY OF ARCADIA MUNICIPAL CODE
 2022 CALIFORNIA ENERGY CODE
 2022 CALIFORNIA EXISTING BUILDING CODE
 2022 CALIFORNIA FIRE CODE

BUILDING CODE: 2022 CALIFORNIA BUILDING CODE
 ELECTRICAL CODE: 2022 CALIFORNIA ELECTRIC CODE
 MECHANICAL CODE: 2022 CALIFORNIA MECHANICAL CODE
 PLUMBING CODE: 2022 CALIFORNIA PLUMBING CODE
 ENERGY CODE: 2022 CALIFORNIA ENERGY CODE
 GREEN BUILDING CODE: 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE

VICINITY MAP



SIGNED BY
 MING LIU

REVISIONS

DATE:	



DESIGN BY:
MING ARC DESIGN CORP.

TEL: (626) 347-4525

STAR INTERNATIONAL CENTER CUP
 PROJECT TITLE: 70 E FOOTHILL BLVD, SUITE 212 AND 217
 APN: 5772-001-028
 DATE: 2023-04-05

PROJECT DATA AND NOTES

SHEET TITLE: PROJECT ADDRESS:
 70 E FOOTHILL BLVD, SUITE 212 AND 217 ARCADIA CA 91006

SHEET: **A-1**

SIGNED BY
MING LIU

REVISIONS

DATE:	



DESIGN BY:
**MING
ARC
DESIGN
CORP.**

TEL: (626) 367-4525

STAR
INTERNATIONAL
CENTER CUP
PROJECT TITLE: 5772-001-028
APR: 2023-04-05
DATE:

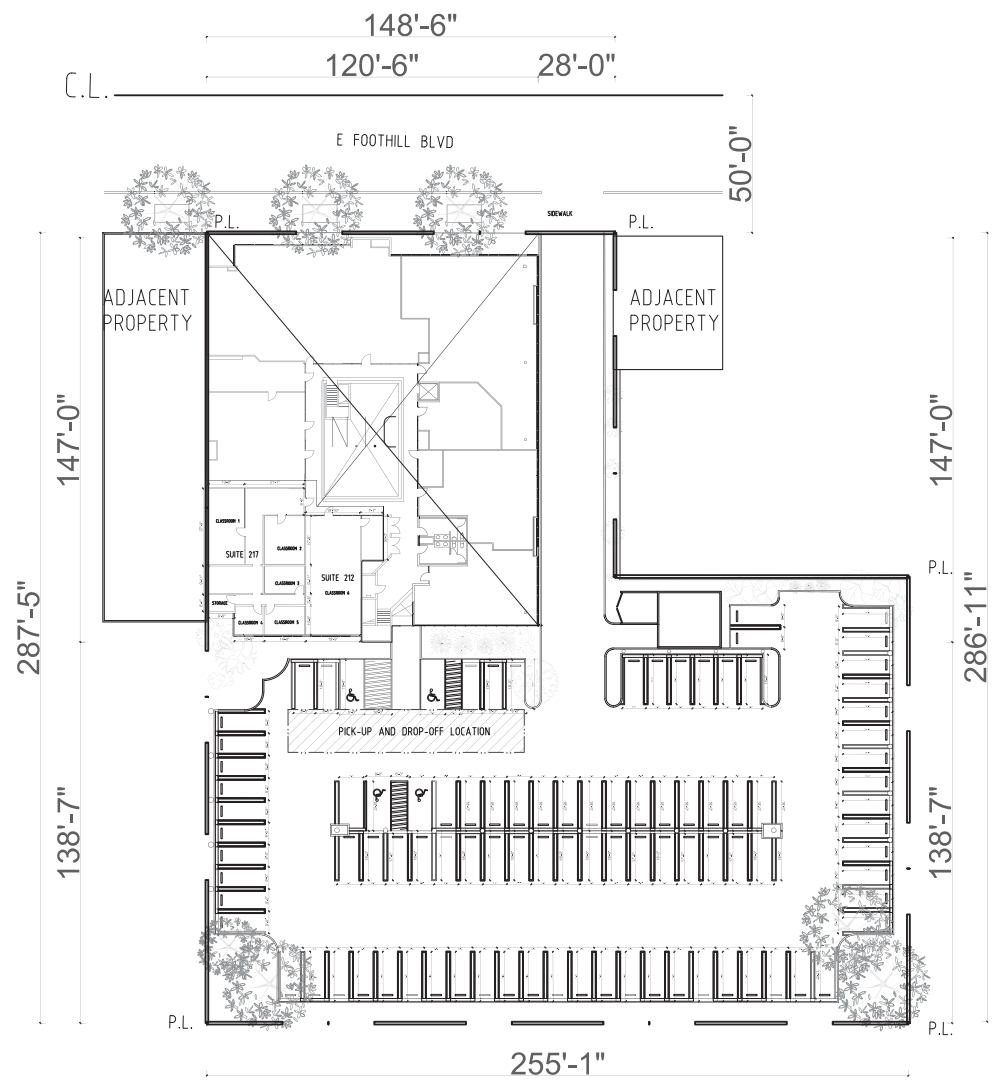
SITE PLAN AND SITE PHOTOS
70 E FOOTHILL BLVD,
SUITE 212 AND 217
ARCADIA CA 91006

SHEET TITLE:
PROJECT ADDRESS:
70 E FOOTHILL BLVD,
SUITE 212 AND 217
ARCADIA CA 91006

SHEET TITLE:
PROJECT ADDRESS:
70 E FOOTHILL BLVD,
SUITE 212 AND 217
ARCADIA CA 91006

SHEET TITLE:
PROJECT ADDRESS:
70 E FOOTHILL BLVD,
SUITE 212 AND 217
ARCADIA CA 91006

SHEET:
A-2



SITE PLAN
SCALE: 3/16" = 1'-0"

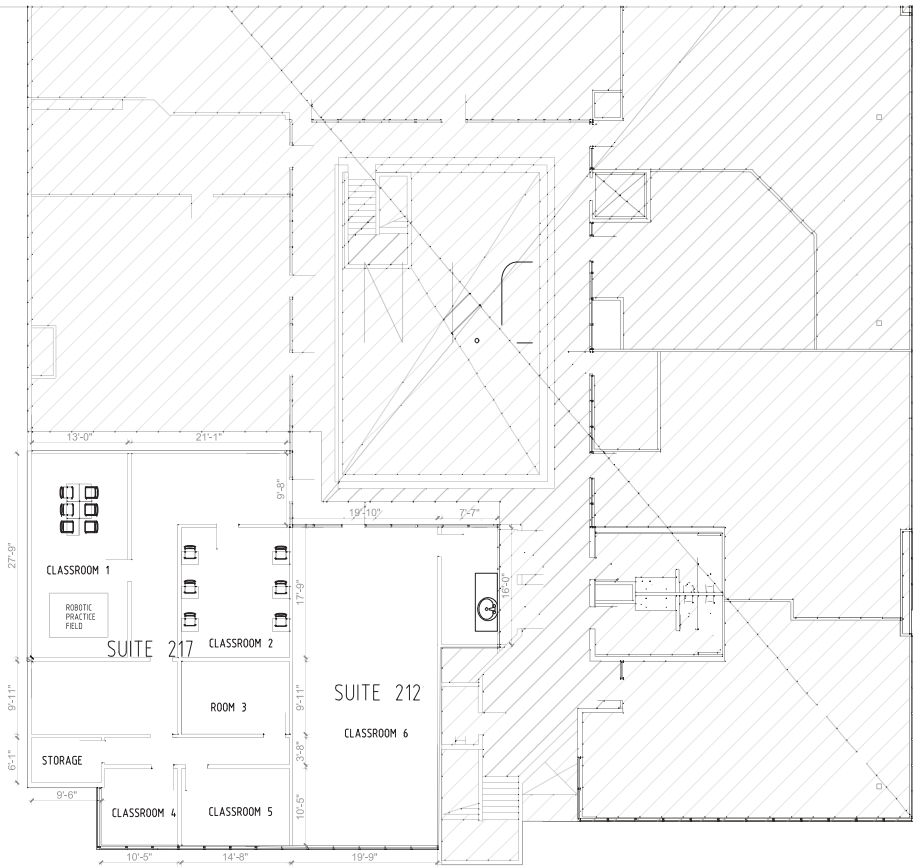
EXISTING STRUCTURE TO REMAIN

NOTE: NO LANDSCAPE/EXTERIOR WORK ARE PROPOSED

NOTE:
FOR THIS PROPERTY, NO RESERVED OR DESIGNATED PARKING WILL BE PROVIDED FOR ANY
TENANT, THERE ARE 97 UNRESERVED PARKING SPACES.

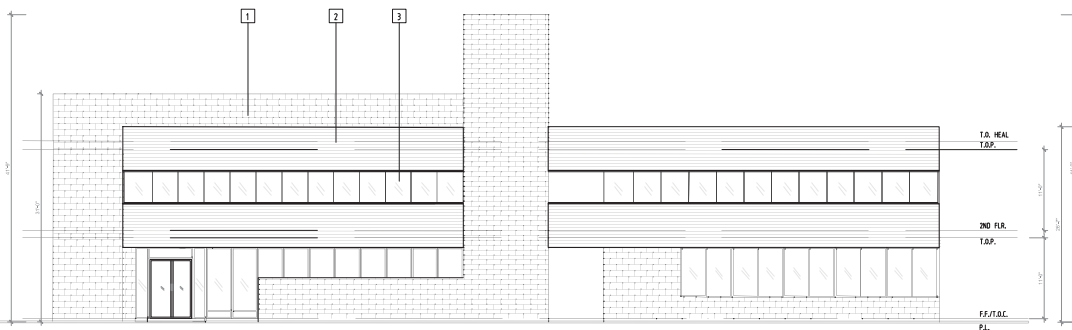


SITE PHOTOS
SCALE: N.T.S.



FLOOR PLAN
SCALE: 1/2" = 1'-0"

NOTE: NO INTERIOR PARTITION CHANGE ARE PROPOSED



SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



SUITE PHOTOS
SCALE: N.T.S.



ELEVATION LEGEND:

- 01 EXISTING BRICK WALL / COLOR WHITE / NO CHANGE
- 02 EXISTING SIDING / COLOR YELLOW / NO CHANGE
- 03 EXISTING WINDOWS / TRIM COLOR BLACK / NO CHANGE

DESIGNED BY
MING LIU

REVISIONS

DATE:	REVISION:



DESIGN BY:

MING
ARC
DESIGN
CORP.

TEL: (626) 347-4525

STAR
INTERNATIONAL
CENTER CUP
PROJECT TITLE: 5772-001-028
APR: 2023-04-05
DATE:

FLOOR PLAN,
ELEVATIONS AND PHOTOS
20 E FOOTHILL BLVD,
SUITE 212 AND 217
ARCADIA CA 91006

SHEET TITLE:
PROJECT ADDRESS:

SHEET:

A-3

Attachment No. 4

Parking Count dated 7/13/23- 7/19/23

COUNTS BY APPLICANT

TARGET: OPERATION HOURS PARKING COUNT WITH PHOTO

LOCATION: 20 E. FOOTHILL BLVD,ARCADIA,CA,91006

DATE: TOTAL OF 97 OPEN PARKING SPACES EXACTLY TIME:

Date	Weekday	Time	Parking Spaces Occupied	Unoccupied Spaces
	13-Jul Thursday	4:30 p.m	4	93
	14-Jul Friday	3:30p.m	9	88
	17-Jul Monday	3:30p.m	8	89
	18-Jul Tuesday	3:45p.m	5	92
	19-Jul Wednesday	4:45p.m	4	93
			Average:	91

Attachment No. 5

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	CUP 23-03 Conditional Use Permit to allow an after school robotics and dance/modeling school.
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):	20 E. Foothill Blvd – The business is located along at the south-east corner of E Foothill Blvd and N. Santa Anita Ave.
3. Entity or person undertaking project:	A.
	B. Other (Private)
	(1) Name Star International Center
	(2) Address 20 E. Foothill Blvd., 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: 15301(a) – Class 1 (Use of an existing facility)
f. <input type="checkbox"/>	The project is statutorily exempt.
	Applicable Exemption:
g. <input type="checkbox"/>	The project is otherwise exempt on the following basis:
h. <input type="checkbox"/>	The project involves another public agency which constitutes the Lead Agency.
	Name of Lead Agency:

Date: June 26, 2023

Staff: Alison MacCarley, Assistant Planner



STAFF REPORT

Development Services Department

DATE: August 22, 2023

TO: Honorable Chair and Planning Commission

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

SUBJECT: 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

SUMMARY

The Applicant, Henry Phung on behalf of the Provenance Development LLC is requesting approval of Planning Commission Administrative Modification No. PC AM 23-02 to legalize a rear yard setback that varies from 6'-6" to 8'-4" in lieu of 10 feet required for the constructed six unit multi-family condominium development that is nearly complete at 1027 Arcadia Avenue. It is recommended that the Planning Commission adopt Resolution No. 2132 (refer to Attachment No. 1), find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), and approve PC AM 23-02, subject to the conditions listed in this staff report.

BACKGROUND

The subject property is an 11,400 square foot, interior lot, zoned R-3, High Density Multiple Family Residential. The General Plan Designation is HDR – High Density Residential. The property is surrounded by other multiple family residences also zoned R-3 zone – refer Attachment No. 2 for an Aerial photo with Zoning Information and Photos of the Subject Property and Vicinity.

On August 14, 2018, the Planning Commission approved Tentative Tract Map No. TTM 18-01 (73913), Multiple Family Architectural Design Review No. MFADR 16-17, and Healthy Protected Tree Removal Permit No. TRH 18-12 for a six-unit, residential

condominium development at 1027 Arcadia Avenue – Refer to Attachment No. 4 for approved architectural plans. On October 29, 2020, a building permit was issued. The project has been under construction since then and it is almost complete. The Applicant has been the owner of this property since October of 2020, but they were not the original Applicants when the project was entitled in 2018. Figures 1 and 2 below show the finished development and the rear wall – also refer to Attachment No. 3.



Figure 1 – Constructed multi-family units at 1027 Arcadia Ave.

In April of this year, it was discovered the building was built closer to the rear property line during the final inspection and the Planner had inadvertently approved the plans for the building at 9 feet instead of 10 feet. As a result, an As-Built plan was required by a licensed land surveyor to determine the exact distance from the building to the property line. The results showed the rear yard setback varies from 6'-6" to 8'-4", and these encroachments consist of the building, the vent/shaft for the basement parking, the elevator shaft for the Americans with Disability Act (ADA) unit, and the electrical panels for the building. It is unknown how the oversight occurred during construction since the markers have been removed. Typically, the survey company would mark the corners of the building, the City's Building Inspector would verify them, and then the concrete and framing subcontractors would follow those same markings before they pour the foundation. Clearly, there were errors made through this process. Once the situation was discovered, the Applicants have been very cooperative with the City in trying to get this issue resolved.

ANALYSIS

The Applicant is requesting a modification to legalize the rear yard setback that varies from 6'-6" to 8'-4" in lieu of the minimum requirement of 10 feet for the completed six-unit condominium project. This is the last outstanding issue prior to receiving a final building permit and a Certificate of Occupancy from the Building Division. According to the As-Built plans the building was built slightly longer than what was approved, and the additional square footage was spread throughout the units, but Unit A increased the most (approximately 12 inches).

It is not possible to bring this building into compliance without demolishing a portion of the rear unit. However, it is not that simple since all the pipes, the ventilation shaft, and the electrical panels would need to be relocated too. And SCE cannot feed the power to anywhere else on this property from the rear since it can only be connected from the overhead power pole, as shown in Figure 2 below. SCE was unsuccessful in obtaining an easement from the adjacent property owner to locate the panels within the basement level to avoid it from being visible. Lastly, the roof would need to be substantially changed in design to accommodate a greater rear yard setback.



Figure 2 – The rear of the building as constructed showing the rear block wall (right), and the electrical panels on the building

Even though this building is situated 1'-8" to 2'-3" closer to the rear property line, the building is approximately 25 feet from 4 of 14 unit condominiums that faces this property from the rear at 1015 Arcadia Avenue. Additionally, it is separated by a driveway, as shown in the image below. The private open spaces for these apartment units are located on the opposite side away from this six-unit condominium development. Therefore, there is no privacy issue due to the distance, and the two properties are also screened by very dense, mature Italian Cypress trees that are approximately 20 feet tall and provide a visual barrier between them, as shown in Figure 3 and 4 below. Therefore, there will be no impact in terms of privacy to the neighboring property to the north.



Figure 3 – layout of 1015 Arcadia Ave. and relationship to 1027 Arcadia Ave. (subject property)



Figure 4 – Existing Italian Cypress trees that are 20 feet tall or taller.

The reduced rear yard setback is subject to a Planning Commission Administrative Modification when there is a Modification to any of the setbacks for a new dwelling. 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 modification to legalize the rear yard setback that varies from 6'-6" to 8'-4" in lieu of 10 feet for the built six-unit multi-family development will secure an appropriate improvement to this lot as there are other multi-family developments along this block and within this area that have a setback that is less than 10 feet, and some as close as five feet. Also, the encroachment is not noticeable as this building will be screened by a row of tall mature Italian Cypress trees that are approximately 20 feet tall. Furthermore, there is no privacy issue because the distance between the subject property to another building on the adjacent lot to the north at 1015 Arcadia Avenue is approximately 25 feet, and there is a driveway that separates these two properties. The private open spaces at 1015 Arcadia Avenue are on the opposite side (on the northside of their property) away from this six-unit condominium development, which faces away from 1027 Arcadia Avenue. There are no issues to either side of this property since this development complies with the side yard setbacks. Therefore, the reduced rear yard setback is an appropriate improvement of the lot and still promotes uniformity of development with other buildings that also have reduced setbacks.

ENVIRONMENTAL ASSESSMENT

The proposed project qualifies as a Class 5 exemption, for minor alterations in land use limitations, under the California Environmental Quality Act (CEQA) pursuant to Section 15305(a) 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 posted at the City Clerk's Office, City Council Chambers, at the Arcadia Library, and on the City's website on August 10, 2023. It was also mailed to the property owners located within 300 feet of the subject property. As of August 18, 2023, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission approve PC AM 23-02, find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2132, subject to the following conditions of approval:

1. The project shall be completed and maintained by the Applicant/Property Owner in a manner that is consistent with the as-built plans submitted and conditionally approved for PC AM 23-02, subject to the approval of the Deputy Development Services Director or designee.
2. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall comply with all conditions of approval found in Resolution No. 2020.
3. 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 PC AM 23-02 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will promptly notify the Applicant of the claim,

action, or proceedings and will fully cooperate in the defense of the matter. Once notified, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, Applicant shall provide to City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. City may draw funds from the deposit for such fees, costs, and expenses. Within 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.

4. Approval of PC AM 23-02 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 Administrative Modification No. PC AM 23-02, state that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2132 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 Administrative Modification No. PC AM 23-02, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner or other interested party has any questions or comments regarding this matter prior to the August 22, 2023, hearing, please contact Deputy Development Services Director, Lisa Flores, at (626) 574-5423, or by email at planning@ArcadiaCA.gov.

Approved:



Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2132
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: As-built plans for the Project
- Attachment No. 4: Approved Architectural Plans
- Attachment No. 5: Preliminary Environmental Assessment

Attachment No. 1

Resolution No. 2132

RESOLUTION NO. 2132

RESOLUTION NO. 2132 – APPROVING PLANNING COMMISSION ADMINISTRATIVE MODIFICATION NO. PC AM 23-02 TO LEGALIZE THE REDUCED REAR YARD SETBACK FOR THE CONSTRUCTED SIX UNIT MULTI-FAMILY PROJECT AT 1027 ARCADIA AVENUE

WHEREAS, on July 18, 2023, an application for Planning Commission Administrative Modification No. PC AM 23-02 was filed by Henry Phung on behalf of the property owner, Provenance Development LLC (“Applicant”), to legalize the reduced rear yard setback that varies from 6’-6” to 8’-4” in lieu of 10’-0” that is required for the constructed six-unit condominium development at 1027 Arcadia Avenue; and

WHEREAS, on August 14, 2018, the Planning Commission approved Multi-family Architectural Design Review No. MFADR 16-17, Tentative Tract Map No. TTM 18-01 (73913), and Healthy Protected Tree Removal No. TRH 18-12 with a vote of 4-1 (Commissioner Lin was absent), approving a six-unit condominium development at 1027 Arcadia Avenue; and

WHEREAS, on October 29, 2020, building permits were issued for construction of the six-unit condominium project and during construction the rear of the building was inadvertently built too close to the property line and therefore the rear yard setback does not comply with the provisions of the Development Code; and

WHEREAS, on January 18, 2022, the final Tract Map No. 73913 was approved by the City Council for this development; and

WHEREAS, on July 19, 2023, Planning Services completed an environmental assessment for the reduced rear yard setback in accordance with the California Environmental Quality Act (“CEQA”) and recommends that the Planning Commission

determine that the reduced rear yard setback qualifies as a Class 5 Categorical Exemption under CEQA pursuant to Section 15305 (a) of the CEQA Guidelines for minor alterations to land use; and

WHEREAS, on August 22, 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 August 22, 2023, are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Section 9107.09.050 of the Arcadia Development Code, 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

FACT: The proposed modification to legalize the rear yard setback that varies from 6'-6" to 7'-9" in lieu of 10 feet for the built six-unit multi-family development will secure an appropriate improvement to this lot as there are other multi-family developments along this block and within this area that have a setback that is less than 10 feet, and some as close as five feet. Also, the encroachment is not noticeable as this building will be screened by a row of tall mature Italian Cypress trees that are approximately 20 feet tall. Furthermore, there is no privacy issue because the distance between the subject property

to another building on the adjacent lot to the north at 1015 Arcadia Avenue is approximately 25 feet, and there is a driveway that separates these two properties. The private open spaces at 1015 Arcadia Avenue are on the opposite side (on the northside of their property) away from this six-unit condominium development, which faces away from 1027 Arcadia Avenue. There are no issues to either side of this property since this development complies with the side yard setbacks. Therefore, the reduced rear yard setback is an appropriate improvement of the lot and still promotes uniformity of development with other buildings that also have reduced setbacks.

SECTION 3: This Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305(a) of the CEQA Guidelines as a minor alternation to land use limitations.

SECTION 4. For the foregoing reasons the Planning Commission determines that the reduced rear yard setback is Categorically Exempt per Class 5, Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines and approves Planning Commission Administrative Modification No. PC AM 23-02 for a reduced rear yard setback that varies from 6'-6" to 8'-4" where 10'-0" is required, for the built six-unit condominium development at 1027 Arcadia Avenue, subject to the conditions of approval attached hereto.

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


Passed, approved and adopted this 22nd day of August, 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. 2132

Conditions of Approval

1. The project shall be completed and maintained by the Applicant/Property Owner in a manner that is consistent with the as-built plans submitted and conditionally approved for PC AM 23-02, subject to the approval of the Deputy Development Services Director or designee.
2. Prior to issuance of a Certificate of Occupancy, the Applicant/Property Owner shall comply with all conditions of approval found in Resolution No. 2020.
3. 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 PC AM 23-02 (“Project”) on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant’s contractors, agents, tenants, employees or any other persons acting on Applicant’s behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will 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, 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.. 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, whether or not at the request of the Applicant.

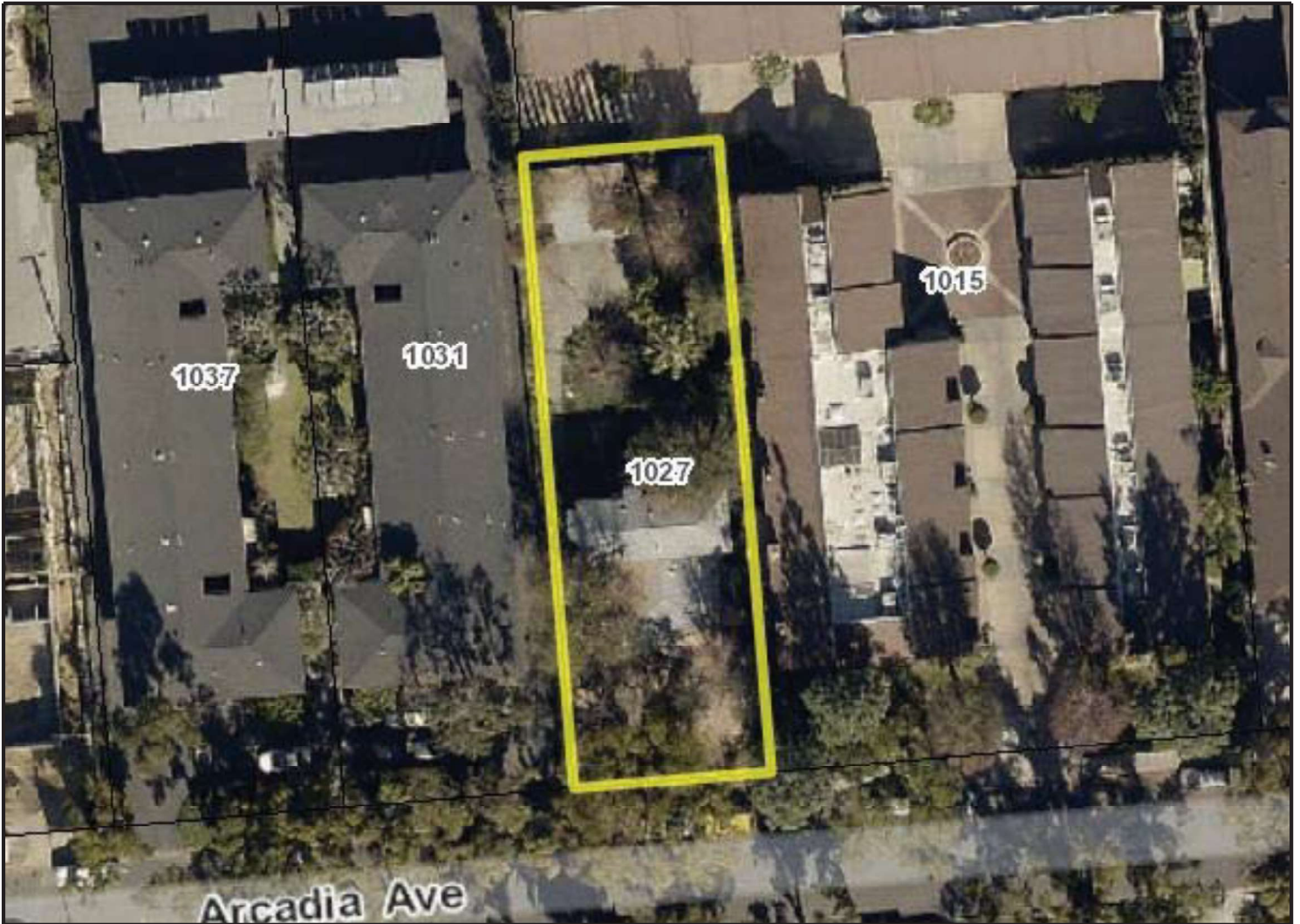
4. Approval of PC AM 23-02 shall not be in effect unless the Applicant/Property Owner has executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has approved the Resolution. The executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

Attachment No. 2

Aerial Photo and Zoning Information and
Photos of the Subject Property

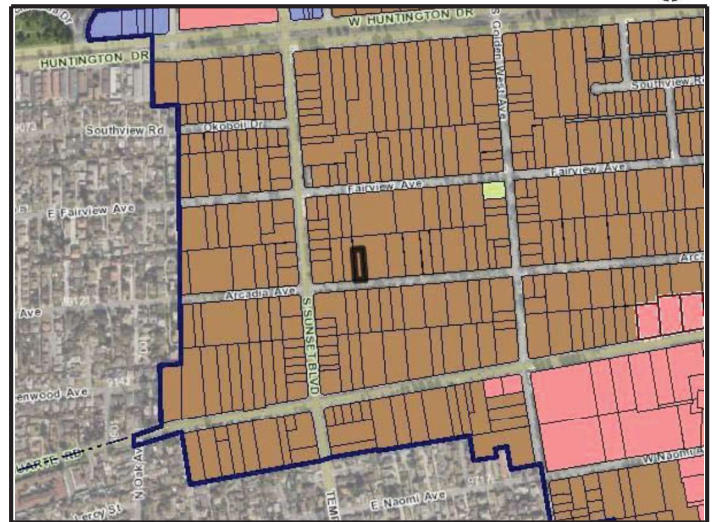
Site Address: 1027 ARCADIA AVE

Property Owner(s): EASTAR DEVELOPMENT INC

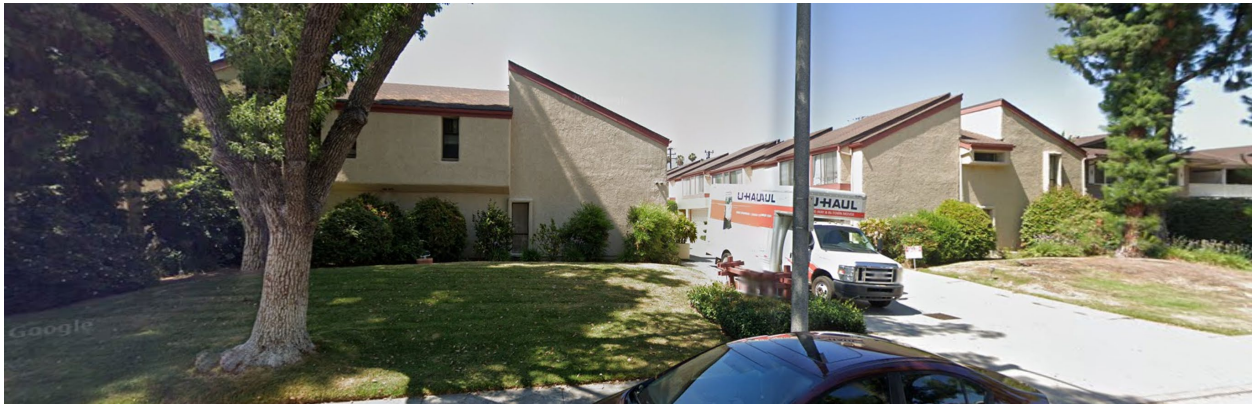


Property Characteristics	
Zoning:	R-3
General Plan:	HDR
Lot Area (sq ft):	11,400
Main Structure / Unit (sq. ft.):	2,270
Year Built:	1951
Number of Units:	3
Overlays	
Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia



1015 Arcadia Avenue – to the east of the subject property



1012 & 1018 Arcadia Avenue – opposite the subject property



1022 & 1032 Arcadia Avenue - opposite the subject property



1031 Arcadia Avenue – to the west of the subject property



1027 Arcadia Avenue – the completed structure as seen from Arcadia Avenue



The rear block wall of the subject property showing Italian Cypress trees on the adjacent property to the rear.

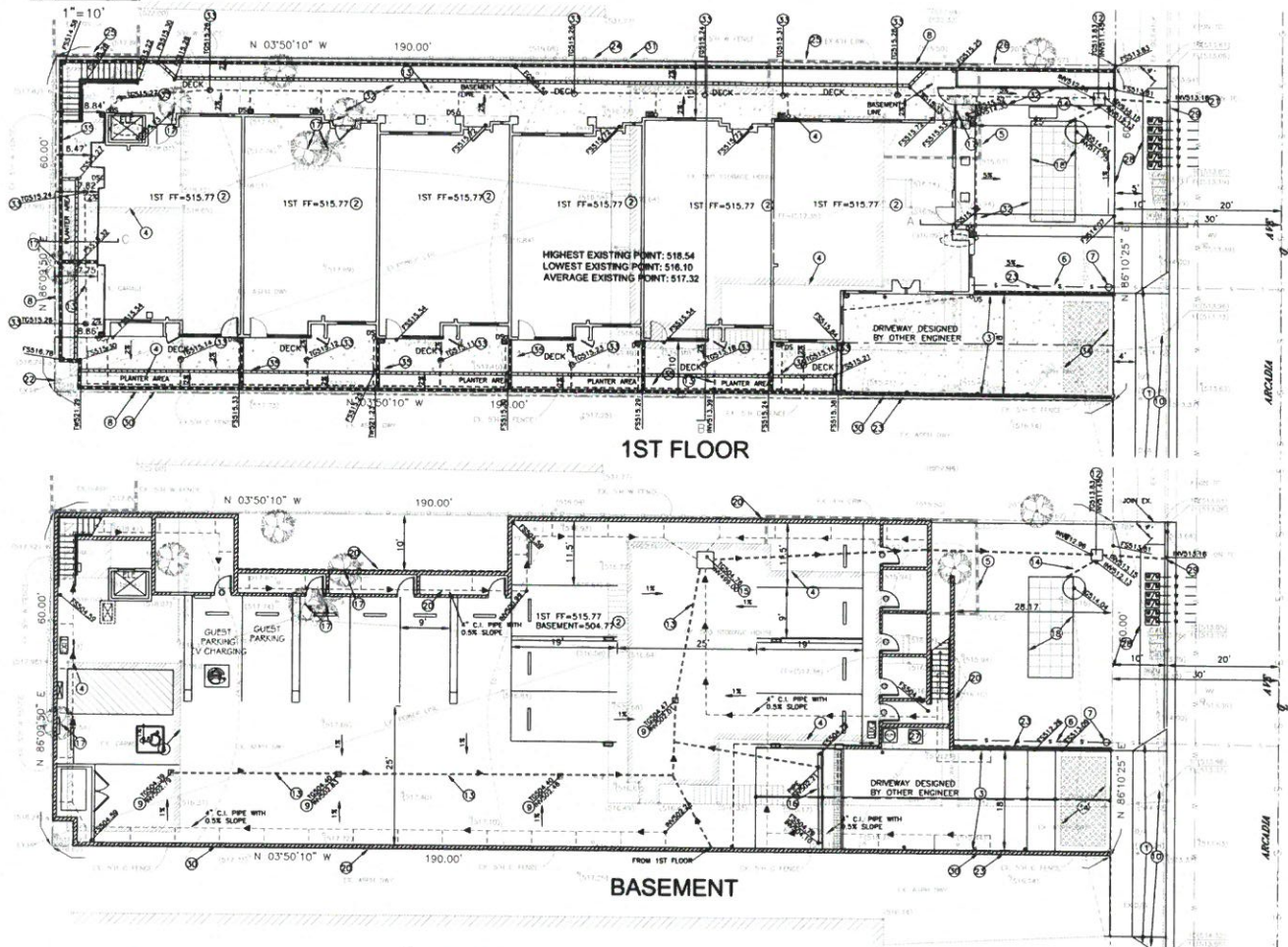


The rear yard of the subject property showing the non-conforming setback and the electrical panel.

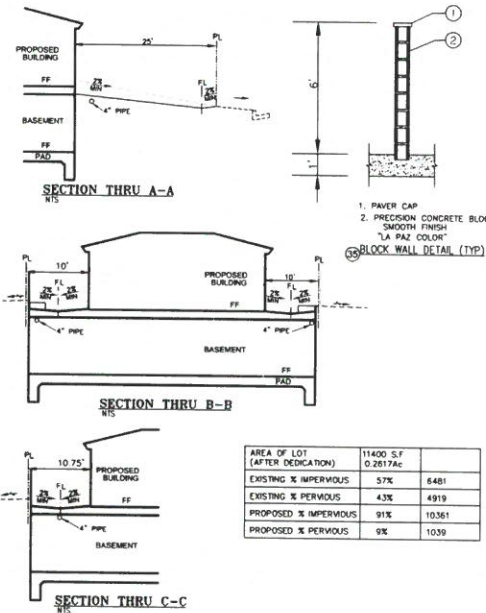
Attachment No. 3

As-Built plans for the Project

AS BUILT GRADING PLAN



- ABBREVIATIONS:**
- CBW..... CONC. BLOCK WALL
 - C&G..... CURB AND GUTTER
 - DIA..... DRIVEWAY APRON
 - DRWY..... DRIVEWAY
 - EP..... EDISON POLE
 - EX..... EXISTING
 - FL..... FIRE HYDRANT
 - FL..... FLOW LINE ELEVATION
 - GM..... GAS METER
 - M.H..... MAN HOLE
 - SMR..... SEWER MANHOLE
 - SW..... SIDEWALK
 - SD..... STORM DRAIN
 - TBR..... TO BE REMOVED
 - TC..... TOP OF CURB ELEVATION
 - WF..... WOODEN FENCE
 - WV..... WATER VALVE
 - DS..... DOWNSPOUT
- LEGEND:**
- DF..... DEEPEND FOOTING
 - (462.1)..... EXISTING ELEVATION
 - 520.06..... PROPOSED ELEVATION
 - (456)..... EXISTING CONTOUR
 - DRAINAGE PATTERN
 - EXISTING STRUCTURE
 - PROPOSED STRUCTURE
 - PROPOSED LANDSCAPE AREA
 - FIRE HYDRANT
 - OVER EXCAVATION / RECOMPACTED
 - OAK TREE CRIP LINE



AREA OF LOT (AFTER DEDICATION)	11400 S.F. 0.2617AC
EXISTING % IMPERVIOUS	57% 6481
EXISTING % PERVIOUS	43% 4919
PROPOSED % IMPERVIOUS	91% 10361
PROPOSED % PERVIOUS	9% 1039

- CONSTRUCTION NOTES:**
1. CONSTRUCT W/4\"/>

13. CONSTRUCT 24\"/>

22. EXISTING POWER POLE TO BE REMOVED
23. CONSTRUCT RETAINING WALL PER STRUCTURAL PLAN
24. EXISTING FENCE TO REMAIN
25. EXISTING WALL TO REMAIN
26. CONSTRUCT NEW FENCE PER ARCHITECT PLAN
27. INSTALL BACKUP GENERATOR FOR SUMP PUMP
28. INSTALL NEW 5\"/>

30. INSTALL SM7H 2110 DECK DRAINS OR APPROVED EQUAL CONNECTION PER PLUMBING PLAN
31. INSTALL INTERLOCKING STONE PAVING BY 'BELGARD'
32. CONSTRUCT NEW BLOCK WALL PER ARCHITECT PLAN DETAIL HEREON.

EARTH WORK QUANTITIES:
 CUT: 3749 C.Y. FILL: 0 C.Y.
 EXPORT: 3749 C.Y.
 THE 'HARDWARE SHOWN HEREON IS FOR PERMIT AND BONDING PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING OF THE QUANTITIES.

OWNER:
 EASTAR DEVELOPMENT INC.
 3851 STONELY DR.
 PASADENA, CA 91107
 TEL: 626-468-3636

BENCHMARK:
 CITY BENCHMARK NO. 89
 PD LAMP IN GOLDENWEST AVE & ARCADIA
 AVE. NORTHWEST CURB RETURN, 4' NORTH
 ELEVATION: 512.19'

LEGAL DESCRIPTION:
 A PORTION OF LOT 91 OF TRACT NO. 2731, IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 33, PAGE 26, OF MAPS, IN THE COUNTY RECORDER OFFICE OF SAID COUNTY.
 APN: 5785-005-012

EXISTING SEWER LATERAL LOCATION AND WATER MAIN LINE LOCATION TO BE FIELD VERIFIED

NO KNOWN EASEMENTS ON PROPERTY ACCORDING TO THE DOCUMENTS RECEIVED BY CAL LAND ENGINEERING, INC. CLIENT SHALL BE RESPONSIBLE FOR VERIFYING AND CONFIRMING EXISTENCE OR NONEXISTENCE OF ANY EASEMENTS.

CALLAND ENGINEERING, INC.
 dba QUARTTECH CONSULTANTS
 576 E. LAMBERT ROAD, BRCA, CA 92821
 TEL: (714) 871-1050 FAX: (714) 871-1050

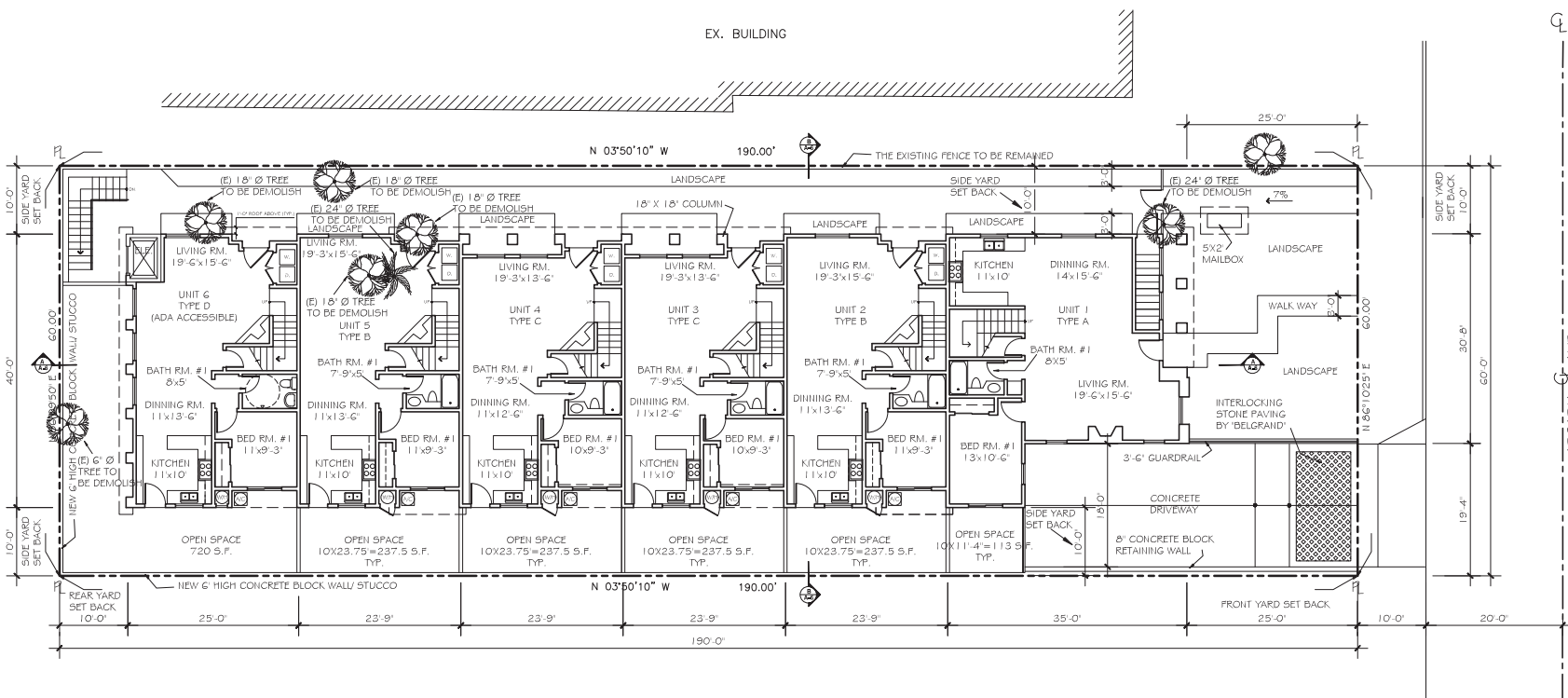
PROJECT LOCATION:
 TR73913
 1027 ARCADIA AVENUE,
 ARCADIA, CA 91066

DRAWN: K.Y.
CHECKED:
DATE: 07/24/2023
JOB NO.: 13-105-001
SCALE: 1" = 10'
FILE NAME:

C-1
 SHEET 1 OF 1

Attachment No. 4

Approved Architectural Plans



EX. BUILDING

PROJECT SUMMARY

PROJECT NAME: EASTAR ARCADIA VILLA
 PROPERTY ADDRESS: 1027 ARCADIA AVE. ARCADIA, CA 91007
 OWNERS NAME & ADDRESS: EASTAR DEVELOPMENT INC.
 800 FALLEN LEAF RD., CA 91107
 TEL: 626-989-3836

APPLICANT'S NAME & ADDRESS: SYS DEVELOPMENT, INC.
 404 E. LAS TUNAS DR. SUITE #101
 SAN GABRIEL, CA 91776
 CONTACT PERSON: THOMAS SONS TEL: 626-318-2878

PROJECT DESCRIPTION: TO BUILD 6 UNITS 4 BEDROOM 4 3 BATHROOM CONDOMINIUM PROJECT

ZONING: R-3

APN#: 5793-003-012

LOT SIZE: 60X190' = 11,400 SF

LEGAL DESCRIPTION: A PORTION OF LOT #11 OF TRACT NO 27311, IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORD IN BOOK 33, PAGE 23, OF MAPS, IN THE COUNTY RECORDER OFFICE OF SAID COUNTY.

BUILDING TYPE: TYPE V WOOD STRUCTURE OVER TYPE I CONCRETE GARAGE.

BUILDING AREA:

TYPE "A":	1ST FLOOR	1,043 SF
	2ND FLOOR	1,023 SF
	TOTAL:	2,066 SF
TYPE "B":	1ST FLOOR	903 SF
	2ND FLOOR	807 SF
	TOTAL:	1,710 SF
TYPE "C":	1ST FLOOR	862 SF
	2ND FLOOR	893 SF
	TOTAL:	1,755 SF
TYPE "D":	1ST FLOOR	897 SF
	2ND FLOOR	941 SF
	TOTAL:	1,838 SF
	TOTAL: 1A+ 2B+ 2C+ 1D=	11,118 SF

BUILDING SET BACK:

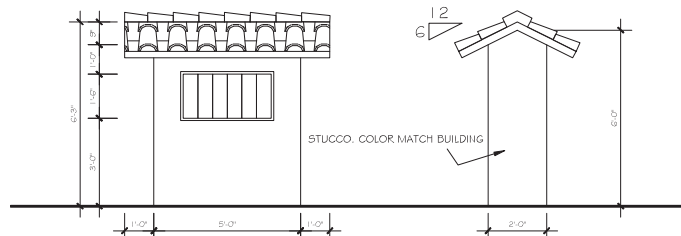
FRONT YARD: 25 SF
 SIDE YARD: 10 SF
 REAR YARD: 10 SF

BUILDING HEIGHT: 27'-4"

PARKING PROVIDED: 216+36= 252 PARKING STALLS
 PARKING REQUIRED: 15 PARKING STALLS (W/ ONE HANDICAPPED VAN ACCESSIBLE PARKING STALL)

OPEN SPACE REQUIRED: 100 SF X 6' = 600 SF
 OPEN SPACE PROVIDED: 1,845 SF

FRONT YARD LANDSCAPING AREA:
 REQUIRED AREA= 25X 60X 60%= 900 SF
 DRIVEWAY PAVING= 450 SF
 WALKWAY AREA= 100 SF
 PROVIDED AREA:
 TOTAL PAVING AREA= 450+ 100 SF= 550 SF
 FRONT YARD AREA - TOTAL PAVING AREA = 950
 = 950 > 900 OK.



MAILBOX ELEVATIONS

SITE PLAN / FIRST FLOOR PLAN

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

NOTE: ALL WINDOW AND DOOR OPENINGS SHOULD BE RECESSED MIN. 2"

REVISIONS	BY

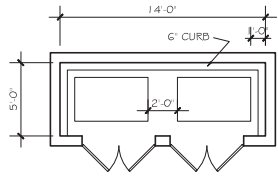
SYS DEVELOPMENT INC.
 ARCHITECTURAL, PLUMBING - CONSULTATION, SERVICES
 404 E. LAS TUNAS DR. SUITE #101 TEL: 626.318.8972
 SAN GABRIEL, CA 91776 FAX: 626.285.2277

PROJECT:
 EASTAR ARCADIA VILLA
 1027 ARCADIA AVE.
 ARCADIA, CA 91006

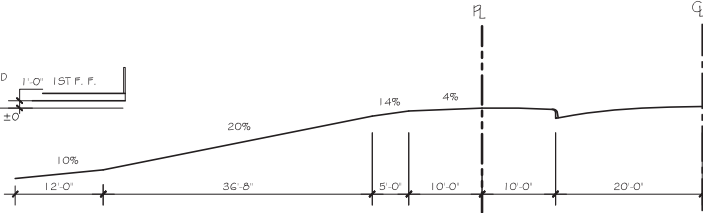
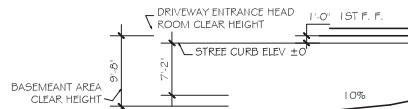
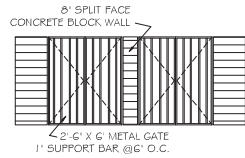
SHEET TITLE:
 SITE PLAN / FIRST FLOOR PLAN

DATE	SCALE	DATE	SCALE

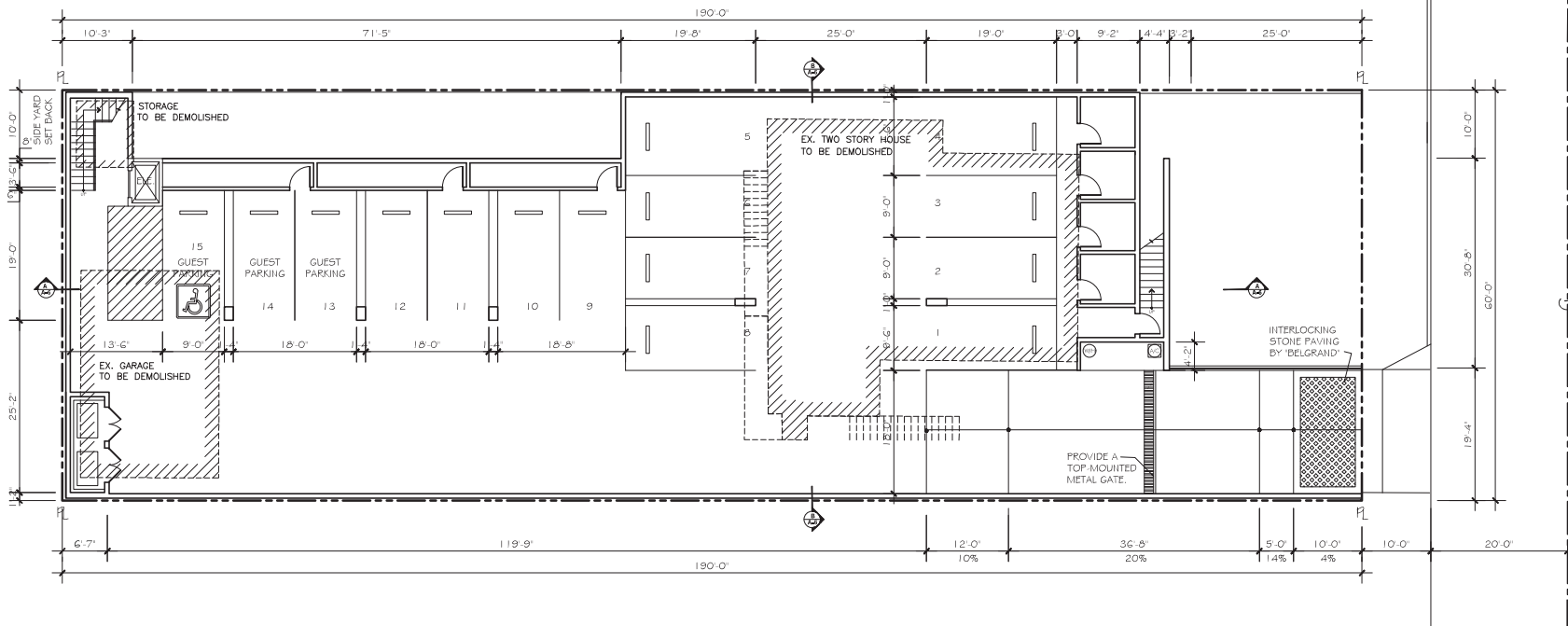
A-1



TRASH ENCLOSURE



DRIVEWAY PROFILE



BASEMENT PLAN

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

LEGEND:

- NEW WALL
- EXISTING WALL TO BE DEMOLISHED

REVISIONS	By

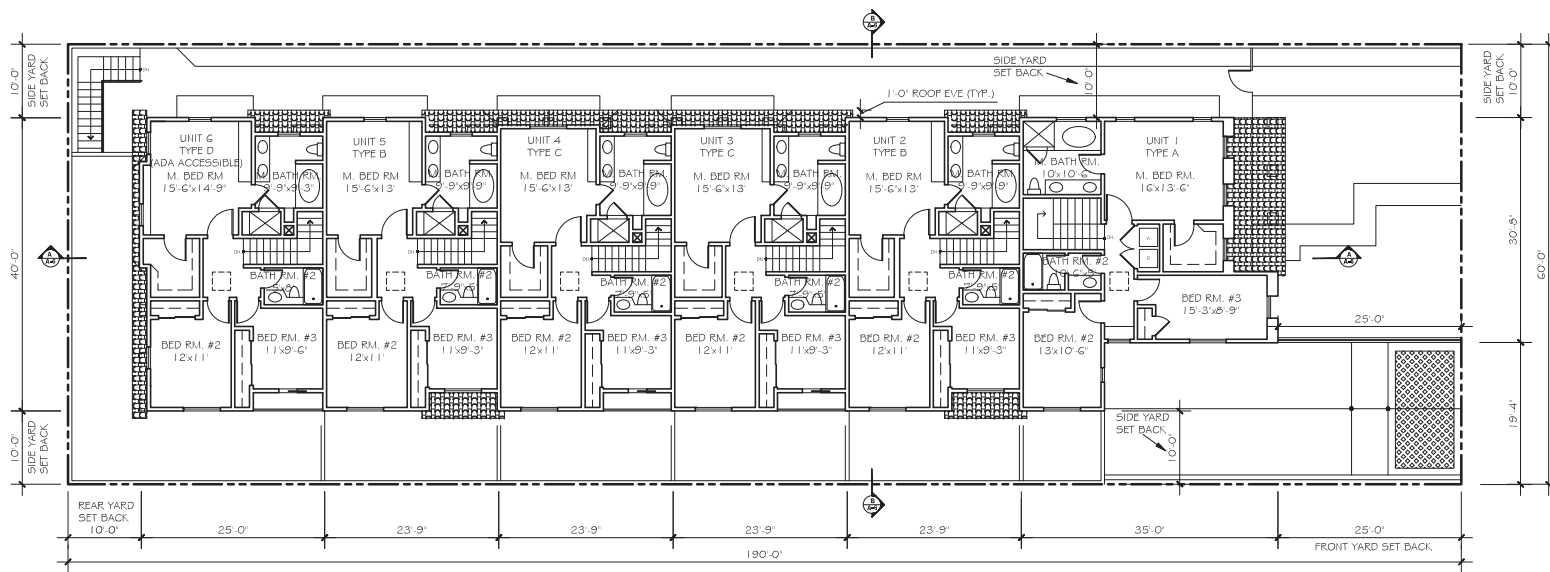
SYD DEVELOPMENT INC.
 ARCHITECTURAL PLANNING + CONSTRUCTION SERVICES
 5500 GARDENWAY, SUITE #101 | TEL: (408) 914-9177
 5500 GARDENWAY, SUITE #101 | FAX: (408) 245-7277

PROJECT:
 EASTAR VILLA
 1027 ARCADIA AVE.
 ARCADIA, CA 91006

SHEET TITLE:
 BASEMENT PLAN

DATE	BY	CHKD BY
AUG. 1, 2018		

A-2



SECOND FLOOR PLAN

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

REVISIONS	By

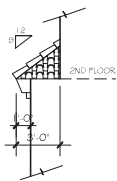
SYN DEVELOPMENT INC.
 ARCHITECTURAL PLANNING + CONSTRUCTION SERVICES
 5500 CALLE SAN GABRIEL, SUITE #101
 SAN GABRIEL, CA 91776
 TEL: (415) 914-8171
 FAX: (415) 245-7277

PROJECT:
 EASTAR VILLA
 1027 ARCADIA AVE.
 ARCADIA, CA 91006

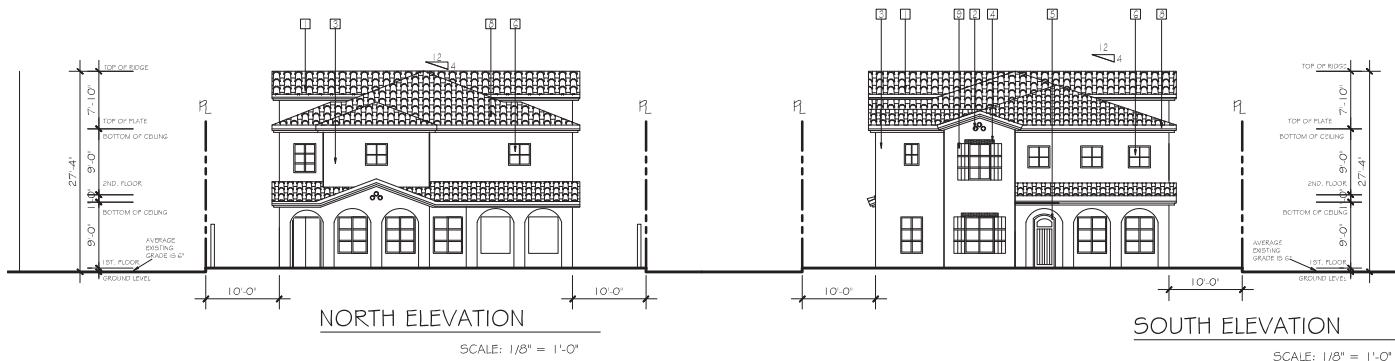
SHEET TITLE:
 SECOND FLOOR PLAN

DATE	BY	CHKD
AUG. 1, 2018		

A-3



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



NORTH ELEVATION

SOUTH ELEVATION

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

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



EAST ELEVATION

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



WEST ELEVATION

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

EXTERIOR MATERIALS :

- | | | | | | | |
|----------|---|--------------|--|----------------|---|--|
| 1 ROOF | CONCRETE TILE ROOF
BY 'EAGLE' TERRACOTTA GOLD #3118
ICBO #4660 OR APPROVED EQUAL. | 2 WOOD TRIM | 1X WOOD TRIM,
PAINTED COLOR: DUNN EDWARDS
DEG05G BUFFALO HERD | 3 GUARDRAIL | WROUGHT IRON
COLOR: DUNN EDWARDS PAINTS
DEG05G BUFFALO HERD | NOTE: ALL WINDOW AND DOOR OPENINGS SHOULD BE
RECESSED MIN. 2" |
| 2 VEHT | PAINTED COLOR: DUNN
EDWARDS PAINTS DE5282 | 4 ENTRY DOOR | PAINTED COLOR: DUNN EDWARDS
DEG05G BUFFALO HERD | 5 EAVE BOARD | PAINTED COLOR: DUNN EDWARDS
DEG05G BUFFALO HERD | |
| 3 STUCCO | 'SMOOTH FINISH'
PAINTED COLOR: DUNN EDWARDS
DEW 380 EGGSHELL COLOR | 6 WINDOW | FIBERGLASS WINDOW,
BY MILGARD WINDOWS,
FRAM COLOR: BROWN STONE | 7 WOOD SHUTTER | PAINTED COLOR: DUNN EDWARDS
DEG05G BUFFALO HERD | |

REVISIONS	BY

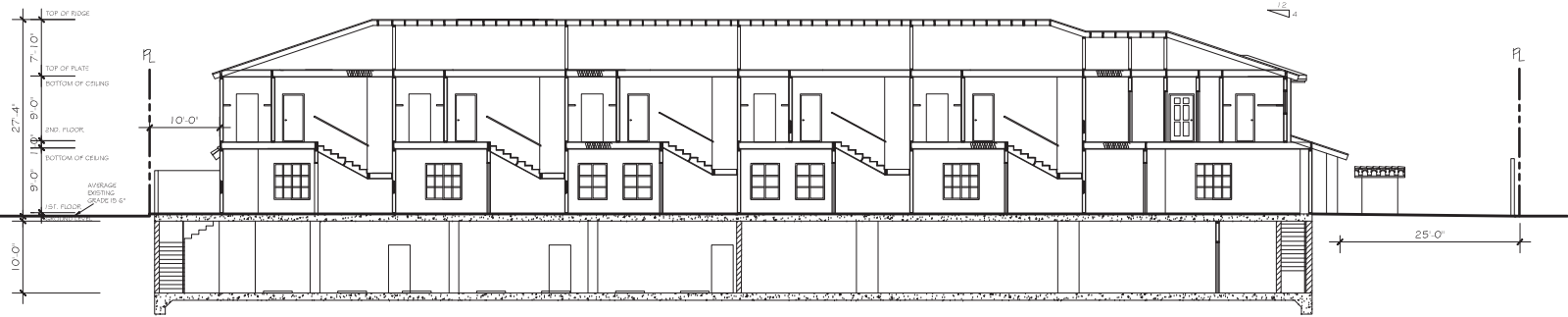
SYIS DEVELOPMENT INC.
ARCHITECTURAL, PLANNING + CONSTRUCTION SERVICES
1001 S. 10TH AVE. SUITE #101 TEL: (951) 518-8977
SAN JUAN CAPISTRANO, CA 92575 FAX: (951) 245-9277

PROJECT: EASTAR VILLA
1027 ARCADIA AVE.
ARCADIA, CA 91006

SHEET TITLE: ELEVATIONS

DATE	SCALE	REV. NO.	BY
AUG. 1, 2016	1/8" = 1'-0"	15-100001	SYIS

A-5



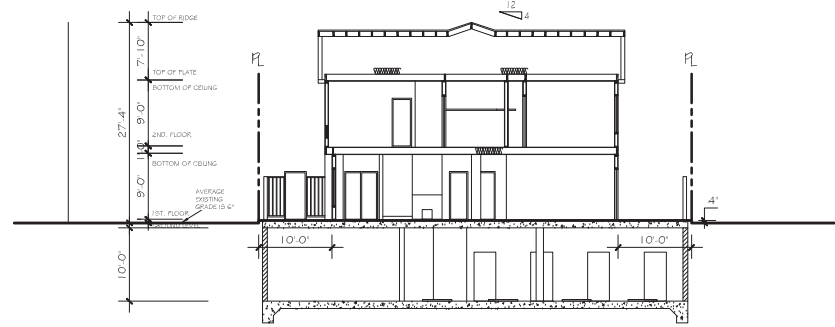
A - A SECTION
SCALE: 1/8" = 1'-0"

WINDOW SCHEDULE								
MARK	WIDTH	HGT.	THK.	TYPE	STYLE	MATERIAL	FRAME MATL. GLAZING	REMARKS
A	3'-0"	2'-0"	3/8"	1	CASEMENT	DUAL GLASS	WOOD DOUBLE	ALL WINDOW SHOULD
B	4'-0"	3'-0"	3/8"	2	CASEMENT	DUAL GLASS	WOOD DOUBLE	PROVIDE SCREEN, EXCEPT
C	4'-0"	3'-6"	3/8"	3	CASEMENT	DUAL GLASS	WOOD DOUBLE	FIXED WINDOW
D	3'-0"	5'-0"	3/8"	4	CASEMENT	DUAL GLASS	WOOD DOUBLE	U-VALUE FACTOR: 0.34
E	3'-0"	3'-0"	3/8"	5	CASEMENT	DUAL GLASS	WOOD DOUBLE	SHGC: 0.34
F	2'-6"	5'-0"	3/8"	4	CASEMENT	DUAL GLASS	WOOD DOUBLE	
G	5'-0"	4'-0"	3/8"	2	CASEMENT	DUAL GLASS	WOOD DOUBLE	
H	4'-0"	5'-0"	3/8"	7	CASEMENT	DUAL GLASS	WOOD DOUBLE	
I	2'-0"	3'-0"	3/8"	5	CASEMENT	DUAL GLASS	WOOD DOUBLE	
J	3'-0"	5'-0"	3/8"	7	CASEMENT	DUAL GLASS	WOOD DOUBLE	

NOTE: EVERY SLEEPING ROOM WINDOW MUST PROVIDE : MINIMUM 5.75 F OF OPERABLE AREA, MINIMUM CLEAR WIDTH OF 20", MINIMUM CLEAR HEIGHT 24", AND HAVE FINISHED SILL HEIGHT NOT MORE THAN 44" ABOVE THE FLOOR.

DOOR SCHEDULE								
MARK	WIDTH	HGT.	THK.	TYPE	MATERIAL	FRAME MATL.	HARDWARE	REMARKS
1	3'-0"	6'-8"	1 3/4"	A	WOOD	WOOD	LOCK	SOLID CORE
2	3'-0"	6'-8"	1 3/8"	B	WOOD	TEMPERED GLASS	WOOD	HOLLOW CORE
3	3'-0"	6'-8"	1 3/4"	C	WOOD	TEMPERED GLASS	WOOD	FRANCH SUBING DOOR
4	3'-0"	6'-8"	1 3/4"	D	WOOD	WOOD	LOCK	HOLLOW CORE
5	3'-0"	6'-8"	1 3/8"	D	WOOD	WOOD	PRIVACY	HOLLOW CORE
6	2'-0"	6'-8"	1 3/8"	D	WOOD	WOOD	PRIVACY	HOLLOW CORE
7	2'-6"	6'-8"	1 3/8"	E	WOOD	WOOD	PRIVACY	HOLLOW CORE
8	2'-0"	6'-8"	1 3/8"	E	WOOD	WOOD	PRIVACY	HOLLOW CORE
9	2'-0"	6'-8"	1 3/8"	F	WOOD	WOOD	PASSAGE	HOLLOW CORE
10	2'-0"	6'-8"	1 3/8"	F	WOOD	WOOD	PASSAGE	HOLLOW CORE
11	2'-0"	6'-8"	1 3/8"	Z	WOOD	WOOD	PASSAGE	HOLLOW CORE
12	2'-3"	6'-0"	1 3/8"	F	WOOD	WOOD	PRIVACY	HOLLOW CORE
13	3'-0"	6'-8"	1 3/4"	S	WOOD	WOOD	LOCK	SOLID CORE

NOTE: A DRYER COMPARTMENT SHALL BE PROVIDED WITH A MIN. OPENING OF 100 IN² FOR MAKEUP AIR IN THE DOOR OR BY OTHER APPROVED MEANS.



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

REVISIONS	By

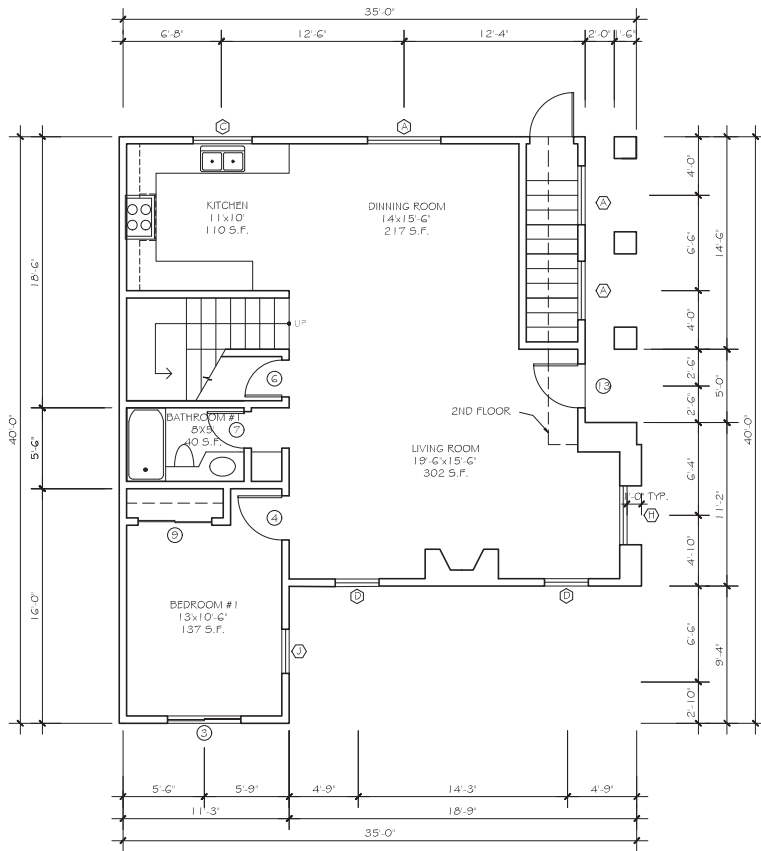
SYN DEVELOPMENT INC.
ARCHITECTURE, PLANNING + CONSTRUCTION SERVICES
440 S. GARDEN, SUITE #101
ANAHEIM, CA 92810
TEL: (714) 836-8100
FAX: (714) 836-8177


PROJECT:
EASTAR VILLA
1027 ARCADIA AVE.
ARCADIA, CA 91006

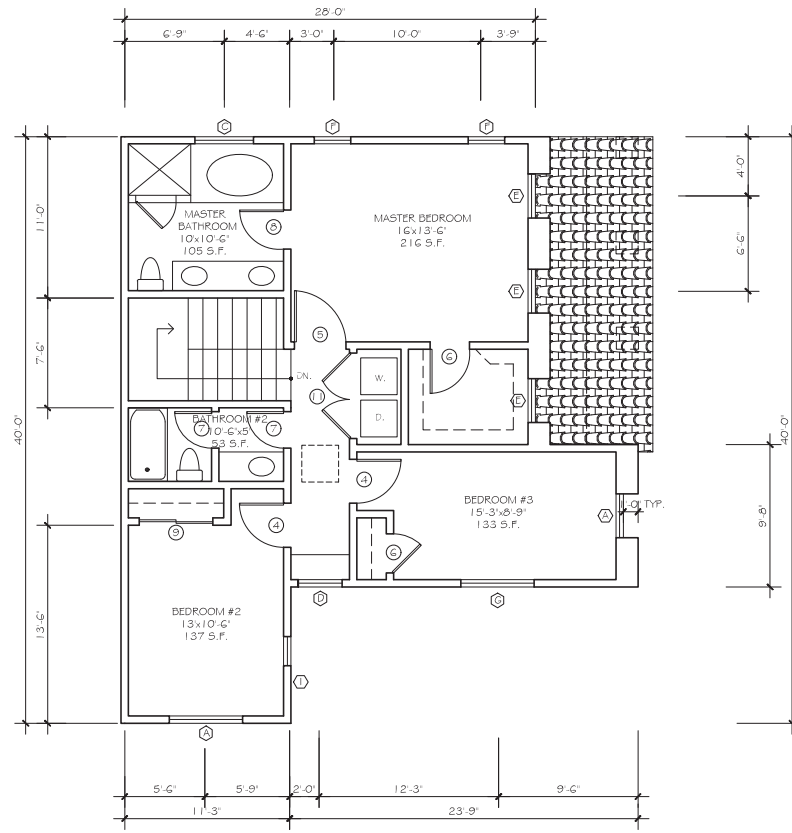
SHEET TITLE:
SECTIONS


DATE	BY	CHKD
AUG 1, 2018		

A-6




TYPE "A" FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LIVING AREA = 1,043 S.F.




TYPE "A" SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LIVING AREA = 1,023 S.F.

REVISIONS	By

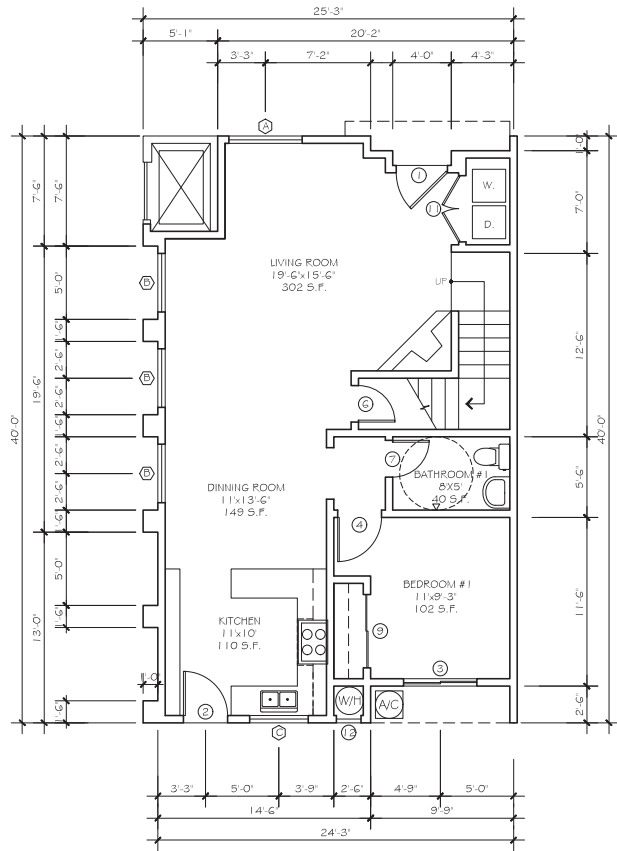
SYS DEVELOPMENT LLC.
 ARCHITECTURAL PLANNING + CONSTRUCTION SERVICES
 10000 SAN CARLOS AVE. #101 TEL: (925) 938-9970
 SAN CARLOS, CA 94776 FAX: (925) 285-9277


PROJECT:
 EASTAR VILLA
 1027 ARCADIA AVE.
 ARCADIA, CA 91006

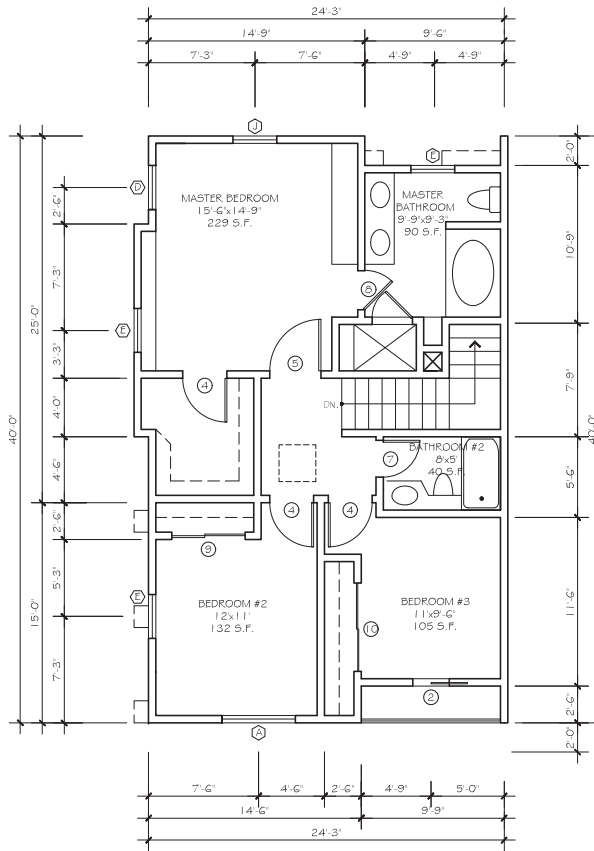
SHEET TITLE:
 TYPICAL "A" FLOOR PLANS


A-7

OF SHEETS




TYPE "D" FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LIVING AREA = 897 S.F.




TYPE "D" SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LIVING AREA = 941 S.F.

REVISIONS	By

SYG DEVELOPMENT INC.
 ARCHITECTURAL PLANNING + CONSTRUCTION SERVICES
 3000 CALISTOGA BLVD. SUITE #101 TEL: 650.318.5877
 3000 CALISTOGA BLVD. SUITE #101 FAX: 650.245.7277
 SAN GABRIEL, CA 91772

PROJECT:
 EASTAR VILLA
 1027 ARCADIA AVE.
 ARCADIA, CA 91006

SHEET TITLE:
 TYPICAL "D" FLOOR PLANS

DESIGN
DRAWN
CHECKED
DATE
AUG. 1, 2018
SCALE
1/4" = 1'-0"
JOB NO.
18-0001
SHEET

A-10

OF SHEETS

PLANTING NOTES

- DRAWING IS DIAGRAMMATIC: CONTRACTOR TO VERIFY ALL LOCATIONS AND CONDITIONS ON SITE. COUNT ALL PLANT MATERIAL BEFORE BIDDING.
- CONTRACTOR TO INSPECT ALL EXISTING CONDITIONS ON SITE AND LOCATE ALL EXISTING UTILITIES BEFORE CONSTRUCTION BEGINS.
- CONTRACTOR TO REPAIR AT HIS OWN EXPENSE ALL PROPERTY DAMAGE WHICH OCCURS DURING PROJECT INSTALLATION.
- NOTE ADDITIONAL REMARKS ON SPECIFIC PLANTS IN PLANT LIST.
- ALL EXISTING PLANT MATERIAL TO BE REMOVED EXCEPT WHERE NOTED ON PLAN.
- CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL FOR 90 DAYS FROM THE DATE OF ACCEPTANCE BY OWNER.
- FINISH GRADE TO BE 1" BELOW ALL WALKS, CURBS, AND PAVING.
- ALL PLANTED AREAS SHALL RECEIVE THE FOLLOWING AMENDMENTS PER 1,000 SQ. FT. OF SURFACE AREA. ROTO-TILL AMENDMENTS TO A DEPTH OF 6"
 - *150 LBS. GRO-POWER
 - *3 CU YDS NITROGENIZED, MINERALIZED FIR BARK OR REDWOOD SHAVINGS
 - *ADD 8 LBS OF GRO-POWER CONTROLLED RELEASE 12-8-8 PER CU YD OF MIX.

- PLANT HOLE TO BE TWICE AS WIDE AND DEEP AS THE PLANT ROOT BALL. BACKFILL AND COMPACT TO 80% SOIL OF SITE AND 40% FIR BARK, UNLESS OTHERWISE NOTED. PROVIDE GRO-POWER PLANT TABLETS AT THE FOLLOWING RATES:

1 GAL	2
5 GAL	5
15 GAL	10
24" BOX AND UP	14

PLACE RECOMMENDED TABLETS BETWEEN THE BOTTOM AND THE TOP OF THE ROOT BALL BUT NO HIGHER THAN 1/3 OF THE WAY UP TO THE TOP OF THE ROOT BALL. SPACE TABLETS EQUALLY AROUND THE PERIMETER OF THE ROOT BALL APPROXIMATELY 2" FROM THE ROOT TIPS.

- "DEEP ROOT" BARRIERS ARE TO BE USED AROUND ALL TREES LOCATION WITHIN 5 FT. OF PAVING. INSTALL PER MANUFACTURER'S SPECIFICATIONS.

- ALL PROPOSED SHRUBS AND GROUND COVER AREAS ARE TO BE TREATED WITH A PRE-EMERGENT WEED KILLER (EPTAM / RONSTAR). APPLY PER MANUFACTURER'S SPECIFICATIONS: A) IMMEDIATELY AFTER PLANTING, B) AT THE BEGINNING OF THE MAINTENANCE PERIOD, AND C) AT THE END OF THE MAINTENANCE PERIOD.

- CONTRACTOR TO INSTALL AND MAINTAIN LANDSCAPE PLANTING IN ACCORDANCE WITH THE GOVERNING AGENCY'S GUIDELINES AND SPECIFICATIONS UNLESS NOTED OTHERWISE IN THESE NOTES OR ON THE PLANS.

Note: Total front yard hardcape 785 sf.
V.S
Total front yard 1963 sf.
= 39%=ok

UNIT #	PRIVATE OPEN SPACE	LANDSCAPE AREA	LS.V.S.TOTAL POS.
UNIT 1	113 SF	57 SF	50%
UNIT 2	240 SF	120 SF	50%
UNIT 3	240 SF	120 SF	50%
UNIT 4	240 SF	120 SF	50%
UNIT 5	240 SF	120 SF	50%
UNIT 6	720 SF	360 SF	50%

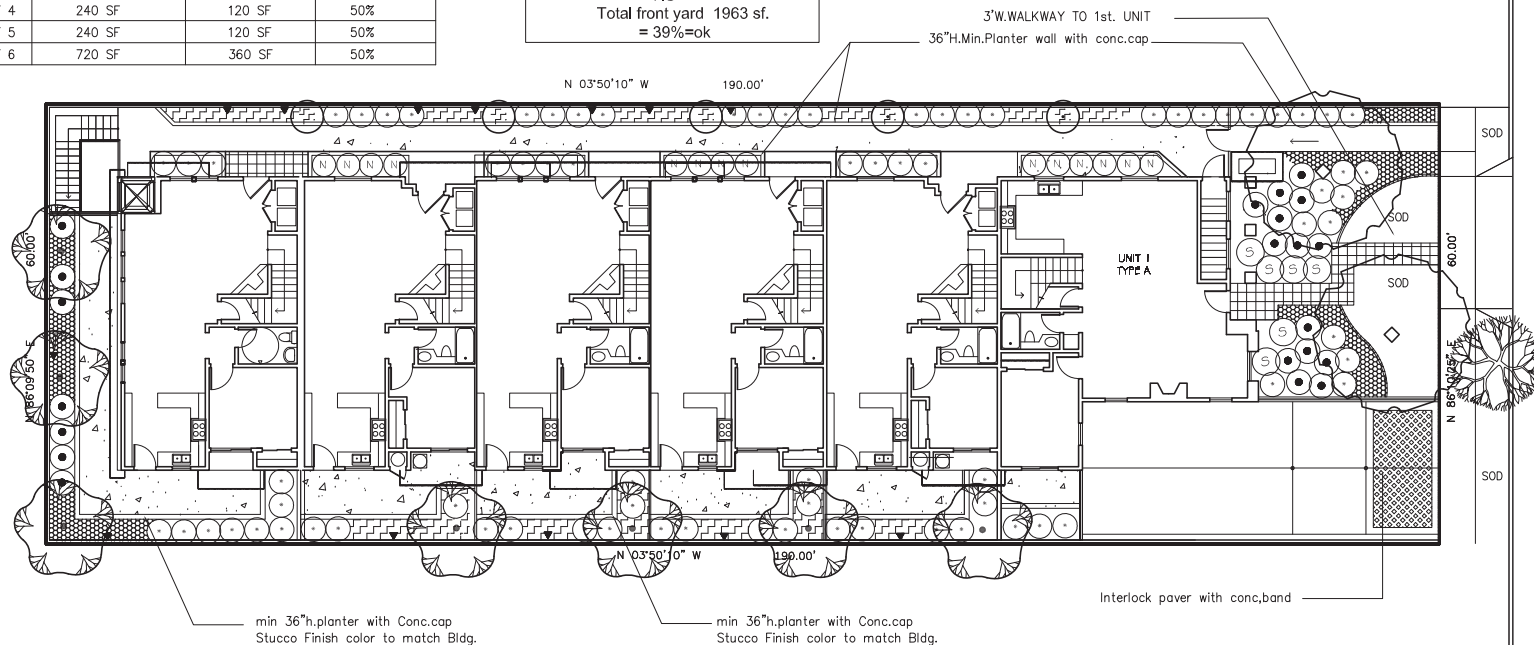
PLANTING LEGEND

TREE

SYM.	QTY.	BOTANICAL NAME	COMMON NAME	Remark
(Symbol)			Existing tree to be remained	
(Symbol)	2	Olea europaea "Swan Hills"	Olive	Fruit Less
(Symbol)	7	Euphorbia cotinifolia	Caribbean Copper Plant	
(Symbol)	6	Laurus nobilis	Sweet Bay	

SHRUB / ACCENT

(Symbol)	11	Euphorbia characias "Humpty Dumpty"	
(Symbol)	60	Diets bicolor	Fortnight Lily
(Symbol)	18	Carex oshimensis "Evergold"	Variegated Japanese Sedge
(Symbol)	20	Myrtus communis "Compacta"	Myrtle
(Symbol)	2	Senecio serpens	Blue Chalks Sticks
(Symbol)	24	Carex oshimensis "Evergold"	
(Symbol)	20	Carpenteria californica	Bush Anemone
(Symbol)	7	Parthenocissus tricuspidata	Boston Ivy
(Symbol)		Sodded Hybrid	Fescue Marathon II



EX. BUILDING

Note: ALL DRAINAGE , STRUCTURE PER OTHERS



JK Design & Associates, Inc.

address: 20945 Delphine Drive
walnut, california 91769
tel: 909-596-2877
fax: 1.888-880-9412
email: jkds2002@gmail.com

project name

6 Unit Condos
1027 Arcadia Ave
Arcadia, Ca 91006

property owner

drawing content

conceptual
landscape
design

revisions

date

drawing: JK

checked: 1/01/2015

job no: 14012

scale: 1/8"=1'-0"

north arrow

L-pd

sheet 1 of 1

Attachment No. 5

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	Administrative Modification No. PC AM 23-02 to legalize a reduction to the rear yard setback for the constructed six multi-family project.								
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):	1027 Arcadia Avenue, Arcadia, CA 91007 The cross streets are Sunset Boulevard and S. Golden West Avenue.								
3. Entity or person undertaking project:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">A.</td> </tr> <tr> <td colspan="2" style="padding: 2px;">B. Other (Private)</td> </tr> <tr> <td style="width: 30%; padding: 2px;">(1) Name</td> <td style="padding: 2px;">Provenance Development LLC</td> </tr> <tr> <td style="padding: 2px;">(2) Address</td> <td style="padding: 2px;">9055 Las Tunas Drive, Suite 200, Temple City, CA 91780</td> </tr> </table>	A.		B. Other (Private)		(1) Name	Provenance Development LLC	(2) Address	9055 Las Tunas Drive, Suite 200, Temple City, CA 91780
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4. Staff Determination:	<p>The Lead Agency's Staff, having undertaken and completed a preliminary review of this project in accordance with the Lead Agency's "Local Guidelines for Implementing the California Environmental Quality Act (CEQA)" has concluded that this project does not require further environmental assessment because:</p>								
a. <input type="checkbox"/>	The proposed action does not constitute a project under CEQA.								
b. <input type="checkbox"/>	The project is a Ministerial Project.								
c. <input type="checkbox"/>	The project is an Emergency Project.								
d. <input type="checkbox"/>	The project constitutes a feasibility or planning study.								
e. <input checked="" type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is categorically exempt.</td> </tr> <tr> <td style="width: 30%; padding: 2px;">Applicable Exemption Class:</td> <td style="padding: 2px;">15305(a)</td> </tr> </table>	The project is categorically exempt.		Applicable Exemption Class:	15305(a)				
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Date: July 17, 2023

Staff: Lisa Flores, Deputy Development Services Director



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, July 25, 2023**

CALL TO ORDER Chair Tsoi called the meeting to order at 7:00 p.m. at the Emergency Operations Room in the Police Department, located at 250 W. Huntington Drive, Arcadia.

ROLL CALL

PRESENT: Chair Tsoi, Arvizu, Hui, and Tallerico

ABSENT: Vice Chair Wilander

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

Without objection, the motion was approved.

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Deputy Development Services Director Ms. Flores welcomed Commissioner Arvizu to the Planning Commission.

Ms. Flores also informed the Commission of the late correspondence for item no. 2. A hard copy was provided and distributed through email.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- 1. Resolution No. 2129** – Recommends that the City Council approve Text Amendment No. 23-01 amending various sections of Article IX, Chapter 1 (Development Code) of the Arcadia Municipal Code pertaining to artificial turf in residential zones and allowing tutoring and educational centers in places of religious assembly.

CEQA: Exempt

Recommendation: Adopt

Applicant: City of Arcadia -- Development Services

MOTION - PUBLIC HEARING

Chair Tsoi introduced the item and Associate Planner Edwin Arreola gave a detailed power point presentation of the proposed text amendments.

Commissioner Tallerico asked why the two unrelated issues were presented under the same Text Amendment. Chair Tsoi had the same thought.

Mr. Arreola explained it is common practice to include all the changes under the same Ordinance since it is amending various sections of the same Development Code.

Ms. Flores introduced Fire Marshal Mark Krikorian who was present to answer any questions.

Commissioner Tallerico asked why the City originally did not allow any artificial turf.

Ms. Flores explained the City had concerns with the material and the appearance of the artificial turf back then, but the product has improved over the years and so has the impermeability.

Commissioner Tallerico asked why the City did not propose similar regulations to that of cities like Monrovia and Pasadena who do not have a limitation on the amount of artificial turf.

Ms. Flores responded that it was not the preferred option by the City Council. Also, it is easier for the residents to have some type of metric, so they know how much artificial turf is allowed.

Commissioner Tallerico said he disagreed with the limitations being proposed.

Commissioner Tallerico asked why the Text Amendment went to the City Council and not to the Planning Commission first.

Ms. Flores explained the City Council is the policy decision makers, so they set the policies first for the City and provide Staff and the Planning Commission with direction in how they would like the policies implemented.

Commissioner Tallerico asked if all artificial turf poses a fire hazard.

Fire Marshal Krikorian responded that there is only one manufacturer in the United States that is fire rated and has been independently tested and rated Class A, which is the highest fire-retardant rating.

Commissioner Hui asked if the residents are aware of the City's landscaping regulations.

Mr. Arreola responded, and it is the property owner's due diligence to review the City's regulation or contact the Planning Division to learn more about the regulations prior to installing artificial turf.

Commissioner Hui asked if the public will be notified about the Text Amendment if it gets approved. She also asked how long it will take to get landscaping plans approved.

Mr. Arreola explained the timing of the review process and the text amendment was published in the Arcadia Weekly newspaper. Ms. Flores added that there will be an article in the City's newsletter informing the residents of the proposed changes this fall.

Commissioner Arvizu asked for clarification about the different issues of the Text Amendment and what will occur if the Commission agrees with one text amendment but not the other.

Ms. Flores responded that the resolution would have to be revised to reflect the changes.

Commissioner Arvizu asked if it is possible to have separate resolutions for unrelated issues in future Text Amendment proposals.

Assistant City Attorney Ms. Yeo explained Text Amendments are historically processed with many differing issues because they all fall under the umbrella of the proposed Text Amendment. Ms. Yeo said they can look into possibly separating unrelated issues in future Text Amendment proposals, but it is not the preferred method.

Commissioner Arvizu asked Fire Marshall Krikorian about the Very High Fire Hazard Severity Zones Map of Arcadia specifically about the area south of Sierra Madre Boulevard and west of Santa Anita Avenue. Mr. Arvizu asked how that area is not considered high fire hazard if the topography is similar to the area labeled as a High Fire Hazard zone.

Mr. Krikorian explained this map was developed by the California Department of Forestry and Fire Protection and was then modified by the City to make it more enforceable.

Commissioner Arvizu asked if the map was to be modified in the future to include additional area within the high fire hazard zone will those properties have to remove their artificial turf.

Mr. Krikorian responded that the high fire hazard area may expand in the future and yes those properties will be subject to the new requirements.

Commissioner Arvizu asked if Synlawn is a petroleum-based material. Mr. Krikorian responded that this artificial turf is treated with chemicals to make it flame retardant. He said it is not non-combustible, but it would delay the spread of fire.

Commissioner Arvizu asked how staff determined the proposed maximum artificial turf area. He also asked if the City's proposal is more than any of the other cities that were listed in the staff report.

Mr. Arreola explained that it depends how cities classify artificial turf (landscape vs. hardscape). The proposed 60% maximum of hardscape would be more than other cities, however that is only because the City classifies artificial turf as "hardscape." All other hardscape material that are not of artificial turf such as concrete and paved surfaces cannot exceed 40%.

Commissioner Arvizu asked if the setback was being amended to accommodate utilities or for other reasons.

Mr. Arreola responded that the setback was changed to allow homeowners more flexibility for the placement of artificial turf. The City only needed one foot from the property line for utility purposes.

Commissioner Tallerico asked if residents were ignoring the City's landscaping regulations.

Mr. Arreola responded that was not necessarily the case and explained there have been 28 Code Enforcement cases since 2020 and are now down to nine (9) open code enforcement cases for landscaping violations. He said most residents have been actively working with the City to bring their property into compliance since they were not aware of the limitations.

Chair Tsoi asked what materials are considered hardscape.

Mr. Arreola responded and listed the materials.

Chair Tsoi asked if there are any limitations for artificial turf in the backyard and if the percentages allowed in other cities are including the entire property or just the front yard.

Mr. Arreola responded, and artificial turf is only limited within the front and/or street-side yard areas.

Chair Tsoi asked if there were any questions regarding the second text amendment.

Commissioner Tallerico asked what the difference is between having a religious organization and a non-religious organization that wants to rent out their facilities for tutoring or educational uses.

Ms. Flores responded that the City currently does not allow a third party educational and tutoring center to rent a space within a religious assembly, however, it is allowed in certain zones through a Conditional Use Permit. This text amendment will allow it at either at a religious or non-religious facility if the underlying zone allows this use through a Conditional Use Permit.

The public hearing was opened.

Arcadia resident Tom Hsia spoke in favor of artificial turf, and that brown and unkept lawns are more of a fire hazard than having artificial turfs that is treated with fire retardant. He further mentioned that artificial turf has its benefits especially for those that are allergic to grass.

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 Tallerico, seconded by Commissioner Arvizu, to close the public hearing.

Without objection, the motion was approved.

DISCUSSION

Commissioner Tallerico agreed with the allergy comment made by Mr. Hsia, and although he is not fond of artificial turf, he stated that property owners should have the right to decide what they want when it comes to their own landscaping. Mr. Tallerico was also in favor of allowing places of religious assembly to lease their vacant facilities for education and tutoring centers.

Commissioner Hui was in favor of both text amendments.

Commissioner Arvizu had some concerns with the appearance of artificial turf but is content because the property owner would still have to go through the City's design review process. Mr. Arvizu was also in favor of allowing tutoring and educational centers in churches and stated that it will be a good way to utilize those vacant spaces.

Commissioner Tallerico stated he would be interested in changing the artificial turf regulation to allow unlimited amount like the other cities in the area.

Commissioner Arvizu responded to Commissioner Tallerico suggestion and stated that he prefers not to allow unlimited turf and it could get very subjective during the design review process. Chair Tsoi agreed with Commissioner Arvizu comments.

MOTION

It was moved by Commissioner Tallerico, seconded by Commissioner Arvizu to adopt Resolution No. 2129 recommending the City Council approve Text Amendment No. TA 23-01 amending various sections of Article IX, Chapter 1 (Development Code) of the Arcadia Municipal Code pertaining to artificial turf in residential zones and allowing tutoring and educational centers in places of religious assembly.

ROLL CALL

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

Motion was approved.

DIRECTOR'S ITEM

1. Approving a subsequent one-year extension for vesting Tentative Tract Map No. TTM 19-01 (82734) at 117- 129 E. Huntington Drive and 124-134 Wheeler Avenue

CEQA: Exempt

Recommendation: Approve

Applicant: Arcadia Huntington Plaza, LLC

PUBLIC HEARING

Chair Tsoi introduced the item and Planning Services Manager Fiona Graham presented the staff report.

Assistant City Manager and Development Services Director, Jason Kruckeberg, explained why this extension was being brought to the Planning Commission. Mr. Kruckeberg also mentioned that this project has a development agreement in which the City sold a parking lot to the developer and is required to incorporate 55 public parking spaces into the development.

Commissioner Tallerico asked what is the future item that will be brought to Planning Commission for consideration.

Mr. Kruckeberg responded that it will be a review of the development agreement.

Commissioner Tallerico asked to clarify if the item is a parking issue. Mr. Kruckeberg explained that it is, and it is the reason the City went into a development agreement with the developer.

Commissioner Tallerico asked staff if they think this project can be successful.

Mr. Kruckeberg explained he thinks all projects should be successful and this project was given conditions of approval to ensure it succeeds, it has just taken a long time to complete it.

Commissioner Tallerico asked if the restaurant Matt Denny's will be affected. Mr. Kruckeberg confirmed the parking lot immediately behind Matt Denny's will not be affected.

Commissioner Hui asked what is the periodic review of the development agreement that Mr. Kruckeberg referenced.

Mr. Kruckeberg explained the Development Code allows the City to perform annual periodic reviews of development agreement because they involve public facilities or public resources.

Commissioner Hui asked about the developer's latest submittal and what are some their outstanding items.

Ms. Graham explained there are various conditions of approval that are outstanding and must be met before the plans can be approved and building permits can be issued.

Commissioner Hui asked what that timeline looks like, from submission to completion.

Ms. Graham explained it depends on how fast certain tasks are completed.

Ms. Graham explained staff is recommending the approval of the extension to allow the applicant an additional 12 months to continue progressing on the project.

Chair Tsoi asked if the Tentative Map is to combine all the lots together and which businesses used the parking lot that was sold to the developer.

Ms. Graham and Mr. Kruckeberg confirmed the Tentative Map is to combine all the lots together and she said the parking lot was a public parking lot that was available for the public to use.

Commissioner Hui asked why the 55 parking spaces are important to be provided if there is plenty of available parking in the area.

Mr. Kruckeberg explained that many of the buildings that utilized the parking lot are owned by the developer. These buildings have been vacant for that reason which is why the parking lot has not been utilized.

Chair Tsoi asked which parking lot exit is being affected.

Ms. Graham said it is the alley that meets First Avenue. Ms. Graham went on to explain that one section of the alley will need to be closed due to the construction that needs to be done. There is one resident who lives on the second floor of the commercial building on First Avenue and their only access to their home is through a door off the alley that will be blocked by the construction. Therefore, an arrangement needs to be made by the developer to guarantee the resident has access or that tenant needs to be relocated.

Chair Tsoi asked if the City will help facilitate the project if the resident is not willing to cooperate.

Ms. Flores stated the City has been working with the Developer and the owner to facilitate the process of relocating that tenant.

Chair Tsoi asked if there are any guidelines for the extension regarding the length of time that can be granted.

Ms. Flores explained the developer will need the full one-year extension based on the outstanding items and she would not recommend anything less than a year.

Commissioner Arvizu asked if the extension will have any financial impact on the City.

Mr. Kruckeberg explained part of the agreement was that the parking lot remain public throughout the development process, therefore the City does not experience any financial impact. Once building permits are issued and construction begins, they will be required to provide temporary public parking.

The Commissioners had no further questions for staff.

PUBLIC COMMENT

Ben Zhang introduced himself as the project manager and explained that the pandemic has impacted their progress and as a result have fallen behind. Mr. Zhang asked for a one-year extension and promised to work on the remaining conditions of approval and provide the City with timely updates. He responded to the question regarding the parking lot, and that a parking lot management plan was submitted to the City to address the parking spaces that will be affected during construction. Mr. Zhang went on to explain they are currently going through the bidding process for the utilities. He states they are also working with property owner and tenant at 16 N. First Avenue to resolve the issue and come up with a solution that will work for both parties.

Chair Tsoi asked if anyone would like to speak on the item.

There were none.

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

Without objection, the motion was approved.

DISCUSSION

Commissioner Tallerico thinks this is a fantastic project that will benefit the community and shares the same concerns the City has, but is supportive of the extension.

The rest of the Commission was in support of the extension.

MOTION

It was moved by Commissioner Hui, seconded by Commissioner Arvizu to approve the subsequent one-year extension for vesting Tentative Tract Map No. TTM 19-01 (82734) at 117-129 E. Huntington Drive and 124-134 Wheeler Avenue which is exempt from CEQA

ROLL CALL

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

The motion was approved.

CONSENT CALENDAR

1. Minutes of the June 27, 2023, Regular Meeting of the Planning Commission

Recommended: Approve

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

ROLL CALL

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

Commissioner Arvizu abstained since he was not present at the June 27, 2023, meeting.

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

Dr. Cao reported that the City is hosting summer concerts at the City Hall lawn on Thursday evenings.

MATTERS FROM THE PLANNING COMMISSIONERS

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 Planning Services Manager Fiona Graham will be on maternity leave through the end of November.

Commissioner Tallerico and Commissioner Hui confirmed that they will be absent at the August 8 meeting, and Vice-Chair Wilander mentioned at the previous meeting she will be absent. Given that three Commissioners will be absent at the August 8 meeting, Ms. Flores informed them that meeting will be cancelled due to the lack of quorum.

ADJOURNMENT

The Planning Commission adjourned the meeting at 9:07 p.m., to Tuesday, August 22, 2023, at 7:00 p.m. in the City Council Chamber.

Chair Tsoi, Planning Commission

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission