

# CITY OF ARCADIA

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## Arcadia Planning Commission Regular Meeting Agenda



**Tuesday, February 27, 2024, 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《美国残疾人法案》的规定，需要提供残障相关调整或便利设施才能参加会议的残障人士（包括辅助器材或服务），可向规划服务部请求获得此类调整或便利设施。电话号码 (626) 574-5423。请在会前 48 小时通知规划服务部，以便作出合理安排，确保顺利参加会议。

Pursuant to the City of Arcadia's Language Access Services Policy, limited-English proficient speakers who require translation services in order to participate in a meeting may request the use of a volunteer or professional translator by contacting the City Clerk's Office at (626) 574-5455 at least 72 hours prior to the meeting.

根据阿凯迪亚市的语言便利服务政策，英语能力有限并需要翻译服务才能参加会议的人可与市书记官办公室联系（电话：626-574-5455），请求提供志愿或专业翻译服务。请至少在会前 72 小时提出请求。

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### CALL TO ORDER

### ROLL CALL

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. 2140**– Approving Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 for an attached two-unit, Spanish style, multi-family residential condominium development at 210 El Dorado Street  
**CEQA: Exempt**  
**Recommendation: Adopt**

**Applicant:** Chistopher Loh

2. **Resolution No. 2144**– Approving Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01 for a new tattoo shop with a parking modification at 122 E. Foothill Boulevard, Unit B  
**CEQA: Exempt**  
**Recommendation: Adopt**

**Applicant:** Aaron Garcia

### **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.

1. Resolution No. 2143 – Recommend a General Plan Consistency No. GPC 24-01 with respect to the proposed vacation of a portion of the east-west alley between 117-129 E. Huntington Drive and 124-134 Wheeler Avenue to accommodate the approved “Huntington Plaza Mixed Use Project”

**Recommendation:** Approve

2. Minutes of the January 23, 2024, 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, March 12, 2024, at 7:00 p.m.

# Welcome to the Arcadia Planning Commission Meeting!

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

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

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

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

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

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

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

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

# 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](http://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](mailto: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、褻渎或破坏性言论。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:** February 27, 2024

**TO:** Honorable Chairman and Planning Commission

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

**SUBJECT:** RESOLUTION NO. 2140 - APPROVING MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-01, TENTATIVE PARCEL MAP NO. TPM 23-02 (83831), HEALTHY TREE REMOVAL NO. TRH 23-14, AND PROTECTED TREE ENCROACHMENT NO. TRE 24-03 FOR AN ATTACHED TWO-UNIT, SPANISH STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 210 EL DORADO STREET  
**CEQA: Exempt**  
**Recommendation: Adopt**

## **SUMMARY**

The Applicant, Christopher Loh, on behalf of the property owner, Amy Myint, is requesting approval of Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 for a two-unit, two-story, Spanish-style multi-family residential condominium development at 210 El Dorado Street. The proposed development and subdivision are consistent with the City's General Plan, Development Code, and Subdivision Map Act. It is recommended that the Planning Commission adopt Resolution No 2140 (refer to Attachment No. 1) and find that the project is Categorically Exempt under CEQA and approve MFADR 23-01 and TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03, subject to the conditions listed in this staff report.

## **BACKGROUND**

The subject property is a 7,665 square foot interior lot, located on the south side of El Dorado Street, between Second and Third Avenue. The property is zoned R-2, Medium Density Multiple Family Residential with a General Plan Land Use Designation of Medium Density Residential. The property is surrounded by other R-2 zoned properties to the north,

south, east, and west.

The project site is currently developed with two legal single-story, detached residential structures, however, the second unit is being used as storage. The front unit was built in 1946 and the rear unit was built in 1917 – refer to Attachment No. 2 for an Aerial photo with Zoning Information and Photos of the Subject Property and Figure 1.

A Certificate of Demolition (COD) for the subject property was approved on December 7, 2023. Based on the evaluation by an Architectural Historian, the property does not meet any of the minimum requirements for designation as a historical resource under federal, state, and local criteria. The residence is not a good example of any architectural style and is not representative of or associated with any important historical events or people. The structures have not yet been demolished due to the City's replacement policy for residential projects, which requires approval of a new project prior to demolition of the structures on site.



Figure 1 – Existing Residence

## **PROPOSAL**

The Applicant is requesting approval to demolish all the existing structures on the property to construct an attached two-unit, two-story, multi-family residential condominium development with at-grade garage parking – refer to Attachment No. 3 for the Tentative Parcel Map and Attachment No. 4 for the proposed Architectural Plans. The proposed project is designed in the Spanish architectural style. Although there is no dominant architectural style in the area, the design would be compatible with the existing multi-family developments in the neighborhood which include other Spanish architectural style multi-family homes nearby as and it incorporates elements seen on nearby homes such as neutral toned stucco, s-tile roofing, and decorative architectural features (see Figure 2).



Figure 2 – 210 El Dorado St. Rendering

Unit A will consist of 2,195 square feet in floor area and contain four (4) bedrooms. Unit B will consist of 2,221 square feet in floor area and contain four (4) bedrooms. The front unit will have direct access from El Dorado Street and the back unit will have a pedestrian walkway through to the driveway aisle (see Figure 1).

Each of the units will have a 20' x 20' two-car garage that will be accessed from the shared driveway on the east side of the property. The site will have 23'-0" of backup space from the garage opening which is allowed per the Development Code since the lot is less than 50 feet wide. The site will also comply with the minimum guest parking spaces of one (1) parking space, and a bike rack for two (2) spaces will be located on the west side of the property.

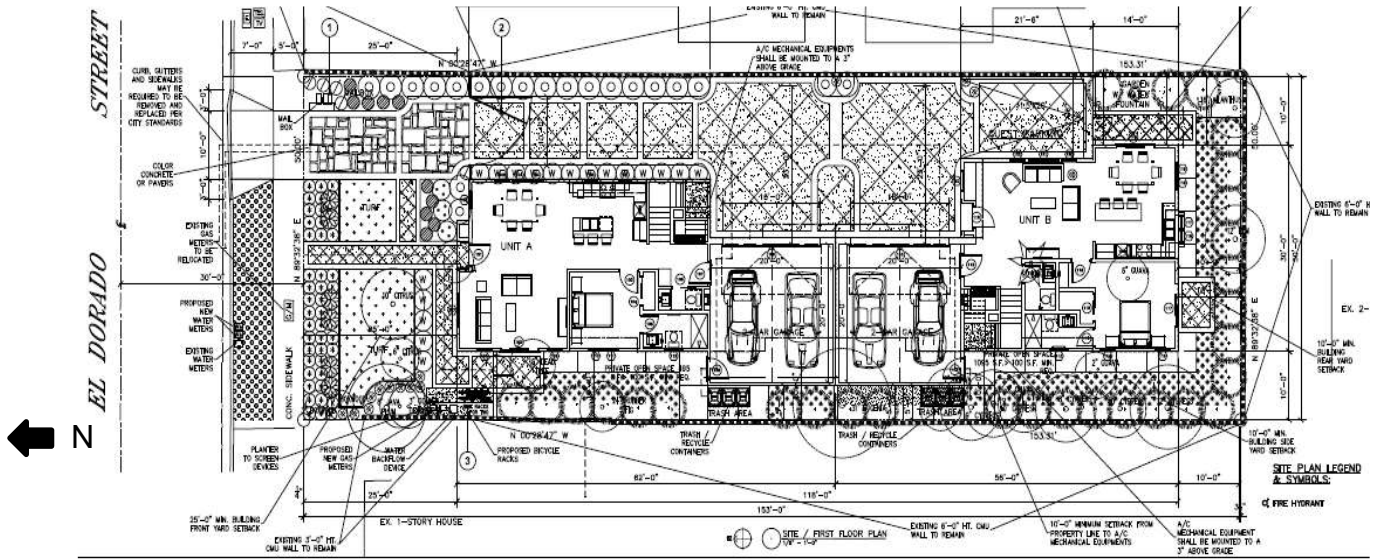


Figure 3 – Site Plan

The proposed development will be 27'-6" tall, which is below the maximum allowed height of 33'-0" for a building with a pitched roof. The development complies with all the minimum setback requirements. Additionally, the proposed project will provide the minimum required open space through private open space at the side and rear of each of the units.

The proposal includes the removal of a total of 16 mature trees on the property, 15 of which are not protected per the City's Tree Preservation Ordinance. The 15 trees are either fruit trees which are unprotected species or trees that have a trunk diameter of twelve (12) inches or less, have two (2) or more trunks measuring ten (10) inches or less, or are located outside of a required setback; therefore, they are not considered protected trees. The Applicant is also maintaining six (6) non-protected mature fruit trees in the front yard.

The proposed project also includes the removal of a protected Coccoles tree to accommodate the proposed development. The proposed construction of the second unit and landscaping area will also encroach upon the dripline of a Chinese Elm tree that is located within the rear yard area, which will be discussed later in this staff report under the Analysis.

**ANALYSIS**

The R-2 zone requires a minimum density of two dwelling units per lot, and a maximum density of one unit per 3,750 square feet of lot area. This calculates to a minimum and maximum density of two (2) units for the subject site; therefore, the proposed two-unit development complies with the minimum density requirements of the underlying R-2 zone. The project complies with all the development standards of the R-2 zone, including, but not limited to setbacks, height, and open space. Also, the proposed project complies with the minimum parking requirements for each of the units, guest parking, and bicycles spaces.

Concurrent with the subdivision application, the Planning Commission must approve, conditionally approve, or deny the architectural design of the proposed project. The project is designed in a Spanish architectural style – refer to Attachment No. 4 for the Architectural Plan and Figure 4 below. The exterior walls of the building are proposed to be finished with an off-white stucco and Spanish tile details which will be used to accent the front entries. The roof would consist of concrete “S” clay roofing tiles and brown moldings along the eaves. Additional architectural features include decorative tile door trim, wooden doors, canvas window awnings, and wooden casement windows. The proposed Spanish style development would be compatible to other existing multi-family developments along El Dorado Street and in the vicinity despite there being no dominant architectural style in the area, as the elements incorporated in this design, such as the neutral tone stucco, tile roofing, and helps the project blend in with developments in the vicinity that have similar features. There are also other Spanish architectural style buildings on this block of El Dorado. The project will also provide adequate landscaping throughout the property to enhance the design.



Figure 4 - Elevations

The massing and scale of this project would be compatible with the other multi-family developments found in the surrounding multi-family neighborhood. The height of the new development will not be out of character with the existing developments on El Dorado Street and other multi-family developments with similar lot sizes in the vicinity. The development will be two stories high and have a maximum height of 27'-6" which is below the maximum allowed height of 30'-0". There will be landscape planters with six (6) feet tall hedges along the edge of the property to provide screening to all abutting properties. However, there will be no landscaping planters adjacent to the 23'-0" backup clearances from the garages - refer to Attachment No. 4 for the Architectural Plan and Figure 3 above. Therefore, the proposed development and subdivision of condominiums would be consistent with the City's General Plan, Multiple-Family Residential Design Guidelines, the Development Code, the State Subdivision Map Act, and would not violate any requirements of the California Regional Water Quality Control Board.

### Tree Removal

The proposed project also includes the removal of a protected Coccolos tree to accommodate the proposed development. The protected tree is a Coccolos Tree with a trunk diameter of 28"-inches that is located within the westerly side yard (refer to its location in Figure 3). The Coccolos tree has a health rating of 'C' (moderate to declining health) from the Certified Arborist due to large cavities in its trunk. Due to the species, location and size, the tree is protected per the City's protected tree ordinance. However, according to the Certified Arborist, the tree will not survive since the grading will severely damage the root and its stability - refer to Attachment 6 for the Arborist Report. Therefore, there is sufficient justification for the removal of the tree. As a remedial measure, the project will be required to replace the healthy tree with two 24-inch box trees, as required by the City's tree ordinance. The two replacement trees will be located within the front yard area to help screen the massing of the buildings – refer to condition of approval no. 3. This is also shown on the landscape plans.

### Tree Encroachment

As far as the encroachment, the proposed second unit and the landscape area will encroach into the protected zone of a Chinese Elm tree that is located within the rear yard area. The unit will be set back much further from the trunk than the existing unit - approximately 8 feet thereby reducing the extent of encroachment into the tree's protected zone. According to the Certified Arborist, careful attention will need to be paid during the demolition and removal of the existing foundation, any over-excavation shall be avoided, and that a 20 foot tall temporary chain link fence shall be placed between the tree trunk and existing structure. The Applicant will be required to comply with all the measures listed in the Arborist report, as required under condition no. 4.

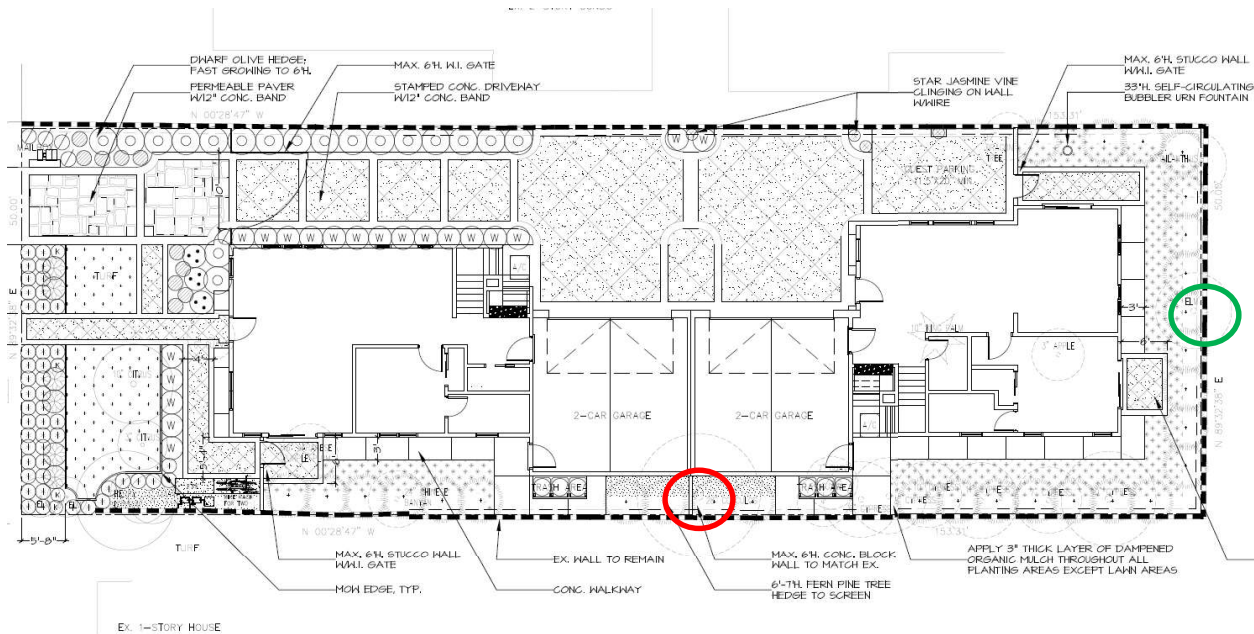


Figure 5 – Circled in Red: Coccolus Tree to be removed, Circled in Green: Chinese Elm to remain

**FINDINGS**

**Tentative Parcel Map**

The proposal to subdivide the airspace for two (2) residential condominium units requires a subdivision through the Tentative Parcel Map process – see Attachment No. 3 for Tentative Parcel Map No. TPM 23-02 (83831). The proposed subdivision complies with the subdivision regulations of the Arcadia Municipal Code and the Subdivision Map Act and would not violate any requirements of the California Regional Water Quality Control Board. The following findings are required for approval of a Tentative Parcel Map:

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

**Facts in Support of the Finding:** The proposed tentative parcel map for a two-unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City’s General Plan and Development Code, and the Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan Medium Density Residential Land Use designation and the R-2, Medium Density Multiple Family Residential zoning designation, respectively. These designations are intended to accommodate high density attached or detached residential units such as condominiums, within the appropriate neighborhoods.

The proposed tentative parcel map complies with the Subdivision Map Act and the City' regulations because the proposed two-unit condominium development is at the allowed density requirements of the underlying zone, and it complies with all the zoning requirements as well as the requirements to subdivide the airspace. The site is physically suitable for this type of development and the approval of the architectural design for the building is compatible with the scale and character of the existing neighborhood.

The project would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

Land Use and Community Design Element

- Policy LU-1.1: Promote new infill and redevelopment projects that are consistent with the City's land use and compatible with surrounding existing uses.
  - Policy LU-4.1: Require that new multi-family residential development be visually and functionally integrated and consistent in scale, mass, and character with structures in the surrounding neighborhood.
  - Policy LU-4.2: Encourage residential development that enhances the visual character, quality, and uniqueness of the City's neighborhoods and districts.
- There is no specific plan applicable to this Project.

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

**Facts in Support of the Finding:** The R-2 Zone requires a minimum density of one dwelling unit per lot and a maximum density of one unit per 3,750 square feet of lot area. Based on the lot area of 7,665 square feet, a minimum and maximum of two (2) units may be developed at this site. Therefore, the proposed two-unit development complies with the density requirements of the underlying zone, as well as all other applicable zoning requirements including but not limited to parking, setbacks, height, and open space. The site is physically suitable for the proposed two-unit multi-family residential development.

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

**Facts in Support of the Finding:** The proposed tentative parcel map for two (2) multi-family residential units is a subdivision of an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. The project would not cause substantial environmental damage or impact wildlife.

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

**Facts in Support of the Finding:** The proposed subdivision is to subdivide the airspace of two (2) units for condominium purposes. The proposed development will comply with all applicable Building and Fire Codes. The proposed density would not exceed the maximum since the minimum is two units and the City's existing infrastructure would adequately serve the new development. Therefore, the development would not cause any public health or safety problems.

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

**Facts in Support of the Finding:** The proposed design of the subdivision does not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no known easements on the subject property.

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

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

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

**Facts in Support of the Finding:** The proposed design of the multi-family development is in conformance with the City's Development Code, as all development standards are being met and all improvements required for the site and each unit would comply with the regulations in the City's Development Code. No public agency that has jurisdiction by law has found that the proposed development does not conform to any of their regulations.

### Architectural Design Review

The proposed development is located within the Medium Density Residential (R-2) Zone, which is intended to provide a variety of attached or detached single-unit and multi-unit homes and duplexes. The proposed design of the two-unit condominium project is compatible with existing multi-family developments in the surrounding neighborhood in terms of design, massing, and scale. The proposed Spanish style architectural design would be compatible with other existing multi-family developments along El Dorado Street as the neighborhood is eclectic with no dominant architectural style, though there are other Spanish-style developments on this block. The architectural elements incorporated in this

design, such as neutral toned stucco and tile roofing are consistent with developments in the vicinity that have similar features. Additionally, the massing and scale of the new development will not be out of character with developments in the vicinity as it is two stories and under the maximum height allowed. The proposed buildings have articulation on all facades, providing visual interest and reducing massing. The proposed design is therefore consistent with the City's Multifamily Residential Design Guidelines.

All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the 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.

### **ENVIRONMENTAL ASSESSMENT**

It has been determined that the project site is less than five (5) acres; the project site has no value as a habitat for endangered, rare or threatened species; the proposed project would not have any significant effects upon the environment, and the site can be adequately served by all the required utilities and public services. Therefore, the project is exempt under Class 32 (In-Fill Development Projects) pursuant to Section 15332 of the State California Environmental Quality Act (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 February 15, 2024. It was also mailed to the property owners located within 300 feet of the subject property. As of February 27, 2024, no comments were received regarding this project. As of February 22, 2024, no comments were received regarding this project. The existing tenants were also notified of the project on January 10, 2024.

### **RECOMMENDATION**

It is recommended that the Planning Commission approve Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 subject to the following conditions, find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2140, subject to the following conditions of approval:

1. The project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for MFADR 23-01, TPM 23-01 (83831), TRH 23-14, and TRE 24-03 subject to the approval of the Deputy Development Services Director, or designee.

2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall be subject to review and approval by the Deputy Development Services Director, or designee.
3. A total of two (2) 24-inch box trees shall be planted within the front yard area. The trees and its type shall be shown on the final landscape plan that is submitted to Building Services for plan check, subject to review by the Deputy Development Services Director, or designee, to ensure compliance with this condition. During construction, a Certified Arborist shall be on-site to monitor and ensure proper placement of the trees as well as any other trees that are to be protected under this approval, and a follow-up report shall be submitted to the City prior to issuance of a Certificate of Occupancy from Building Services.
4. The Applicant shall comply with all the measures listed in the Arborist Report, dated August 7, 2023. If the Certified Arborist determines that the tree may not survive at the time the follow-up report is prepared, then the Applicant shall plant a new 36-inch box tree on the subject site prior to issuance of a Certificate of Occupancy. The location and type shall be approved by the Deputy Development Services Director or designee.
5. 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
6. The project shall comply with Chapter 35A Multiple Family Construction Standards as amended in the Arcadia Municipal Code Section 8130.20.
7. The grading plans shall indicate all on- and off-site improvements and the complete drainage paths of all water run-off.
8. A demolition permit shall be obtained from Building Services prior to the removal and/or demolition of the structures on site.
9. All utility conductors, cables, conduits and wiring supplying electrical, cable and telephone service to a multiple family building shall be installed underground except risers which are adjacent to and attached to a building.

10. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Parcel Map including:
  - a) Remove and replace the existing curb and gutter with 2' asphalt slot cut from property line to property line.
  - b) The removal of the existing driveway approach and construction of a new driveway approach per City Standard Plan
  - c) The construction of a new sidewalk from property line to property line.
11. Prior to receiving a Certificate of Occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line, including but not limited to trench cuts and construction traffic, per the direction of the City Engineer.
12. All structures shall have an automatic fire sprinkler system per the City of Arcadia Fire Department's Multi-Family Dwelling Sprinkler Standard.
13. A Knox box shall be provided adjacent to both the vehicular entry gate and pedestrian gate so that the pedestrian and vehicle entry gate shall be openable without a special key for the City of Arcadia Fire Department.
14. There is a 6" cast iron water main with 73 psi static pressure that the development shall connect to on El Dorado Street for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations to the Public Works Services Department to determine the total combined maximum domestic and fire demand and verify the water service size required prior to issuance of a Building Permit.
15. The proposed development requires a Low Impact Development (LID) plan which shall comply with the Los Angeles County Department of Public Works 2014 LID standard Manual and show the selected measures on the grading plan. These selected measures include but are not limited to using infiltration trenches, bio-retention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.
16. The Applicant/Property Owner shall install a common master water meter for the residential multi-family development. The water meter for each unit shall be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
17. All condominiums shall require a separate water service and meter for common area landscape irrigation.

18. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to issuance of a building permit for the new development.
19. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department, Engineering Section. Abandonment of existing water services, if necessary, shall be carried out by the Applicant/Property, according to Public Works Services Department.
20. An 8" Vitrified Clay Pipe (VCP) sewer main is available on El Dorado Street to provide sanitary sewer service for the project. The Applicant/Property Owner shall utilize the existing sewer lateral, if possible. For any changes to the exiting sewer lateral, the Applicant/Property Owner shall get approval to connect to the exiting sewer main from the Los Angeles County Sanitation District and obtain an encroachment permit from the City of Arcadia Public Works Department prior to commencing work.
21. If any drainage fixture elevation is lower than the elevation of the next upstream manhole cover (459.48'), an approved type of backwater valve is required to be installed on the lateral within the City's right-of-way.
22. The Applicant/Property Owner shall one (1) 36" Box Crape Myrtle 'Dynamite' Tree in the Parkway with a permit from the Public Works Department prior to the issuance of a Certificate of Occupancy. The location of the new street tree is to be determined by the Public Works Inspector.
23. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Deputy Development Services Director, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
24. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with MFADR 23-01, TPM 23-01 (83831), TRH 23-14, and TRE 24-03 ("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 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, at the request of the Applicant or not.

25. Approval of MFADR 23-01, TPM 23-01 (83831), TRH 23-14, and TRE 24-03 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 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 Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2140 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 Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner, or other interested party has any questions or comments regarding this matter prior to the February 27, 2024, Planning Commission Meeting, please contact Assistant Planner, Alison MacCarley, at (626) 574-5447 or [amaccarley@ArcadiaCA.gov](mailto:amaccarley@ArcadiaCA.gov).

Approved:



Lisa L. Flores  
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2140
- Attachment No. 2: Aerial Photo with Zoning Information and Photos of the Subject Property and Vicinity
- Attachment No. 3: Tentative Parcel Map No. TPM 23-02 (83831)
- Attachment No. 4: Architectural Plans
- Attachment No. 5: Arborist Report, dated August 7, 2023 and updated January 24, 2024
- Attachment No. 6: Preliminary Exemption Assessment

# Attachment No. 1

Resolution No. 2140

RESOLUTION NO. 2140

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-01, TENTATIVE PARCEL MAP NO. TPM 23-02 (83831), HEALTHY TREE REMOVAL NO. TRH 23-14, AND PROTECTED TREE ENCROACHMENT NO. TRE 24-03 FOR A TWO-UNIT, SPANISH STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 210 EL DORADO STREET

WHEREAS, on September 1, 2022, applications for Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Tree Encroachment Permit No. 24-03, and Healthy Tree Removal Permit No. TRH 23-14 were filed by Christopher Loh on behalf of the property owner, Amy Myint, for two (2) unit attached multi-family residential condominium development, a tentative parcel map subdivision, encroachment into the dripline of a protected tree, and the removal of one (1) protected healthy tree in the side yard areas at 210 Eldorado Street (collectively, "Project"); and

WHEREAS, on January 6, 2024, Planning Services completed an environmental assessment for the Project in accordance with the California Environmental Quality Act ("CEQA"), and recommends that the Planning Commission determine the Project is exempt under CEQA per Section 15332 of the CEQA Guidelines because the Project is considered an in-fill development project; and

WHEREAS, on February 27, 2024, a duly-noticed public hearing was held before the Planning Commission on said Project, at which time all interested persons were given full opportunity to be heard and to present evidence.

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

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated February 27, 2024, are true and correct.

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

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

FACT: The proposed tentative parcel map for a two-unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan and Development Code, and the Subdivision Map Act. It has been determined that the proposed subdivision is consistent with the General Plan Medium Density Residential Land Use designation and the R-2, Medium Density Multiple Family Residential zoning designation, respectively. These designations are intended to accommodate high density attached or detached residential units such as condominiums, within the appropriate neighborhoods.

The proposed tentative parcel map complies with the Subdivision Map Act and the City' regulations because the proposed two-unit condominium development is at the allowed density requirements of the underlying zone, and it complies with all the zoning requirements as well as the requirements to subdivide the airspace. The site is physically suitable for this type of development and the approval of the architectural design for the building is compatible with the scale and character of the existing neighborhood.

The project would not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

Land Use and Community Design Element

- Policy LU-1.1: Promote new infill and redevelopment projects that are consistent with the City’s land use and compatible with surrounding existing uses.
- Policy LU-4.1: Require that new multi-family residential development be visually and functionally integrated and consistent in scale, mass, and character with structures in the surrounding neighborhood.
- Policy LU-4.2: Encourage residential development that enhances the visual character, quality, and uniqueness of the City’s neighborhoods and districts.

There is no specific plan applicable to this Project.

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

FACT: The R-2 Zone requires a minimum density of one dwelling unit per lot and a maximum density of one unit per 3,750 square feet of lot area. Based on the lot area of 7,665 square feet, a minimum and maximum of two (2) units may be developed at this site. Therefore, the proposed two-unit development complies with the density requirements of the underlying zone, as well as all other applicable zoning requirements including but not limited to parking, setbacks, height, and open space. The site is physically suitable for the proposed two-unit multi-family residential development.

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

FACT: The proposed tentative parcel map for two (2) multi-family residential units is a subdivision of an infill site within an urbanized area and does not serve as a habitat

for endangered or rare species. The project would not cause substantial environmental damage or impact wildlife.

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

FACT: The proposed subdivision is to subdivide the airspace of two (2) units for condominium purposes. The proposed development will comply with all applicable Building and Fire Codes. The proposed density would not exceed the maximum since the minimum is two units and the City's existing infrastructure would adequately serve the new development. Therefore, the development would not cause any public health or safety problems.

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

FACT: The proposed design of the subdivision does not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no known easements on the subject property.

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

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

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

FACT: The proposed design of the multi-family development is in conformance with the City's Development Code, as all development standards are being met and all improvements required for the site and each unit would comply with the regulations in the City's Development Code. No public agency that has jurisdiction by law has found that the proposed development does not conform to any of their regulations.

H. The proposal is consistent with the City's Multifamily Residential Design Guidelines:

FACT: The proposed development is located within the Medium Density Residential (R-2) Zone, which is intended to provide a variety of attached or detached single-unit and multi-unit homes and duplexes. The proposed design of the two-unit condominium project is compatible with existing multi-family developments in the surrounding neighborhood in terms of design, massing, and scale. The proposed Spanish style architectural design would be compatible with other existing multi-family developments along El Dorado Street as the neighborhood is eclectic with no dominant architectural style, though there are other Spanish-style developments on this block. The architectural elements incorporated in this design, such as neutral toned stucco and tile roofing are consistent with developments in the vicinity that have similar features. Additionally, the massing and scale of the new development will not be out of character with developments in the vicinity as it is two stories and under the maximum height allowed. The proposed buildings have articulation on all facades, providing visual interest

and reducing massing. The proposed design is therefore consistent with the City's Multifamily Residential Design Guidelines.

I. Removal of a Healthy Protected Tree and Encroachment into a Protected Tree

FACT: The removal of the protected Cocculus tree is necessary since it will not survive due to the proposed grading and excavation that will severely damage the root and its stability. The proposed encroachment within the dripline of the protected tree (Chinese Elm tree) is also necessary to be encroached upon, but the potential impacts of the development and proposed improvements will not harm the health of the tree, and its long-term health since the Applicant shall be required to follow all protection measures within the Arborist report. Therefore, the removal of a healthy protected tree and encroachment into the dripline of a protected tree are warranted to accommodate the proposed development.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act ("CEQA"), this Project is a Class 32 Categorical Exemption as an infill-development project per Section 15332 of the CEQA Guidelines.

SECTION 4. For the foregoing reasons the Planning Commission determines that the Project is Categorically Exempt under the California Environmental Quality Act ("CEQA") Section 15332, Class 32, and approves Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Parcel Map No. TPM 23-02 (83831), Healthy Tree Removal Permit No. TRH 23-14, and Protected Tree Encroachment No. TRE 24-03 for a two (2) unit, two-story, Spanish style multi-family residential condominium development, and the removal of one (1) protected tree and the encroachment into the dripline of one

(1) protected tree at 210 Eldorado Street, subject to the conditions of approval attached hereto.

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

Passed, approved and adopted this 27th day of February, 2024.

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Vincent Tsoi  
Chair, Planning Commission

ATTEST:

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Lisa L. Flores  
Secretary

APPROVED AS TO FORM:



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Michael J. Maurer  
City Attorney

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RESOLUTION NO. 2140

**Conditions of Approval**

1. The project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for MFADR 23-01, TPM 23-01 (83831), TRH 23-14, and TRE 24-03 subject to the approval of the Deputy Development Services Director, or designee.
2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall be subject to review and approval by the Deputy Development Services Director, or designee.
3. A total of two (2) 24-inch box trees shall be planted within the front yard area. The trees and its type shall be shown on the final landscape plan that is submitted to Building Services for plan check, subject to review by the Deputy Development Services Director, or designee, to ensure compliance with this condition. During construction, a Certified Arborist shall be on-site to monitor and ensure proper placement of the trees as well as any other trees that are to be protected under this approval, and a follow-up report shall be submitted to the City prior to issuance of a Certificate of Occupancy from Building Services.
4. The Applicant shall comply with all the measures listed in the Arborist Report, dated August 7, 2023. If the Certified Arborist determines that the tree may not survive at the time the follow-up report is prepared, then the Applicant shall plant a new 36-inch box tree on the subject site prior to issuance of a Certificate of Occupancy. The location and type shall be approved by the Deputy Development Services Director or designee.
5. 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
6. The project shall comply with Chapter 35A Multiple Family Construction Standards as amended in the Arcadia Municipal Code Section 8130.20.

7. The grading plans shall indicate all on- and off-site improvements and the complete drainage paths of all water run-off.
8. A demolition permit shall be obtained from Building Services prior to the removal and/or demolition of the structures on site.
9. All utility conductors, cables, conduits and wiring supplying electrical, cable and telephone service to a multiple family building shall be installed underground except risers which are adjacent to and attached to a building.
10. Prior to approval of the Final Parcel Map, the Applicant/Property Owner shall either construct or post security for all public improvements shown on the Tentative Parcel Map including:
  - Remove and replace the existing curb and gutter with 2' asphalt slot cut from property line to property line.
  - The removal of the existing driveway approach and construction of a new driveway approach per City Standard Plan
  - The construction of a new sidewalk from property line to property line.
11. Prior to receiving a Certificate of Occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line, including but not limited to trench cuts and construction traffic, per the direction of the City Engineer.
12. All structures shall have an automatic fire sprinkler system per the City of Arcadia Fire Department's Multi-Family Dwelling Sprinkler Standard.
13. A knock box shall be provided adjacent to both the vehicular entry gate and pedestrian gate so that the pedestrian and vehicle entry gate shall be openable without a special key for the City of Arcadia Fire Department.
14. There is a 6" cast iron water main with 73 psi static pressure that the development shall connect to on El Dorado Street for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations to the Public Works Services Department to determine the total combined maximum domestic and fire demand and verify the water service size required prior to issuance of a Building Permit.
15. The proposed development requires a Low Impact Development (LID) plan which shall comply with the Los Angeles County Department of Public Works 2014 LID standard Manual and show the selected measures on the grading plan. These selected measures include but are not limited to using infiltration trenches, bio-retention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.

16. The Applicant/Property Owner shall install a common master water meter for the residential multi-family development. The water meter for each unit shall be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
17. All condominiums shall require a separate water service and meter for common area landscape irrigation.
18. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to issuance of a building permit for the new development.
19. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department, Engineering Section. Abandonment of existing water services, if necessary, shall be carried out by the Applicant/Property, according to Public Works Services Department.
20. An 8" Vitrified Clay Pipe (VCP) sewer main is available on El Dorado Street to provide sanitary sewer service for the project. The Applicant/Property Owner shall utilize the existing sewer lateral, if possible. For any changes to the exiting sewer lateral, the Applicant/Property Owner shall get approval to connect to the exiting sewer main from the Los Angeles County Sanitation District and obtain an encroachment permit from the City of Arcadia Public Works Department prior to commencing work.
21. If any drainage fixture elevation is lower than the elevation of the next upstream manhole cover (459.48'), an approved type of backwater valve is required to be installed on the lateral within the City's right-of-way.
22. The Applicant/Property Owner shall one (1) 36" Box Crape Myrtle 'Dynamite' Tree in the Parkway with a permit from the Public Works Department prior to the issuance of a Certificate of Occupancy. The location of the new street tree is to be determined by the Public Works Inspector.
23. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Deputy Development Services Director, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.

24. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City (“Indemnitees”) harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant’s activities in connection with MFADR 23-01, TPM 23-02 (83831), TRH 23-14, and TRE 24-03 (“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 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, at the request of the Applicant or not.

25. Approval of MFADR 23-01, TPM 23-02 (83831), TRH 23-14, and TRE 24-03 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 executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

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# Attachment No. 2

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

**Site Address: 210 ELDORADO ST**

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



Property Characteristics	
<b>Zoning:</b>	R-2
<b>General Plan:</b>	MDR
<b>Lot Area (sq ft):</b>	
<b>Main Structure / Unit (sq. ft.):</b>	1,926
<b>Year Built:</b>	1917
<b>Number of Units:</b>	1
Overlays	
<b>Architectural Design Overlay:</b>	N/A
<b>Downtown Overlay:</b>	N/A
<b>Downtown Parking Overlay:</b>	N/A
<b>Parking Overlay:</b>	N/A
<b>Racetrack Event Overlay:</b>	N/A
<b>Residential Flex Overlay:</b>	N/A
<b>Special Height Overlay:</b>	N/A

Selected parcel highlighted



Parcel location within City of Arcadia

# Attachment No. 3


Tentative Parcel Map No. TPM 23-02  
(83831)

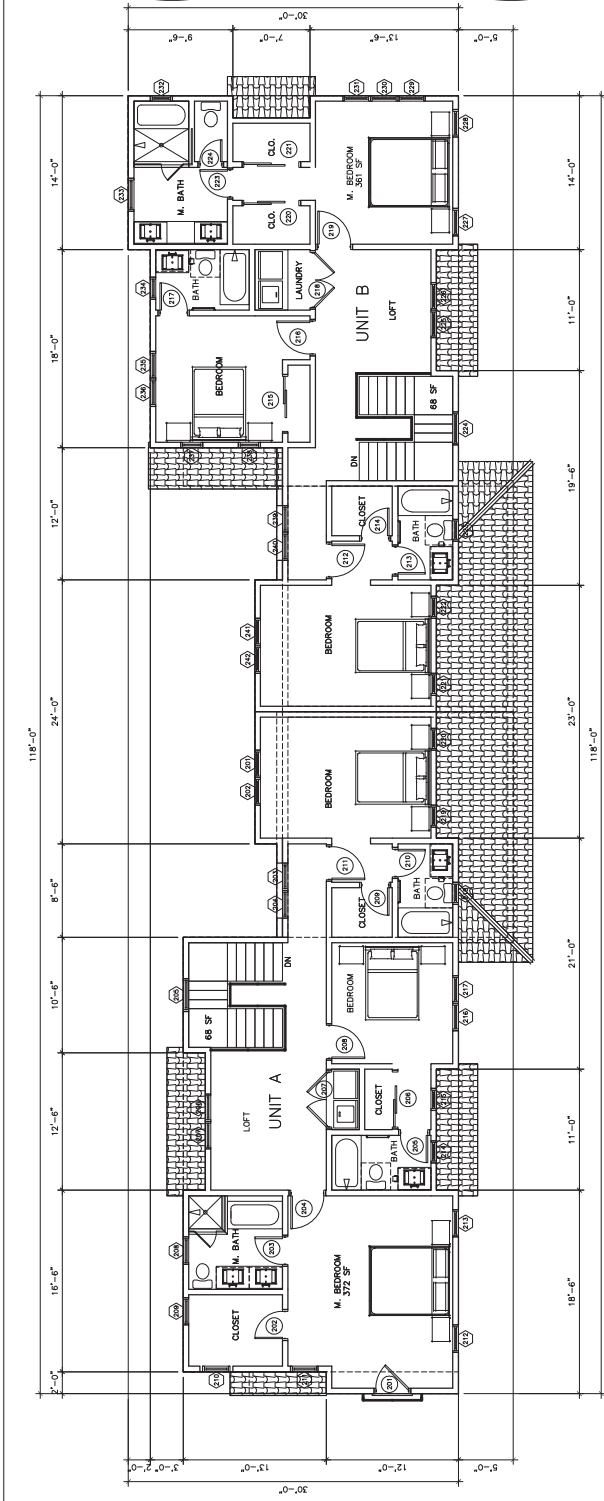
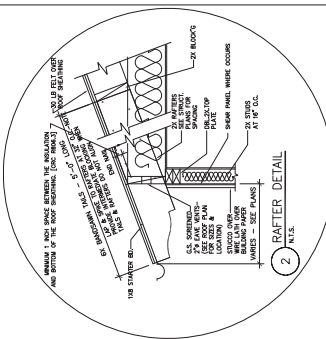
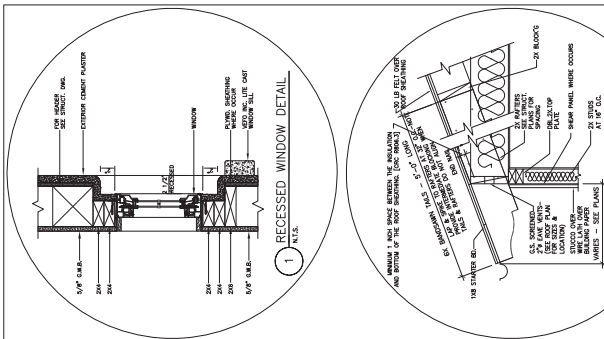


# Attachment No. 4

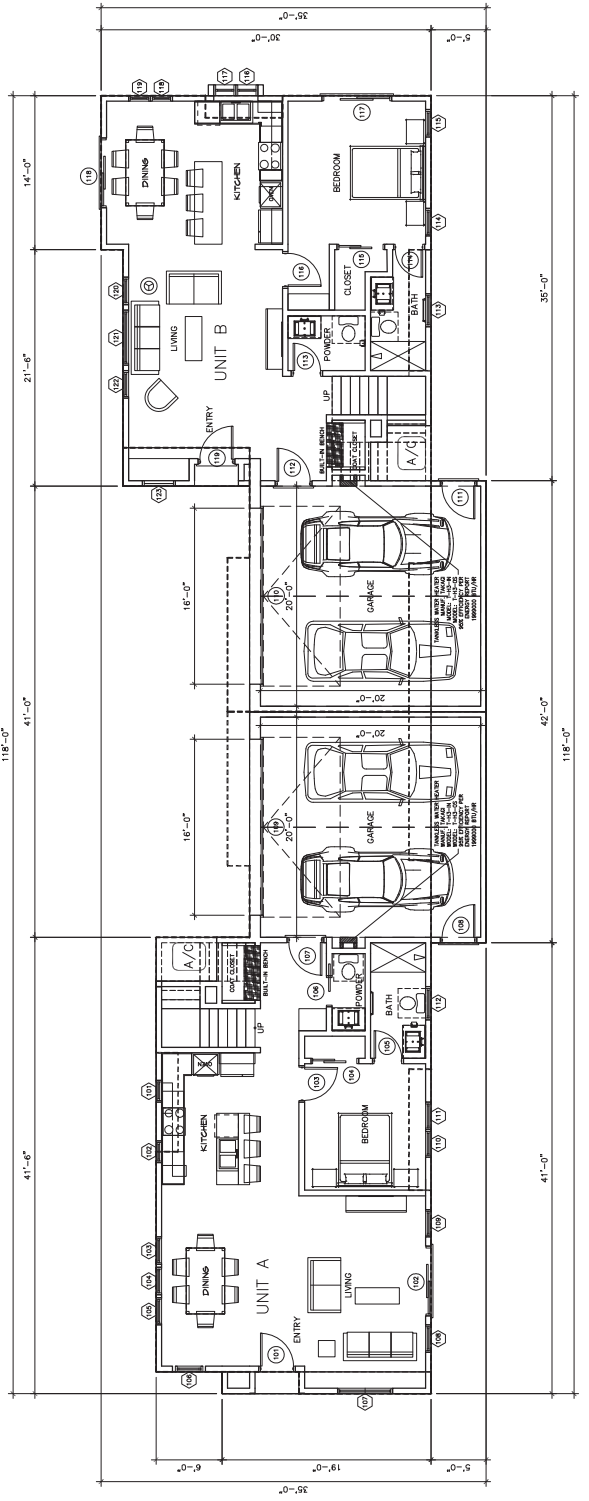
## Architectural Plans



 <p>CL DESIGN / BUILDERS, INC.</p> <p>1701 E. CORTIZ ST. SUITE 100 TUCUMCUM, NM 88401 TEL: (505) 246-3138 info@clbuilders.com</p> <p>UIC: #A333 EXP: 2-28-2024</p> <p>CONTRACTOR UOI</p>	<p>NO. DATE</p>	<p>REVISIONS:</p>	<p>PROJECT</p> <p>2 UNIT CONDOMINIUMS</p> <p>210 EL DORADO ST. ARCADIA, CA 91006</p>	<p>SHEET TITLE:</p> <p>FIRST FLOOR / SECOND FLOOR PLAN</p>	<p>DATE: 06/15/2023</p> <p>SCALE: AS NOTED</p> <p>DRAWN: CL</p> <p>JOB:</p> <p>SHEET</p> <p>A-2.1</p>	<p>SHEET</p> <p>OF</p>
	<p>NOTED: SEE ALL NOTES AND SPECIFICATIONS FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL FIELD MEASUREMENTS AND CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL FEATURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HISTORICAL FEATURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ARCHAEOLGICAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PALEONTOLOGICAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL BOTANICAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ZOOLOGICAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL GEOLOGICAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL MINERAL REMAINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENERGY RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL WATER RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL AIR RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOIL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL LAND RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL MARINE RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TROPICAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ANTARCTIC RESOURCES. 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SECOND FLOOR PLAN



FIRST FLOOR PLAN





CL  
DESIGN /  
BUILDERS,  
INC.

1704 E. CORTIZ ST.  
M. CORONA, CA 91713  
TEL: 951-261-1111  
WWW.CLDESIGNBUILDERS.COM  
LIC. #415333  
EXP. 7-28-2024

CONTRACT NO. 2024-001  
PROJECT NO. 2024-001  
DATE 03/23/2022

REVISIONS:

NO. DATE

△

PROJECT  
2 UNIT  
CONDOMINIUMS

440 E. SERRAS ST.  
ARCAHUA, CA 91606

SHEET TITLE

ELEVATIONS

DATE: 03/23/2022  
SCALE: AS NOTED  
DRAWN: CL  
JOB: SHEET

A-3.1  
OF SHEET



C LEFT SIDE / EAST ELEVATION  
3/16" = 1'-0"

- 1 ROOF TILE: EAGLE ROOFING PRODUCTS  
MANUF.: HOUSE OF ANTIQUE HARDWARE  
TYPE: 2-LIGHT OUTDOOR HALL MOUNT  
COLOR: SANTA BARBARA BLIND - SMC403
- 2 WINDOW: LA HABRA STUDIO  
SMOOTH FINISHES (BRASS FINISH)  
TYPE: ALUMINUM OUTER  
COLOR: EGGSHALL A-75 (70) BASE 100
- 3 WINDOW: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 4 DOOR: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 5 MAIL BOX: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 6 MAIL GUTTER: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 7 GUTTER: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 8 GUTTER: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 9 GUTTER: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)



D RIGHT SIDE / WEST ELEVATION  
3/16" = 1'-0"

- 10 DOOR: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 11 DOOR: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)
- 12 DOOR: JELD WEN WINDOWS / DOORS INC  
TYPE: JELD WEN WINDOWS / DOORS INC  
COLOR: BRONZE  
(ALL WINDOW SHALL BE 2" RECESSED)



A FRONT / NORTH ELEVATION  
3/16" = 1'-0"

B REAR SOUTH ELEVATION  
3/16" = 1'-0"

A UNIT B / NORTH ELEVATION  
3/16" = 1'-0"





# Attachment No. 5

Arborist Reported Dated August 7, 2023

**210 El Dorado St. Arcadia, CA 91006**

Prepared for:

**Christopher Loh**

**August 7, 2023**

Prepared by:

***Javier Cabral Consulting Arborist***  
International Society of Arborists # WE- 8116A

1390 El Sereno Ave  
Pasadena, California 91103  
(626)818-8704  
[jctcabral@sbcglobal.net](mailto:jctcabral@sbcglobal.net)



Type text here

## Table of contents

Summary -----	pg. 3
Background and assignment Summary -----	pg. 3
Google Earth Image & Site Conditions -----	pg. 4
List Inventory -----	pg. 5 & 6
Landscape Plan With Trees-----	pg. 7 & 8
Tree Pictures -----	pg. 9 thru 26
Arborist Signature Page -----	pg. 18
Certificate Of Performance -----	pg. 19

## Summary

Mr. Loh,

You have retained my consulting arborist services to provide a tree inventory and tree protection plan for the property described as 210 El Dorado St. Arcadia, CA 91006. You are in the planning and permitting stages of a new 2 story two unit condominiums.

## Background and assignment

Mr. Loh has requested that I provide the following arboricultural services.

- 1) Identify all trees on the property and label them on the architectural drawings as provided to the arborist by Mr. Christopher Loh.
- 2) Evaluate the current health of the trees and make recommendations based on their health
- 3) Provide a protection plan for all protected trees.

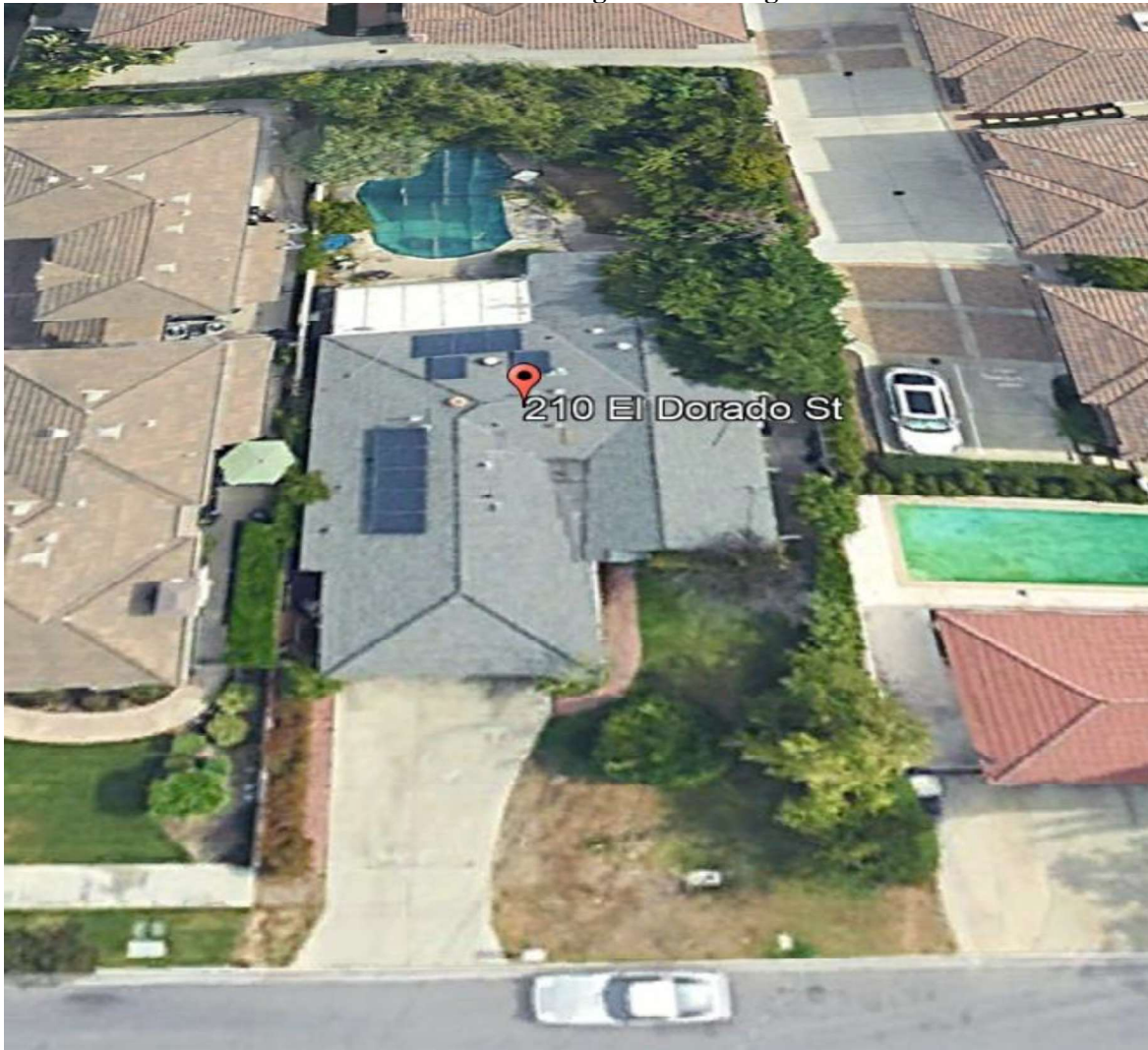
The following report is based on my site visit on August 1, 2023 and my analysis of the trees, site plan, and the surrounding landscape. For the purpose of this report I will address these trees as on-site **Trees # 1 thru 22**.

## Site conditions

A one-story single-family home currently exists on this property located at 210 El Dorado St., Arcadia.

There is a total of **(22)** trees on site, of which **(2)** trees are protected by the City of Arcadia Tree Protection Ordinance. No off-site trees are expected to be impacted.

Google Earth Image



A) - Healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.

B) - A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.

C) - A tree with moderate vigor, moderate twig and small branch dieback, thinning crown, poor leaf color, moderate structural defects that might be mitigated.

D) - A tree in decline, epicormics growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.

F) - A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormics growth, extensive structural defects that cannot be abated.

**List Inventory Pg. 1**

Tree #	Common name	Botanical name	Diameter at 4.5 feet in inches	Height (in feet)	Spread (in feet)	Health condition rating	Protection status	REMOVE or Preserve	Comments
1	Chinese elm	Ulmus parviflora	1+1+1+2+2+2	18	6	D	No	Preserve	
2	Chinese elm	Ulmus parviflora	1+1+1+1+2+2	18	6	D	No	Preserve	
3	Cherry blossom	Prunus serrulata	7	28	21	B	No	Preserve	
4	Guava	Psidium guajava	3+3	15	10	B	No	Preserve	
5	Lemmon	Citrus limon	3	8	5	B	No	Preserve	
6	Lemmon	Citrus limon	1+1+2+2	12	9	B	No	Preserve	
7	Guava	Psidium guajava	1+2	13	5	B	No	REMOVE	
8	Japanese purple plum	Prunus cerasifera	9+9+11	27	12	D	No	REMOVE	
9	Chinese banyan	Ficus microcarpa	6+6+6+7+7	16	8	B	No	REMOVE	
10	Coccolos	Coccolos laurifolius	28	35	35	C	YES	REMOVE	Large trunk cavities
11	Guava	Psidium guajava	2+2+2+3+3	15	11	B	No	REMOVE	
12	Italian Cypress	Supressus sempervirens	6	14	9	C	No	REMOVE	
13	Italian Cypress	Supressus sempervirens	8	14	9	C	No	REMOVE	
14	Italian Cypress	Supressus sempervirens	10	22	15	C	No	REMOVE	

**A)** - Healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.  
**B)** - A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.

**C)** - A tree with moderate vigor, moderate twig and small branch dieback, thinning crown, poor leaf color, moderate structural defects that might be mitigated.

**D)** – A tree in decline, epicormics growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.

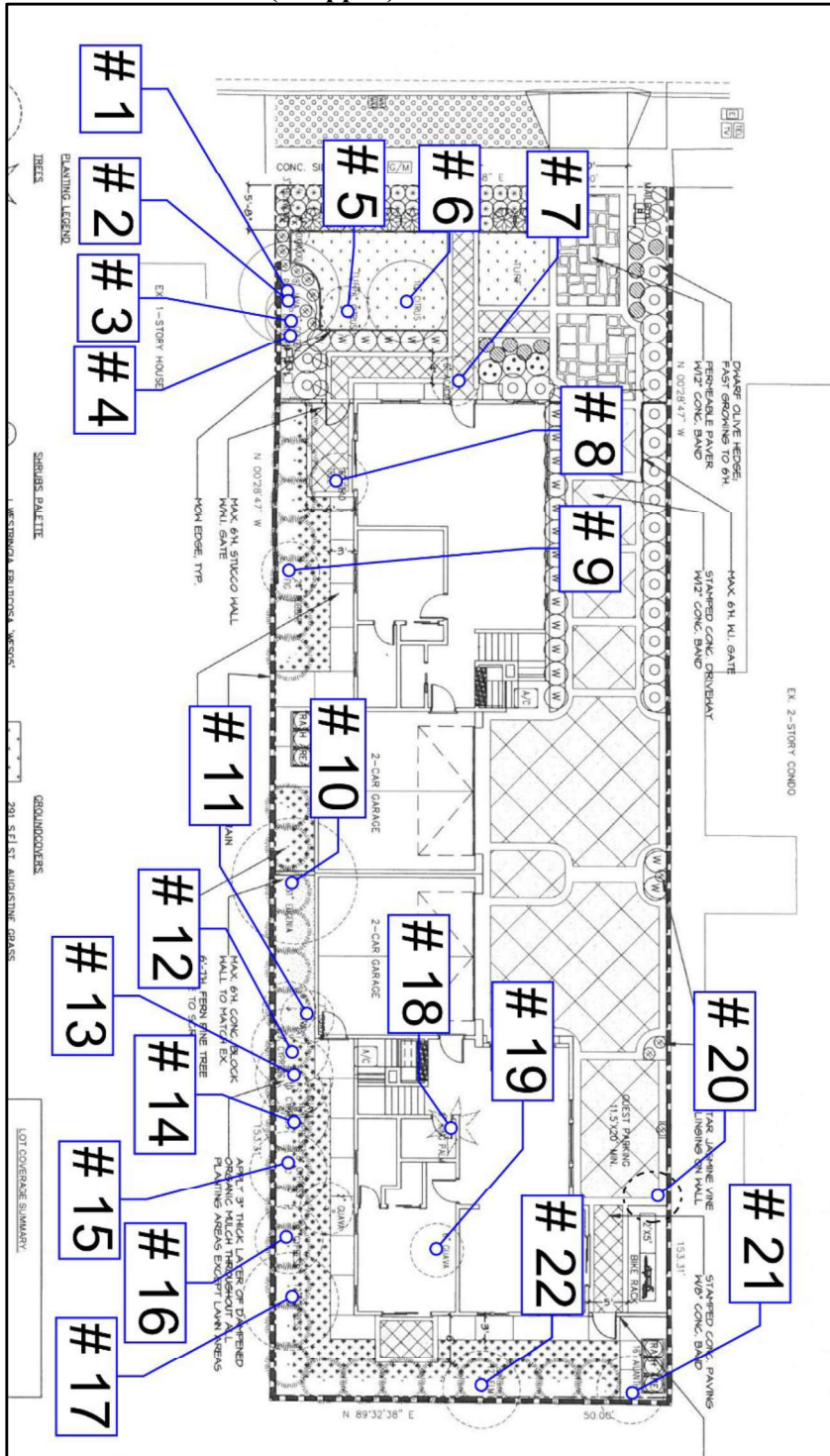
**F)** – A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormics growth, extensive structural defects that cannot be abated.

**List Inventory Pg. 2**

Tree #	Common name	Botanical name	Diameter at 4.5 feet in inches	Height (in feet)	Spread (in feet)	Health condition rating	Protection status	REMOVE or Preserve	Comments
15	Italian Cypress	Supressus sempervirens	11	22	15	C	No	REMOVE	
16	Italian Cypress	Supressus sempervirens	2+2+5+5+7	22	15	C	No	REMOVE	
17	Italian Cypress	Supressus sempervirens	10	22	15	C	No	REMOVE	
18	King palm	Archontophoenix Alexandrae	10	20	10	B	No	REMOVE	
19	Apple	Malus	3	10	8	C	No	REMOVE	
20	Dragon tree	Dracaena draco	9+9+12	18	16	B	No	REMOVE	
22	Chinese elm	Ulmus parviflora	14	38	36	B	YES	Preserve	
21	Tree of heaven	Ailanthus altissima	4+8	50	16	B	No	REMOVE	



Site Plan With Trees (Cropped)



Christopher Loh 210 El Dorado St Arcadia, CA 91006  
 Javier Cabral / Consulting Arborist

August 7, 2023  
 Pg. # 8

Trees # 1 thru 4 (facing west)



Trees # 5 & 6 (facing south)



Trees # 7 & 8 (facing south)



**Tree # 9 (facing north)**



**Tree # 10 (facing south)**



Trees # 11 thru 16 (facing west)



Tree # 17 (facing west)



Trees # 18 thru 20 (facing south)



**Tree # 21 & 22: (facing south)**

**Tree # 22 Chinese elm:**

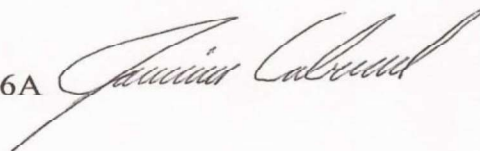
- 1) Although the encroachment into the drip line of this tree is significant, it is expected to survive in its existing condition.
- 2) Chinese elm is also very resistant to significant to severe root loss.
- 3) Demolition of the structure and foundation along the plane of the Elm tree shall be done very carefully to prevent unnecessary root loss and root damage.
- 4) Roots are expected to be amassed against the existing concrete foundation adjacent to the tree and they should be preserved if possible. This can be accomplished by gently tapping the foundation away from the tree trunk to expose the roots.
- 5) Over-excavation for the foundation adjacent the tree shall be as minimal as possible to reduce the need to severe roots.
- 6) 20 ft of freestanding temporary chain link fencing shall be placed between the tree trunk and existing structure at a distance that will allow for demolition.



Thank you and feel free to contact me if you have any questions or concerns.

Yours truly,

Javier Cabral / Consulting arborist  
1390 El Sereno Ave Pasadena, Ca 91103  
International Society of Arboriculture # WE 8116A

A handwritten signature in black ink that reads "Javier Cabral". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

## **Certificate of Performance & Limiting Conditions**

I Javier Cabral certify the following:

- No warranty is made, expressed or implied, that problems or deficiencies of the trees or the property will not occur in the future, from any cause. The Arborist shall not be responsible for damages or injuries caused by any tree defects and assume no responsibility for the correction of defects or tree related problems.
- The owner and client of the trees may choose to accept or disregard the recommendations of the Arborist or seek additional advice if the owner decides not to accept the Arborists findings or recommendations.
- The Arborist has no past, present or future interest in the removal or preservation of any tree. The opinions contained in the Arborist report are independent and objective judgements of the Arborist.
- The findings, opinions, and recommendations of the Arborist are based on based on the physical inspection of said property. The opinions are based on knowledge, experience, and education.
- The Arborist shall not be required to provide testimony, provide site monitoring, provide further documentation for changes beyond the control of the Arborist, be deposed, or to attend any meeting without contractual arrangements for additional fees to the Arborist.
- The Arborist assumes no responsibility for verification of ownership or location of property lines, or for any recommendations based on inaccurate information.
- This Arborist report may not be reproduced without the expressed written permission or the Arborist and the client to whom the report was provided to. Any changes or alteration of this report invalidates the entire report.
- Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, make recommendations to prevent or minimize damage to trees during and after construction projects, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.
- Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.
- Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.
- Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

**From:** [javier cabral](#)  
**To:** [Alison MacCarley](#)  
**Subject:** Re: 210 El Dorado Tree Report  
**Date:** Friday, February 16, 2024 4:59:29 AM

---

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

Hi Alison,

Hope you are well, i am currently on vacation until February 22 and dont have a way to do this on the actual report. I verify that I did update the arborist report for 210 El Dorado on January 2024. I hope this is enough to move forward until I return.

Thank you  
Javier Cabral  
Sent from my iPhone

> On Feb 15, 2024, at 5:44 PM, Alison MacCarley <[amaccarley@arcadiaca.gov](mailto:amaccarley@arcadiaca.gov)> wrote:

>

> Hi Javier,

>

> Sorry to bother you again. Could you please add a note that this was updated/addendum back this past January?

>

> Thank you ,

>

> -----Original Message-----

> From: javier cabral <[jtccabral@sbcglobal.net](mailto:jtccabral@sbcglobal.net)>

> Sent: Wednesday, January 24, 2024 3:46 PM

> To: Alison MacCarley <[amaccarley@arcadiaca.gov](mailto:amaccarley@arcadiaca.gov)>

> Subject: Re: 210 El Dorado Tree Report

>

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

>

>

> Hi Alison,

>

> Thanks for the patience, you're right! Here is a corrected copy.

>

>

> Thank You

> Javier Cabral / Consulting Arborist

> (626)818-8704

>

>

>

> On Wednesday, January 24, 2024 at 10:58:50 AM PST, Alison MacCarley <[amaccarley@arcadiaca.gov](mailto:amaccarley@arcadiaca.gov)> wrote:

>

>

>

> Hi Javier,

>

>

>

# Attachment No. 6

## Preliminary Exemption Assessment



CITY OF  
ARCADIA

## PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	MFADR 23-01, TPM 23-01 (83831), TRH 23-14, and TRE 24-03 – A tentative parcel map for a two-unit residential condominium development with a Categorical Exemption under the California Environmental Quality Act (“CEQA”)	
2. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15’ or 7 1/2’ topographical map identified by quadrangle name):	210 El Dorado Street (between 2 <sup>nd</sup> and 3 <sup>rd</sup> Avenue)	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Christopher Loh on behalf of Amy Myint
	(2) Address	1704 E. Cortez Street
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:	15332 – Class 32 (Infill Development)
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: January 6, 2024

Staff: Alison MacCarley, Assistant Planner



# STAFF REPORT

Development Services Department

**DATE:** February 27, 2024

**TO:** Honorable Chair and Planning Commission

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

**SUBJECT:** RESOLUTION NO. 2144 – APPROVING CONDITIONAL USE PERMIT NO. CUP 23-10 AND PLANNING COMMISSION ADMINISTRATIVE MODIFICATION NO. PC AM 24-01 FOR A NEW TATTOO SHOP WITH A PARKING MODIFICATION AT 122 E. FOOTHILL BOULEVARD, UNIT B  
**CEQA: Exempt**  
**Recommendation: Adopt**

## **SUMMARY**

The Applicant, Aaron Garcia, is requesting approval of Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01 to allow a new tattoo shop within an existing commercial building and to maintain 13 parking spaces, whereas 38 parking spaces are required for the existing and proposed uses at 122 E. Foothill Boulevard, Unit B. The tattoo shop will have two (2) tattoo stations and it will operate every day, except on Thursdays. It is recommended that the Planning Commission adopt Resolution No. 2144 (Attachment No. 1) and find this project Categorical Exempt under CEQA and approve Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01, subject to the conditions listed in this staff report.

## **BACKGROUND**

The subject site is a 14,650 square foot, corner lot that comprises of two parcels and located on the southern side of E. Foothill Boulevard between N. 1<sup>st</sup> Avenue and Wigwam Avenue. The site is surrounded by commercial properties to the north, east, and west and a single-family zoned property to the south (rear of the subject property) - refer to Figure No. 1 below for an aerial view of the site and Attachment No. 2 for an Aerial Photo with Zoning Information and Photos of the subject property. The site is developed with a 7,660 square foot single-story commercial building that has five (5) commercial units that were

built in 1955 and 1958 over the two parcels. The existing commercial units are occupied by a UPS store, a boutique retailer, a take-out café, and a day spa. The proposed tattoo shop will occupy a 1,000 square foot unit located between the UPS store and Magnolia Boutique. The unit has been vacant for several years but was most recently occupied by a retail store in 2021. The parking lot at the rear of the building, which is accessed from Wigwam Avenue, has 13 parking spaces including one (1) accessible space.



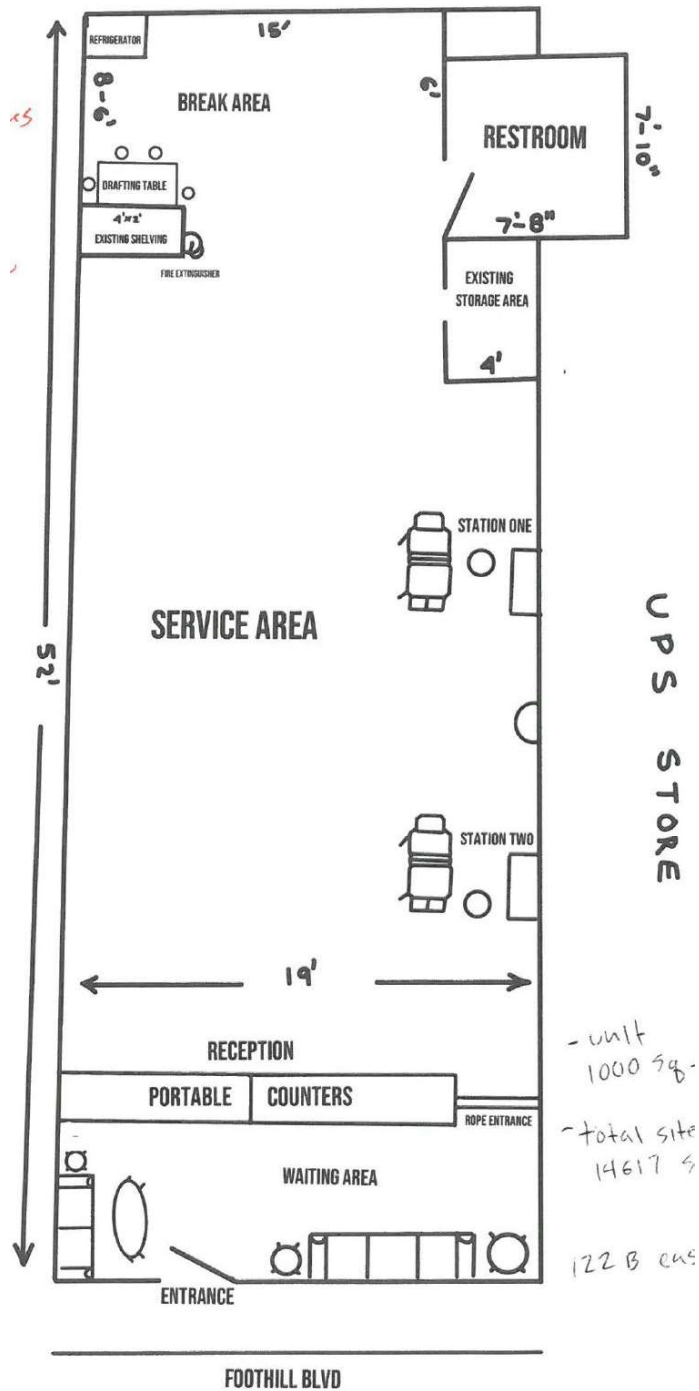
**Figure No. 1** – Aerial view of the site (subject site in yellow, and subject unit in red)

## **PROPOSAL**

Currently, Mr. Garcia works at a tattoo shop in Downtown Los Angeles and has over 10 years of experience working at various tattoo shops throughout the Los Angeles area. The Applicant is looking to open his own, independent tattoo business within the City of Arcadia. The proposed tattoo shop will be open every day from 11:00 AM to 8:00 PM, except on Thursdays. Customers will be served by appointment only.

The layout of the unit will consist of the two tattoo stations in the ‘service area’, a waiting area with a reception counter, an employee break area, a small storage room, and a restroom – see Figure No. 2 below for the Floor Plan and Attachment No. 3 for the Site

Plan and Floor Plan. The tattoo stations will be used by the Applicant and another tattoo artist. No changes are proposed to the exterior of the building.



**Figure No. 2 – Floor Plan**

**ANALYSIS**

The City’s Development Code allows tattoo uses in the General Commercial (C-G) Zone subject to a Conditional Use Permit to ensure that the proposed tattoo shop is an appropriate use for the property and is compatible with other uses in the surrounding area.

The other uses within the commercial building consist of both retail and service uses. The operation of the tattoo shop will complement the existing uses. Tattoo shops, generally, do not generate excessive noise, odor, vibration, or other off-premises impacts. The proposed tattoo shop, specifically, will have a limited impact on the adjacent uses as it will only serve two (2) customers simultaneously and by appointment only. Its operating hours will also complement the existing uses as there will be only 15 hours per week when all five (5) businesses are expected to operate concurrently. Therefore, the proposed tattoo shop will be compatible with the existing businesses in the commercial building.

In the surrounding area there are a variety of other, small scale personal service businesses along E. Foothill Boulevard. These include spas, hair salons, and health care services, however there are no other approved tattoo shops within close proximity to the subject site. The proposed hours of operation will be similar to and consistent with other commercial uses in the vicinity. Therefore, the nature of the business will be compatible with the other existing businesses in the vicinity.

**Parking**

Tattoo shops, as a personal service, have a parking requirement of one (1) parking space for every 200 square feet of gross floor area. Based on the unit size of 1,000 square feet a total of five (5) parking spaces are required. The property currently has 13 parking spaces for the five commercial units, whereas 38 spaces are required for all existing and proposed uses on the site (See Table 1, below). Thus, there is a deficiency of 25 parking spaces on the site pursuant to the requirements of the Development Code.

**Table 1** – Parking requirements for all uses at 122 – 130 E. Foothill Blvd.

<b>Address</b>	<b>Use</b>	<b>Square Footage</b>	<b>Parking required*</b>
122 E. Foothill Blvd Unit A	UPS Store	1,100	5.5
122 E. Foothill Blvd Unit B	Tattoo Shop (Proposed)	1,000	5
124 E. Foothill Blvd	Magnolia Boutique	2,560 (1,800 store + 760 warehouse)	12.8
128 E. Foothill Blvd	Poppy Cake	1,000	5
130 E. Foothill Blvd	Zentara Spa	2,000	10
<b>TOTAL PARKNG SPACES REQUIRED</b>			<b>38</b>

\*All uses have a parking requirement of 1 space per 200 square feet of floor area.

The Applicant provided a comprehensive parking analysis that was conducted over a two-week period between December 4 and December 17, 2023 and a supplemental analysis taken on January 3, 5, and 6, 2024. The studies show that the parking lot always has at least four (4) available parking spaces and is most utilized during the middle of the day on Saturdays. This coincides with the point in time when all businesses on the site are open and have the highest number of customers. Even at the busiest times, there would be sufficient parking on the site to accommodate two tattoo artists and two clients – the maximum capacity for the proposed tattoo shop. The parking requirements for retail and personal service uses are the same under the Development Code at one (1) space per 200 square feet of floor area, requiring five (5) parking spaces for the subject unit. However, as noted above, the tattoo shop would only ever require, at most, four (4) spaces at any one time. In addition, the commercial building has operated for many decades with 13 onsite parking spaces, and the City has no knowledge of any parking issues in the immediate vicinity.

Staff have visited the site multiple times and noted that the rear parking lot is never full and that the parking numbers provided by the Applicant are accurate. The nature of the existing businesses at the site mean customers are likely to use street parking on E. Foothill Boulevard for quick trips to UPS and Poppy Cake, while patron numbers at the boutique and spa are lower than anticipated by the Development Code. In addition, the existing businesses and the tattoo shop have differing and complementary open hours such that the only times during the week when all businesses would be operating simultaneously are Tuesdays, Wednesdays, and Fridays from 11:00 AM to 3:00 PM and Saturdays from 11:00 AM to 2:00 PM. Due to the nature of the existing businesses and the operating characteristics of the proposed tattoo shop, there will be sufficient parking on site to meet the anticipated demand.

The City's Police Department has reviewed the request and did not have any concerns with the proposed tattoo shop. The business will comply with all requirements and protocols required by the Los Angeles County Health Department.

## **FINDINGS**

Section 9107.09.050(B) of the Development Code requires that the Planning Commission may approve a Conditional Use Permit if all the following findings can be made:

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

**Facts to Support This Finding:** The proposed tattoo shop will be consistent with the Arcadia General Plan which allows for a wide-range of commercial uses that serve citywide markets. The site is zoned C-G (General Commercial) which under Development Code Section 9102.03.020, Table 2-8, allows Personal Restricted

Services such as the proposed tattoo use, subject to the review and approval of a Conditional Use Permit. The tattoo business will comply with all other applicable provisions of the Development Code and the Municipal Code. The use will be consistent with the intended commercial use of the property and will be required to comply with all applicable Los Angeles County Health Department requirements. Therefore, approval of a tattoo business will not adversely affect the General Plan, and is consistent with the following General Plan 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 proposed tattoo shop will occupy an existing 1,000 square foot unit within an existing five-unit commercial building. The proposed tattoo shop will not require an excessive amount of parking and, despite the site being deficient in parking for all existing and proposed uses, the actual demand can be met with the available onsite parking. The proposed tattoo shop will be compatible with the existing uses in the vicinity as it will have similar operational characteristics to other personal service businesses along E. Foothill Boulevard. The tattoo shop will have two (2) tattoo stations and will see clients by appointment only. The business will also close by 8:00 PM, which is earlier than most commercial businesses within the area. Therefore, the proposed tattoo shop will not be detrimental to the existing and future land uses in the vicinity.

**3. The site is physically suitable in terms of:**

**a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;**

**Facts to Support This Finding:** The business will occupy an existing 1,000 square foot unit on an improved site that is physically suitable to accommodate the proposed tattoo shop since it will consist of only two tattoo stations and will serve a maximum of two customers at any one time. No tenant improvements are required to accommodate the use. Tattoo shops typically are located within multi-tenant commercial centers with small tenant spaces that consist of a variety of service-based businesses that are compatible to one another. Additionally, the site is improved with a surface parking lot which has sufficient for the parking needs of the existing uses and proposed tattoo shop. Therefore, the unit and site are suitable for the proposed tattoo shop.

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

**Facts to Support This Finding:** The site is located along E. Foothill Boulevard on between N. 1<sup>st</sup> Avenue and Wigwam Avenue. The site has vehicle access to the rear parking lot from Wigwam Avenue. These streets are adequate in width and pavement type to carry emergency vehicles.. The proposed tattoo shop will not impact these rights-of-way.

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

**Facts to Support This Finding:** The Fire and Police Department have reviewed the application and determined that no additional improvements are needed to provide adequate protection services to the subject site.

**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 property is developed with one commercial building that consists of five (5) commercial units. The building is serviced by all necessary utilities and no building work is proposed to accommodate the tattoo shop. The Building Division and Fire Department have reviewed the application and determined that no additional improvements are needed to accommodate the proposed tattoo shop. There will be no impact on the utilities or the City's infrastructure from the proposed tattoo shop .

**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 tattoo shop will provide a personal service in compliance with and pursuant to the Arcadia Development Code and Arcadia Municipal Code standards. The proposed tattoo shop will not be detrimental to the public health or welfare, or the surrounding properties, as the site is located on a commercial corridor with a diverse type of businesses that serve the surrounding communities. The size and nature of the proposed tattoo shop will be compatible with the other existing uses in the vicinity and is not expected to affect the property or uses in the vicinity since it will only serve, at most, two customers at a time, and will close by 8:00 PM on the days it's open, which is earlier than most commercial businesses. The business shall be subject to all of the regulations and requirements of the Los Angeles County Health Department requirements. The Arcadia Police Department reviewed the application and had no concerns. Therefore, the site is suitable for the proposed tattoo shop .

### Administrative Modification

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

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

The proposed administrative modification for reduced onsite parking will secure an appropriate improvement to the lot since the actual parking demand for the subject site is less than the provided 13 onsite spaces. Although the existing and proposed uses require 38 onsite parking spaces pursuant to the Development Code, a parking study indicated that, at most, nine (9) onsite spaces are required at the busiest time of the week – Saturdays around noon. The tattoo shop will have a maximum of four (4) people on site at any one time (two tattooists and two clients) and all clients will be seen by appointment only. The nature and operating characteristics of the existing businesses has a lower parking demand than anticipated by the Development Code. The site has operated with less parking for many decades and the City is not aware of any issues regarding parking at this site. Therefore, by maintaining the existing parking supply of 13 spaces will be enough accommodate the tattoo shop since it is not anticipated to cause any adverse potential impacts, instead it would be an appropriate modification for this use.

### ENVIRONMENTAL IMPACT

It has been determined that the project qualifies as Class 1 and Class 5 Categorical Exemptions per the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines for the use of an existing facility and Section 15305 of the CEQA Guidelines for a minor alteration to land use limitations (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 February 15, 2024. It was also mailed to the property owners located within 300 feet of the subject property. As of February 22, 2024, one (1) comment was received on this project (refer to Attachment No. 4).

### RECOMMENDATION

It is recommended that the Planning Commission adopt Resolution No. 2144 approving Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01 for a new tattoo business and onsite parking of 13 spaces

whereas 38 spaces are required 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 23-10 and PC AM 24-01 shall be limited to a tattoo shop with two (2) stations, and it shall be operated and maintained in a manner that is consistent with the approved plans and may be subject to periodic inspections to ensure that the business is operated per the approval.
2. The operating hours shall be limited to 11:00 AM to 8:00 PM every day except on Thursdays. Any changes to the hours of operation shall be subject to review and approval by the Deputy Development Services Director, or designee.
3. 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 Marshall, 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.
4. Noncompliance with the plans, provisions and conditions of approval for CUP 23-10 and PC AM 24-01 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this approval.
5. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with CUP 23-10 and PC AM 24-01 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. The Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs

and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, the Applicant shall provide to the City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. The City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the 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, at the request of the Applicant or not.

6. Approval of CUP 23-10 and PC AM 24-01 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 No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01, stating that the proposal satisfies the requisite findings, and adopting the attached Resolution No. 2144 that incorporates the requisite environmental, Conditional Use Permit and Administrative Modification 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 23-10 and Planning Commission Administrative Modification No. PC AM 24-01, stating that the finding(s) of the proposal does not satisfy with reasons based on the record, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner or other interested party has any questions or comments regarding this matter prior to the February 27, 2024 hearing, please contact Planning

Services Manager, Fiona Graham, at (626) 574-5442, or by email at fgraham@ArcadiaCA.gov.

Approved:

A handwritten signature in blue ink, appearing to read 'Lisa L. Flores', with a long horizontal stroke extending to the right.

Lisa L. Flores  
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2144
- Attachment No. 2: Aerial Photo and Zoning Information and Photos of the Subject Property
- Attachment No. 3: Site Plan and Floor Plan
- Attachment No. 4: Public Comments received prior to February 22, 2024
- Attachment No. 5: Preliminary Exemption Assessment

# Attachment No. 1

Resolution No. 2144

RESOLUTION NO. 2144

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. CUP 23-10 AND PLANNING COMMISSION ADMINISTRATIVE MODIFICATION NO. PC AM 24-01 FOR A NEW TATTOO SHOP WITH A PARKING MODIFICATION AT 122 E. FOOTHILL BOULEVARD, UNIT B

WHEREAS, on December 6, 2023, and January 4, 2024, applications for Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01 were filed by the business owner, Aaron Garcia (“Applicant”), to allow a new tattoo shop with two (2) tattoo stations within a 1,000 square foot unit, with a parking modification to maintain 13 parking spaces, whereas 38 parking spaces are required for the existing and proposed uses at an existing multi-tenant commercial building located at 122 E. Foothill Boulevard, Unit B; and

WHEREAS, on February 13, 2024, Planning Services completed an environmental assessment for the tattoo shop in accordance with the California Environmental Quality Act (“CEQA”) and determined that the tattoo shop is exempt under Class 1, Section 15301 and Class 5, Section 15305 of the CEQA Guidelines pertaining to the use of an existing facility and minor alteration to land use limitations; and

WHEREAS, on February 27, 2024, 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 February 27, 2024, are true and correct.

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

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

FACT: The proposed tattoo shop will be consistent with the Arcadia General Plan which allows for a wide-range of commercial uses that serve citywide markets. The site is zoned C-G (General Commercial) which under Development Code Section 9102.03.020, Table 2-8, allows Personal Restricted Services such as the proposed tattoo use, subject to the review and approval of a Conditional Use Permit. The tattoo business will comply with all other applicable provisions of the Development Code and the Municipal Code. The use will be consistent with the intended commercial use of the property and will be required to comply with all applicable Los Angeles County Health Department requirements. Therefore, approval of a tattoo business will not adversely affect the General Plan, and is consistent with the following General Plan 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 proposed tattoo shop will occupy an existing 1,000 square foot unit within an existing five-unit commercial building. The proposed tattoo shop will not require an excessive amount of parking and, despite the site being deficient in parking for all existing and proposed uses, the actual demand can be met with the available onsite parking. The proposed tattoo shop will be compatible with the existing uses in the vicinity as it will have similar operational characteristics to other personal service businesses along E. Foothill Boulevard. The tattoo shop will have two (2) tattoo stations and will see clients by appointment only. The business will also close by 8:00 PM, which is earlier than most commercial businesses within the area. Therefore, the proposed tattoo shop will not be detrimental to the existing and future land uses in the vicinity.

3. The site is physically suitable in terms of:

a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;

FACT: The business will occupy an existing 1,000 square foot unit on an improved site that is physically suitable to accommodate the proposed tattoo shop since it will consist of only two tattoo stations and will serve a maximum of two customers at any one time. No tenant improvements are required to accommodate the use. Tattoo shops typically are located within multi-tenant commercial centers with small tenant spaces that consist of a variety of service-based businesses that are compatible to one another. Additionally, the site is improved with a surface parking lot which has sufficient for the

parking needs of the existing uses and proposed tattoo shop. Therefore, the unit and site are suitable for the proposed tattoo shop.

b. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access.

FACT: The site is located along E. Foothill Boulevard between N. 1st Avenue and Wigwam Avenue. The site has vehicle access to the rear parking lot from Wigwam Avenue. These streets are adequate in width and pavement type to carry emergency vehicles. The proposed tattoo shop will not impact these rights-of-way.

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

FACT: The Fire and Police Department have reviewed the application and determined that no additional improvements are needed to provide adequate protection services to the subject site.

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 property is developed with one commercial building that consists of five (5) commercial units. The building is serviced by all necessary utilities and no building work is proposed to accommodate the tattoo shop. The Building Division and Fire Department have reviewed the application and determined that no additional improvements are needed to accommodate the proposed tattoo shop. There will be no impact on the utilities or the City's infrastructure from the proposed tattoo shop.

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 tattoo shop will provide a personal service in compliance with and pursuant to the Arcadia Development Code and Arcadia Municipal Code standards. The proposed tattoo shop will not be detrimental to the public health or welfare, or the surrounding properties, as the site is located on a commercial corridor with a diverse type of businesses that serve the surrounding communities. The size and nature of the proposed tattoo shop will be compatible with the other existing uses in the vicinity and is not expected to affect the property or uses in the vicinity since it will only serve, at most, two customers at a time, and will close by 8:00 PM on the days it's open, which is earlier than most commercial businesses. The business shall be subject to all of the regulations and requirements of the Los Angeles County Health Department requirements. The Arcadia Police Department reviewed the application and had no concerns. Therefore, the site is suitable for the proposed tattoo shop.

#### Administrative Modification

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

- Secure an appropriate improvement of a lot;
- Prevent an unreasonable hardship; or
- Promote uniformity of development

FACT: The proposed administrative modification for reduced onsite parking will secure an appropriate improvement to the lot since the actual parking demand for the subject

site is less than the provided 13 onsite spaces. Although the existing and proposed uses require 38 onsite parking spaces pursuant to the Development Code, a parking study indicated that, at most, nine (9) onsite spaces are required at the busiest time of the week – Saturdays around noon. The tattoo shop will have a maximum of four (4) people on site at any one time (two tattooists and two clients) and all clients will be seen by appointment only. The nature and operating characteristics of the existing businesses mean that onsite parking demand is lower than anticipated by the Development Code. The site has operated with deficient parking for many decades and the City is not aware of any issues regarding parking at this site. Therefore, a reduction in the on-site parking supply from 38 parking spaces required to 13 spaces to accommodate the tattoo shop is not anticipated to cause any adverse potential impacts, instead it would be an appropriate modification for this use.

SECTION 3. The proposed tattoo shop is Categorically Exempt from the California Environmental Quality Act (“CEQA”) pursuant to Class 1, Section 15301, and Class 5, Section 15305 of the CEQA Guidelines pertaining to the use of an existing facility and a minor alteration to land use limitations.

SECTION 4. For the foregoing reasons the Planning Commission determines that the tattoo shop is Categorically Exempt per Class 1, Section 15301 and Class 5, Section 15305 of the California Environmental Quality Act (“CEQA”) Guidelines and approves Conditional Use Permit No. CUP 23-10 and Planning Commission Administrative Modification No. PC AM 24-01 to allow a new tattoo shop within a 1,000 square foot unit, with a parking modification to maintain 13 parking spaces, whereas 38 parking spaces are required for the existing and proposed uses at an existing multi-tenant commercial

building located at 122 E. Foothill Boulevard, Unit B, subject to the conditions of approval attached hereto.

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

Passed, approved and adopted this 27th day of February 2024.

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Vincent Tsoi  
Chair, Planning Commission

ATTEST:

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Lisa L. Flores  
Secretary

APPROVED AS TO FORM:



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Michael J. Maurer  
City Attorney

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## RESOLUTION NO. 2144

### **Conditions of Approval**

1. The use approved by CUP 23-10 and PC AM 24-01 shall be limited to a tattoo shop with two (2) stations, and it shall be operated and maintained in a manner that is consistent with the approved plans and may be subject to periodic inspections to ensure that the business is operated per the approval.
2. The operating hours shall be limited to 11:00 AM to 8:00 PM every day except on Thursdays. Any changes to the hours of operation shall be subject to review and approval by the Deputy Development Services Director, or designee.
3. 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 Marshall, 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.
4. Noncompliance with the plans, provisions and conditions of approval for CUP 23-10 and PC AM 24-01 shall be grounds for immediate suspension or revocation of any approvals, which could result in termination of this approval.
5. To the maximum extent permitted by law, Applicant/Property Owner must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City (“Indemnitees”) harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant’s activities in connection with CUP 23-10 and PC AM 24-01 (“Project”) on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant’s contractors, agents, tenants, employees or any other persons acting on Applicant’s behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. The Applicant must indemnify, defend and

hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, the Applicant shall provide to the City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. The City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the 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, at the request of the Applicant or not.

6. Approval of CUP 23-10 and PC AM 24-01 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

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# Attachment No. 2

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

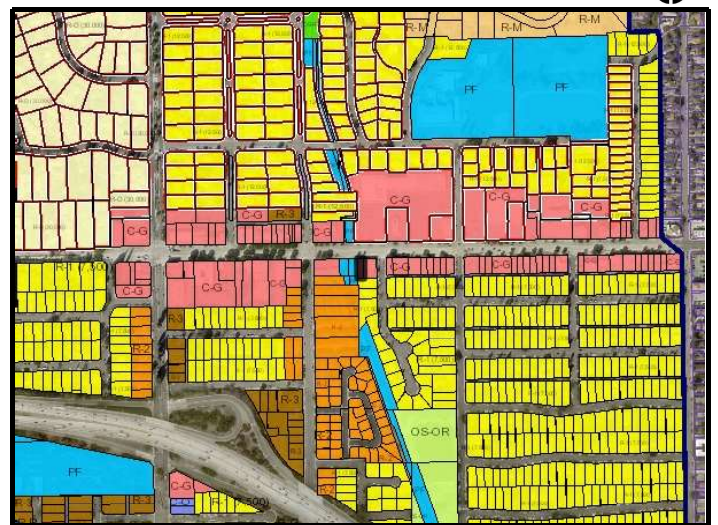
**Site Address:** 122 E FOOTHILL BLVD

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



Property Characteristics	
<b>Zoning:</b>	C-G
<b>General Plan:</b>	C
<b>Lot Area (sq ft):</b>	
<b>Main Structure / Unit (sq. ft.):</b>	2,360
<b>Year Built:</b>	1955
<b>Number of Units:</b>	0
Overlays	
<b>Architectural Design Overlay:</b>	N/A
<b>Downtown Overlay:</b>	N/A
<b>Downtown Parking Overlay:</b>	N/A
<b>Parking Overlay:</b>	N/A
<b>Racetrack Event Overlay:</b>	N/A
<b>Residential Flex Overlay:</b>	N/A
<b>Special Height Overlay:</b>	N/A

Selected parcel highlighted



Parcel location within City of Arcadia



122-B E. Foothill Blvd., Arcadia, CA 91006





122-B E. Foothill Blvd., Arcadia, CA 91006

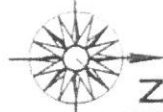


# Attachment No. 3

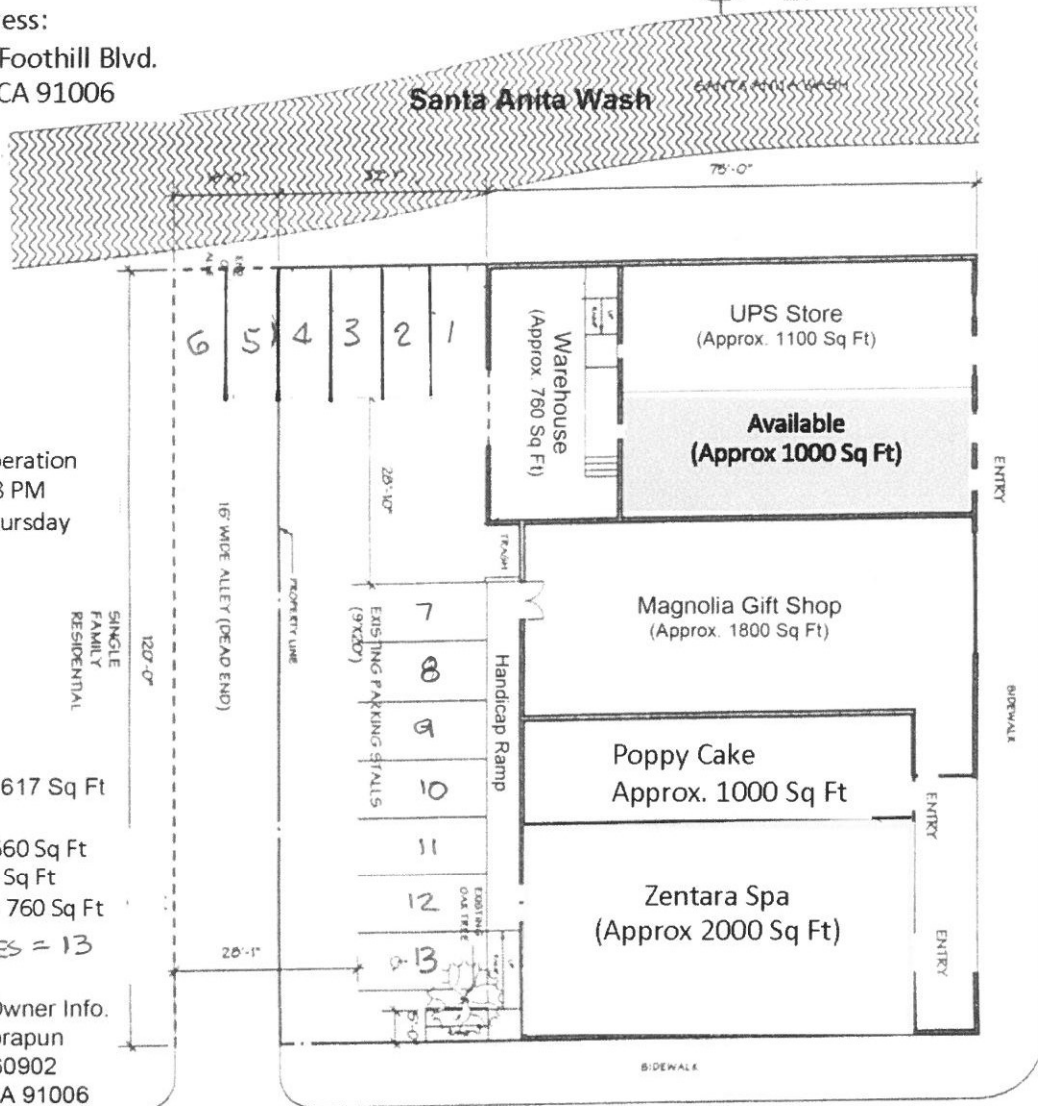
## Floor and Site Plans

# SITE PLAN

SCALE 1/16"=1'-0"



Site Address:  
122-B E. Foothill Blvd.  
Arcadia, CA 91006



Hours Of Operation  
11AM – 8 PM  
Close on Thursday

Lot Area = 14617 Sq Ft

Exist. Building = 7660 Sq Ft  
Retail Area = 6900 Sq Ft  
Warehouse Area = 760 Sq Ft

PARKING SPACES = 13

Property Owner Info.  
Jinda Korprapun  
PO Box 660902  
Arcadia, CA 91006  
Tel: 626-462-9515

Applicant Info.  
Aaron Garcia  
1250 E Walnut Creek Pkwy  
West Covina, CA 91790  
Tel: 626-456-4167

## Operating Hours of Current Businesses in the Building

122-A: UPS Store  
Mon-Fri: 9am – 7 pm  
Sat: 9am-5pm  
Sunday Closed

128: Poppy Cake  
Mon-Fri: 7:30am – 3pm  
Sat.: 7:30am-2pm  
Sunday Closed

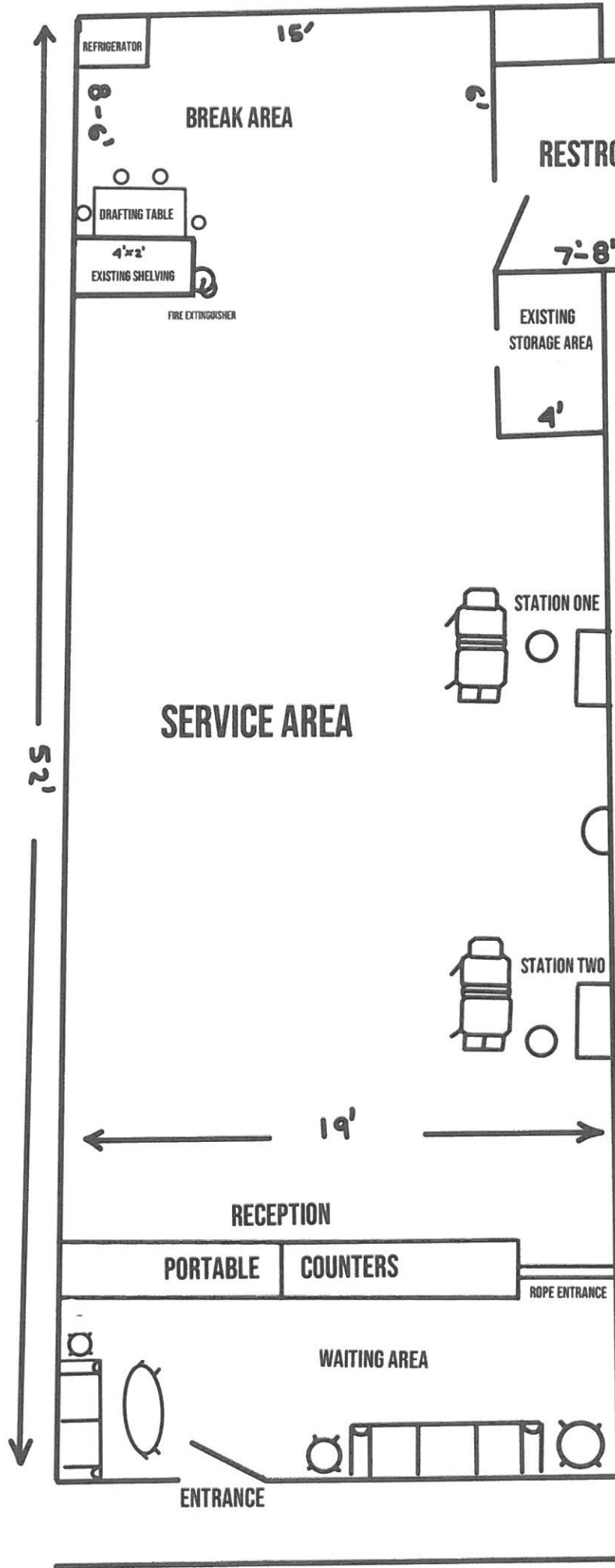
124: Magnolia Gift Shop  
Tue-Sat: 10am – 6pm  
Sunday & Monday Closed

130: Zentara Spa  
Mon-Sun: 10am-9pm

SINGLE  
FAMILY  
RESIDENTIAL

C-2 ZONE

MAGNOLIA GIFT SHOP



UPS STORE

- unit  
1000 sq ft  
- total site plan  
14617 sq ft  
122 B east foothill Blvd  
Arcadia

FOOTHILL BLVD

# Attachment No. 4

## Public Comments

**From:** [Molly H](#)  
**To:** [Fiona Graham](#)  
**Subject:** Comments on Project 5772-013-060  
**Date:** Saturday, February 17, 2024 7:56:21 PM

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<[https://members.ironstakes.com/static/webapp/images/iron\\_icon\\_color\\_7\\_2021.png](https://members.ironstakes.com/static/webapp/images/iron_icon_color_7_2021.png)> IRONSTAKES couldn't recognize this email as this is the first time you received an email from this sender mahetrick @ gmail.com

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

Dear Ms. Graham, Planning Services Manager,

Re: APN 5772-013-060

We are writing to express our concern regarding the proposed opening of a tattoo shop at 122 E Foothill. As long-time residents of this community, we are deeply invested in maintaining the character and safety of our area and hope that the Planning Commission will reconsider allowing this establishment to open here.

We have two primary concerns:

First, there is already very limited parking for businesses on this block. Customers for the existing businesses must park up and down Wigwam because typically the few spots on Foothill are taken. Adding another establishment will only exacerbate the congestion we already experience. Further, there is a lot of car traffic on this block – not only customers for the existing businesses but cars trying to bypass the Foothill traffic at rush hour. There are no sidewalks south on Wigwam to allow customers and pedestrians to walk safely in the area.

Second, this is a family-friendly and quiet neighborhood. Although we understand how vital economic development is to our city, we believe that the location of a tattoo shop in such proximity to residential homes would negatively impact the existing neighborhood.

We urge the Planning Commission to carefully consider the concerns of residents and other nearby businesses before approving this tattoo shop. We respectfully request that the Commission explore alternative locations for the tattoo shop that are more suitable for commercial activities and do not disrupt a residential neighborhood. Additionally, we encourage the Commission to seek input from other residents and nearby businesses to ensure that

all perspectives are considered in this matter.

Thank you for taking the time to review our concerns. We trust that the Planning Commission will make a decision that upholds the best interests of our community.

Sincerely,

Molly Hetrick and Mehdi Tadayon

138 Laurel Avenue, Arcadia

626.692.2557

mahetrick@gmail.com <<mailto:mahetrick@gmail.com>>

# Attachment No. 5

## Preliminary Exemption Assessment



CITY OF  
ARCADIA

## PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	CUP 23-10 and PC AM 24-01 for a new tattoo shop with two (2) tattoo stations and a parking modification to maintain 13 parking stations, whereas 38 parking spaces are required.								
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):	122 E. Foothill Boulevard, Suite B. – The business is located along the south side of E. Foothill Boulevard between 1 <sup>st</sup> Avenue and Wigwam Avenue.								
3. Entity or person undertaking project:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; padding: 2px;">A.</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">B. Other (Private)</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">(1) Name</td> <td style="padding: 2px;">Aaron Garcia</td> </tr> <tr> <td style="padding: 2px;">(2) Address</td> <td style="padding: 2px;">1250 E. Walnut Creek Parkway West Covina, CA 91790</td> </tr> </table>	A.		B. Other (Private)		(1) Name	Aaron Garcia	(2) Address	1250 E. Walnut Creek Parkway West Covina, CA 91790
A.									
B. Other (Private)									
(1) Name	Aaron Garcia								
(2) Address	1250 E. Walnut Creek Parkway West Covina, CA 91790								
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"/>	<p>The project is categorically exempt.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Applicable Exemption Class:</td> <td style="padding: 2px;">15301 – Class 1 and 15305 - Class 5</td> </tr> </table>	Applicable Exemption Class:	15301 – Class 1 and 15305 - Class 5						
Applicable Exemption Class:	15301 – Class 1 and 15305 - Class 5								
f. <input type="checkbox"/>	<p>The project is statutorily exempt.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Applicable Exemption:</td> <td style="padding: 2px;"></td> </tr> </table>	Applicable Exemption:							
Applicable Exemption:									
g. <input type="checkbox"/>	<p>The project is otherwise exempt on the following basis:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> </table>								
h. <input type="checkbox"/>	<p>The project involves another public agency which constitutes the Lead Agency.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Name of Lead Agency:</td> <td style="padding: 2px;"></td> </tr> </table>	Name of Lead Agency:							
Name of Lead Agency:									

Date: February 13, 2024

Staff: Fiona Graham, Planning Services Manager



# STAFF REPORT

Development Services Department

**DATE:** February 27, 2024

**TO:** Honorable Chair and Planning Commission

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

**SUBJECT:** RESOLUTION NO. 2143 – RECOMMEND A GENERAL PLAN CONSISTENCY NO. GP 24-01 WITH RESPECT TO THE PROPOSED VACATION OF A PORTION OF THE EAST-WEST ALLEY BETWEEN 117-129 E. HUNTINGTON DRIVE AND 124-134 WHEELER AVENUE TO ACCOMMODATE THE APPROVED “HUNTINGTON PLAZA MIXED USE PROJECT”

**CEQA: Adopted IS/MND**  
**Recommendation: Adopt Resolution No. 2143 Recommending Approval to the City Council**

## SUMMARY

On August 18, 2020, the City Council approved a mixed-use development project at 117-129 E. Huntington Drive and 124-134 Wheeler Avenue, known as “Huntington Plaza” (Project), which included 10,200 square feet of commercial space, 139 condominiums, a publicly accessible plaza fronting Huntington Drive, and a single level of subterranean parking. To facilitate the Project, a portion of the east-west alley running parallel between Huntington Drive and Wheeler Avenue, adjacent to the Project site, must be vacated to accommodate the basement parking. An easement for public access will be granted to maintain ground level vehicular, bicycle and pedestrian access through the alley. A General Plan Consistency finding is required prior to the City’s vacation of the alley.

The Planning Division is recommending that the Planning Commission find that the requested vacation is consistent with the goals and policies of the City’s General Plan and forward the recommendation of approval to the City Council. Upon making the recommendation to the City Council, the City Council will then hold a public hearing to consider the vacation.

## BACKGROUND

On August 18, 2020, The City Council approved a mixed-use development at 117-129 E. Huntington Drive and 124-134 Wheeler Avenue. The approved Project comprises two

buildings over one parcel, bisected by the existing alley (refer to Figure 1, below). The southern portion will consist of a four (4) story building with 39 residential units above 10,200 square feet of commercial on the ground floor and a publicly accessible plaza fronting Huntington Drive. The northern portion will accommodate a five-story residential building with 100 residential units over surface parking. A subterranean parking structure which will be below the entire parcel will provide parking for most of the residential units.

The Project approval also included a Vesting Tentative Tract Map which will merge the existing lots, create the one ground-level parcel, and subdivide the air space for condominium purposes. To accommodate the Project, the existing alley must be vacated to allow for the Vesting Tentative Tract Map to be recorded and for the basement parking structure to be constructed. The City will retain an easement over the alley at ground level to ensure public access is maintained connecting the two remaining alley segments. Prior to approval of the vacation of the alley, all utilities must be relocated from the alley. The Applicant is currently pursuing relocation of all existing utilities.



**Figure 1:** Project site (red outline) with portion of the alley to be vacated (yellow)

## **ANALYSIS**

The Applicant is currently in the Building Division's plan check process and is working toward getting building permits issued to commence construction. However, prior to

building permit issuance, various actions need to be completed including the approval of a Vesting Final Tract Map. Prior to approval of a Vesting Final Tract Map, a portion of the alley, which bifurcates the subject site, must be vacated by the City to allow its incorporation into the Project site. Staff has been working with the Applicant to move the Project forward, including completing the relocation of all utilities from the existing alley. Prior to vacation of an alley, a General Plan Consistency finding must be made.

Vacation of the portion of the east-west alley will allow for development of the Huntington Plaza Mixed Use Project, which was approved by the City Council on August 18, 2020. The Project includes a single level of basement parking under both proposed buildings and the existing alley which runs through the middle of the Project site. A single basement parking lot creates an efficient site layout, reducing the number of driveways required to access the development. Because the proposed parking structure encroaches under the alley, the alley can no longer serve its intended purpose as an exclusive public right-of-way for access and utilities, thus requiring the vacation. Circulation through the alley will remain unchanged with the granting of an easement at ground level for the purpose of vehicle, bicycle and pedestrian movement. The surface treatment of the alley surface through the development will retain the same character as the adjacent segments so as to maintain the perception of a continuous public alley. Vacation of the alley will allow for the development of the Project and therefore will be consistent with the following goals and actions in the City's General Plan:

- Policy LU-10.1: Provide diverse housing, employment, and cultural opportunities in Downtown, with an emphasis on compact, mixed-use, transit- and pedestrian-oriented development patterns that are appropriate to the core of the City.
- Policy LU-10.7: Provide accessible plazas and public spaces throughout Downtown that provide both intimate, outdoor rooms and larger spaces that could accommodate public gatherings and celebrations.
- Policy LU-10.9: Connect various activity areas and plazas via sidewalks, paseos, and pedestrian alleys to create a comprehensive pedestrian network.
- Policy ED-2.2: Use redevelopment and other funding sources to make public realm improvements throughout the Downtown area, as defined in the Land Use and Community Design Element, including enhanced landscaping, public walkways, coordinated signage, lighting, and street furniture.
- Policy H-2.5: Promote commercial/residential mixed-use developments in Downtown Arcadia and along First Avenue and Live Oak Avenue.

## **ENVIRONMENTAL ASSESSMENT**

The proposed alley vacation is a subsequent, required action for the Huntington Plaza Mixed Use Project. The Project was approved by the City Council, with an Initial Study/Mitigated Negative Declaration (IS/MND) on August 18, 2020. The alley vacation was analyzed in the IS/MND and the General Plan consistency finding would not have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment beyond what was considered in the adopted Mitigated Negative Declaration.

Therefore, no further action is required under California Environmental Quality Act (CEQA) is required.

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the attached Resolution No. 2143 to find that the requested alley vacation is consistent with the City's General Plan and forward a recommendation of approval to the City Council.

If any Planning Commissioner, or other interested party, has any questions or comments regarding this matter, please contact Fiona Graham at (626) 574-5442 or [fgraham@ArcadiaCA.gov](mailto:fgraham@ArcadiaCA.gov).

Approved:



Lisa L. Flores  
Deputy Development Services Director

Attachment No. 1 – Resolution No. 2143 with Map

# Attachment No. 1

Resolution No. 2143

RESOLUTION NO. 2143

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVE THE GENERAL PLAN CONSISTENCY NO. GP 24-01 WITH RESPECT TO THE PROPOSED VACATION OF A PORTION OF THE EAST-WEST ALLEY BETWEEN 117-129 E. HUNTINGTON DRIVE AND 124-134 WHEELER AVENUE TO ACCOMMODATE THE APPROVED "HUNTINGTON PLAZA MIXED USE PROJECT"

WHEREAS, the City Council of the City of Arcadia approved the "Huntington Village Mixed-Use Project" ("Project") with an Initial Study/Mitigated Negative Declaration ("IS/MND") on August 18, 2020 and the Project design necessitated vacation of the portion of the east-west alley between 117-129 E. Huntington Drive and 124-134 Wheeler Avenue, as shown on the map in Exhibit "A", attached hereto; and

WHEREAS, an easement will be recorded over the portion of the alley to be vacated to allow for public access at ground level in perpetuity; and

WHEREAS, the alley vacation was analyzed in the approved IS/MND, and the General Plan Consistency finding would not have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment beyond what was considered in the adopted Mitigated Negative Declaration, and therefore, no further action is required under California Environmental Quality Act ("CEQA").

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission does hereby find that the proposed alley vacation is consistent with the following policies of the City's General Plan:

Policy LU-10.1: Provide diverse housing, employment, and cultural opportunities in Downtown, with an emphasis on compact, mixed-use, transit- and pedestrian-oriented development patterns that are appropriate to the core of the City.

Policy LU-10.7: Provide accessible plazas and public spaces throughout Downtown that provide both intimate, outdoor rooms and larger spaces that could accommodate public gatherings and celebrations.

Policy LU-10.9: Connect various activity areas and plazas via sidewalks, paseos, and pedestrian alleys to create a comprehensive pedestrian network.

Policy ED-2.2: Use redevelopment and other funding sources to make public realm improvements throughout the Downtown area, as defined in the Land Use and Community Design Element, including enhanced landscaping, public walkways, coordinated signage, lighting, and street furniture.

Policy H-2.5: Promote commercial/residential mixed-use developments in Downtown Arcadia and along First Avenue and Live Oak Avenue.

SECTION 2. The Planning Commission incorporates the facts set forth in the recitals, the staff report, and as presented to the Planning Commission at the February 27, 2024 meeting.

SECTION 3. For the foregoing reasons, the Planning Commission forwards a recommendation of approval to the City Council.

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

Passed, approved, and adopted this 27th day of February 2024.

---

Vincent Tsoi  
Chair, Planning Commission

ATTEST:

---

Lisa L. Flores  
Secretary



---

Michael J. Maurer  
City Attorney

Exhibit "A"

**LEGAL DESCRIPTION**

**PARCEL 1:**  
 LOTS 25 TO 30 INCLUSIVE, BLOCK 75 OF MAP OF A PART OF SANTA ANITA TRACT, IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS FOR MAP RECORDED IN BOOK 15, PAGES 89 AND 90 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF COUNTY RECORDS OF SAO COUNTY.  
 APN: 5773-010-018 THRU 021; 5773-010-001

**REFERENCES:**  
 R1: 4" WIDE PUBLIC UTILITY EASEMENT TO SITE PER DEED RECORDED JANUARY 19, 1973 AS INSTRUMENT NO. 2607 OF OFFICIAL RECORDS.

**PARCEL 2:**  
 LOTS 5, 6, 7 AND 8, BLOCK 75 OF MAP OF A PART OF SANTA ANITA TRACT, IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS FOR MAP RECORDED IN BOOK 15, PAGES 89 AND 90 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF COUNTY RECORDS OF SAO COUNTY.  
 EXCEPT THE EAST 10 FEET OF SAID LOT 8.  
 ALSO EXCEPT THE SOUTHWEST CORNER 15 FEET OF SAID LOTS 5, 6, 7 AND 8 THEREOF CONVEYED TO CITY OF ARCADIA FOR STREET AND HIGHWAY PURPOSES BY DEED RECORDED NOVEMBER 6, 1955 IN BOOK 13761, PAGE 210, OF OFFICIAL RECORDS.  
 APN: 5773-010-007 AND 5773-010-008

**REFERENCES:**  
 R1: BLOCK 75, MAP OF A PART OF ARCADIA SANTA ANITA TRACT, M.B. 15/89-90.  
 R2: 15' WIDE PROPERTY BEHELD TO CITY OF ARCADIA FOR STREET AND HIGHWAY PURPOSES FOR DEED RECORDED NOVEMBER 6, 1955 IN BOOK 13761, PAGE 210 OF OFFICIAL RECORDS.

**SITE INFORMATION**

APN: 5773-010-007, 008, AND 018 THRU 021; 5773-010-001  
 SITE ADDRESS: 133-139 HUNTINGTON DRIVE, 134-134 WHEELER AVE  
 SITE AREA (GROSS): 75,561 SF (1.73 AC)  
 SITE AREA (WITH VACATION AND MERGER): 70,198 SF (1.62 AC)  
 USE: RESIDENTIAL

LOT 1: GROUND MASTER LOT  
 LOT 2: VERTICAL AIRSPACE LOT - RESIDENTIAL PARKING WITH AIRSPACE VACATION OF PUBLIC ALLEY RIGHT-OF-WAY  
 LOT 3: VERTICAL AIRSPACE LOT - RETAIL PARKING  
 LOT 4: VERTICAL AIRSPACE LOT - RETAIL PARKING  
 LOT 5: VERTICAL AIRSPACE LOT - 11,100 SF OF RETAIL SPACE AND PARKING  
 LOT 6: VERTICAL AIRSPACE LOT - MULTIFAMILY RESIDENTIAL W/ AN ALLOCATION OF 130 RESIDENTIAL CONDOMINIUMS

**SUBDIVIDER**

NEW WORLD INTERNATIONAL INVESTMENTS, LLC  
 23141 GOLDEN SPRINGS DRIVE, SUITE 200  
 DUNSMuir, CA 91765

**CIVIL ENGINEER**

FUSCOE ENGINEERING  
 600 WILSHIRE BOULEVARD, SUITE 1470  
 ANAHEIM, CA 92707  
 TEL: 714-888-8802  
 FAX: 714-888-8803  
 CONTACT: ANDREW WILCOOT

**ZONING**

EXISTING: CENTRAL BUSINESS DISTRICT, DOWNTOWN MIXED USE  
 PROPOSED: NO ZONE CHANGE PROPOSED

**RIGHT-OF-WAY DEDICATION**

- Ⓐ A PROPOSED 163 SF DEDICATION IN FEE FOR PUBLIC STREET PURPOSES
- Ⓑ A PROPOSED AIR-SPACE EASEMENT DEDICATION FOR PUBLIC ALLEY PURPOSES

**RIGHT-OF-WAY VACATION & MERGER**

- Ⓒ PROPOSED 20' WIDE AND 180' LONG VACATION FROM ELEVATIONS 472 THRU 498 WITHIN THE PUBLIC ALLEY (3800 SF)

**BASIS OF BEARING**

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF HUNTINGTON DRIVE, SHOWN AS EAST ON PARCEL MAP NO. 5507, P.M.B. 75/83 AND SHOWN AS N86°21'54"E ON THIS MAP.

**BENCHMARK**

FIRST AVE AND WHEELER AVE  
 NORTHWEST CURB RETURN, 2.5' NORTH

**GENERAL NOTES**

1. THE SUBJECT PROPERTY WILL BE SERVED BY PUBLIC WATER, SEWER LINES AND STORM DRAIN(DRAINAGE) DIRECTLY ADJACENT TO THE PROPERTY.
2. ALL BOUNDARY MONUMENTS ARE TO BE SET WITHIN 24 MONTHS AFTER FINAL MAP RECORDED, OR MONUMENTS WILL BE BONDED FOR.

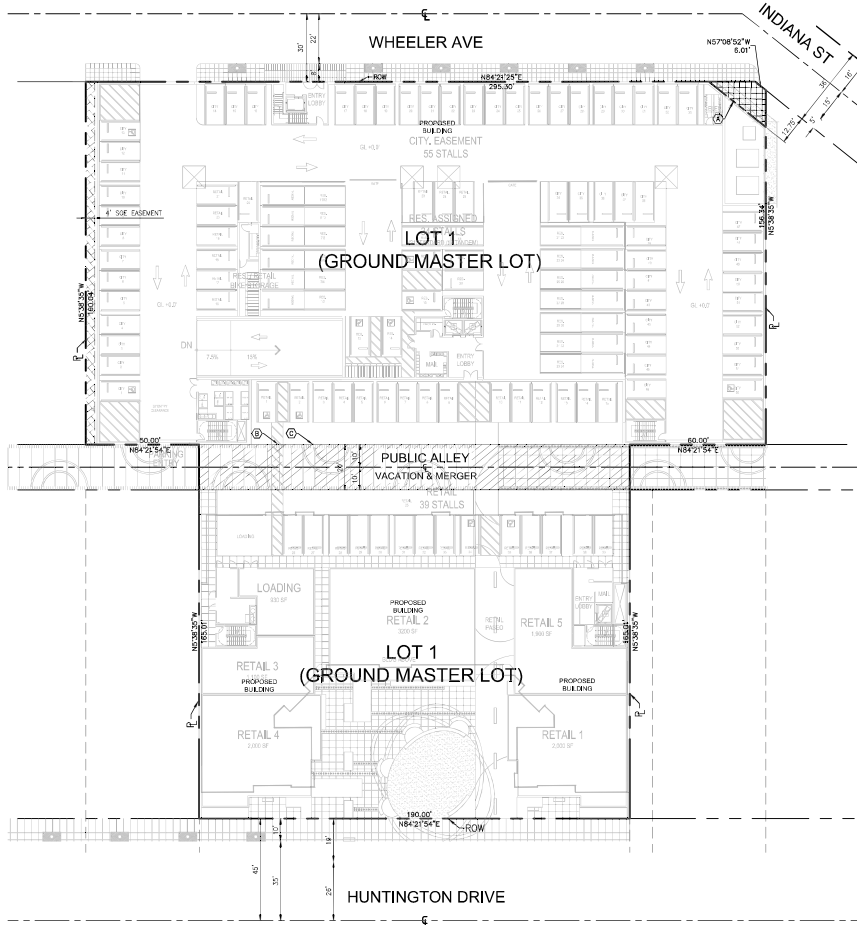
**GRADING NOTES**

THE PROPOSED SITE IS A CUT SITE AND WILL REQUIRE APPROXIMATELY 18,500 CY OF EXPORTED MATERIAL. NOTE THAT THIS VALUE IS BASED ON PRELIMINARY DESIGN OF THE PROJECT AND WILL CHANGE AS DESIGN DEVELOPMENT PROGRESSES. AN EROSION CONTROL PLAN SHALL BE REQUIRED FOR SUBMITTAL TO OBTAIN A GRADING PERMIT FROM THE CITY OF ARCADIA.

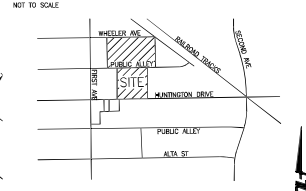
**TREE NOTES**

THERE ARE 30 TREES IN THE PUBLIC RIGHT-OF-WAY (EVENING OR CALLED A STREET TREE), OF WHICH ONE (1) IS A PROTECTED SPECIES AND WILL NOT BE REMOVED. OF THE 29 NON-PROTECTED STREET TREES, 19 TREES WOULD BE REMOVED AND REPLACED. THERE ARE 23 TREES ON THE PRIVATE PORTION OF THE PROPOSED SITE, NONE OF WHICH ARE PROTECTED SPECIES. OF THESE, 24 WOULD BE REMOVED.

**VESTING TENTATIVE TRACT NO. 82734  
 FOR LOT MERGING, LOT SUBDIVIDING, VACATIONING, AND CONDOMINIUM PURPOSES  
 IN THE CITY OF ARCADIA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**



**VICINITY MAP**



**PARKING ACCESS EASEMENT**

CITY AERIAL EASEMENT FOR CITY PARKING SPACE OCCUPATION OVER LOT 2 FOR THE BENEFIT OF THE CITY TO BE RESERVED BY SEPARATE INSTRUMENT.

**VESTING DEVELOPMENT STANDARDS**

THIS VESTING TENTATIVE TRACT MAP VESTS THE CITY OF ARCADIA DEVELOPMENT STANDARDS AS GENERALLY DESCRIBED AS ARTICLE II, CHAPTER 1 DEVELOPMENT CODE (ADOPTED NOVEMBER 15, 2015) INCLUDING SECTION 9102.05.030 - DEVELOPMENT STANDARDS & SECTION 9102.05.040 - ADDITIONAL DEVELOPMENT STANDARDS, NAMELY: MINIMUM LOT AREA, MAXIMUM DENSITY, MAXIMUM PARKING, MINIMUM STORE FRONT, MINIMUM SETBACK (FRONT, SIDE, & REAR), MAXIMUM HEIGHT & MINIMUM OPEN SPACE.

**LEGEND**

- TRACT MAP RIGHT-OF-WAY/PROPERTY LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- CENTERLINE
- PROPOSED LOT LINE
- CENTERLINE
- RIGHT-OF-WAY PROPERTY LINE
- PROPOSED VACATION/MERGER OF EXISTING ALLEY
- EXISTING SIDE EASEMENT (4' WIDE)
- PROPOSED DEDICATION FOR PUBLIC STREET PURPOSES (243 SQUARE FEET)

**UTILITY PURVEYORS**

- WATER:** CITY OF ARCADIA PUBLIC WORKS  
 11800 GOLDING ROAD  
 P.O. BOX 60201  
 ARCADIA, CA 91066-0201  
 (909) 254-2700
- SEWER:** CITY OF ARCADIA PUBLIC WORKS  
 11800 GOLDING ROAD  
 P.O. BOX 60201  
 ARCADIA, CA 91066-0201  
 (909) 254-2700
- STORM DRAIN:** CITY OF ARCADIA PUBLIC WORKS  
 11800 GOLDING ROAD  
 P.O. BOX 60201  
 ARCADIA, CA 91066-0201  
 (909) 254-2700
- LOS ANGELES COUNTY FLOOD CONTROL DISTRICT**  
 805 S. FREMONT AVE  
 ANAHEIM, CA 91603  
 (909) 458-5100
- ELECTRIC:** SOUTHERN CALIFORNIA EDISON  
 1440 CALIFORNIA AVE  
 MONROVIA, CA 91016  
 (909) 303-8402
- GAS:** SOCALGAS  
 11912 VALLEY BLVD  
 EL MONTE, CA 91732  
 (800) 427-3000

**SHEET INDEX**

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22 AIRSPACE DIAGRAMS	2-3
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NO.		DATE	DESCRIPTION	BY	CHKD.
1	1	07/15/20	LEFT REVISIONS DUE TO PARKING CHANGES	AM/RS/ED	AM/RS/ED

**FUSCOE ENGINEERING**  
 600 WILSHIRE BLVD, SUITE 1470, ANAHEIM, CA 92707  
 TEL: 714-888-8802 FAX: 714-888-8803  
 WWW.FUSCOE.COM

**Professional Engineer Seal:** Andrew Wilcoot, No. C48888, State of California, Civil Engineering, Exp. 12/31/2024.

**Professional Surveyor Seal:** No. 1773, State of California, Surveying, Exp. 08/19/2024.

SHEET 1 OF 4



**ARCADIA PLANNING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, JANUARY 23, 2024**

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

**ROLL CALL**

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

ABSENT: None

**SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS**

Deputy Development Services Director Lisa Flores had no supplemental information to report.

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

There were none.

**PUBLIC HEARING**

- 1. Resolution No. 2141**– General Plan Amendment No. GPA 23-02, Zone Change No. ZC 23-02, and Text Amendment No. 23-02 for the Housing Related Citywide Rezoning Effort for the 2021-2029 Housing Cycle along with an Addendum to the adopted Negative Declaration under the California Environmental Quality Act (“CEQA”)

**Recommendation:** Adopt Resolution No. 2141 Recommending Approval to the City Council

**Applicant:** City of Arcadia – Development Services

**MOTION - PUBLIC HEARING**

Chair Tsoi introduced the item and Assistant City Manager/Development Services Director Jason Kruckeberg and Deputy Development Services Director, Lisa Flores presented the project, and introduced David Barquist from Kimley Horn, our consultant who helped prepared the Housing Element Update.

Commissioner Arvizu asked if this amendment to the General Plan Land Use and Community Design Element (GPLU) is in cycle for eight (8) years. Mr. Kruckeberg said yes, and this cycle started in 2021, and it will need to go through a significant process to be amended again.

Commissioner Arvizu asked why the maximum height restrictions have been redlined out of page 57 of the agenda packet and the rest of the General Plan. Mr. Kruckeberg explained that the height limits were redlined because they should never have been included in the General Plan and instead should only be in the Development Code.

Commissioner Arvizu asked for clarification about the Mixed-Use Zone definition and the language “certain circumstances” on item B of 9102.05.010 of Division 2 in the Development Code located on page 151 of the agenda packet.

Mr. Kruckeberg explained the language grants flexibility when it comes to allowing residential properties in commercial and mixed-use zones.

Commissioner Arvizu asked if the language can be rewritten to be clearer. Mr. Kruckeberg indicated that the text can be revised to be more specific.

Commissioner Arvizu asked if the maximum height for the Mixed-Use Zone was an error.

Mr. Kruckeberg confirmed that it was not an error it just appears that way because of track changes, but the text should read “60 ft” instead of “604 ft (the four is crossed off).”

Commissioner Arvizu asked why the subsection 9107.17.020(A)(4) for Reasonable Accommodation was stricken out.

Mr. Kruckeberg explained that the specificity of the text was no longer needed because the definition in the law has changed since this text was adopted.

Commissioner Hui walked into the meeting at 7:28 p.m.

Commissioner Arvizu pointed out that some images appeared to be missing from the General Plan Land Use Element.

Mr. Kruckeberg explained that the final documents will include all the images.

Commissioner Arvizu pointed out missing words and staff informed they will be corrected.

Vice Chair Wilander pointed out that USC Arcadia Hospital is still being referred to as Methodist Hospital and the Metro is still referred to as the ‘Gold’ Line instead of the “A” Line in the General Plan Land Use Element.

Mr. Kruckeberg explained that the document was completed in 2010 and a lot of the language was accurate but has now changed since it was first completed, and those changes can be made as part of this Update, even though they are not related to housing.

Vice Chair Wilander asked where the existing emergency shelters are located in the City.

Mr. Kruckeberg indicated there are no emergency shelters in the City, but that they are a permitted use in the industrial zone.

Vice Chair Wilander asked about the pedestrian-focused areas along Las Tunas Drive and Live Oak Avenue between El Monte and Santa Anita Avenue and why those areas do not extend further west.

Ms. Flores stated that the commercial zone ends at El Monte Avenue and after that it transitions to residential.

Vice Chair Wilander asked if there are any plans to beautify the commercial area on Baldwin Avenue between Duarte Drive and Naomi Avenue.

Mr. Kruckeberg stated that a streetscape project is planned for Baldwin Avenue this year and that it should improve the appearance of that corridor.

Commissioner Tallerico asked about the income categories chart on page 6 of the agenda packet and where the City stands with those allocations.

Mr. Kruckeberg said there are about 80 to 100 affordable housing units in the pipeline that would fall under the low and very low allocation of the chart, and approximately 500 that are above moderate.

Commissioner Tallerico pointed out that the City is not required to provide more housing but must create the environment that allows developers to build more units to meet the requirements. Mr. Tallerico asked what would happen if the City could no longer incentivize developers.

Mr. Kruckeberg explained that the State will eventually realize that cities are doing everything possible to encourage more housing but eventually will not be able to enforce the construction of more affordable housing.

Commissioner Tallerico asked about the City's and the State's definition of the word "equity."

Mr. Kruckeberg stated that it is a term that the State requires all cities to include in their Housing Element during this cycle specifically.

Mr. Barquist further explained that the State defined equity in the legislation AB 686 or Affirmatively Furthering Fair Housing which requires public agencies to facilitate equality through policies and foster an environment of equal access to information by lifting barriers for all community members.

Commissioner Tallerico suggested that the City come up with its own definition of "equity" for its own good and protection.

Commissioner Tallerico asked if the City has any concerns about the Housing Element limiting parking in the future.

Mr. Kruckeberg said the City does worry about projects that may offer limited parking resources, especially because the State regulations are less restrictive. However, developers have not taken advantage of the limited parking restrictions because their projects will not be successful if less parking is provided.

Commissioner Hui asked for clarification about emergency shelters and if that is like tiny homes.

Mr. Kruckeberg stated they are two different uses, and the City is only required to allow emergency shelters.

Commissioner Hui asked where in the City can the emergency shelter be built, and Mr. Kruckeberg said it would be allowed in the M-1, Light Industrial zone.

Commissioner Hui asked about projects that are in the pipeline and if they were included in this rezone, specifically the Derby Mixed-Use Project and the Huntington Village Mixed-Use Project.

Ms. Flores clarified those projects were not included in this effort because the Derby's zone change was already approved, and the Huntington Village will be processed under a separate review since it has a Specific Plan.

Commissioner Hui asked how many mixed-use projects are in the pipeline and how soon will they be approved.

Ms. Flores stated there are currently three (3) entitled mixed-use developments, one of which will break ground soon, and five (5) pending projects.

Commissioner Hui asked for clarification of the definition of employee housing.

Ms. Flores clarified that the housing is meant for temporary or seasonal employees.

Chair Tsoi asked about the density numbers in the prior adopted Negative Declaration and the addendum being proposed.

Mr. Kruckeberg said the adopted Negative Declaration had projected higher density numbers but after going through the HCD process the density was determined to be lower than previously analyzed.

The Commissioners had no further questions for staff.

The public hearing was opened.

Mike Veerman introduced himself as a resident and a member of the faith-based housing advocacy group Creative Housing Options in Arcadia (CHOA). He thanked staff for their work and spoke in favor of the changes.

Cung Nguyen, a resident of Arcadia and a member of CHOA spoke in favor of the rezoning effort and the adoption of Resolution No. 2141.

Tamara Hunter, a long-time tenant in Arcadia, expressed her desire to one day own her own property and was in favor of the rezoning efforts in hopes that there will be more affordable housing in the future.

Given there were no more comments or questions, Vice Chair Wilander made a motion to close the public hearing. Commissioner Tallerico seconded the motion.

Without objection, the motion was approved.

## **DISCUSSION**

Commissioner Arvizu said it is great the City is working toward creating the opportunity for developers to build more housing units and it is the first step to solving the housing crisis and was in favor of recommending approval to the City Council.

Vice Chair Wilander echoed Commissioner Arvizu's thoughts.

Commissioner Tallerico said that these efforts are just the beginning and that it will take more work to bring forth the ideal changes but was in favor of the proposal.

Commissioner Hui said that this rezoning effort does not equate more affordable housing in the City and is not an immediate solution, but it is a step in the right direction.

Chair Tsoi said that increasing density will help create more housing units and therefore more affordable housing in the future. He believes the changes are positive and was in favor of the proposal.

## **MOTION**

It was moved by Commissioner Tallerico, seconded by Commissioner Arvizu to adopt Resolution No. 2141 recommending that the City Council approve General Plan Amendment No. GPA 23-02, Zone Change No. ZC 23-03, and Text Amendment No. TA 23-02 for the Housing Related Citywide Rezoning Effort for the 2021-2029 Housing Cycle along with an Addendum to the adopted Negative Declaration under the California Environmental Quality Act (CEQA)

## **ROLL CALL**

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

The motion was approved.

*There is no appeal period as the Planning Commission is not making a decision on the Project.*

## **CONSENT CALENDAR**

1. Minutes of the December 12, 2023, Regular Meeting of the Planning Commission

**Recommended:** Approve

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

## **ROLL CALL**

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

The motion was approved.

## **MATTERS FROM CITY COUNCIL LIAISON**

City Council Member Kwan expressed gratitude for the staff and the Commissioners. Ms. Kwan hopes the objective of the rezoning efforts will not be lost and that it will bring forth more housing and more affordable housing for Arcadia residents in the future.

## **MATTERS FROM THE PLANNING COMMISSIONERS**

Commissioner Tallerico shared an article and some thoughts about hostile architecture with the Commissioners.

**MATTERS FROM ASSISTANT CITY ATTORNEY**

Assistant City Attorney Yeo announced the meeting was her last and was going to be leaving the BB&K firm to work for another organization.

**MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS**

Ms. Flores reported that there will be one item tentatively scheduled for the February 13, Planning Commission meeting.

**ADJOURNMENT**

The Planning Commission adjourned the meeting at 8:55 p.m., to Tuesday, February 13, 2024, at 7:00 p.m. in the City Council Chamber.

\_\_\_\_\_  
Chair Tsoi, Planning Commission

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