

CITY OF ARCADIA

Arcadia Planning Commission Regular Meeting Agenda



Tuesday, June 11, 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。

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. 2147**– Approving Conditional Use Permit No. CUP 24-03 for a new tattoo shop at 617 S. First Avenue
CEQA: Exempt
Recommendation: Adopt

Applicant: Shihao Zhao

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. A Resolution of the Planning Commission of the City of Arcadia, California, recommending that the City Council deny Architectural Design Review No. ADR 23-13 with a Density Bonus and Conditional Use Permit No. CUP 23-09 for the revised, three-story, senior assisted living care facility known as the “The Ivy Arcadia” at 1150 W. Colorado Boulevard

Recommendation: Approve

2. Minutes of the May 14, 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, June 25, 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. Copies of individual Agenda Reports are available via email upon request (Planning@ArcadiaCA.gov). Documents distributed to a majority of the Planning Commission after the posting of this agenda will be available for review at the Planning Services Office in City Hall, 240 W. Huntington Drive, Arcadia, California.

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

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

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

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

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

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

欢迎来到阿卡迪亚规划委员会会议！

规划委员会鼓励公众参与并诚邀您分享对市政业务的看法。

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

公民参与：欢迎并邀请您参加规划委员会的所有会议。每次例会都为希望向规划委员会发表意见的听众预留时间。本市政要求向规划委员会发表意见的个人不得发表人身攻击、诽谤、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: June 11, 2024

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Deputy Development Services Director
By: Gary Yesayan, Associate Planner

SUBJECT: RESOLUTION NO. 2147 – APPROVING CONDITIONAL USE PERMIT NO. CUP 24-03 FOR A NEW TATTOO SHOP AT 617 S. FIRST AVENUE
CEQA: Exempt
Recommendation: Adopt

SUMMARY

The Applicant, Shihao Zhao, who is the tattoo artist, is requesting approval of Conditional Use Permit No. CUP 24-03 to allow a tattoo shop (dba: Secret Art Studio) within an existing building at 617 S. First Avenue. The tattoo shop will have one (1) tattoo artist, serving one customer at a time, by appointment only. The studio will have two (2) separate stations. One station for seating and the other intended for whole body tattoos. The studio will operate every day from 12:00 PM to 7:00 PM, except on Thursdays. It is recommended that the Planning Commission adopt Resolution No. 2147 (Attachment No. 1) and find this project Categorical Exempt under CEQA and approve Conditional Use Permit No. CUP 24-03, subject to the conditions listed in this staff report.

BACKGROUND

The Applicant began conducting business without City approval at a different location at 319 E. Foothill Boulevard. After being informed by the Code Compliance Division of the requirement for a Conditional Use Permit, the Applicant submitted a Conditional Use Permit application for the property at 617 S. First Avenue. The previous location was not suitable for the subject business due to onsite parking limitations and so the business owner decided to move to the subject building.

The subject site is a 7,793 square foot, corner lot located along the west side of S. First Avenue, between Fano and Genoa Streets. The site is within the Mixed Use (MU) zone and is surrounded by commercial properties to the north, east, and south. The rear of the subject site abuts a multi-family (R-3) zone to the west - 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.

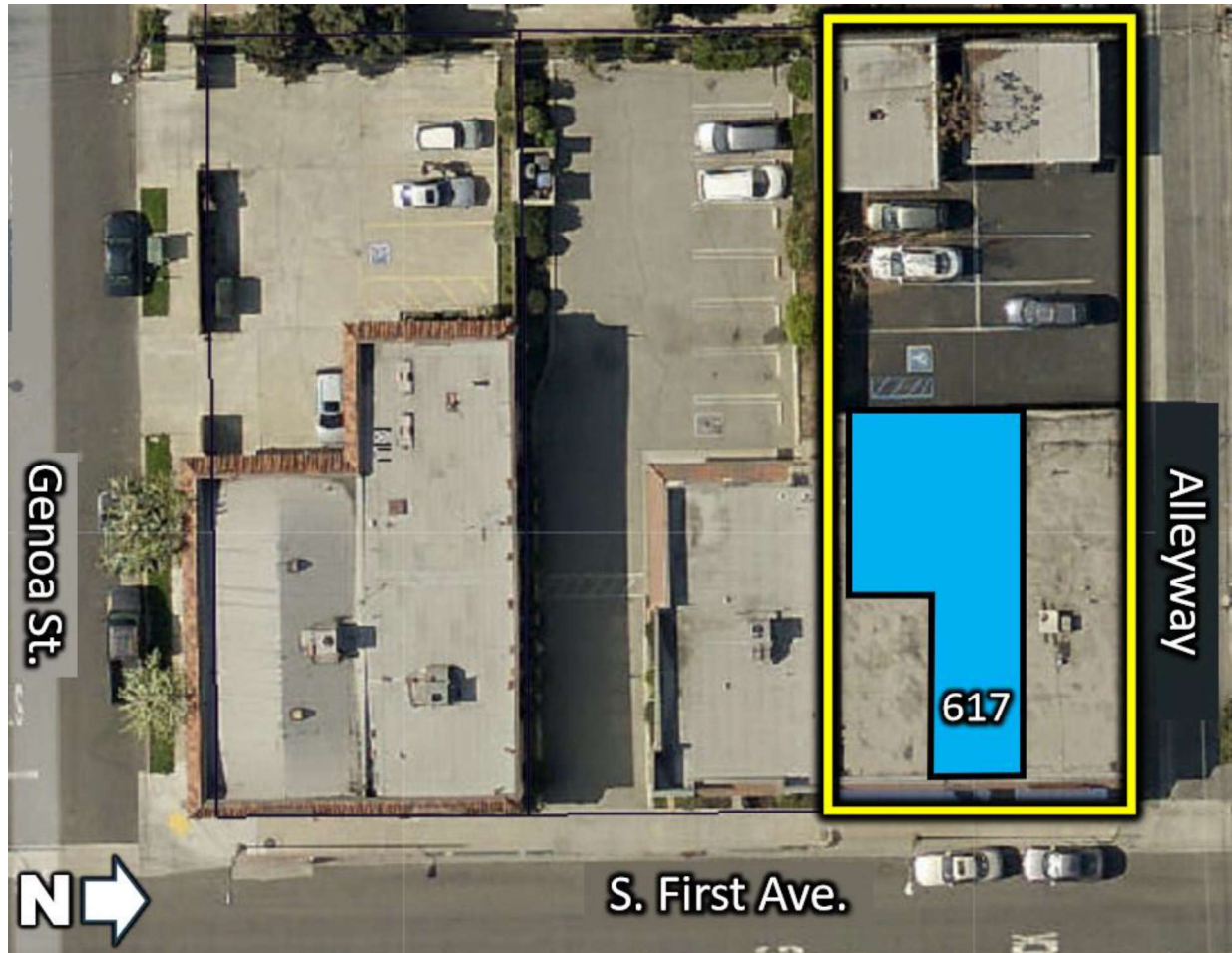


Figure No. 1 – Aerial view of the site (subject site outlined in yellow, and subject unit shown in blue)

The site is developed with a 3,950 square foot single-story building that includes three (3) commercial and one (1) residential unit, six (6) parking spaces, a detached garage, and a storage unit along the rear, all built in 1948. The existing commercial units are occupied by a hair salon and a clothing retail store. The proposed tattoo shop will occupy the 1,245 square foot center unit which was previously occupied by a nail spa.

PROPOSAL

Mr. Zhao has over nine years of professional industry experience and worked at a tattoo studio in the City of El Monte. As a current resident of Arcadia, Mr. Zhao is looking to open his own, independent tattoo business within the city. The proposed tattoo shop will

be open every day from 12:00 PM to 7:00 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 hall”, a waiting area in the back, and a reception counter at the main entry. A restroom will also be provided within the unit – see Figure No. 2 below for the Floor Plan and Attachment No. 3 for the Site Plan and Floor Plan. No changes are proposed to the exterior of the building.

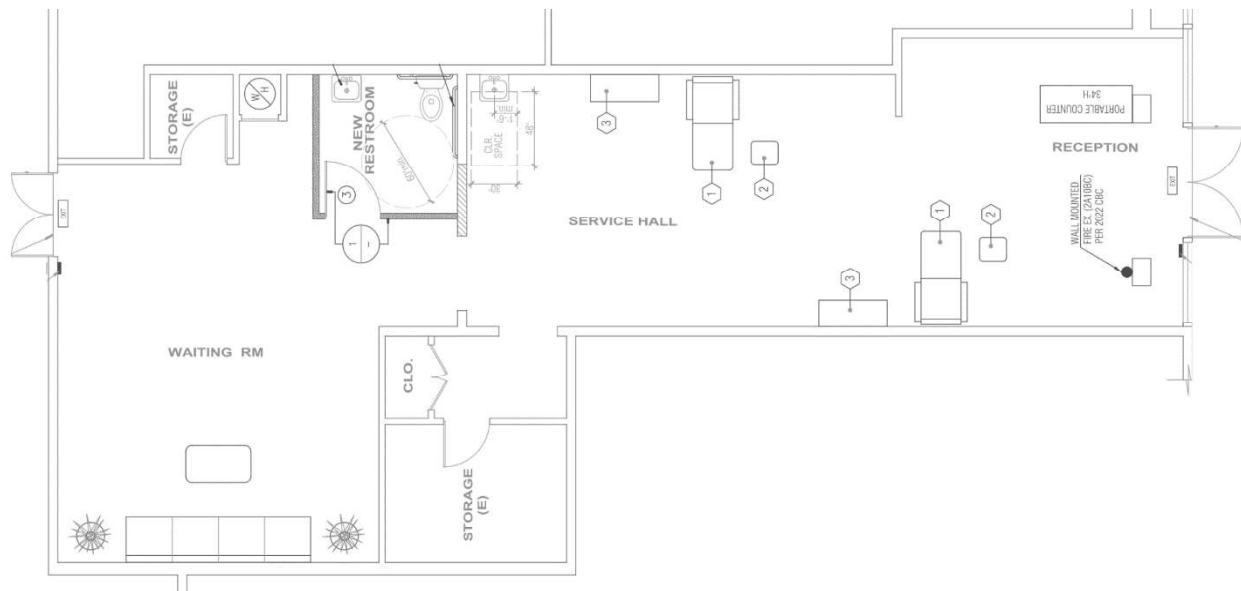


Figure No. 2 – Floor Plan

ANALYSIS

The City’s Development Code allows tattoo uses in the Mixed Use (MU) 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 subject building consist of retail, service and a small longstanding residential use that is at the rear of the building. The operation of the tattoo shop will be appropriate for this zone, and the general neighborhood which includes other service and retail businesses along S. First Avenue. Tattoo shops, generally, do not generate excessive noise, odor, vibration, or other off-premises impacts. The proposed tattoo shop will serve one customer at a time by appointment only. As such, no potential for negative impacts to nearby businesses nor the residential uses to the west have been identified.

The subject site at 617 S. First Avenue is within the Downtown Parking Overlay where per Development Code Section 9102.11.030 (D), additional parking is not required when there is a change of use. The tattoo shop will use the existing parking and any overflow can be accommodated with the use of street parking.

The City's Police and Fire Departments have reviewed the request and did not have any concerns with the proposed tattoo shop. The business will be subject to a business license and compliance with all requirements and protocols per 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 MU (Mixed Use) which under Development Code Section 9102.05.020, Table 2-10, 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 1,245 square foot unit within an existing mixed use building. The proposed tattoo shop will utilize the existing available parking and will complement and be compatible with the existing uses in the vicinity. The tattoo shop will have two (2) tattoo stations and will see clients by appointment only. The business will close by 7:00 PM, which is consistent with other businesses in 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 1,245 square foot unit on an improved site that is physically suitable to accommodate the proposed tattoo shop since it will serve one customer at a time with appointment only. No exterior changes are proposed to the building and the existing onsite landscaping and parking lot will remain unchanged. A minor interior tenant improvement to alter the existing bathroom within the unit is proposed to accommodate the use. The size of the unit is sufficient to accommodate all the necessary service and storage uses which comprise the tattoo shop business. The tattoo shop will have operating hours similar to other commercial uses in the vicinity – from 12.00 PM to 7.00 PM, every day except Thursdays. As such, the subject site would be physically suitable for the proposed tattoo shop given its interior area, site location and access to its shared parking. 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 S. First Avenue between Fano and Genoa Streets. The site has vehicle access to the rear parking area through an alley to the north that connects S. First Avenue to S. Santa Anita Ave. 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 Departments 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 building and the subject unit include existing infrastructure that provide service with all necessary utilities. The Building Division and Fire Department have reviewed the application and determined that no additional improvements are needed to accommodate the proposed tattoo shop. The proposed tattoo shop is of a size and scale commensurate with the surrounding neighborhood. 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 range 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 serve one customer at a time and will close by 7:00 PM on the days it's open. The business shall be subject to all 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.

ENVIRONMENTAL IMPACT

It has been determined that the project qualifies as Class 1 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 (refer to Attachment No. 4).

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 May 30, 2024. It was also mailed to the property owners located within 300 feet of the subject property. As of June 6, 2024, staff did not receive any public comments.

RECOMMENDATION

It is recommended that the Planning Commission adopt Resolution No. 2147 approving Conditional Use Permit No. CUP 24-03 for a new tattoo shop 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 24-03 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 12:00 PM to 7:00 PM every day except Thursdays. Any change to the proposed business, including but not limited 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 24-03 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 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.

6. Approval of CUP 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 Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.
7. Prior to plan check submittal, update the plans to include dimensions of the restrooms, provide a partition wall framing detail with floor and ceiling connections, and indicate a minimum 48-inch doorway width between the waiting room and the service hall where door/window infill occurs.

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 24-03, stating that the proposal satisfies the requisite findings, and adopting the attached Resolution No. 2147 that incorporates the requisite environmental and Conditional Use Permit findings and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny Conditional Use Permit No. CUP 24-03, 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 June 11, 2024, hearing, please contact Associate Planner, Gary Yesayan, at (626) 574-5422, or by email at gyesayan@ArcadiaCA.gov.

Approved: 

Fiona Graham on behalf of
Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2147
- Attachment No. 2: Aerial Map, Zoning Information and Photos of the Site
- Attachment No. 3: Site Plan and Floor Plan
- Attachment No. 4: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2147

RESOLUTION NO. 2147

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. CUP 24-03 FOR A NEW TATTOO SHOP AT 617 SOUTH FIRST AVENUE

WHEREAS, on April 11, 2024, an application for a Conditional Use Permit No. CUP 24-03 was filed by Shihao Zhao (“Applicant”), to allow a new tattoo shop with two (2) tattoo stations within a 1,245 square foot unit, located at 617 S. First Avenue; and

WHEREAS, on April 25, 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 of the CEQA Guidelines pertaining to the use of an existing facility; and

WHEREAS, on June 11, 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 June 11, 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 MU (Mixed Use) which under Development Code Section 9102.05.020, Table 2-10, 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 1,245 square foot unit within an existing mixed use building. The proposed tattoo shop will utilize the existing available parking and will complement and be compatible with the existing uses in the vicinity. The tattoo shop will have two (2) tattoo stations and will see clients by appointment only. The business operations are similar to and consistent with other commercial businesses in

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 1,245 square foot unit on an improved site that is physically suitable to accommodate the proposed tattoo shop since it will serve one customer at a time by appointment only. No exterior changes are proposed to the building and the existing onsite landscaping and parking lot will remain unchanged. A minor interior tenant improvement to alter the existing bathroom within the unit is proposed to accommodate the use. The size of the unit is sufficient to accommodate all the necessary service and storage uses which comprise the tattoo shop business. The tattoo shop will have operating hours similar to other commercial uses in the vicinity – from 12:00 PM to 7:00 PM, every day except Thursdays. As such, the subject site would be physically suitable for the proposed tattoo shop given its interior area, site location and access to its shared parking. 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 S. First Avenue between Fano and Genoa Streets. The site has vehicle access to the rear parking area through an alley to the north that

connects S. First Avenue to S. Santa Anita Ave. 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 building and the subject unit include existing infrastructure that provide service with all necessary utilities. The Building Division and Fire Department have reviewed the application and determined that no additional improvements are needed to accommodate the proposed tattoo shop. The proposed tattoo shop is of a size and scale commensurate with the surrounding neighborhood. 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 range 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, one customer at a time by appointment only. The business shall be subject to all 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.

SECTION 3. The proposed tattoo shop is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301, of the CEQA Guidelines pertaining to the use of an existing facility.

SECTION 4. For the foregoing reasons the Planning Commission determines that the tattoo shop is Categorically Exempt per Class 1, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines and approves Conditional Use Permit No. CUP 24-03 to allow a new tattoo shop within a 1,245 square foot unit, located at 617 S. First Avenue, subject to the conditions of approval attached hereto.

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

[SIGNATURE ON THE NEXT PAGE]

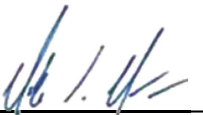
Passed, approved and adopted this 11th day of June, 2024.

Vincent Tsoi
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

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RESOLUTION NO. 2147
Conditions of Approval

1. The use approved by CUP 24-03 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 12:00 PM to 7:00 PM every day. Any change to the proposed business, including but not limited 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 24-03 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 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.

6. Approval of CUP 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 Acceptance Form to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.
7. Prior to plan check submittal, update the plans to include dimensions of the restrooms, provide a partition wall framing detail with floor and ceiling connections, and indicate a minimum 48-inch doorway width between the waiting room and the service hall where door/window infill occurs.

Attachment No. 2

Aerial Photo with Zoning Information &
Photos of the Subject Site

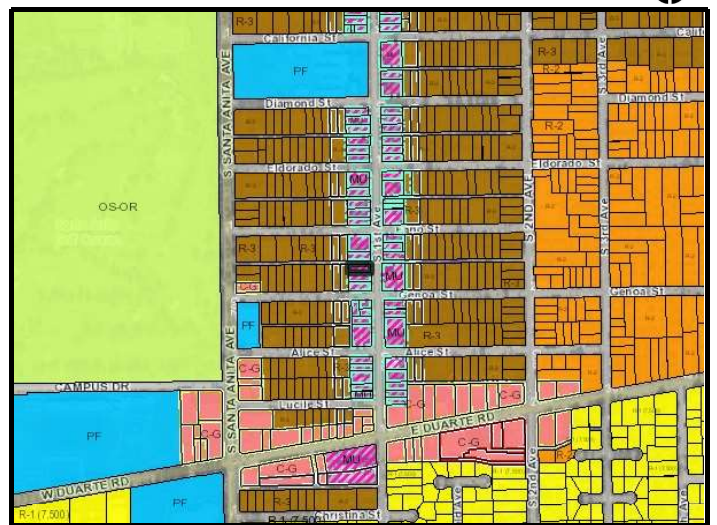
Site Address: 617 S 1ST AVE

Property Owner(s): Property Owner



Property Characteristics	
Zoning:	MU
General Plan:	MU
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	3,950
Year Built:	1948
Number of Units:	0
Overlays	
Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	Yes
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	N/A
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia











Attachment No. 3

Site Plan and Floor Plan

Attachment No. 4

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	CUP 24-03 for a new tattoo shop with one (1) tattoo artist and two (2) tattoo stations located within the Mixed Use (MU) zone, with a Downtown Parking Overlay.								
2. Project Location	The subject site is located at 617 S. First Avenue. The location is on the west side of S. First Avenue, south of Fano Street and north of Genoa Street.								
3. Entity or person undertaking project:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">A.</td> </tr> <tr> <td colspan="2" style="padding: 2px;">B. Other (Private)</td> </tr> <tr> <td style="padding: 2px;">(1) Name</td> <td style="padding: 2px;">Shihao Zhao</td> </tr> <tr> <td style="padding: 2px;">(2) Address</td> <td style="padding: 2px;">228 W. Pomona Ave., Unit 302, Monrovia, CA 91016</td> </tr> </table>	A.		B. Other (Private)		(1) Name	Shihao Zhao	(2) Address	228 W. Pomona Ave., Unit 302, Monrovia, CA 91016
A.									
B. Other (Private)									
(1) Name	Shihao Zhao								
(2) Address	228 W. Pomona Ave., Unit 302, Monrovia, CA 91016								
4. Staff Determination:	<p>The Lead Agency's Staff, having undertaken and completed a preliminary review of this project in accordance with the Lead Agency's "Local Guidelines for Implementing the California Environmental Quality Act (CEQA)" has concluded that this project does not require further environmental assessment because:</p>								
a. <input type="checkbox"/>	The proposed action does not constitute a project under CEQA.								
b. <input type="checkbox"/>	The project is a Ministerial Project.								
c. <input type="checkbox"/>	The project is an Emergency Project.								
d. <input type="checkbox"/>	The project constitutes a feasibility or planning study.								
e. <input checked="" type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is categorically exempt.</td> </tr> <tr> <td style="padding: 2px;">Applicable Exemption Class:</td> <td style="padding: 2px;">15301 – Class 1 (Use of an existing facility)</td> </tr> </table>	The project is categorically exempt.		Applicable Exemption Class:	15301 – Class 1 (Use of an existing facility)				
The project is categorically exempt.									
Applicable Exemption Class:	15301 – Class 1 (Use of an existing facility)								
f. <input type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is statutorily exempt.</td> </tr> <tr> <td style="padding: 2px;">Applicable Exemption:</td> <td style="padding: 2px;"></td> </tr> </table>	The project is statutorily exempt.		Applicable Exemption:					
The project is statutorily exempt.									
Applicable Exemption:									
g. <input type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project is otherwise exempt on the following basis:</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> </table>	The project is otherwise exempt on the following basis:							
The project is otherwise exempt on the following basis:									
h. <input type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">The project involves another public agency which constitutes the Lead Agency.</td> </tr> <tr> <td style="padding: 2px;">Name of Lead Agency:</td> <td style="padding: 2px;"></td> </tr> </table>	The project involves another public agency which constitutes the Lead Agency.		Name of Lead Agency:					
The project involves another public agency which constitutes the Lead Agency.									
Name of Lead Agency:									

Date: April 25, 2024

Staff: Gary Yesayan, Associate Planner



STAFF REPORT

Development Services Department

DATE: June 11, 2024

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Deputy Development Services Director
Prepared By: Edwin Arreola, Acting Senior Planner

SUBJECT: RESOLUTION NO. 2146 – RECOMMENDING DENIAL TO THE CITY COUNCIL OF ARCHITECTURAL DESIGN REVIEW NO. ADR 23-13 WITH A DENSITY BONUS AND CONDITIONAL USE PERMIT NO. CUP 23-09 FOR THE REVISED, THREE-STORY, SENIOR ASSISTED LIVING CARE FACILITY KNOWN AS “THE IVY ARCADIA” AT 1150 W. COLORADO BOULEVARD

Recommendation: Adopt

SUMMARY

On May 14, 2024, the Planning Commission considered Architectural Design Review No. ADR 23-13 with a density bonus and a Conditional Use Permit for a three-story senior assisted living care facility with 100 units and 114 beds known as “The Ivy Arcadia” at 1150 W. Colorado Boulevard. At this hearing, the Planning Commission determined the project was not compatible with the adjacent neighborhood in terms of scale and height and voted unanimously to recommend denial of the project to the City Council.

The findings have been revised to reflect the Planning Commission’s comments in Resolution No. 2146 – refer to Attachment No. 1.

PUBLIC COMMENTS

Since the May 14 Planning Commission Meeting Staff received a total of three letters of opposition from the adjacent residents – refer to Attachment No. 2. The Applicant has also submitted a letter to the Planning Commission – refer to Attachment No. 3.

RECOMMENDATION

As directed by the Planning Commission, the Planning Commission should adopt Resolution No. 2146 recommending that the City Council deny Architectural Design Review No. ADR 23-13 with a density bonus and Conditional Use Permit No. CUP 23-09

The Ivy Arcadia
1150 W. Colorado Boulevard
June 11, 2024
Page 2 of 2

for a new three-story senior assisted living care facility with 100 units and 114 beds known as "The Ivy Arcadia" at 1150 W. Colorado Boulevard.

Approved:

A handwritten signature in blue ink, appearing to read "Fiona Graham", with a checkmark to the left.

Fiona Graham on behalf of
Lisa L. Flores
Deputy Development Services Director

Attachment No. 1: Resolution No. 2146
Attachment No. 2: Three (3) Comment Letters from the Adjacent Residents
Attachment No. 3: Letter from the Applicant to the Planning Commission

Attachment No. 1

Resolution No. 2146

RESOLUTION NO. 2146

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DENY ARCHITECTURAL DESIGN REVIEW NO. ADR 23-13 WITH A DENSITY BONUS AND CONDITIONAL USE PERMIT NO. CUP 23-09 FOR THE REVISED, THREE-STORY, SENIOR ASSISTED LIVING CARE FACILITY KNOWN AS "THE IVY ARCADIA" AT 1150 W. COLORADO BOULEVARD

WHEREAS, on November 9, 2023, applications for Architectural Design Review No. ADR 23-13 with a density bonus and Conditional Use Permit No. CUP 23-09 were filed by O&I Development, LLC ("Applicant") on behalf of Artis Senior Living, LLC ("Property Owner") to revise the project that was approved by the City Council on August 18, 2020 (Resolution No. 2372) which was for an assisted living care facility (known as Artis Senior Living Project) or the "Approved Project." The Revised Project, known as "The Ivy Arcadia" is for a three-story development that is approximately 107,706 square feet with 100 units and 114 beds at 1150 W. Colorado Boulevard. The Revised Project also includes a density bonus to allow a Floor Area Ratio ("FAR") of 0.88, which exceeds the maximum permitted FAR of .50. The Revised Project is a senior housing development under the State's Density Bonus Law and is entitled to exceed the otherwise maximum FAR since it would physically preclude construction of the Revised Project under the General Plan and Zoning. The Ivy Arcadia is referred to as the "Revised Project"; and

WHEREAS, on August 18, 2020, the City Council adopted a Mitigated Negative Declaration ("MND") for the Approved Project. An Addendum to the adopted MND for The Ivy Arcadia was prepared to consider the environmental impacts of the Revised Project compared to those of the approved project, and in accordance with the requirements of California Environmental Quality Act ("CEQA") and the CEQA Guidelines. As with the

Approved Project, the Revised Project would be required to comply with all the mitigation measures identified in the adopted 2020 MND. There are no design features included within the Revised Project that would suggest that these mitigation measures would not be sufficient to address any potentially significant impact that would arise from the implementation of the Revised Project. As such, there are no changes to the circumstances, and implementation of the Revised Project would not result in any new significant or substantially more severe environmental impacts that would affect the determination of less-than-significant impact and less-than-significant impact with mitigation in the adopted 2020 MND; and

WHEREAS, on May 14, 2024, a duly noticed public hearing was held before the Planning Commission on said Revised Project, at which time all interested persons were given full opportunity to be heard and to present evidence. At this hearing, the Planning Commission determined the Revised Project was not compatible with the adjacent neighborhood in terms of scale and height and voted 5-0 to recommend denial of to the City Council, and directed Staff to return with a revised resolution at the next Planning Commission meeting; and

WHEREAS, on June 11, 2024, a revised resolution was presented to the Planning Commission for consideration.

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

SECTION 1. The factual data submitted by the Development Services Department in the staff report dated May 14, 2024, are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Sections 9107.09.050(B) and 9107.19.050(F) of the Development Code, all of the following findings cannot be made:

Conditional Use Permit

1. The Revised Project 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 complies with all other applicable provisions of the Development Code and the Municipal Code.

FACT: Approval of the Revised Project will be consistent with the Commercial General Plan Land Use Designation. The site is zoned General Commercial (C-G) and pursuant to the Arcadia Development Code Section 9102.03.020, Table 2-8, allows a Large-Residential Care Facility in the General Commercial C-G zone subject to the review and approval of a Conditional Use Permit. The underlying zone allows for a broad array of commercial uses that are both neighborhood and citywide serving. The Revised Project will allow a business that can serve the aging population of the City, specifically those with Alzheimer’s disease and related memory delays. Aside from the FAR, the Revised Project complies will all the development standards of the General Commercial C-G zone. Therefore, the Revised Project will not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

- Goal LU-1: A balance of land uses that preserves Arcadia status as a Community of Homes and a community of opportunity.
- 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-1.2: Promote new uses of land that provide diverse economic, social, and cultural opportunities, and that reinforce the characteristics that make Arcadia a desirable place to live.

- Policy LU-1.5: Require that effective buffer areas be created between land uses that are of significantly different character or that have operating characteristics which could create nuisances along common boundary.

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 Planning Commission determined the Revised Project is not compatible in terms of design, height, and scale with the residential land use in the vicinity of the site. The design and three-story height of the Revised Project is much larger and taller than the single-story homes that are adjacent to the property. While the previously approved two-story design provided a more gradual increase in height from the single-story homes, the three stories results in a significant shift that appears too tall and massive for this area. Most of these homes are located close to the shared property line and the transition in height would make the Revised Project appear out of scale. Thus, the Revised Project will not be compatible with the existing uses in the vicinity.

3. The site is physically suitable in terms of:

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

FACT: The site measures approximately 2.82 acres and is large enough to physically support the Revised Project. The current utility infrastructure on site is more than capable of accommodating the proposed use. Landscaping is being maintained along the perimeter of the lot and various new pockets of landscaping will be introduced around the building site. The Revised Project will have two points of access on to the lot and will also provide more than the required amount of parking. The Revised Project will comply with all of the regulations within the Development Code except for the FAR which is allowed to exceed the maximum because of the density bonus for senior housing development. Therefore, the site is adequate in size to accommodate the Revised Project.

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

FACT: The Revised Project will be located at the southeast corner of W. Colorado Boulevard and Michillinda Avenue. The site will have two access points, with one driveway off of each street frontage. Both streets have been designated and designed with the capacity to accommodate both normal public vehicular travel and emergency vehicles. Additionally, the Revised Project is expected to generate less traffic than the previous use. Thus, the adjacent streets are adequate in width and pavement type to carry the traffic that would be generated by the Revised Project and to accommodate emergency vehicle access.

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

FACT: The construction of the senior assisted living care facility will comply with the Building and Fire Codes, and all other applicable regulations to ensure the safety of the residents and facilitate emergency services. As part of the environmental review

process, the Addendum to the Initial Study/Mitigated Negative Declaration determined that Fire and Police protection services can handle the demand for the Revised Project.

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

FACT: It has been determined that the existing infrastructure and public utilities can handle the demand for the Project, and no upgrades are required. The Project will also comply with the Low Impact Development (“LID”) requirements for stormwater discharge through the implementation of a modular wetland on site.

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 use being proposed for the Revised Project is not expected to be detrimental to the public health or welfare of the surrounding residential and commercial properties. The Revised Project, as a senior assisted living care facility, will be residential in nature and will provide a practical service to the aging population of the City. The Revised Project is expected to generate less trips than the previous restaurant use on the site and will have more than the minimum required parking. Traffic in the surrounding area is not expected to be impacted by the use. The construction of the project will meet all Building and Fire Codes, and all other applicable regulations. Therefore, the Revised Project will not adversely affect the public in general nor will it impact the uses in the vicinity and zone in which the property is located.

Architectural Design Review

5. The proposed development is in compliance with all applicable development standards and regulation in the Development Code.

FACT: The Revised Project is in compliance with all of the applicable development standards for the C-G zone, such as the maximum height, setbacks, and parking. The Revised Project proposes a Floor Area Ratio (“FAR”) of 0.88. The Revised Project is a senior housing development under the State’s Density Bonus Law and is entitled to exceed the otherwise maximum FAR, which would physically preclude construction of the Revised Project to the maximum allow residential density under the General Plan and Zoning. Therefore, the Revised Project meets the intent of this finding.

6. The proposed development is consistent in the objectives and standards of the applicable Design Guidelines.

FACT: The Planning Commission determined that the Revised Project would not be consistent with all the applicable objectives and standards of the Design Guidelines because the proposed revisions to the height and the additional story will be too massive and out of scale compared to the residential neighborhood that is adjacent to this property, which is comprised of primarily one-story homes. The Planning Commission did not find the revised Cape Cod architectural style to be compatible with the other styles in the area and it does not provide enough articulations to help reduce the overall mass. Therefore, the Revised Project is not consistent with the objectives of the Design Guidelines.

7. The proposed development is compatible in terms of scale and aesthetic design with surrounding properties and developments.

FACT: The Planning Commission determined the Revised Project is not compatible with the surrounding properties in terms of its scale and aesthetic design. The proposed three-story building appears out of scale in relation to the neighboring residential zones. While the Revised Project exceeds the minimum setbacks, the overall scale of the building appears to be massive for this site and the adjacent properties. Therefore, the Revised Project presents an incompatible design in relation to the surrounding properties.

8. The proposed development will have an adequate and efficient site layout in terms of access, vehicular circulation, parking, and landscaping.

FACT: The site, being a corner lot, will have two points of access, with one driveway from W. Colorado Boulevard and another driveway from Michillinda Avenue. The two access points will assist in providing ease of circulation on the lot along with the drive aisles on site which meet the minimum 25'-0" width required for two-way traffic. Parking will be provided along all four sides of the building and a total of 70 parking spaces are being provided despite the code only requiring 38 spaces. Additionally, the lot will retain much of the existing landscaping along the perimeters of the property and new pockets of landscaping will be introduced around the building. Therefore, the Revised Project will provide an adequate layout in terms of access, circulation, parking, and landscaping.

9. The proposed development will be in compliance with all of the applicable criteria identified in Section 9107.19.040(C.5).

FACT: 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. However, the Revised Project is not in compliance with the Design Guidelines due to the large scale of the proposed building and its effects on the neighboring residential properties.

SECTION 3. For the foregoing reasons, the Planning Commission finds that the Revised Project is not in compliance with the findings of the Development Code and the City's Commercial Design Guidelines, and that the proposed project is incompatible with the homes in the neighborhood in terms of context, architectural design, mass, and scale. Therefore, the Planning Commission recommends denial to the City Council of Architectural Design Review No. ADR 23-13 with a density bonus and Conditional Use Permit No. CUP 23-09, for a new senior assisted living care facility at 1150 W. Colorado Boulevard.

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

[SIGNATURES ON THE NEXT PAGE]


Passed, approved and adopted this 11th day of June, 2024.

Vincent Tsoi
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

Attachment No. 2

Three (3) Comment Letters from the
Adjacent Residents

From: [David Li](#)
To: [Mailbox - Planning](#)
Subject: The Ivy Arcadia
Date: Friday, May 31, 2024 7:17:52 PM

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

To Whom It May Concern:

I am a resident of The Santa Anita Village community in Arcadia. Our residence is close to the proposed project The Ivy Arcadia, at the former Coco's restaurant location.

I am writing to express my concerns with the proposed changes to the project since initial approval. The added square footage, especially the newly proposed 3 story plan, will have significant undesirable effects to our community. The added story will direct invade our privacy, allowing viewing into our backyards and houses. In addition, this will block our view of the mountains, which we cherish. Furthermore, the added traffic would pose safety issues to our community. Indirectly, the combination of these factors will impact the value of our homes.

We oppose these new changes wholeheartedly. We hope the planning office will take our concerns into account and urge you to abolish these new changes.

Sincerely,

David Li
1162 Altura Terrace
Arcadia, CA. 91007

From: [James Wheeler](#)
To: [Mailbox - Planning](#)
Subject: The Ivy Arcadia - Revised Proposal
Date: Sunday, June 2, 2024 8:49:45 AM

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Dear Mr. Arreola,

My name is James Wheeler. I am a resident of the City and my residence shares a boundary with the above project which is designated to occupy the site of the former Coco's restaurant.

I have recently been made aware of the Developer's proposal to increase the size, scale and scope of The Ivy Arcadia project to a size far exceeding that of the original proposal approved by the City Council in 2020. I want to express my concern about the proposed revisions and communicate both my opposition to the revised project and desire that the Planning Commission and City Council reject the recommendation to proceed.

My concern is that the sum of the proposed changes, but particularly the addition of a third story to the building, will diminish privacy for surrounding residents and I, force a lifestyle change upon my family and others, take away mountain views, create excessive noise from workers, visitors and emergency vehicle traffic, and diminish property values. I also want to highlight the following specific concerns as I do not find statements made by the Developer about the revised proposal to be credible.

Per the City's website, the revised proposal will increase the building's size from approximately 44,000 square feet to 107,000 sqft, an increase of 143%. Beds will increase from approximately 80 to 114, an increase of 42%, and parking spots from 58 to 70, an increase of 20%. The property will increase in height from 37 feet to over 50 feet, as viewed from the South portion of the parcel. 50 staff members will offer services 24 hours. The Developer has said the project "does not pencil out" if scaled down and changes to the proposal will be "too costly". However, most of the added square footage is planned for on-site amenities which will sit vacant much of the time the building is open. I find the proposal and scale is excessive when comparing the 143% increase in square footage against a meager 42% increase in beds.

Further, given the topography of the building site, the proposed three story building will sit uphill of surrounding single-story residences. The height of the building combined with the lower elevations of surrounding residences will cause the building to tower over the neighborhood and compromise the neighborhood's aesthetics. I believe zoning guidelines generally require a graded transition from lower to higher-height buildings. This new proposal falls short of these guidelines, and it is not plausible that the three story building will be compatible with the look and "feel" of the surrounding single-story homes, as the Developer has suggested. The height difference will be stark. Consider the example of the Dunn-Edwards paint store at Michillinda and Colorado against the surrounding area. I estimate the relative final height of the proposed three story building from my own backyard will exceed 60 feet.

The Developer has said the proposed height of the new building is the same as that originally approved in 2020. This is not fully correct. In fact, the Planning Commissioner, Mr. Tsoi, pushed back against the Developer during the Commission's May 14, 2024 meeting and stated his belief that the building will be higher than described given the building's position on the lot and the lot's topography relative to the surrounding residences. He urged the Developer to recalculate the building's height, inclusive of the proposed grade changes. Again, I estimate the relative height of the proposed three story building from my own backyard will exceed 60 feet, not 40 feet as claimed.

The Developer has stated they will expand green spaces to buffer the taller building from the neighborhood, but their submitted plans do not reflect this. In fact, the Developer plans to remove trees along property lines to the East and South which will make the building more visible to those surrounding residences.

The Developer has talked about building taller block walls to lessen the impact of the building's presence, but has also spoke of hauling in tons of soil to flatten and raise the building site. I am not clear as to how raising the level of the lot and building taller block walls will benefit the neighbors. There has been no mention of the height of the proposed walls or what we neighbors will see when we look out our windows, but I imagine a 12' foot block wall instead of the 6' walls we now have.

The Developer has stated the building will not obstruct residents' mountain views because residents cannot see the mountains from their properties anyway. This is not true. I can see the mountains from my backyard without problem. Constructing a taller building and increasing the height of block walls will certainly block the views my neighbors and I currently have.

The Developer has stated they will amend the interior layout of the building such that South and East facing units / rooms, specifically those on the second and third floors, will be turned inward and windowed corridors built along the building's perimeter to prevent Ivy residents from having direct views into backyards and windows of surrounding residences. This statement has not been offered in writing, hence the interior looking layout cannot be guaranteed. Furthermore, the idea of the windowed corridors was haphazardly discussed at the May 14 Planning Commission Meeting, but no details were given. And, residents walking the external corridors can still peer through the windows into surrounding residences, especially given the increased building height.

The Developer has stated they have spoken to Lower Rancho HOA leadership and members who expressed "excitement for the project". In fact, many, if not all, of the residences impacted by the proposal are not included in the HOA and were not aware of the proposed design change until recently, nor are we excited about it. The Developer made no effort to contact those directly impacted by the change until after we residents provided public comment during the Planning Commission's May 14, 2024 meeting. Since then, the Developer has been aggressive in its attempts to meet with local home owners and sway opinion toward approval of the project by offering "free" renderings of the property from their backyards, and promises to mitigate concerns by adding trees, higher block walls, etc. None of this has been offered in writing, hence cannot be guaranteed.

The Developer has created additional parking spaces on the property by repositioning them along the East and South sides of the lot's perimeter, directly behind the block wall separating the lot from surrounding residences. Given Ivy employees will be working around the clock, and from past experiences when Coco's was open, we residents expect a substantial increase in vehicle noise that will include (and has in the past) vehicle start ups, engines revving, radios / music, talking / laughing, alarms, etc. at all ours of day and night. The Developer attempted to shift accountability for the parking lot layout and claimed the layout was due to "City requirements" rather than a result of the Developer's own desire to increase square footage and bed count. I believe the Developer did not consider the parking impact to surrounding residents and, in fact, could have shifted planned parking spaces more to the North and West perimeters of the lot, and along the North and West sides of the building.

In summary, I object to the plan revision and increased height of the proposed building (3 stories) for the reasons described above, and hope both the Planning Commission and City Council rescind their support of the revised project by rejecting the revision to the original plans for the property. I and my neighbors do not support the revised plan.

Thank you for your time and consideration,

James Wheeler
1147 Altura Terrace
310-738-0153

From: [Ling Zeng](#)
To: [Mailbox - Planning](#)
Subject: Be opposed to proposed 3 story development on site of former coco's restaurant.
Date: Wednesday, June 5, 2024 3:04:36 PM

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

Hello dear Arcadia Planning staff,

We are residents of 1156 Altura terrace Arcadia, CA 91007. We are unable to attend the meeting on May 14th due to traveling . We would like to express our concern that the building' new plan on extending additional unit which increasing the height will affects the privacy and property value of the residents.

LING ZENG

06/05/2024

Attachment No. 3

Letter from the Applicant to the
Planning Commission



June 3, 2024

Planning Commissioners
The City of Arcadia
240 West Huntington Dr.
Arcadia, CA 91066

Dear Planning Commissioners,

We appreciate the time and effort you spent on the proposed project, The Ivy at Arcadia, during the Planning Commission Hearing on May 14th. Your feedback and insights have been helpful in guiding us through the planning process.

We took the comments and suggestions provided during the last hearing to heart and we have made several design changes aimed at improving the project and addressing the concerns raised by the commission as well as the community. We believe these modifications address the concerns we heard and are in alignment with the community's needs and expectations.

We are going before you as a consent item on June 11th and would greatly appreciate the opportunity to present these design changes in detail. To provide us that opportunity, we respectfully request that our item be pulled from the consent calendar and discussed as a stand-alone agenda item. We are confident that the revisions we have implemented reflect our commitment to creating a project that benefits both the seniors in Arcadia and the broader community.

Thank you once again for your time and consideration. We look forward to the possibility of discussing the updated design with you and receiving your feedback.

Sincerely,

O&I DEVELOPMENT, LLC

Carissa Savant

Carissa Savant
Vice President of Development



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 14, 2024**

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

There were no items to report.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- 1. Resolution No. 2146**– Architectural Design Review No. ADR 23-13 with a Density Bonus and Conditional Use Permit No. CUP 23-09 to consider a revised senior assisted living care facility (“The Ivy Arcadia”) with an Addendum to the Adopted Mitigated Negative Declaration under the California Environmental Quality Act (“CEQA”) at 1150 W. Colorado Boulevard

Recommendation: Adopt Resolution No. 2146 Recommending Approval to the City Council

Applicant: O&I Development, LLC

MOTION - PUBLIC HEARING

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

Vice Chair Wilander asked about the landscaping water schedule that was in the arborist report and asked if it was recommended by the Arborist.

Ms. Flores said yes and that the schedule will be monitored to ensure it will be observed.

Chair Tsoi asked how the height of the building was measured when the topography of the property is uneven.

Ms. Flores explained that the height is measured from the average existing grade within the building footprint.

Chair Tsoi pointed out the height of the retaining wall on the south end of the property and said the existing grade would add too much height to the building. Mr. Tsoi said the existing trees between the property and the retaining wall may conceal some of the height.

Ms. Flores agreed with that statement.

Commissioner Arvizu asked about the parking requirements, specifically for American with Disabilities Act (ADA) and Electric Vehicle (EV) parking.

Ms. Flores stated that the number of ADA and EV parking spaces was determined by the Building Code.

Chair Tsoi asked if there is an existing block wall along the east side of the property.

Ms. Flores stated that there is an existing block wall that is currently damaged and will be replaced by the Applicant.

Commissioner Hui asked what the differences to the approved 2020 project and the new proposed project are.

Ms. Flores explained that the building is now three-stories rather than two-stories, the size of the building is larger, and there are more rooms. The building exceeds the maximum floor area ratio (FAR) because of the density bonus.

Commissioner Hui asked if there were any changes to the qualifications for the residents.

Ms. Flores said there were no changes to the qualifications for residency at the facility.

The public hearing was opened.

Carrissa Savant and Scott Carlson introduced themselves as the Applicants. They gave a presentation about their company and the project and responded to the Commissioner's comments and questions.

Commissioner Tallerico asked if this will be a high-end senior housing development. Ms. Savant said it will be a high-end senior home.

Commissioner Hui asked if the Oakmont property in San Marino is similar to the proposed project.

Mr. Carlson explained that the property in San Marino is an acquisition community meaning that it is managed by their company, but it was not developed by them.

Commissioner Arvizu asked how the proposed project is comparable to the property in San Marino.

Mr. Carlson said that the property in San Marino is smaller in size compared to the proposed project.

Commissioner Arvizu asked if the Oakmont has other properties that are comparable to this project.

Mr. Carlson said yes, and the average size of most developments is around 100 units, and some are as big as 300 units.

Commissioner Arvizu asked what type of services will be provided at this property.

Mr. Carlson listed some of the services that will be provided including those at the memory care center.

Commissioner Arvizu asked how many employees will be always staffed.

Mr. Carlson said there would be about 50 employees scheduled throughout the day and split up into three shifts.

Commissioner Arvizu asked if they are planning to add more EV parking spaces in the future.

Mr. Carlson explained that they only provided the minimum required for EV parking spaces because they noticed that there is currently not a high demand for EV parking spaces at their other locations. Mr. Carlson said they are open to adding more parking spaces in the future if the demand for them increases.

Commissioner Arvizu asked where the EV parking spaces are located on the plans.

Ms. Savant said they are located on the north side toward the front of the building.

Commissioner Arvizu asked what the Modular Wetland mentioned in the Mitigated Negative Declaration will look like.

Ms. Savant said that they are still working with their civil engineer on the design and are considering doing a bio swale instead.

Commissioner Arvizu asked if the bocce ball court and the pet park will be in the same space.

Ms. Savant said that these amenities will be independent but will be in the general green space area.

Vice Chair Wilander asked about the staffing structure in each shift.

Ms. Savant explained how the shifts will be staggered and structured accordingly.

Commissioner Hui asked if Section 8 housing assistance will be offered as an option for residents at this development.

Ms. Savant said there will be none offered at this community.

Chair Tsoi asked about the trash enclosure and its location and observed that it looks small.

Ms. Savant said that their proposal meets all the requirements for the trash enclosure.

No one spoke in favor of the proposal.

Catherine Gornto introduced herself as a resident located on the east side of the project site. Ms. Gornto is opposed to the project stating that the proposed building would be too big and too high citing impacts on her privacy. Ms. Gornto said she is concerned there will be an influx of noise and light pollution.

James Wheeler introduced himself as a resident of the neighborhood adjacent to the property and is opposed to the proposal stating concerns about the noise impacts to the surrounding area and impacts to his privacy.

Commissioner Tallerico asked Mr. Wheeler if his property is adjacent to the project site or if there is a street between his property and the project site. Mr. Wheeler confirmed that his property shares the rear wall with the project site.

Lance Milligan, a neighbor located adjacent to the property said he is opposed to the proposed project citing concerns about the impacts to his privacy due to the height of the building. Mr. Milligan added that he is concerned that there will not be enough trees to screen the EV charging station that are proposed behind his property.

Ray Gornto introduced himself as a property owner on Altura Road and is opposed to the project because he is concerned about the impacts to his privacy. Mr. Gornto said the unmaintained trees on the project site are a concern and is afraid they may become a hazard to his property.

Eve Tang introduced herself as a neighbor on Altura Terrace and is opposed to the project due to the impacts on her privacy and an increase in noise pollution.

Mr. Carlson addressed the neighbors' concerns, specifically the noise impacts to the neighborhood. Mr. Carlson said the noise levels are not expected to be impacted given that the resident's average age will be 80 years old. He added that the deliveries and trash pickup can be arranged and scheduled so that they avoid late night hours.

Ms. Savant addressed the residents and said that the development's height is in compliance with the Development Code. Ms. Savant addressed the concerns about the parking spaces being too close to the rear property walls and said that they can be relocated, she also noted that most residents tend to park closest to the building and therefore the parking spaces in the perimeter of the property usually remain vacant.

Ms. Savant also addressed the comment about the lack of maintenance on the trees currently on site. She said that they do not own the property yet and have no control over the tree maintenance but that they will be addressing landscaping soon as they acquire the property.

Vice Chair Wilander asked if there will be visiting hours.

Mr. Carlson said there are no established visiting hours because this will be a residential facility.

Chair Tsoi asked if they would consider building a subterranean parking structure or a basement where some of the amenities on the third floor can be relocated to the basement level and possibly reduce the third-floor area or eliminate it.

Ms. Savant said it is not financially feasible and they are not planning to build the underground. She explained that they have designed the second and third floor units to face the interior courtyard to ensure maximum privacy for the neighboring properties.

Resident, Ms. Gornto, added that she has concerns about the pet area being too close to the adjacent properties.

Resident, Mr. Wheeler, suggested that the number of parking spaces be reduced or rearranged so that they are not too close to the perimeter walls.

Commissioner Arvizu made a motion to close the public hearing. Commissioner Tallerico seconded the motion.

Without objection, the motion was approved.

DISCUSSION

Commissioner Tallerico said he did not anticipate any privacy concerns due to the findings made by staff and asked staff how they made the findings for Architectural Design Review item No. 3.

Ms. Flores said that the Applicant exceeded the setback requirements to protect the privacy of the residents. She added that the Cape Cod architectural style was kept from the original project because the City Council, Planning Commission and Staff all thought it was compatible architectural with the surrounding neighboring homes.

Vice Chair Wilander said she understands the residents' concerns and sympathizes with them but believes a senior residential development is an appropriate use for this property.

Commissioner Hui asked why the original project was revised and what the Density Bonus entails.

Ms. Flores said the changes were made for financial reasons however, the Applicant did not take advantage by all the concessions of the Density Bonus for consideration of the adjacent neighbors.

Commissioner Tallerico asked if the Density Bonus is State law.

Ms. Flores confirmed that the Density Bonus is a State law.

Commissioner Arvizu agreed that the proposal is a great use for the property and that the community needs this type of facility due to the aging population. However, Mr. Arvizu was understanding with the residents' concerns and believed the design could be modified to address the residents' concerns.

Chair Tsoi said this is a unique situation where a project meets all requirements but is not necessarily compatible with the neighborhood. Mr. Tsoi expressed concerns about the height of the building.

Mr. Maurer explained that the Planning Commission cannot deny the project because the Resolution before them is a recommendation to the City Council. Additionally, the Mitigated Negative Declaration has already been adopted by the City Council. Therefore, if the Planning Commission cannot make the findings on the revised project, they must make a recommendation to deny it and that a new Resolution will be brought back at the next meeting for adoption.

The Commissioners all agreed that they would like to deny recommendation of the project on the basis that the findings were not consistent with Item No. 3 of the Architectural Design Review, and they stated the facts that support their position.

Chair Tsoi stated that the building is too tall. He pointed out that most of the adjacent houses are single-story and that the number of stories and height of the development is not compatible with the neighborhood. Mr. Tsoi would like to see some of the amenities built underground to reduce the height of the building.

Commissioner Tallerico stated that the public opposition is his reason for denial.

Vice Chair Wilander stated that the height of the building is not compatible with the neighboring properties.

Commissioner Hui stated that she does not agree with the height and scale of the development.

Commissioner Arvizu agreed with the Commissioners and suggested that some parking spaces be eliminated to accommodate square footage outward.

MOTION

It was moved by Commissioner Arvizu, seconded by Commissioner Tallerico for staff to return with a Resolution recommending denial of Architectural Design Review No. ADR 23-13 with a Density Bonus and Conditional Use Permit No. 23-09 of a revised senior assisted living care facility ("The Ivy Arcadia") with an Addendum to the Adopted Mitigated Negative Declaration under the California Environmental Quality Act ("CEQA") at 1150 W. Colorado Boulevard on the basis that the findings that the revised development is not compatible with surrounding properties and developments in terms of scale, and height.

ROLL CALL

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

The motion was approved.

CONSENT CALENDAR

1. Minutes of the April 9, 2024, Regular Meeting of the Planning Commission

Recommendation: Approve

Vice Chair Wilander motioned to approve the minutes and seconded by Commissioner Tallerico.

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 had nothing to report.

MATTERS FROM THE PLANNING COMMISSONERS

Commissioner Arvizu announced his candidacy for City Council.

Commissioner Tallerico said he would like to make a recommendation to the City Council about Hostile Architecture.

Mr. Maurer clarified that this cannot be initiated by the Planning Commission, and it can only be initiated by the City Council or by staff.

The Commissioners had questions about the item that was called up to City Council, but Mr. Maurer stated that the item cannot be discussed because no action was taken.

MATTERS FROM CITY ATTORNEY

Mr. Maurer introduced the new Assistant City Attorney Kellan Martz.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Flores reported that the May 28 meeting will be cancelled and there will be one item Conditional Use Permit.

Ms. Flores reported that there may be a discussion for Inclusionary Housing at the June 11 meeting.

ADJOURNMENT

The Planning Commission adjourned the meeting at 9:09 p.m., to Tuesday, June 11, 2024, at 7:00 p.m. in the City Council Chamber.

Chair Tsoi, Planning Commission

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission