

CITY OF ARCADIA

Planning Commission Regular Meeting Agenda



Tuesday, February 25, 2025, 7:00 p.m.

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from Planning Services at (626) 574-5423. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

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

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

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

CALL TO ORDER

ROLL CALL

Marilynne Wilander, Chair
Domenico Tallerico, Vice Chair
David Arvizu, Commissioner
Angela Hui, Commissioner
Vincent Tsoi, 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.

Resolution No. 2163 – Approving a new preschool with a maximum of 35 students at 21 W. Duarte Road, Unit B

CEQA: Exempt

Recommendation: Adopt

Applicant: Lusine Avoyan and Anet Grigorian

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, March 10, 2025.

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. 2159 – Recommending that the City Council deny Text Amendment No. 24-01 amending various sections of Article IX, Chapter 1 (Development Code) of the Arcadia Municipal Code pertaining to Accessory Dwelling Units, the Residential Flex Overlay, and other minor text amendments and cleanups
2. Minutes of the February 11, 2025, 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 11, 2025, 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: February 25, 2025

TO: Honorable Chair and Planning Commission

FROM: Lisa L. Flores, Deputy Development Services Director
By: Melissa Chipres, Senior Planner

SUBJECT: RESOLUTION NO. 2163 – APPROVING A NEW PRESCHOOL WITH A MAXIMUM OF 35 CHILDREN AT 21 W. DUARTE ROAD, UNIT B
CEQA: Exempt
Recommendation: Adopt

SUMMARY

The Applicants, Lusine Avoyan and Anet Grigorian, are requesting approval of Conditional Use Permit No. CUP 24-10 and Site Plan and Design Review (Commercial) No. ADR 25-01 to allow the operation of a new preschool (dba Arcadia Preschool Academy) within an existing commercial building that is located at 21 W. Duarte Road, Unit B. The preschool will have a maximum of 35 students from and three (3) staff members at any given time. Additionally, the new preschool will include a new 2,786-square-foot outdoor playground, and upgrades to the parking lot.

It is recommended that the Planning Commission adopt Resolution No. 2163 (Attachment No. 1), find this project Categorically Exempt under the California Environmental Quality Act (CEQA), and approve the Conditional Use Permit No. CUP 24-10 and Site Plan and Review (Commercial) No. ADR 25-01, subject to the conditions listed in this staff report.

BACKGROUND

The subject site is approximately 19,367 square feet and has two attached commercial units totaling 4,590 square feet. An aerial view of the site and the units are shown in Figure No. 1 below and Attachment No. 2. Unit A is approximately 2,048 square feet and is currently occupied by a dental office that has been in operation since 2010, with business hours from 9:00 a.m. to 6:00 p.m., Monday through Saturday. Unit B, which measures approximately 2,542 square feet, was previously used as an educational facility

from 2005 to 2022. The site currently has a total of 26 parking spaces, of which four (4) of them are diagonal spaces.

The property is zoned C-G, General Commercial with a General Plan Land Use Designation of Commercial, and it is surrounded by Arcadia High School, the Arcadia Library across the street, and commercial businesses to the north and east of this property.



Figure 1 - Subject Site and Unit

PROPOSAL

The applicant has submitted architectural plans for proposed upgrades to the site – refer to Attachment No. 3. The Academy Preschool Academy (the “preschool”) will be located within the second unit (i.e. Unit B), which will consist of three classrooms, an accessible restroom, and a staff breakroom with a storage room. The preschool will serve children aged 2-4 years, with a maximum of 35 children and at least three staff members present at all times. Each classroom will have a clear and unobstructed window on either the

classroom door or wall, always allowing for a view into each classroom from outside. Figure No. 2 below shows the proposed floor plan. The proposed hours of operation will be from 8:00 a.m. to 5:00 p.m., Monday through Friday. Children will attend daycare either five (5) days a week or three (3) days a week, and they are either half days or full days. Pick-up will be available until 5:30 p.m., every day. The operating hours will also remain consistent throughout the year, with no changes in hours during summer and winter breaks.

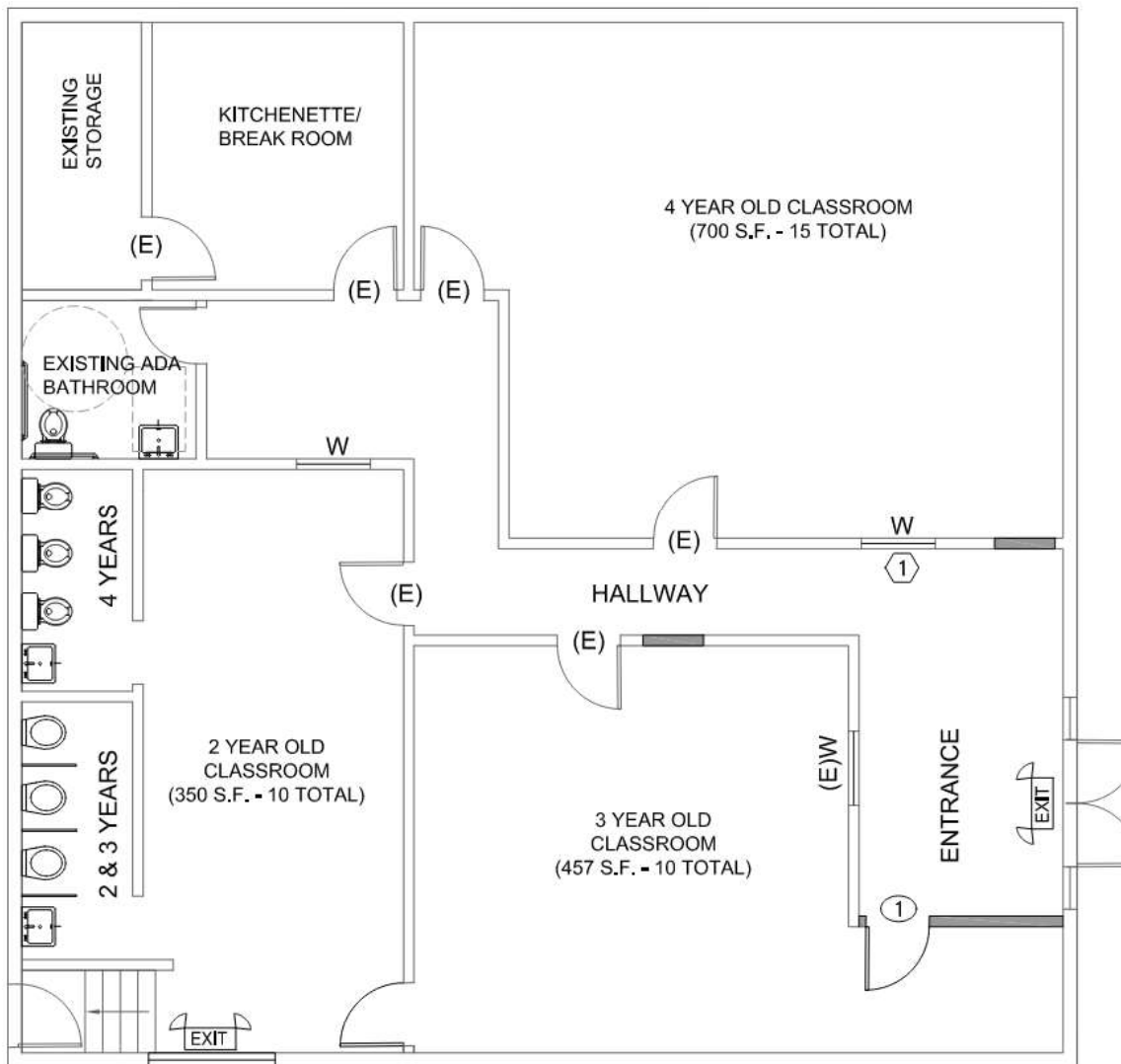


Figure 2 - Proposed Floor Plan

The Arcadia Preschool Academy will be the first and only location that will follow a HighScope curriculum. The HighScope curriculum is organized around eight content areas that outline the experiences essential for the development of the fundamental abilities that emerge during early childhood. These are the basic concepts and skills that young children naturally use repeatedly.

The Applicant is also proposing a new outdoor playground area at the rear of the building, which will result in the removal of six (6) parking spaces. However, based on the parking requirements for both uses, a total of 20 spaces are needed, and with the proposed improvements, the site will meet the minimum parking requirement. Additionally, the Applicant plans to restripe the parking stalls and add wheel stops, which will bring them up to code. The trash enclosure will be located, where it will be easily accessible to both tenants and the trash provider.

ANALYSIS

The proposed preschool is subject to a Conditional Use Permit in the (C-G) General Commercial Zone. The subject site is surrounded by other similar commercial and educational uses and will operate under regular operating hours, and this site was an educational facility to several tutoring centers for nearly two decades. The new outdoor playground will be adjacent to the Arcadia High School baseball field to the west, and the rear yard of the Campus Commons Senior Housing Apartments to the north, therefore, the noise from the play area should not affect the adjacent uses.

The preschool will open at 8:00 a.m. and most of the children should be dropped off before the dental office (Unit A) opens for business. Therefore, there should be no conflicts, as the morning hours are staggered. There should also be no issues for pick-ups, as some children attend only half-days (ending at 12:30 p.m.), while others stay for full days, with pick-up at 5:30 p.m. Both pick-up times occur before the dental office closes at 6:00 p.m.

The proposed application has been reviewed by the Department of Social Services Child Care Licensing Division and has allowed the applicants a maximum of thirty-five (35) children at any given time. The site provides sufficient access for visitors, as well as for the first responders in case of emergencies.

Parking

In terms of parking, the Development Code requires a minimum of one (1) parking space for every employee, plus one (1) space for every five (5) children. With 35 children and three (3) staff members, a total of 10 parking spaces are required for the new preschool. For the dental office, one parking space is required for every 200 square feet of gross floor area. Based on the size of the dental office, a total of 10 parking spaces are required, bringing the total to 20 parking spaces. Therefore, both businesses will meet the minimum parking requirement, and this includes two (2) ADA parking spaces. One will be located diagonally in front of the dental office and the other will be located near the entrance of the proposed preschool. The parking stalls will be restriped to meet the minimum dimensions, and new wheel stops will be added to all the stalls, thereby upgrading the parking lot.

The Applicant will also relocate the trash enclosure to a more centralized location, making it accessible to both businesses and easier for the trash provider to access. They will propose new landscaping to enhance the aesthetics of the property.

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 complies with all other applicable provisions of the Development Code and the Municipal Code.**

Facts to Support This Finding: The request to allow a preschool at 21 W. Duarte Rd., Unit B is consistent with the goals and provisions of the Arcadia General Plan and the Development Code. The Development Code allows preschools with approval of a conditional use permit. The Commercial land use designation is intended to accommodate a variety of commercial uses, including neighborhood-serving establishments such as a preschool. The proposed preschool will occupy a vacant commercial unit that has been used for educational services for several decades, making the proposed use both compatible and similar to the previous uses. This continuity ensures that the preschool will continue to serve as a valuable resource for the City's residents. The preschool is a use allowed in the C-G Zone and will not adversely affect the comprehensive General Plan, and it is consistent with the following General Plan goals and policies:

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.
- Policy LU-8.2: Accommodate the provision of public and institutional uses that meet the needs of a changing demographic, such as those aimed at senior populations and day-care facilities to meet the needs of Arcadia families and workers.

- 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 preschool will occupy an existing commercial unit and have a maximum of 35 children, as specified in Condition No. 3 of this Resolution. The site and building are sufficiently sized to accommodate the preschool, including 35 children, and the new playground. Drop-off and pick-up times for the preschool will not conflict with the adjacent dental office. Classes for the preschool students will take place entirely within the existing commercial unit, which is adequate to accommodate all the children across different age groups. The parking lot will be upgraded to meet current standards and will provide the required 20 parking spaces to serve both the existing dental office and proposed preschool. For these

reasons, the proposed preschool will be compatible with 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, site improvements loading, and parking.**

Facts to Support This Finding: The site is physically suitable to accommodate the design, location, size, operating characteristics, and parking. Located at the rear of the existing commercial building, the preschool will be accessed through an existing driveway along West Duarte Road. The road is sufficiently wide and paved to handle the traffic generated by both the preschool and the other commercial uses on-site, while also providing adequate access for emergency vehicles.

To accommodate the proposed preschool, the existing parking lot will be reconstructed to include a 2,786-square-foot outdoor playground, updated parking spaces, and a relocated trash enclosure. These changes will ensure that the site meets the parking requirements, with a total of 20 parking stalls—10 stalls for the preschool and 10 for the existing dental office—adequately serving both uses. Therefore, the site’s design, location, shape, and size are fully adequate to support the proposed preschool, ensuring that it is compatible with the surrounding area while providing the necessary facilities for its operation.

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

Facts to Support This Finding: The site is located along West Duarte Road between South Santa Anita and El Monte Avenue. These streets are adequate in width and pavement type to carry the traffic generated by the existing use, proposed preschool, and an emergency vehicle. Therefore, the proposed use will not impact these streets.

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

Facts to Support This Finding: The site is physically suitable for the provision of public protection services for the proposed preschool. The preschool was reviewed by the Fire Department, and it was determined that the building must be brought into compliance with the Fire Code, including the new playground area. A condition of approval has been proposed to ensure this requirement is met. The Arcadia Police Department had no concerns with the proposed preschool. Therefore, no impacts on public protection services are anticipated.

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

Facts to Support This Finding: The preschool will not require any additional fixtures or modifications that would impact existing utilities. The trash enclosure will be brought into compliance with the National Pollutant Discharge Elimination System (NPDES) requirements. Therefore, the preschool meets the intent of this finding.

- 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 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 preschool will not adversely affect the surrounding neighborhood and commercial uses. This approval will provide a dedicated, safe space for preschool-aged children in a central location. The existing unit and proposed playground are setback approximately 175 feet away from the front property line, offering a sufficient buffer between the proposed use and W. Duarte Road. Furthermore, the playground will be adjacent to Arcadia High School sports fields, which is an established outdoor area. The preschool will operate during regular business hours, and the size and nature of the operations ensure that it will not negatively impact the subject lot or the surrounding businesses and properties. All activities of the business within the existing building or the proposed outdoor play area, and the parking lot will provide adequate space for staff parking as well as for parents/guardians during drop-off and pick-up times

Architectural Design Review

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

Facts to Support This Finding: The preschool complies with all of the relevant development standards for the General Commercial (C-G) zone, as no alteration are proposed to the building. The new outdoor playground meets all the required standards, and the parking lot has been upgraded to comply with current regulations. Therefore, the project meets the intent of this finding.

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

Facts to Support This Finding: The preschool meets this finding as no alterations are proposed to the building. Regarding site improvements, the new outdoor playground, reconfiguration of parking stalls, enhanced landscaping, and relocation of the existing trash enclosure all align with the intent of the design

guidelines. These improvements will enhance the property's appearance and functionality. Additionally, the playground will be secured with a six-foot vinyl fence. The redesigned parking stalls meet current size, location, and access requirements, ensuring clear and safe pedestrian access to the building entrance. The existing trash enclosure complies with size requirements and will be painted to match the existing commercial building. No exterior changes are proposed for the building itself. Therefore, the proposed site enhancements are in compliance with the City's Design Guidelines.

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

Facts To Support This Finding: There are no proposed improvements that would alter the existing scale of the building, and the new playground area will not be visible from the public right-of-way. Therefore, the new preschool meets the intent of the finding.

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

Facts to Support This Finding: The existing dental office use and the proposed preschool each require ten (10) parking stalls each. To accommodate both uses, the project includes restriping and relocating parking stalls, providing a total of 20 spaces across the entire site. The layout will maintain a 25-foot-wide drive aisle, ensuring proper access to the site and parking areas. Additionally, the parking lot will be enhanced with new landscaping, which will serve as buffers between the adjacent properties and uses, while complementing the architectural design of the project.

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

Facts to Support This Finding: 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. Additionally, the proposed development will be in compliance with the General Plan, Development Code, the City's Design Guidelines, and all other applicable City regulations.

ENVIRONMENTAL IMPACT

It has been determined that the project qualifies as a Class 1 Categorical Exemption per the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines for the use of an existing facility (See 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 February 13, 2025. It was also mailed to the property owners located within 300 feet of the subject property. At the time of the completion of this report, no comments were received regarding this project.

RECOMMENDATION

It is recommended that the Planning Commission adopt Resolution No. 2163 approving Conditional Use Permit No. CUP 24-10 and Site Plan and Review (Commercial) No. ADR 25-01 for a proposed preschool with up to 35 students at 21 W. Duarte Road Unit B, and find that the project is Categorically Exempt under the California Environmental Quality Act (CEQA), subject to the following conditions of approval:

Planning

1. The use approved by CUP 24-10 and ADR 25-01 shall be limited to a maximum of 35 children, ages 2-4 years old.
2. The hours of operation will be limited from 8:00 a.m. to 5:30 p.m., Monday to Friday. Any changes to the hours of operation may be adjusted at the discretion of the Deputy Development Services Director, or designee.
3. Prior to the issuance of a Certificate of Occupancy from the Building Division, one (1) Automated External Defibrillator (AED) shall be installed. The location of the AED shall be identified on the plans submitted for plan check in Building Services and is subject to review and approval by the Deputy Development Services Director, or designee.
4. All new exterior signage shall be subject to review under a separate sign permit from the Planning Division. No exterior sign is permitted with this approval.
5. A clear and unobstructed window shall be required either on the classroom doors or walls in order to provide visibility into each classroom from outside of the rooms at all times. This shall be verified by the Planning Division prior to the issuance of a Certificate of Occupancy from the Building Division.
6. The new vinyl fence shall not exceed six (6) feet in height, as measured from the lowest adjacent grade.
7. The Property Owner/Applicant must complete all parking lot upgrades including restriping, identifying paths of travel, the installation of wheel stops, and parking lot landscaping prior to issuance of a Certificate of Occupancy.

8. Noncompliance with the plans, provisions, and conditions of approval for CUP 24-10 and ADR 25-01 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the preschool.

Fire

9. The Property Owner/Applicant shall ensure the existing fire alarm system is tested and certified prior to the issuance of a Certificate of Occupancy.
10. Prior to the issuance of a Certificate of Occupancy, all exit doors shall be equipped with panic or lever type hardware. Latched or key operated locks are not permitted.

Building

11. The Property Owner/Applicant must obtain all necessary building permits for the new gates and playground prior to construction. Playgrounds are to comply with Building Code Section 11B-240.
12. Any noncompliance, negative impacts or changes to this operation shall be subject to the review and approval by the Deputy Development Services Director, unless significant modifications are proposed; in which case, the application may be referred to the Planning Commission.

General Conditions

13. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/Applicant to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Fire Marshal, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.
14. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with CUP 24-10 and ADR 25-01 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and

claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. The Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, the Applicant shall provide to the City a cash deposit to cover legal fees, costs, and expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. The City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, at the request of the Applicant or not.

15. Approval of CUP 24-10 and ADR 25-01 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 24-10 and ADR 25-01 and Site Plan & Design Review (Commercial) No. ADR 25-01 stating that the proposal satisfies the requisite findings and adopting the attached Resolution No. 2163 that incorporates the requisite environmental, Conditional Use Permit, and Site Plan and Review findings and the conditions of approval as presented in this staff report, or as modified by the Commission.

Denial

If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny Conditional Use Permit No. CUP 24-10 and Site Plan and Design Review (Commercial) No. ADR 25-01 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 questions or comments regarding this matter prior to the February 25, 2025, hearing, please contact Senior Planner, Melissa Chipres, at (626) 574-5447, or by email at mchipres@ArcadiaCA.gov.

Approved:

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

Lisa L. Flores
Deputy Development Services Director

- Attachment No. 1: Resolution No. 2163
- Attachment No. 2: Aerial Image, Zoning Information, and Photos of the Subject Property
- Attachment No. 3: Site and Floor Plans
- Attachment No. 4: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2163

RESOLUTION NO. 2163

APPROVAL OF CONDITIONAL USE PERMIT NO. CUP 24-10 AND ARCHITECTURAL DESIGN REVIEW NO. ADR 25-01 FOR A PRESCHOOL WITH A MAXIMUM OF 35 CHILDREN AT 21 W. DUARTE ROAD, UNIT B

WHEREAS, applications for Conditional Use Permit No. CUP 24-10 and Site Plan and Design Review (Commercial) No. ADR 25-01 were filed by Lusine Avoyan and Anet Grigorian for a proposed preschool, including a new outdoor playground (d.b.a. Arcadia Preschool Academy), serving children aged 2-4 years with a maximum of thirty-five (35) children at any given time at 21 W. Duarte Road, Unit B (“Project”); and

WHEREAS, on February 3, 2025, Planning Services completed an environmental assessment for the proposed preschool in accordance with the California Environmental Quality Act (“CEQA”) and recommends that the Planning Commission determine that the proposed educational center qualifies as a Class 1 Categorical Exemption under CEQA pursuant to Section 15301 of the CEQA Guidelines as the use of an existing facility; and

WHEREAS, on February 25, 2025, 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 25, 2025, 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 for the Conditional Use Permit 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 complies with all other applicable provisions of the Development Code and the Municipal Code.

FACT: The request to allow a preschool at 21 W. Duarte Rd., Unit B is consistent with the goals and provisions of the Arcadia General Plan and the Development Code. The Development Code allows preschools with approval of a conditional use permit. The Commercial land use designation is intended to accommodate a variety of commercial uses, including neighborhood-serving establishments such as a preschool. The proposed preschool will occupy a vacant commercial unit that has been used for educational services for several decades, making the proposed use both compatible and similar to the previous uses. This continuity ensures that the preschool will continue to serve as a valuable resource for the City's residents. The preschool is a use allowed in the C-G Zone and will not adversely affect the comprehensive General Plan, and it is consistent with the following General Plan goals and policies:

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.
- Policy LU-8.2: Accommodate the provision of public and institutional uses that meet the needs of a changing demographic, such as those aimed at senior populations and day-care facilities to meet the needs of Arcadia families and workers.

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 preschool will occupy an existing commercial unit and have a maximum of 35 children, as specified in Condition No. 3 of this Resolution. The site and building are sufficiently sized to accommodate the preschool, including 35 children, and the new playground. Drop-off and pick-up times for the preschool will not conflict with the adjacent dental office. Classes for the preschool students will take place entirely within the existing commercial unit, which is adequate to accommodate all the children across different age groups. The parking lot will be upgraded to meet current standards and will provide the required 20 parking spaces to serve both the existing dental office and proposed preschool. For these reasons, the proposed preschool will be compatible with 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, site improvements loading, and parking.

FACT: The site is physically suitable to accommodate the design, location, size, operating characteristics, and parking. Located at the rear of the existing commercial building, the preschool will be accessed through an existing driveway along West Duarte Road. The road is sufficiently wide and paved to handle the traffic generated by both the preschool and the other commercial uses on-site, while also providing adequate access for emergency vehicles.

To accommodate the proposed preschool, the existing parking lot will be reconstructed to include a 2,786-square-foot outdoor playground, updated parking

spaces, and a relocated trash enclosure. These changes will ensure that the site meets the parking requirements, with a total of 20 parking stalls—10 stalls for the preschool and 10 for the existing dental office—adequately serving both uses. Therefore, the site’s design, location, shape, and size are fully adequate to support the proposed preschool, ensuring that it is compatible with the surrounding area while providing the necessary facilities for its operation.

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

FACT: The site is located along West Duarte Road between South Santa Anita Avenue and El Monte Avenue. These streets are adequate in width and pavement type to carry the traffic generated by the existing use, proposed preschool, and emergency vehicles. Therefore, the proposed use will not impact these streets.

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

FACT: The site is physically suitable for the provision of public protection services for the proposed preschool. The preschool was reviewed by the Fire Department, and it was determined that prior to the certificate of occupancy the existing fire system must be tested and certified in compliance with the Fire Code. A condition of approval has been proposed to ensure this requirement is met. The Arcadia Police Department had no concerns with the proposed preschool. Therefore, no impacts on public protection services are anticipated.

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

FACT: The preschool will not require any additional fixtures or modifications that would impact existing utilities. The trash enclosure will be brought into compliance with the National Pollutant Discharge Elimination System (“NPDES”) requirements. Therefore, the preschool meets the intent of this finding.

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 preschool will not adversely affect the surrounding neighborhood and commercial uses. This approval will provide a dedicated, safe space for preschool-aged children in a central location. The existing unit and proposed playground are setback approximately 175 feet away from the front property line, offering a sufficient buffer between the proposed use and W. Duarte Road. Furthermore, the playground will be adjacent to Arcadia High School sports fields, which is an established outdoor area. The preschool will operate during regular business hours, and the size and nature of the operations ensure that it will not negatively impact the subject lot or the surrounding businesses and properties. All activities of the business within the existing building or the proposed outdoor play area, and the parking lot will provide adequate space for staff parking as well as for parents/guardians during drop-off and pick-up times.

Architectural Design Review

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

FACT: The preschool complies with all of the relevant development standards for the General Commercial (“C-G”) zone, as no alteration are proposed to the building. The new outdoor playground meets all the required standards, and the parking lot has been upgraded to comply with current regulations. Therefore, the 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 preschool meets this finding as no alterations are proposed to the building. Regarding site improvements, the new outdoor playground, reconfiguration of parking stalls, enhanced landscaping, and relocation of the existing trash enclosure all align with the intent of the design guidelines. These improvements will enhance the property's appearance and functionality. Additionally, the playground will be secured with a six-foot vinyl fence. The redesigned parking stalls meet current size, location, and access requirements, ensuring clear and safe pedestrian access to the building entrance. The existing trash enclosure complies with size requirements and will be painted to match the existing commercial building. No exterior changes are proposed for the building itself. Therefore, the proposed site enhancements are in compliance with the City's Design Guidelines.

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

FACT: There are no proposed improvements that would alter the existing scale of the building, and the new playground area will not be visible from the public right-of-way. Therefore, the new preschool meets the intent of the finding.

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

FACT: The existing dental office use and the proposed preschool each require ten (10) parking stalls each. To accommodate both uses, the project includes restriping and relocating parking stalls, providing a total of 20 spaces across the entire site. The layout will maintain a 25 foot wide drive aisle, ensuring proper access to the site and parking areas. Additionally, the parking lot will be enhanced with new landscaping, which will serve as buffers between the adjacent properties and uses, while complementing the architectural design of the project.

9. The proposed development will be in compliance with all of the applicable criteria identified in Subparagraph 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. Additionally, the propose development will be in compliance with the General Plan, Development Code, the City's Design Guidelines, and all other applicable City regulations.

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

SECTION 3. For the foregoing reasons the Planning Commission determines that the proposed preschool is Categorical Exempt under California Environmental Quality Act ("CEQA") Guidelines per Class 1, Section 15301(a) and approves Conditional Use Permit No. CUP 24-10 and Site Plan and Design Review (Commercial) No. ADR 25-01 for a new preschool within one of the existing commercial unit located at 21 W Duarte Road, Unit B subject to the conditions of approval attached hereto.

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


Passed, approved and adopted this 25th day of February 2025

Marilynne Wilander
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

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RESOLUTION NO. 2163

Conditions of Approval

Planning

1. The use approved by CUP 24-10 and ADR 25-01 shall be limited to a maximum of 35 children, ages 2-4 years old.
2. The hours of operation will be limited from 8:00 a.m. to 5:30 p.m., Monday to Friday. Any changes to the hours of operation may be adjusted at the discretion of the Deputy Development Services Director, or designee.
3. Prior to the issuance of a Certificate of Occupancy from the Building Division, one (1) Automated External Defibrillator (AED) shall be installed. The location of the AED shall be identified on the plans submitted for plan check in Building Services and is subject to review and approval by the Deputy Development Services Director, or designee.
4. All new exterior signage shall be subject to review under a separate sign permit from the Planning Division. No exterior sign is permitted with this approval.
5. A clear and unobstructed window shall be required either on the classroom doors or walls in order to provide visibility into each classroom from outside of the rooms at all times. This shall be verified by the Planning Division prior to the issuance of a Certificate of Occupancy from the Building Division.
6. The new vinyl fence shall not exceed six (6) feet in height, as measured from the lowest adjacent grade.
7. The Property Owner/Applicant must complete all parking lot upgrades including restriping, identifying paths of travel, the installation of wheel stops, and parking lot landscaping prior to issuance of a Certificate of Occupancy.
8. Noncompliance with the plans, provisions, and conditions of approval for CUP 24-10 and ADR 25-01 shall be grounds for immediate suspension or revocation of any approvals, which could result in the closing of the preschool.

Fire

9. The Property Owner/Applicant shall ensure the existing fire alarm system is tested and certified prior to the issuance of a Certificate of Occupancy.
10. Prior to the issuance of a Certificate of Occupancy, all exit doors shall be equipped with panic or lever type hardware. Latched or key operated locks are not permitted.

Building

11. The Property Owner/Applicant must obtain all necessary building permits for the new gates and playground prior to construction. Playgrounds are to comply with Building Code Section 11B-240.
12. Any noncompliance, negative impacts or changes to this operation shall be subject to the review and approval by the Deputy Development Services Director, unless significant modifications are proposed; in which case, the application may be referred to the Planning Commission.

General Conditions

13. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/Applicant to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Fire Marshal, and Public Works Services Director, or their respective designees. The changes to the existing facility may be subject to building permits after having fully detailed plans submitted for plan check review and approval by the aforementioned City officials.
14. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with CUP 24-10 and ADR 25-01 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the City will notify the Applicant of the claim, action, or proceedings and will cooperate in the defense of the matter. The Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. Within 15 days' notice from the City of any such action, the Applicant shall provide to the City a cash deposit to cover legal fees, costs, and

expenses incurred by City in connection with defense of any legal action in an initial amount to be reasonably determined by the City Attorney. The City may draw funds from the deposit for such fees, costs, and expenses. Within 5 business days of each and every notice from City that the deposit has fallen below the initial amount, Applicant shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the Developer any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, at the request of the Applicant or not.

15. Approval of CUP 24-10 and ADR 25-01 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.

Attachment No. 2

Aerial Photo with Zoning Information &
Photos of the Subject Site

Site Address: 21 W DUARTE RD

Property Owner(s): Property Owner



Property Characteristics	
Zoning:	C-G
General Plan:	C
Lot Area (sq ft):	
Main Structure / Unit (sq. ft.):	4,590
Year Built:	1965
Number of Units:	0
Overlays	
Architectural Design Overlay:	N/A
Downtown Overlay:	N/A
Downtown Parking Overlay:	N/A
Parking Overlay:	N/A
Racetrack Event Overlay:	N/A
Residential Flex Overlay:	Yes
Special Height Overlay:	N/A

Selected parcel highlighted



Parcel location within City of Arcadia



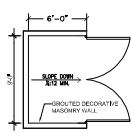




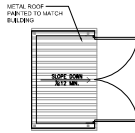


Attachment No. 3

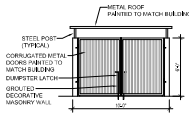
Site Plan and Floor Plan



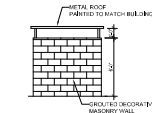
FLOOR PLAN
SCALE: 1/4"=1'-0"



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

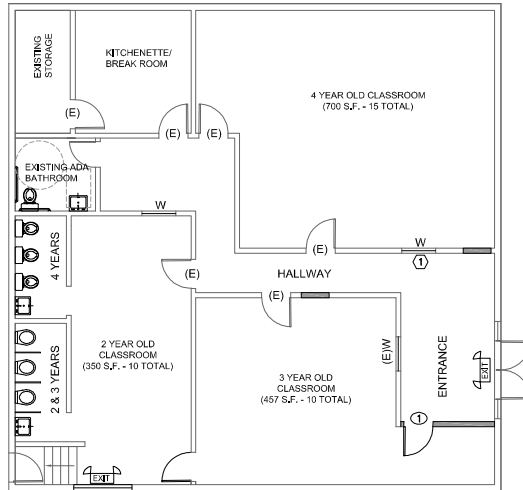


FRONT ELEVATION
SCALE: 1/4"=1'-0"

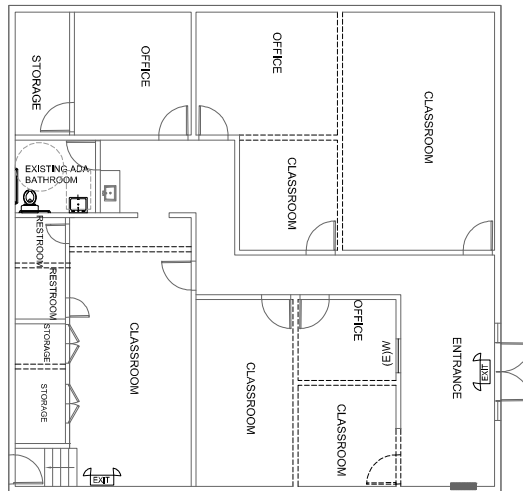


SIDE ELEVATION
SCALE: 1/4"=1'-0"

TRASH ENCLOSURE AREA



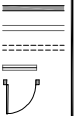
PROPOSED FLOOR PLAN
SCALE: 1/4"=1'-0"



EXISTING AND DEMO FLOOR PLAN
SCALE: 1/4"=1'-0"

LEGEND

- NEW NON-BEARING PARTITION WALL
- EXISTING WALL TO REMAIN
- EXISTING WALL TO REMAIN
- NEW WINDOW 48x36 (SAME AS EXISTING)
- NEW 36x84 DOOR (SAME AS EXISTING)



PROPOSED CHILD CARE
21 W DUARTE RD
UNIT B
ARCADIA, CA 91707

DATE: 12.05.2024
SHEET: A-2

Attachment No. 4

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	CONDITIONAL USE PERMIT NO. CUP 24-10 AND ARCHITECTURAL DESIGN REVIEW NO. ADR 25-01 FOR A PRESCHOOL WITH A MAXIMUM OF 35 CHILDREN AT 21 W. DUARTE ROAD, UNIT B								
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):	21 W. Duarte – The business is located between El Monte Avenue and Santa Anita Boulevard								
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;">Lusine Avoyan and Anet Grigorian</td> </tr> <tr> <td style="padding: 2px;">(2) Address</td> <td style="padding: 2px;">21 W Duarte, Road. Arcadia, Ca. 91007</td> </tr> </table>	A.		B. Other (Private)		(1) Name	Lusine Avoyan and Anet Grigorian	(2) Address	21 W Duarte, Road. Arcadia, Ca. 91007
A.									
B. Other (Private)									
(1) Name	Lusine Avoyan and Anet Grigorian								
(2) Address	21 W Duarte, Road. Arcadia, Ca. 91007								
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 style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; padding: 2px;">The project is categorically exempt.</td> <td style="padding: 2px;"></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)				
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f. <input type="checkbox"/>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; padding: 2px;">The project is statutorily exempt.</td> <td style="padding: 2px;"></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 style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; padding: 2px;">The project is otherwise exempt on the following basis:</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 style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; padding: 2px;">The project involves another public agency which constitutes the Lead Agency.</td> <td style="padding: 2px;"></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: February 3, 2025

Staff: Melissa Chipres, Senior Planner

RESOLUTION NO. 2159

RECOMMENDING THAT THE CITY COUNCIL DENY TEXT AMENDMENT NO. 24-01 AMENDING VARIOUS SECTIONS OF ARTICLE IX, CHAPTER 1 (DEVELOPMENT CODE) OF THE ARCADIA MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS, THE RESIDENTIAL FLEX OVERLAY, AND OTHER MINOR TEXT AMENDMENTS AND CLEANUPS.

WHEREAS, the Development Services Department has initiated a Text Amendment No. TA 24-01 to amend and update various Divisions of the City's Development Code, Article IX, Chapter 1 of the Arcadia Municipal Code (referred to as "Text Amendment"); and

WHEREAS, the City is required to maintain an Accessory Dwelling Unit (ADU) Ordinance which complies with State law and is tasked with periodic updates of the Development Code to maintain consistency with the General Plan, State law, and to ensure effective and efficient implementation of the Development Code; and

WHEREAS, the City is required to implement actions and policies within the approved and certified General Plan Housing Element; and

WHEREAS, the proposed Text Amendment would result in changes to Division 2, Division 3, Division 6, Division 7, and Division 9 of the Development Code as shown in Exhibits "A through E" of this Resolution; and

WHEREAS, on December 23, 2024, Planning Services completed an environmental review of the proposed Text Amendment and determined that it is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the Text Amendment would not have a significant effect on the environment and, thus, is not subject to CEQA review; and

WHEREAS, on January 30, 2025, the City published the public hearing for the Text Amendment in a newspaper of general circulation (Arcadia Weekly) of the Planning Commission public hearing at which the Text Amendment would be reviewed with a recommendation to the City Council; and

WHEREAS, on February 11, 2025, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the Text Amendment; and

WHEREAS, after the public hearing the Planning Commission voted to recommend to the City Council denial of Text Amendment No. TA 24-01 and that the City should continue implementing the existing ADU Ordinance and other provisions.

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

SECTION 1. The Planning Commission hereby finds that the factual data set forth in the Recitals of this Resolution and by the Development Services Department in the staff report dated February 11, 2025, are true and correct.

SECTION 2. The Planning Commission finds, based on the entire record, and all written and oral evidence presented, as follows:

1. The proposed amendment and ordinance is not consistent with the City's adopted General Plan and any applicable specific plan(s).

FACT: The proposed Text Amendment No. TA 24-01 is not consistent with the General Plan Land Use and Community Development Element and the Housing Element goals and policies. The Text Amendment was found to be inconsistent with the following General Plan Policies:

Land Use and Community Development Element

Policy LU-3.1: Protect the character of single-family residential neighborhoods through the preservation and improvement of their character-defining features. Such features include but are not limited to tree-lined streets, building orientation, sidewalks, architectural scale and quality.

Policy LU-3.2: Implement design guidelines to keep new homes and home additions consistent in scale, massing, and architectural quality with prevailing conditions in a neighborhood.

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

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

Housing Element

Policy H-1.7: Support the role of local Homeowner's Associations to maintain and improve the quality of the housing stock in existing neighborhoods.

Policy H-1.8: Maintain residential integrity of neighborhoods.

SECTION 3. That for the foregoing reasons the Planning Commission recommends to the City Council denial of Text Amendment No. TA 24-01, as reflected in Exhibits "A through E" of this Resolution, and that the City should continue implementing the existing ADU Ordinance and other provisions.

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

(SIGNATURES ON NEXT PAGE)


Passed, approved and adopted this 11th day of February, 2025.

Marilynne Wilander
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Mauer
City Attorney

EXHIBIT “A”

Development Code, Division 2

EXHIBIT “B”

Development Code, Division 3

EXHIBIT “C”

Development Code, Division 6

EXHIBIT “D”

Development Code, Division 7

EXHIBIT “E”

Development Code, Division 9



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 11, 2025**

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

ROLL CALL

PRESENT: Vice Chair Tallerico (via teleconference), Arvizu, Hui, and Tsoi

ABSENT: Chair Wilander

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

Without objection, the motion was approved.

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Planning Services Manager, Fiona Graham, reported that three comments were received regarding item no. 1 on the Agenda. Two emails were received from members of the Highlands Homeowners' Association Architectural Design Review Board and one letter was from the California Housing Defense Fund (CalHDF). All correspondence was sent to the Commissioners prior to the meeting and a hard copy was provided at the dais.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- 1. Resolution No. 2159**– Recommending that the City Council approve Text Amendment No. TA 24-01 (Ordinance No. 2401) amending various sections of the Arcadia Development Code related to Accessory Dwelling Units, regulations to the Residential Flex (RF) Overlay, and other minor amendments and text cleanups

CEQA: Exempt

Recommendation: Adopt Resolution No. 2159 and forward a Recommendation to City Council

Applicant: City of Arcadia – Development Services

MOTION - PUBLIC HEARING

Commissioner Tsoi introduced the item, and Ms. Graham presented the staff report.

Commissioner Arvizu asked if the RF Overlay was being modified for the expansion of small businesses.

Ms. Graham clarified that the amendment was to revise the RF Overlay to allow for the lot consolidation of two commercially zoned properties, both owned by the same owner. One of the

lots is on the Sites Inventory List, while the other lot is not. This amendment would allow both lots to be developed with residential units.

Commissioner Arvizu asked what criteria must be met to be determined exempt under the California Environmental Quality Act (CEQA).

Ms. Graham stated that the text amendment was exempt under CEQA because no project was proposed under this text amendment.

Commissioner Arvizu asked whether any potential impacts had been considered as a result of this text amendment.

Ms. Graham stated that no developments are proposed under this text amendment, and ADUs are statutorily exempt under CEQA.

Commissioner Arvizu asked if the City considered the impacts of increased demand on city infrastructure as a result of ADUs.

Ms. Graham explained that ADUs and ADU Ordinances are not subject to CEQA requirements due to statutory exemption under State Law.

Commissioner Arvizu asked if the City Council has the ability to refuse to follow State mandates.

Assistant City Attorney Kellan Martz said that it is very nuanced, and the City Council may direct City Attorneys to challenge certain State mandates, however, it is not advisable.

Commissioner Tsoi requested clarification that this Text Amendment is solely intended to update the City's existing ADU Ordinance.

Ms. Graham confirmed that is correct.

Commissioner Tsoi asked for clarification about Homeowner's Associations and their Architectural Design Review Boards' authority over the design review of ADUs.

Ms. Graham confirmed that the City's HOAs do not have any authority over the design review of ADUs. ADUs are reviewed administratively, in accordance with State law and the ADU Ordinance which includes objective design standards.

Commissioner Tsoi asked if the City's ADU Ordinance requires that new detached ADUs match the architectural design of the main house.

Ms. Graham said that is currently the City's requirement under the objective design standards, but those provisions are being proposed to be removed to comply with State law.

Commissioner Hui arrived at the meeting at 7:23 p.m.

Commissioner Tsoi asked if the RF Overlay applies to the conversion of existing structures or new development and if it has its own setback or density requirements.

Ms. Graham stated that the RF Overlay does have its own setback and density requirements. Furthermore, the overlay applies to the zoning of the property and requires that a development

have 100% residential units including affordable housing units. Therefore, it would be complicated to apply to existing structures.

Commissioner Arvizu asked if the City has received any pre-approved plans for the Pre-Approved ADU (PAADU) Program.

Ms. Graham stated that no formal applications have been received from designers who wish to be a part of the PAADU Program. She explained how the PAADU Program works.

Commissioner Arvizu asked for further clarification about the PAADU Program and if ADUs no longer must match the main house's architectural design.

Ms. Graham confirmed that a property owner may choose the pre-approved ADU plans that do not match the architectural design of their main house.

Commissioner Arvizu asked when the PAADU Program went into effect and if it was before the City Council for review.

Ms. Graham stated the requirement went into effect by January 1, 2025 and it was mandated by State law.

Commissioner Tsoi asked about the PAADU Program and if a designer can submit plans to the City for review and those plans would be considered pre-approved for the public to use.

Ms. Graham said that is correct. She explained that the plans are subject to plan check and once approved, an applicant can select the plans, contract with the designer and pull permits.

Commissioner Arvizu asked if prefabricated ADUs will be allowed.

Ms. Graham stated that we must allow prefabricated ADUs however, the City has added new objective design standards to ensure certain materials are not allowed such corrugated or metal materials.

Commissioner Arvizu asked why the current requirement for a minimum 8-inch articulation in ADU projects was being proposed to be eliminated.

Ms. Graham stated that the articulation did not create effective change to the design because the intended purpose was not being met.

Commissioner Arvizu asked how many ADUs were approved in 2024.

Ms. Graham stated that the final count has not been completed but about 80 ADUs were approved.

Commissioner Tsoi asked if two-story ADUs are permitted.

Ms. Graham stated that two-story ADUs are only permitted when attached to a single-family house.

Commissioner Tsoi asked if it could be required that ADUs match the primary house's design.

Ms. Graham explained that the current objective design standards require that the roof slope and materials match the primary residence.

Commissioner Hui asked if the City would consider allowing ADUs to be built over the garage.

Ms. Graham explained that unless the State requires the allowance of two-story ADUs, the City will not allow them due to concerns about the impacts to privacy.

Commissioner Hui asked where most of the approved ADUs are located.

Ms. Graham stated that ADUs from all areas of the City have been approved.

The public hearing was opened.

There were no speakers present.

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

Without objection, the motion was approved.

DISCUSSION

Vice Chair Tallerico had concerns about the possibility of oversized ADUs being built in Arcadia. He said he would like local cities to be able to set their own standards. However, he understands that cities must abide by State law. He stated that he would like to recommend the City Council deny the “updates” to the ADU Ordinance.

Commissioner Arvizu stated that the Resolution findings contradict the General Plan and referred to the last paragraph on page 14 in Resolution No. 2159 where it states that the proposed amendment is consistent with the City’s adopted General Plan. He pointed out Policy LU- 4.2 which states that it is encouraged that residential development enhances the visual character, quality and uniqueness of the City’s neighborhoods and that the proposed changes to the ADU ordinance do not align with those goals. Additionally, he referred to the General Plan where it states that “the City protects and preserves the character and quality of the neighborhoods by requiring harmonious design, careful planning, and integration of sustainable principles” and believed that the PAADU Program would be in contradiction of that.

Commissioner Arvizu also referred to Goals H-1, H-1.7, H-1.8, LU-3, LU 3.1, LU 3.2, LU 3.4, LU 3.5 of the Housing and Land Use and Community Design Elements of the General Plan and believes he cannot make the findings of the Resolution because they are in contradiction of the City’s General Plan.

Commissioner Hui stated that she did not believe ADUs were appropriate for the City and had concerns about potential noise impacts as a result of ADUs, however, noted that the City must comply with State law.

Commissioner Tsoi expressed no concerns about ADUs because most ADUs are built in the backyard and are only one-story structures. He pointed out that in most cases, the ADUs in the City are being built for personal use and not for rental purposes.

Assistant City Manager and Development Services Director Jason Kruckeberg explained that the City's ADU ordinance has always complied with State law while maintaining as much local control as possible. He added that if the updates to the ordinance do not get approved, the ordinance will be invalidated, and the City will be obligated to comply with State law without any of the City's provisions.

Commissioner Arvizu stated that he disagrees with the requirements the State is imposing on small cities and believes that they should keep authority over ADUs.

Commissioner Tsoi asked about the repercussions if the updates to the ADU Ordinance do not get approved.

Mr. Martz stated that the ADU regulations would revert to State law since the City's ordinance would not be compliant.

Commissioner Arvizu asked what the consequences are if the City Council does not approve the Text Amendment and only enforces the current ADU Ordinance.

Mr. Martz explained that it exposes the City to legal challenges from the California Department of Housing and Community Development in addition to the residents who wish to exercise their rights.

Vice Chair Tallerico suggested that the Resolution be amended to recommend City Council not approve the proposed updates and that the current ADU Ordinance be left as is.

Commissioner Tsoi asked for information about the proposed changes to the ADU Ordinance and how much it differs from the current ordinance.

Ms. Graham explained that the biggest changes include the owner-occupancy requirement to be removed permanently, allowance for up to 8 detached ADUs on multi-family properties and revising the objective design standards.

Commissioner Arvizu pointed out that per the staff report, other updates include removing objective design standards specifically the requirements that the exterior materials match the main house and that two facades have an 8-inch articulation, in addition to the requirement for landscaping screening between ADUs and the property line.

Ms. Graham explained that it was determined by the Fire Department that landscaping within the four (4) foot setback might interfere with access to the rescue windows, which are required for every bedroom.

Commissioner Tsoi asked what the minimum setbacks for ADUs.

Ms. Graham stated that the minimum setback is four (4) feet.

Commissioner Tsoi asked if the setback requirement can be increased.

Ms. Graham stated that is the minimum setback per the State.

Commissioner Arvizu asked for clarification that the Commission may make a recommendation not to adopt the resolution.

Ms. Graham and Mr. Martz confirmed yes.

MOTION

It was moved by Commissioner Arvizu, seconded by Vice Chair Tallerico to deny Text Amendment No. TA 24-01 (Ordinance No. 2401) amending various sections of the Arcadia Development Code related to Accessory Dwelling Units, regulations to the Residential Flex (RF) Overlay, and other minor amendments and text cleanups in that the findings do not meet the City's General Plan Housing Policies H- 1.7 and 1.8, and Land Use Policies LU-3.1, 3.2, 3.4 and 3.5, and return to the next Planning Commission with a revised Resolution.

Vice Chair Tallerico suggested amending the motion to include that staff implement the existing ADU Ordinance that is currently in effect.

Commissioner Arvizu accepted the amendment to the motion.

ROLL CALL

AYES: Vice Chair Tallerico, Commissioners Arvizu, and Hui
NOES: Commissioner Tsoi
ABSENT: Chair Wilander

The motion was approved.

CONSENT CALENDAR

1. Minutes of the January 14, 2025, Regular Meeting of the Planning Commission

Recommendation: Approve

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

ROLL CALL

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

Commissioner Arvizu abstained from voting because he was absent at the January 14, 2025, meeting.

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

City Council Member Wang had nothing to report.

MATTERS FROM THE PLANNING COMMISSONERS

Commissioner Hui informed the Commission about the Arcadia Performing Arts Foundation’s concert on April 5 and the Arcadia Highschool’s Orchestra benefit dinner on March 8.

MATTERS FROM ASSISTANT CITY ATTORNEY

Mr. Martz had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Graham reported that there is one item on the agenda of the February 25 meeting for the Conditional Use Permit of a new preschool.

Ms. Graham reported that a Text Amendment for Inclusionary Housing will be before the Planning Commission on March 11.

Commissioner Tsoi asked if the City has received any complaints about ADUs from any neighbors.

Ms. Graham stated that she has not received any concerns about ADUs once construction has been completed.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:30 p.m., to Tuesday, February 25, 2025, at 7:00 p.m. in the City Council Chamber.

Chair Wilander, Planning Commission

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission