



CITY OF ARCADIA

BUSINESS LICENSE REVIEW BOARD REGULAR MEETING AGENDA

Tuesday, January 13, 2026, 7:00 PM

Location: City Council Chambers, 240 W. Huntington Drive

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 the City Clerk at (626) 574-5455. 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》，需要调整或提供便利设施才能参加会议的残障人士（包括辅助器材或服务）可与市书记官办公室联系（电话：(626) 574-5455）。请在会前 48 小时通知市书记官办公室，以便作出合理安排，确保顺利参加会议。

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CALL TO ORDER

ROLL CALL:

Domenico Tallerico, Chair
Vincent Tsoi, Vice Chair
David Arvizu, Board Member
Angela Hui, Board Member
Marilynne Wilander, Board Member

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 Board. 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

None

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 Board, staff, or the public request that specific items be removed from the Consent Calendar for separate discussion and action.

1. Minutes of the December 9, 2025, Regular Meeting of the Business License Review Board

Recommendation: Approve

ADJOURNMENT

The Business License Review Board will adjourn this meeting to a close.

Welcome to the Arcadia Business License Review Board Meeting!

The Business License Review Board encourages public participation and invites you to share your views on City business.

MEETINGS: Regular Meetings of the Business License Review Board are held on the second and fourth Tuesdays of each month at 7:00 p.m. in the City Council Chambers. A full Board 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 Board after the posting of this agenda will be available for review at the Business License Office in City Hall, 240 W. Huntington Drive, Arcadia, California.

CITIZEN PARTICIPATION: Your participation is welcomed and invited at all the Board meetings. Time is reserved at each regular meeting for those in the audience who wish to address the Board. The City requests that persons addressing the Board 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 Board as well as a copy of any printed materials you wish to be distributed to the Board.

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 Board; however, the Chair, at his/her discretion, may shorten the speaking time limit to allow all speakers time to address the Board. **By State law, the Board 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.**

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AGENDA ITEMS: The Agenda contains the regular order of business of the Board. Items on the Agenda have generally been reviewed and investigated by the City Staff in advance of the meeting so that the Board 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 Board and may be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, 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 Board 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 Business License Review Board. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding official for the purpose of maintaining order and decorum at the meeting. Any person who violates the order and decorum of the meeting may be placed under arrest and such person may be prosecuted under the provisions of Penal Code Section 403 or applicable Arcadia Municipal Code section.

欢迎来到阿卡迪亚规划委员会会议！

规划委员会鼓励公众参与并诚邀您分享对市政业务的看法。

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

公民参与：欢迎并邀请您参加规划委员会的所有会议。每次例会都为希望向规划委员会发表意见的听众预留时间。本市政要求向规划委员会发表意见的个人不得发表人身攻击、诽谤、亵渎或破坏性言论。当主持人邀请想要发言之人上台发言时，请说出自己的姓名和地址，以便记录。请向规划委员会提供您所在地址所使用的任何书面材料的副本，以及您希望分发给规划委员会的任何印刷材料的副本。

未列入日程的事项应在“公众征求意见”所指定的时间提出。一般而言，每位发言者都将获得 (5) 分钟的时间来向规划委员会表达自己的意见；但是主持人可以酌情缩短发言时间，以便可以让所有发言者都可以向规划委员会表达自己的想法。**根据州法律，规划委员会不得讨论或就议程外事项进行投票。此事项将自动提交至工作人员采取适当地行动或回应，或将列入今后会议的议程。**

公众听证会或上诉是需要或希望公众发表意见的计划项目。除了申请人或上诉人（规划委员会可酌情延长其发言时间）外，每位发言者的发言时间不得超过 (5) 分钟。市长可以酌情缩短发言时间，确保所有发言者都可以向市议会表达意见。申请人或上诉人也可获得额外的反驳意见机会。

议程事项：该议程包括规划委员会的正常议事日程。市政工作人员一般会在会议前审查和调查议程内事项，以便规划委员会在作出决定前充分了解有关事项。

获准日历：“获准日历”上所列事项被规划委员会视为例行公事，可通过一项动议采取行动。除非规划委员会成员、工作人员或公众要求，否则不会单独讨论这些事项。若出现这一情况，则该事项将从“获准日历”中删除，并对其进行单独审议和行动。

礼节：虽然公众可以自由地批评城市政策以及规划委员会或其成员的行动或拟议的行动，但公众不得采取破坏诉讼有序进行的行为，包括但不限于阻止其他听众在有机会发言时发表意见的行为，或阻止听众听到或看到诉讼进程。公众不得以人身伤害威胁任何人，或以可合理地解释为迫在眉睫的人身伤害威胁的方式行事。所有参加会议的人都应遵守本市的政策，禁止基于个人的种族、宗教信仰、肤色、国籍、血统、身体残疾、医疗状况、婚姻状况、性别、性取向或年龄而进行骚扰。警务处处长或警务处的此类成员可担任规划委员会会议的警卫官。警卫官应执行主持会议的官员为维持会议秩序和礼仪而发出的所有命令和指示。任何违反会议秩序和礼仪的人均可被逮捕，并可根据《刑法典》第403条或适用的《阿卡迪亚市政法典》相关部分的规定对其提起诉讼。



**ARCADIA BUSINESS PERMIT & LICENSE REVIEW BOARD
REGULAR MEETING MINUTES
Tuesday, December 9, 2025**

CALL TO ORDER Chair Tallerico called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Chair Tallerico, Vice-Chair Tsoi, Board Member Arvizu, Board Member Wilander

ABSENT: Board Member Hui

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

There were none.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

- 1. RESOLUTION NO. 2179** - Recommending that the City Council approve Ordinance No. 2411 amending Article VI of the Arcadia Municipal Code regarding the Businesses, Professions, Trades, and Occupations (Business License) Code
CEQA: Categorically Exempt
Recommendation: Adopt

Applicant: City of Arcadia

MOTION - PUBLIC HEARING

Deputy Development Services Director Lisa Flores introduced the item, provided some background on past efforts, and then turned the presentation over to Economic Development Manager Simon Vuong, who presented the staff report.

Board Member Wilander asked if there are objections to the Business License's decision.

Mr. Vuong stated that there are no objections to the process itself; however, we have found that our existing appeal process is uncommon. While no appeal process is being proposed for the City Manager's decision, the absence of an appeal has not caused issues in other cities.

Board Member Arvizu asked about the qualifications of any potential City Manager designee and whether an Appellant might challenge those qualifications. Mr. Vuong responded that the City Manager would appoint a qualified designee and that credentialing has not been an issue with other hearing officers.

Ms. Wilander commented that she was concerned about a lack of appeal to a City Manager's decision, but noted any citizen has the right to speak at any City Council and that was essentially an additional form of appeal. City Attorney Kellan Martz indicated that most cities have streamlined their process similar to what this amendment is proposing.

The public hearing was opened.

There were no comments. As a result, Board Member Wilander made a motion to close the public hearing.

Vice-Chair Tsoi seconded the motion.

Without objection, the motion was approved.

DISCUSSION

The Board acknowledged that the approval of the proposed changes to the appeal process would result in the dissolution of the Business License Review Board.

Vice-Chair Tsoi noted that the proposed appeal process is currently very common.

Board Member Wilander acknowledged the improvement to the code and thanked the staff for their efforts.

Board Member Arvizu noted the enormity of the project and thanked all the staff that were involved.

Chair Tallerico expressed his appreciation for the hard work of staff.

MOTION

It was moved by Board Member Wilander, seconded by Board Member Arvizu to adopt Resolution No. 2179 recommending that the City Council approve Ordinance No. 2411

amending Article VI of the Arcadia Municipal Code regarding the Businesses, Professions, Trades, and Occupations (Business License) Code.

ROLL CALL

AYES: Tallerico, Tsoi, Arvizu, Wilander

NOES: None

ABSENT: Hui

ADJOURNMENT

The Business License Permit and Review Board adjourned the meeting at 6:14 p.m.

Chair Tallerico, Business License Review Board

ATTEST: _____
Lisa L. Flores
Secretary, Planning Commission



CITY OF ARCADIA

ARCADIA PLANNING COMMISSION REGULAR MEETING AGENDA

Tuesday, January 13, 2026, 7:00 PM

Location: City Council Chambers, 240 W. Huntington Drive

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CALL TO ORDER

ROLL CALL:

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

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

PUBLIC COMMENTS (5 minute time limit per person)

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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. 2184**– Approve a one-year time extension request for the Derby Mixed-Use Project located at 233 and 301 East Huntington Drive
CEQA: Not a Project
Recommendation: Approve

Applicant: Dustin Nicolarsen

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, January 26, 2026.

2. **Resolution No. 2185**– Approve a one-year time extension request to preserve a legal nonconforming restaurant/bakery use with a drive-through service window at the former Goldstein's Bagel Bakery, located at 408-412 N. Santa Anita Avenue
CEQA: Not a Project
Recommendation: Approve

Applicant: Daniel Ross

There is a ten day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, January 26, 2026.

CONSENT CALENDAR

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3. Minutes of the December 9, 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, January 27, 2026, at 7:00 p.m.

Welcome to the Arcadia Planning Commission Meeting!

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Staff in advance of the meeting so that the Planning Commission can be fully informed about a matter before making its decision.

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CITY OF ARCADIA

STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

DATE: January 13, 2026

TO: Honorable Chairperson and Planning Commission

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

SUBJECT: APPROVE A SUBSEQUENT ONE-YEAR TIME EXTENSION REQUEST FOR
THE DERBY MIXED-USE PROJECT LOCATED AT 233 AND 301 EAST
HUNTINGTON DRIVE
CEQA: Not A Project
Recommendation: Approve

SUMMARY

The Applicant and Property Owner, Dustin Nicolarsen, is requesting approval of a one-year time extension (EXT 25-04) to Minor Use Permit No. MUP 22-02 and Architectural Design Review No. ADR 22-06 with a Density Bonus, and a Lot Line Adjustment, for the approved The Derby Mixed-Use Project located at 233 and 301 East Huntington Drive ("Project"). The Project was originally approved by the City Council on December 19, 2023. The Project previously had a one (1) year extension approved administratively by Staff on December 9, 2024 which extended the expiration date to January 16, 2026. It is recommended that Planning Commission adopt Resolution No. 2184 (refer to Attachment No. 1) approving the subsequent one (1) year extension.

BACKGROUND

On December 19, 2023, the City Council approved Minor Use Permit No. MUP 22-02 and Architectural Design Review No. ADR 22-06, with a Density Bonus and Lot Line Adjustment, to allow construction of a six-story mixed-use development known as The Derby Mixed-Use Project at 233 and 301 East Huntington Drive.

As part of the original approvals, the Project included a Zone Change from General Commercial (C-G) to Downtown Mixed Use (DMU), application of the H-7 Special Height Overlay, and a corresponding amendment to the General Plan land use designation from Commercial to Downtown Mixed Use. The second reading of the ordinance for the Zone Change occurred on January 16, 2024, after which the Project entitlements went into effect.

The Project's original approval carried an expiration date of January 16, 2025. On November 12, 2024, the Applicant requested a one-year time extension, which was administratively approved by staff on December 9, 2024, pursuant to Section 9108.11.090(D) of the Development Code, extending the approvals through January 16, 2026 (refer to Attachment No. 3).

On December 4, 2025, the Applicant submitted a request for a subsequent one-year time extension. This request requires Planning Commission review and approval pursuant to Section 9108.11.090(F) of the Development Code (refer to Attachment No. 2).

DISCUSSION

Since approval of the Project, the Applicant has remained actively engaged with City staff regarding implementation of the approved entitlements, demonstrating a continued good-faith intent to proceed with development. However, due to unforeseen circumstances, the Property Owner and Applicant, Mr. Nicolarsen—who also owns and operates The Derby restaurant—has been required to secure a new development partner. In addition, changes in construction costs, financing conditions, and broader development-industry factors have affected the Project's timing and feasibility within the original approval period.

Collectively, these circumstances have resulted in the need to evaluate potential changes to the approved Project. Additional time is necessary to review and consider any such changes and to ensure that the existing entitlements remain active. Any future modifications to the Project would be subject to separate review and approval and are not part of this Extension Request.

Approval of the requested extension would not authorize any expansion, intensification, or modification of the approved Project. All conditions of approval

and mitigation measures associated with the original entitlements would remain in full force and effect (Refer to Attachment No. 4 for City Council Resolution No. 7532 approving the Project).

Since the original approval, surrounding properties have been rezoned from C-G to DMU. This change is consistent with the approved Project and does not change the overall development context. In addition, no changes to State law, the City's Development Code, or the General Plan have occurred that would prevent the Project from being supported today.

For these reasons, the requested extension is consistent with the intent of the Development Code and would provide the Applicant a reasonable opportunity to proceed with development of the approved Project or to pursue future amendments through a separate process, as appropriate.

FINDINGS

Section 9108.11.090(F) of the Arcadia Development Code requires that the Planning Commission may approve an extension to an approval if all the following findings can be made:

- 1. There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based.**

Facts to support finding: There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based. The Project was originally approved with a change in zoning designation from General Commercial (C-G) to Downtown Mixed Use (DMU), the application of the H-7 Special Height Overlay, and a corresponding amendment to the General Plan land use designation from Commercial to Downtown Mixed Use. These approvals remain in effect and have not been modified. Although the zoning of surrounding properties has subsequently been changed from C-G to DMU, this change is consistent with the City's adopted Housing Element and does not alter the regulatory basis of the original approval. No amendments to the General Plan, Zoning Code, or applicable State law have occurred that would invalidate or

undermine the original findings. Accordingly, there have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based.

2. Appropriate evidence has been provided by the applicant to document that:

- a. A good faith intent to exercise the permit or approval has been demonstrated; and**
- b. The extension is required due to an unusual hardship that was not the result of personal action(s) undertaken by the applicant.**

Facts to support finding: The Applicant and Property Owner has diligently pursued development of the Project and has remained in regular contact with City staff regarding Project implementation, demonstrating a continued good faith intent to exercise the approved entitlements. The request for a time extension is necessitated by changes in construction costs and conditions within the development industry that have created challenges to Project timing. These circumstances are beyond the Applicant's control and are not the result of personal actions undertaken by the Applicant. Accordingly, the evidence supports approval of the requested extension.

ENVIRONMENTAL ANALYSIS

The requested extension is not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption). The extension does not result in any physical changes to the environment and does not alter the environmental findings previously adopted in the Environmental Impact Report for the Project. No further CEQA review is required. Refer to Attachment No. 5 for the environmental assessment.

PUBLIC COMMENTS/NOTICE

A public hearing notice was mailed to property owners within 300 feet of the property and posted at the City Clerk's Office, City Council Chambers, at the Arcadia Library, and on the City's Planning website on December 30, 2025. As of January 8, 2026, no public comments have been received regarding the request.

RECOMMENDATION

Staff recommends that the Planning Commission approve EXT 25-04, allowing a one-year time extension to Minor Use Permit No. MUP 22-02 and Architectural Design Review No. ADR 22-06, with a Density Bonus and Lot Line Adjustment, for the Derby Mixed-Use Project located at 233 and 301 East Huntington Drive, as detailed in Resolution No. 2184 (Attachment No. 1).

If the Project is not carried out within the extension period, the approvals shall expire in accordance with the Development Code.

PLANNING COMMISSION ACTION

Approval

If the Planning Commission intends to approve a one (1) year time extension to The Derby Mixed Use Project, the Commission should approve a motion approving the extension, find that the extension is exempt from the California Environmental Quality Act (CEQA), and that it is consistent with the findings.

Denial

If the Planning Commission intends to deny the one (1) year time extension to The Derby Mixed Use Project, the Commission should approve a motion to deny an extension and state the reason for not granting an extension.

If any Planning Commissioner, or other interested party has any questions or comments regarding this matter prior to the January 13, 2026, Planning Commission Meeting, please contact Planning Services Manager, Fiona Graham at (626) 574-5442, or by email at fgraham@ArcadiaCA.gov.

Approved:



Fiona Graham
On behalf of

Lisa L. Flores
Interim Development Services Director

Attachment No. 1: Resolution No. 2184
Attachment No. 2: Extension Request Letter from Applicant/Property Owner
Attachment No. 3: Resolution No. 7532
Attachment No. 4: Administrative approval of EXT 24-04 (December 9, 2024)
Attachment No. 4: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2184

RESOLUTION NO. 2184

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
ARCADIA, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION TO
THE DERBY MIXED USE PROJECT LOCATED AT 233 AND 301 EAST
HUNTINGTON DRIVE

WHEREAS, on December 19, 2023, the City Council approved Minor Use Permit
No. MUP 22-02 and Architectural Design Review No. ADR 22-06 with a Density Bonus
and a Lot Line Adjustment to construct a six-story mixed-use development at 233 &
301 E. Huntington Drive known as “The Derby Mixed-Use Project” (“Project”); and

WHEREAS, the Project had an original expiration date of January 16, 2025, and
the Applicant and Property Owner, Dustin Nicolarsen, requested a one-year
extension on November 12, 2024. The extension request was administratively
approved by Staff on December 9, 2024 pursuant to Section 9108.11.090(D) of the
Development Code; and

WHEREAS, Mr. Nicolarsen submitted a request to extend the Project approval
for a subsequent one-year term on December 4, 2025; and

WHEREAS, on December 23, 2025, Development Services staff completed an
environmental assessment for the requested extension in accordance with the
California Environmental Quality Act (“CEQA”) and determined that the extension to
the Project will not change the environmental findings that were previously adopted
in the Environmental Impact Report, and thus, no further CEQA review is required as

an extension is not a project pursuant to Section 15061(b)(3) of the CEQA Guidelines;
and

WHEREAS, on January 13, 2026, a duly noticed public hearing was held before the Planning Commission on said extension request, 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 Development Services Department in the staff report dated January 13, 2026, are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Section 9108.11.090(F) of the Arcadia Development Code, all of the following findings can be made.

1. There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based; and

FACT: There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based. The Project was originally approved with a change in zoning designation from General Commercial (C-G) to Downtown Mixed Use (DMU), the application of the H-7 Special Height Overlay, and a corresponding amendment to the General Plan land use

designation from Commercial to Downtown Mixed Use. These approvals remain in effect and have not been modified. Although the zoning of surrounding properties has subsequently been changed from C-G to DMU, this change is consistent with the City's adopted Housing Element and does not alter the regulatory basis of the original approval. No amendments to the General Plan, Zoning Code, or applicable State law have occurred that would invalidate or undermine the original findings. Accordingly, there have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based.

2. Appropriate evidence has been provided by the applicant to document that:

a. A good faith intent to exercise the permit or approval has been demonstrated; and

b. The extension is required due to an unusual hardship that was not the result of personal action(s) undertaken by the applicant.

FACT: The Applicant and Property Owner has diligently pursued development of the Project and has remained in regular contact with City staff regarding Project implementation, demonstrating a continued good faith intent to exercise the approved entitlements. The request for a time extension is necessitated by changes in construction costs and conditions within the development industry that have created challenges to Project timing. These circumstances are beyond the Applicant's

control and are not the result of personal actions undertaken by the Applicant. Accordingly, the evidence supports approval of the requested extension.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act ("CEQA"), no further CEQA review is required as an extension is not a project pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 4. For the foregoing reasons the Planning Commission approves a subsequent one-year time extension (EXT 25-04) to Minor Use Permit No. MUP 22-02 and Architectural Design Review No. ADR 22-06 with a Density Bonus and a Lot Line Adjustment to construct a six-story mixed-use development at 233 & 301 E. Huntington Drive.

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 13th day of January, 2026

Domenico Tallerico
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

Attachment No. 2

Extension Request Letter from
Applicant/Property Owner

To Whom It May Concern,

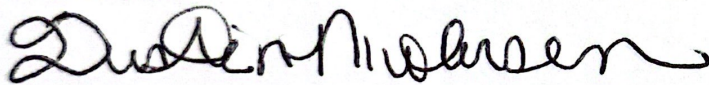
I am requesting an extension of the permits associated with our development project. The additional time is necessary due to a series of important design revisions we prepared and submitted to the city. These revisions were developed with the primary goal of safeguarding the historical and architectural integrity of the Derby building.

After extensive review and consultation, we determined that the most responsible approach was to separate the Derby building from the adjacent residential structure. This allowed us to ensure that the physical structure, character, and appearance of the Derby remained as close as possible to the existing conditions. Our team needed sufficient time to thoroughly evaluate the impacts of this separation, refine the design, and prepare proposals that aligned with both community expectations and preservation standards.

We believe these changes ultimately strengthen the project, protect the Derby's long-standing presence in the community, and ensure that all future development is respectful of its historical significance. For these reasons, we are requesting additional time to complete the adjusted plans and move forward in compliance with the City's expectations.

Thank you for your consideration.

Well Wishes,

A handwritten signature in black ink, appearing to read "Dustin Nicolarsen". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dustin Nicolarsen

Attachment No. 3

City Council Resolution No. 7532

RESOLUTION NO. 7532

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING MINOR USE PERMIT NO. MUP 22-02, ARCHITECTURAL DESIGN REVIEW NO. ADR 22-06, AN DDENSITY BONUS AND A LOT LINE ADJUSTMENT ALONG WITH AN ENVIRONMENTAL IMPACT REPORT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FOR THE "DERBY MIXED-USE DEVELOPMENT" LOCATED AT 233 & 301 E. HUNTINGTON DRIVE

WHEREAS, on April 15, 2022, applications were filed with the City of Arcadia ("City") for General Plan Amendment No. GPA 22-01, Zone Change No. ZC 22-01, Minor Use Permit No. MUP 22-02, Architectural Design Review No. ADR 22-06, along with a Lot Line Adjustment (filed on August 11, 2022), to construct "The Derby Mixed-Use Project" a new mixed-use development at 233 & 301 East Huntington Drive. The project includes a density bonus and will result in a six-story mixed-use building containing 214 residential units, including nine (9) affordable units (collectively, the "Project"); and

WHEREAS, a Final Environmental Impact Report ("EIR") has been prepared by the City for the Project. This Final EIR has been prepared in conformance with the California Environmental Quality Act of 1970 ("CEQA") statutes (Cal. Pub. Res. Code, Section 21000 et. seq., as amended) and implementing guidelines (Cal. Code Regs., Title 14, Section 15000 et. seq.); and

WHEREAS, in accordance with the CEQA Guidelines, a Notice of Preparation ("NOP") was circulated for a 30-day public review starting on October 14, 2022, to public agencies, organizations, and interested individuals; and

WHEREAS, on October 26, 2022, an in-person scoping meeting was held. The purpose of this meeting was to seek input from public agencies and the general public regarding the potential environmental impacts of the proposed Project. The City received

no comments/questions with environmental concerns during the scoping meeting but eight (8) individuals requested to be placed on a mailing list for further information; and

WHEREAS, a Draft EIR was made available for public review and comment pursuant to CEQA Guidelines Section 15087. The 45-day public review period for the Draft EIR started on August 4, 2023, and ended on September 19, 2023. At the beginning of the public review period, an electronic copy of the Draft EIR and an electronic copy of the Notice of Completion (“NOC”) and Notice of Availability (“NOA”) were submitted to the State Clearinghouse and Los Angeles Records Office. The 45-day public review period provided interested public agencies, groups, and individuals the opportunity to comment on the contents of the Draft EIR. A total of three agency, organization, and individual comment letters were received and are included in Chapter 2, Responses to Comments, of this Final EIR; and

WHEREAS, the Final EIR addresses the comments received during the public review period and includes minor changes to the text of the Draft EIR in accordance with comments; and

WHEREAS, pursuant to CEQA Guidelines Section 15091, the City Council shall make findings for each of the significant effects identified in the EIR and shall support the findings with substantial evidence in the record. After considering the Final EIR in conjunction with making findings under Section 15091, the City may decide whether or how to approve or carry out the Project. When a lead agency approves a project that will result in the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency is required by CEQA to state in writing the specific reasons to support its action based on the Final EIR and/or other information in

the record. Because the Project would not result in significant and unavoidable impacts, a “statement of overriding considerations” is not required to be prepared. The Final EIR identified potentially significant effects that could result from the Project but can be mitigated through mitigation measures; and

WHEREAS, on May 10, 2022, a duly noticed public hearing was held before the Planning Commission on said applications, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, the Planning Commission reviewed the Final Environmental Impact Report (SCH #2022100298) consisting of the Draft EIR and responses to comments and errata have been prepared pursuant to California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.) and recommended with a 5-0 vote that the City Council adopt the CEQA findings of fact and the mitigation monitoring and reporting program, and certify the Final EIR for the Alexan Arcadia Mixed-Use Development, and approve the Project with conditions and mitigation measures; and

WHEREAS, on December 19, 2023, a duly noticed public hearing was held before the City Council on said applications, at which time all interested persons were given a full opportunity to be heard and to present evidence.

NOW, THEREFORE, THE CITY COUNCIL 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 December 19, 2023, are true and correct.

SECTION 2. This City Council finds that based upon the entire record, pursuant to the Arcadia Development Code all the following findings can be made.

General Plan Amendment

1. The amendment is internally consistent with all other provisions of the General Plan.

FACT: The proposed Amendment is internally consistent with the other provisions of the General Plan. The Project proposed to change the General Plan Land Use Designation from “Commercial” to “Downtown Mixed Use.” The expansion of the Downtown Mixed-Use designation onto the Project site allows for development of a mixed-use project in furtherance of the goals and policies found in the Land Use & Community Design Element that promotes new infill and redevelopment of projects and developments that support transit and other alternative forms of transportation, and, most importantly, the Housing Element that provide suitable sites for housing development to accommodate a range of housing for residential use that meet the City’s State-mandated Regional Housing and Needs Assessment (“RHNA”) growth needs for all income levels. The City’s Housing Element requires that the City meet the State-mandated Regional Housing Needs Allocation. Mixed-use development in what was formerly commercial areas is an effective and beneficial way to do so. The City is planning a major General Plan update that would change this very property, in addition to all surrounding properties, to Downtown Mixed Use. This proposal is simply arriving before such larger effort of the City. The proposed change will allow the property owner to merge two properties into one parcel to accommodate a larger mixed-use project that is more appropriate for this site. The revised Project continues to implement the General Plan’s policies and goals for an orderly development that is supported by public infrastructure and services. The proposed development meets all applicable

development standards, including not exceeding the height that is allowed through the Height Overlay of H7 (75 feet in height).

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

FACT: The proposed Amendment is consistent with a City-sponsored amendment that is currently in process that will modify this area to Downtown Mixed Use. To review the specific impacts of this proposed project, however, an Environmental Impact Report was submitted that analyzed all the potential impacts, and the anticipated impacts from the amended project are less than significant or can be reduced to less than significant levels with the implementation of mitigation measures. Therefore, the General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare. Further, the mixed-use project will provide a superior development to this site and add to the vitality of the area.

Zone Change

1. The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan.

FACT: The proposed Zone Change for the Project is in conformance with the goals, policies and objectives of the General Plan. The Zone Change proposed to change the current General Commercial Zoning to Downtown Mixed Use, which allows residential development on the site in an urban, mixed-use format. The change in zoning to Downtown Mixed-Use allows for development of a mixed-use project in furtherance of the goals and policies found in the Land Use & Community Design Element, the Economic Development Element, the Circulation and Infrastructure Element and, most

importantly, the Housing Element of the General Plan. The City's Housing Element requires that the City meet the State-mandated Regional Housing Needs Allocation. Mixed-use development in what was formerly commercial areas is an effective and beneficial way to do so. The City is planning a major Zoning Map update that would change the zoning of this very property, in addition to all surrounding properties, to Downtown Mixed Use. This proposal is simply arriving before the City's larger effort. The proposed change will allow the property owner to merge two properties into one parcel to accommodate a larger mixed-use project that is more appropriate for this site. The revised Project continues to implement the General Plan's policies and goals for an orderly development that is supported by public infrastructure and services. The proposed development meets all applicable development standards, including not exceeding the height that is allowed through the Height Overlay of H7 (75 feet in height).

2. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land uses/developments.

FACT: When joined together through the associated lot line adjustment, the resulting property is 2.23 acres in size. As such, the site is physically suitable for the proposed Project in terms of land use, height, access and egress, parking, and the provision of utilities. There are no physical constraints, and the proposed use and development is compatible with adjoining land uses in that this area will add more commercial uses, including a larger restaurant on the ground floor and add vitality to this part of the commercial corridor. The Environmental Impact Report submitted along with the Project reviewed all of the site logistics and utility provision challenges inherent

in the area. Through mitigations and conditions approval, there are no deficiencies, and the site is suitable for the change in zoning.

3. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

FACT: The proposed Zone Change is consistent with a City-sponsored zoning change that is currently in development that will modify this area to Downtown Mixed Use. To review the specific impacts of this proposed Project, however, an Environmental Impact Report was submitted that analyzed all the potential impacts, and the anticipated impacts from the Project are less than significant or can be reduced to less than significant levels with the implementation of mitigation measures to traffic, noise, air quality, geology, hazards, and utilities and service systems. Therefore, the Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of adjacent uses in the vicinity and of this property. Further, the mixed-use project will provide a superior development to this site and add to the vitality of the area.

Minor Use Permits

1. The proposed use is consistent with the General Plan and any applicable specific plan.

FACT: Approval of the proposed mixed-use project would be consistent with the new General Plan Land Use Designation of Downtown Mixed Use, along with a permitted density bonus. The base density and commercial floor area allowed is 80 units per acre and a commercial floor area ratio of 1.0. With the permitted 20% density bonus, up to 96 dwelling units an acre are allowed. The Project proposes a density of 9 dwelling units per acre and a commercial FAR of 0.18, meeting the land use designation and zoning

for the site. This land use designation allows mixed-use developments and strongly encourages a pedestrian-oriented environment with a complementary mix of commercial and residential uses. The residential units will provide vitality and an urban effect to the area, and the proposed restaurants will help generate increased activity along Huntington Drive and will continue to convey a commercial appearance along the street. Valet parking and outdoor dining are expected and encouraged in such a setting. Therefore, the proposed mixed-use development will not adversely affect the comprehensive General Plan and is consistent with the following General Plan goals and policies:

Land Use and Community Design Element

- Policy LU-1.1: Promote new infill and redevelopment projects that are consistent with the City's land use and compatible with surrounding existing uses.
- Policy LU-1.8: Encourage development types that support transit and other alternative forms of transportation, including bicycling and walking.
- Policy LU-4.2: Encourage residential development that enhances the visual character, quality, and uniqueness of the City's neighborhoods and districts.
- Policy LU-4.3: Require the provision of adequate private and common open space for residential units. Require sufficient on-site recreational facilities to meet the daily needs of residents, if possible, commensurate with the size of the development.
- Policy LU-6.4: Encourage design approaches that create a cohesive, vibrant look and that minimize the appearance of expansive parking lots on major commercial corridors for new or redeveloped uses.
- Policy LU-6.5: Where mixed use is permitted, promote commercial uses that are complementary to adjacent residential uses.

2. The proposed use is allowed within the applicable zone, subject to the granting of a Minor Use Permit, and complies with all other applicable provisions of this Development Code and the Municipal Code.

FACT: The subject site will be zoned Downtown Mixed Use ("DMU"), which allows for mixed-use developments subject to the approval of a Minor Use Permit ("MUP"). The

proposed Project complies with all the development standards of the DMU Zone, including but not limited to setbacks, height, open space, density, parking, The Project provides the requisite number of low or very low-income units to qualify for a density bonus AND relaxation of parking requirements per density bonus law under SB 1818. As such, the Project meets the Municipal Code requirements as well as State law.

3. 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 subject site is 2.33 acres in size and is located in the Downtown Mixed Use (“DMU”) Zone. The site is surrounded by commercial uses consisting of the Hampton Inn and Embassy Suites hotels, as well as commercial centers to the east and south of the property. All these properties are currently Zoned Commercial. However, as has been stated, the City is currently working on a major rezoning and General Plan land use designation effort which will change this property and all surrounding properties to the very zoning and land use being proposed. As such, this Project embodies what the goals of the DMU Zone are, with a mix of residential and commercial uses. Therefore, the development and operation of the mixed-use development will be compatible with the existing and future land uses in the vicinity.

4. 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 Project site is 2.33 acres in size and can physically accommodate the proposed mixed-use development. The residential component of the Project will provide a density of approximately 96 units per acre, which is in compliance with the maximum density for the area due to the density bonus permitted as a result of the affordable housing units being provided. The commercial component of the Project will have a floor area ratio ("FAR") of 0.18, which is below the maximum allowable FAR of 1.0. Additionally, the amount of on-site parking that will be provided for this Project meets and exceeds the minimum required by State law for projects providing affordable housing units that are in close proximity to the Foothill Gold Line (Metro A Line) Station. Finally, to accommodate increased traffic and turning motions necessitated by the Project, the left turn pocket on Huntington/Gateway will be extended to allow for additional queuing.

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

FACT: The Project site is located on the north side of Huntington Drive and the west side of Gateway Drive. These streets are adequate in width and pavement type to carry emergency vehicles and traffic generated by the proposed use on the site.

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

FACT: The Fire and Police Departments have reviewed the application and determined that, with the addition of the newly created Fire Impact Fee, there will be no impacts to public protection services. The need for new or altered Fire or Police services is usually associated with substantial population growth. Recognizing this, in advance of changes in zoning and development type in the Downtown Mixed Use Zone, the Fire Department recently added an impact fee to plan for future growth. With the

payment of this fair share fee by the Applicant, no impacts to public protection services are anticipated. Development of Downtown Arcadia has been anticipated and planned for since the General Plan was updated in 2010. Mixed-use developments and residential units have been expected since that time on the part of public protection services and, as mentioned, the City is working on a major zone change for a large portion of this area to a similar land use type. The new Fire Department fee will account for this project's fair share of new demand for fire services.

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

FACT: As part of the development, new utility connections, including connections for potable water and storm drainage, will be required. Implementation of best management practices by the Applicant during construction and operation would ensure impacts to water quality do not occur. The site can be adequately served by all required utilities through interconnection with existing utilities within City right-of-way abutting the site. The Project will require a fair-share payment for upsizing of a sewer line, which is anticipated to be built by the City.

5. 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 mixed-use development is not anticipated to have adverse effects on the public health or welfare, or the surrounding neighborhood. The Project will

be compatible with the surrounding uses in the general area. Additionally, the Environmental Impact Report prepared for the Project assessed all the potential impacts from the Project and it was determined that there would be no significant impacts to traffic, noise, air quality, or water quality. Therefore, the proposed use will not adversely affect the public convenience, health, interest, safety or general welfare of adjacent uses in the vicinity and zone of the subject property.

Density Bonus

1. The Project will be consistent with the General Plan, except as provided by this section with regard to maximum density, density bonuses, and other incentives and concessions.

FACT: The Project is consistent with the Downtown Mixed Use land use designation in the General Plan, as well as the zoning requirements of the DMU Zone. The Project meets the following policies of the General Plan Land Use Element: LU-1.1, LU-1.8, LU-4.2, LU 4.3, LU-6.4, and LU-6.5. With the application of the permitted density bonus, the Project is allowed up to 96 dwelling units an acre, which is what is being processed through the addition of low-income housing units.

2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities.

FACT: The Project proposes 214 dwelling units, which includes nine affordable units for seniors. All relevant utility providers and service providers reviewed the proposed Project and have declared that the Project can be served with existing and/or planned infrastructure. The Arcadia General Plan has anticipated mixed-use development in Downtown Arcadia since 2010. The infrastructure has been reviewed and analyzed with

this in mind and the Project can be accommodated. Additionally, the City is planning a major rezoning effort which will include this Project and surrounding properties.

3. Adequate evidence exists to indicate the Project will provide affordable housing in a manner consistent with the purpose and intent of this Section.

FACT: The Applicant had been conditioned to provide a Density Bonus Housing Agreement which specifies that nine units will be provided for very low-income senior residents. This document must be recorded prior to the issuance of a Certificate of Occupancy for the Project and shall run with the property. This will provide the necessary surety that these units will remain affordable over time.

4. In the event that the City does not grant at least one financial concession or incentive as defined in Government Code Section 65915 in addition to the density bonus, that additional concessions or incentives are not necessary to ensure affordable housing costs as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Government Code 65915(C.).

FACT: The Project is proposing a density bonus of 20% based on the provision of 5% affordable units at the very low-income level, which is allowable per State law. In addition, the Project is utilizing the parking relaxation requirements allowed due to the provision of affordable housing and proximity to transit. The Project is also being granted a concession for Development Code standards related to the dimensions of parking spaces and aisle width. As such, the Project can meet all other zoning requirements and standards and no additional concessions or incentives are necessary to meet the targeted affordability.

5. There are sufficient provisions to guarantee that the units will remain affordable for the required time period.

FACT: The Applicant has been conditioned to submit a draft Density Bonus Housing Agreement which will be finalized and agreed to by both parties prior to recordation. The document will be required to be recorded prior to the issuance of a Certificate of Occupancy for the Project and will remain in effect for at least 55 years in order to comply with the required time period.

Architectural Design Review

The Project will be consistent with the objectives and standards of the applicable Design Guidelines. The Project will be compatible in terms of scale and aesthetic design with surrounding properties and developments since the adjacent properties also have a height overlay to allow taller buildings and the new Derby restaurant has been designed to maintain the low-slung craftsman-influenced character and scale of the existing building as well as other distinctive interior and exterior elements such as the gable roof and stained-glass windows.

The Project will have an adequate and efficient site layout in terms of access, vehicular circulation, parking and landscaping. The Project will also have valet service that will be reserved for the restaurant/cafés and residential visitors. Therefore, the Project meets the intent of the Site Plan & Design Review findings.

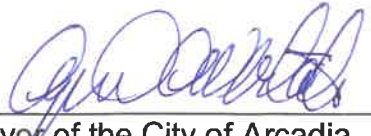
SECTION 3. For the foregoing reasons, the City Council has certified the Final EIR in accordance with CEQA under Resolution No. 7530, and determines the findings can be made to approve, and does hereby approve, General Plan Amendment No. GPA

22-01, Zone Change No. ZC 22-10, Minor Use Permit No. MUP 22-02, and Architectural Design Review No. ADR 22-06, along with a density bonus and lot line adjustment, for construction of a new mixed-use development at 233 & 301 E. Huntington Drive, subject to the conditions of approval and mitigation measures attached hereto as Exhibit "A".

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 19th day of December, 2023.



Mayor of the City of Arcadia

ATTEST:



City Clerk

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF ARCADIA)

I, GENE GLASCO, City Clerk of the City of Arcadia, hereby certifies that the foregoing Resolution No. 7532 was passed and adopted by the City Council of the City of Arcadia, signed by the Mayor and attested to by the City Clerk at a regular meeting of said Council held on the 19th day of December, 2023 and that said Resolution was adopted by the following vote, to wit:

AYES: Cheng, Kwan, Wang, Cao, and Verlato

NOES: None

ABSENT: None



City Clerk of the City of Arcadia

EXHIBIT “A”

Conditions of Approval and Mitigation Measures

1. The Applicant/Property Owner shall provide a Density Bonus Housing Agreement that will ensure that at least nine units are reserved on site as housing for very low-income senior residents. The Density Bonus Housing Agreement must be recorded in the Office of the Los Angeles Recorder's office prior to the issuance of a Certificate of Occupancy for the Project. Prior to their recordation, the Applicant/Owner shall submit the agreement to the City for review and approval by the City and shall obtain the City Attorney's approval thereof. For this purpose, the Applicant/Owner shall submit to the City with the proposed Agreement a deposit of \$5,000 for purposes of such review, of which any funds remaining after review of the Agreement by the City shall be returned to the Applicant/Owner.
2. A comprehensive landscaping plan, consistent with the conceptual landscape plan approved as part of the Project, prepared by a licensed landscape architect must be submitted as part of building plan check and subject to the approval of the Deputy Development Services Director or designee.
3. The existing Derby signage is to be refurbished and maintained in accordance with the approved plans.
4. A lot line adjustment must be approved and recorded with LA County prior to the issuance of building permits.
5. The Project shall comply with the latest adopted edition of the following codes as applicable:
 - a. California Building Code
 - b. California Electrical Code
 - c. California Mechanical Code
 - d. California Plumbing Code
 - e. California Energy Code
 - f. California Fire Code
 - g. California Green Building Standards Code
 - h. California Existing Building Code
 - i. Arcadia Municipal Code
6. The Project shall comply with Chapter 35A Multiple Family Construction Standards as amended in Arcadia Municipal Code Section 8130.20.
7. Prior to the approval of the building plans the Applicant/property owner shall prepare public street improvement plans as follows:

- a. Prepare separate Street Improvement Plan(s) for Huntington Drive & Gateway Drive along all property frontages from property line to property line to accommodate the changes to the parkway and street, including all removals, reconstruction, relocations, and news-rack removal (Huntington Drive) in the public right-of-way.
 - b. Included on the Street Improvement Plans will be removal of the eastbound and southbound raised medians at the intersection of Huntington Drive & Gateway Drive to create longer left-turn pockets for vehicles entering and exiting the site.
 - c. Striping plans for the Huntington Drive & Gateway Drive intersection will be required with minimum widths of 10 feet for the left-turn pockets and a minimum of 12 feet through/right turn lane next to the curb (Gateway Drive).
8. Prior to approval of the building plans the Applicant/property owner shall submit LID, Hydrology, and Soils Reports for review and approval.
9. Prior to approval of the building plans the Applicant/property owner shall either construct or post security for all public improvements as follows:
 - a. Remove and replace existing sidewalk, curb and gutter along all property frontages from property line to property line to the satisfaction of the City Engineer. Include additional sidewalk to provide adequate clearance around all obstacles.
 - b. Remove and replace all driveway approaches per City standard plan.
 - c. Construct new ADA accessible ramps/domes at driveways where stop signs are proposed.
 - d. Coordinate with Public Works Services on protection of street trees along Huntington Drive and Gateway Drive including the installation of any new street trees.
 - e. Remove and replace the pavement in Gateway Drive adjacent to the development's entire frontage from gutter to gutter per approved street improvement plan.
 - f. Remove raised center medians on Huntington Drive and Gateway Drive and planter area on Huntington Drive with full depth pavement section matching existing thickness per approved street improvement plan.
 - g. Because Huntington Drive is currently under Moratorium, if project is completed prior to September 22, 2026, grind and overlay the pavement in Huntington Drive with extra limits of pavement repair adjacent to the development for the entire frontage from gutter to the centerline of the street or curb of raised median.
 - h. Restripe Huntington Drive & Gateway Drive per approved striping plan.
10. Prior to final occupancy an additional 1-foot minimum easement shall be required on Gateway Drive to accommodate a full 10-foot parkway for sidewalk and utility

purposes providing 4foot wide ADA access/path of travel around all obstructions and driveways.

11. Prior to final occupancy, a plan for the proposed regulations of parking along the Huntington Drive curb in front of the Project shall be submitted to the City Engineer for review and approval. This area is not to be reserved for short-term parking but rather will be designated by the City Engineer.
12. Street trees shall be preserved as per the Arborist Report dated June, 2023. Any removal and replacement of street trees shall be coordinated with the Public Works Services Department and the appropriate fees shall be paid prior to the issuance of a Certificate of Occupancy. All trees remaining on site during and after construction shall be protected utilizing the recommendations provided in the Arborist report.
13. The Project is subject to Industrial Waste requirements. This will be reviewed through the submittal of plumbing plans. Grease Interceptors are required for all restaurants.
14. A 12" cast iron water main with 59 psi static pressure is available on the south side of Huntington Dr, and a 12" cast iron water main with 60 psi static pressure is available on Gateway Dr. Both mains are available for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations prepared by a licensed Civil or Mechanical Engineer to determine the maximum domestic demand, maximum commercial demand, and maximum fire demand in order to verify the required sizes of water services.
15. The Applicant/Property Owner shall provide separate water services and meters for residential, commercial, and common area landscape irrigation uses. All water services will require approved reduced pressure backflow devices for meter services protection.
16. Domestic water service for residential dwelling units shall be provided by a common master meter installed within the public right-of-way.
17. Fire protection requirements shall be as stipulated by the Arcadia Fire Department and shall be conformed to Arcadia Standard Plan. A separate fire service with Double Check Detector Assembly ("DCDA") shall be installed. Location of DCDA shall be closed to the public right of way and can't be inside the building.
18. A Water Meter Clearance Application shall be submitted to the Public Works Services Department prior to permit issuance.
19. New water service installations shall be installed by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services

Department, Engineering Division. Abandonment of existing water services, if necessary, shall be carried out by the Applicant/Property Owner, according to Public Works Services Department, Engineering Division specifications.

20. Several City sewer lines are in the Project vicinity as provided below, the Applicant/Property Owner shall utilize existing sewer laterals, if possible.
 - a. An 8" VCP sewer main is available on Huntington Dr.
 - b. An 8" VCP sewer main is available at the site, which leads to Huntington Dr.
 - c. An 8" VCP sewer main is available on Gateway Dr.
21. Prior to a Certificate of Occupancy being issued for the Project, the Applicant/Property Owner shall make a fair share contribution to a sewer upgrade project in Fifth Avenue. This fair share payment is memorialized as Mitigation Measure UTL-1.
22. If the proposed underground parking structure and/or any part of the building footprint lies within five feet of the existing 8" on-site sewer line, the Applicant/Property Owner shall remove or abandon the entire ~200' long line. Access to the upstream manhole on that line shall be maintained if the line has not been removed or abandoned.
23. If any drainage fixture elevation on any floor is lower than the elevation of the next upstream manhole cover, an approved type of backwater valve is required to be installed on the lateral behind the property line.
24. Since the proposed project exceeds one acre of disturbed land, applicant must file a Notice of Intent (NOI) with the State Water Resources Control Board for a General Construction NPDES Permit. The NOI will require certain items such as preparation of the Stormwater Pollution Prevention Plan (SWPP), applicable fees, etc. The City will not approve any grading plans until a Waste Discharger Identification ("WDID") Number# has been issued by the State.
25. The proposed project is subject to low impact development (LID) requirements. Applicant/Property Owner shall integrate low impact development ("LID") strategies into the site design. These strategies include using infiltration trenches, bioretention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.
26. Trash/recycling bins shall be configured to provide easy access for trash collection services. There should be one foot clearance around the trash bins/recycling bins and all bins/carts shall meet the specifications of the Public Works Services Department. At a minimum, trash enclosure areas should accommodate three containers: a 3-yard bin for trash, 3-yard bin for recycling, and 69/96 gallon sized

carts for organics recycling. Roof clearance must be 10 feet so trucks can access bins to empty.

27. All areas shall be fire sprinklered. The sprinkler systems serving commercial areas and residential areas shall be segregated.
28. The fire sprinkler system shall be monitored by a UL listed central station. Notification appliances shall be provided in all common areas and residential areas.
29. Class I standpipes shall be provided inside all stairwells on all levels including the roof.
30. New hydrants shall be provided at the following street frontage locations:
 - a. One on the west side of Gateway Drive, towards the north of property
 - b. One on the north side of Huntington Drive, towards the west of property
31. An Emergency Responder Radio Coverage System shall be provided.
32. A knox box shall be provided adjacent to the Lobby area and outside stairwells. Any automatic gates used in parking areas shall be equipped with a knox switch.
33. The emergency gate serving the north side of the property currently acts as a drive through for ladder truck access. The proposed layout will eliminate that access. An approved alternative method of ladder truck turn-around shall be provided to Arcadia Fire Department for review prior to any permit issuance.
34. The Project is responsible for contributing a fair-share payment toward the installation of a cloud-based mitigation system being completed by the Fire Department to ensure response times are maintained or enhanced given new development. This fair-share payment shall be attributed to the seven (7) immediately adjacent intersections evaluated in the traffic study for the Project, and the payment shall not exceed \$17,500.
35. The Project shall be developed and maintained by the Applicant/Property Owner in a manner that is consistent with the plans submitted and conditionally approved for General Plan Amendment No. GPA 22-01, Zone Change No. ZC 22-01, Minor Use Permit No. MUP 22-02, Architectural Design Review No. ADR 22-06, subject to the satisfaction of the Development Services Director or their designee. Noncompliance with the plans, provisions and conditions of approval shall be grounds for immediate suspension or revocation of any approvals.
36. The Applicant/Property Owner shall be responsible for the repair of all damage to public improvements in the public right-of-way resulting from construction related activities, including, but not limited to, the movement and/or delivery of equipment,

materials, and soils to and/or from the site. This shall be determined by the City Engineer and/or Public Works Services Director during construction and up until issuance of a Certificate of Occupancy.

37. Prior to issuance of a building permit, the Applicant/Property Owner shall submit a parking management plan which shall include both a detailed valet parking plan for the Project as well as a parking staging plan for all phases of construction so as to minimize impacts on surrounding businesses and street parking. Said plan shall be subject to review and approval by the Deputy Development Services Director, or their designee.
38. Per the recommendations of the Parking Management and Valet Parking Analysis, space counters shall be installed for self-park spaces and dynamic parking displays shall be placed at the Gateway Drive garage driveway entrance indicating the number of self-park spaces occupied and available within the garage. These parking displays shall also be visible from Huntington Drive. All self-park spaces shall be clearly marked.
39. A detailed parking signage plan shall be provided along with Building Permit plans that meets the recommendations of the Derby Parking Management/Valet Operations Analysis dated July, 2023. Signage shall include directional signage for both valet and self-park users, as well as directional signage in both the courtyard area and parking structure to avoid confusion.
40. 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 to the satisfaction of the Building Official, City Engineer, Development Services Director, Fire Marshal, and Public Works Services Director. Any changes to the existing facility may be subject to having fully detailed plans submitted for plan check review and approval by the aforementioned City officials and employees and may subject to separate building permits.
41. To the maximum extent permitted by law, the Applicant/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 GPA 22-01, ZC 22-01, MUP 22-02, ADR 22-06, a Density Bonus and Lot Line Adjustment ("Project"), 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.

Mitigation Measures as Conditions of Approval

The following conditions are found in the Mitigation Monitoring and Reporting Program ("MMRP"). They are recorded here to facilitate review and implementation. More information on the timing and responsible parties for these mitigation measures is detailed in the MMRP.

42. **MM-CUL-1.** Prior to commencement of construction activities, an inadvertent discovery clause, written by an archaeologist, shall be added to all construction plans associated with ground disturbing activities and the Project Applicant shall retain a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, to prepare a Worker Environmental Awareness Program ("WEAP"). The WEAP shall be submitted to the City of Arcadia Development Services Department (City) for review and approval. All construction personnel and monitors shall be presented the WEAP training prior to the start of construction activities. The WEAP shall be prepared to inform all personnel working on the Project about the archaeological sensitivity of the area, to provide specific details on the kinds of archaeological materials that may be

identified during construction, to explain the importance of and legal basis for the protection of significant archaeological resources, and to outline the actions to be taken in the event of a discovery of cultural resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitor.

The WEAP shall require that a qualified archaeologist be retained and on-call to respond to and address any inadvertent discoveries identified during initial excavation in native soils, which underly the 2-4 feet below ground surface of artificial fill soils. As it pertains to archaeological monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by project-related construction.

If potential archaeological resources (i.e., sites, features, or artifacts) are exposed during construction activities for the Project, the City shall be notified and all construction work occurring within 50 feet of the find shall immediately stop until a qualified archaeologist can evaluate the significance of the find and determine whether or not additional study is warranted. The archaeologist shall be empowered to temporarily stop or redirect grading activities to allow removal of abundant or large artifacts. Depending upon the significance of the find under the California Environmental Quality Act ("CEQA") (14 CCR 15064.5[f]; PRC, Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan and data recovery, may be warranted. The archaeologist shall also be required to curate any discovered specimens in a repository with permanent retrievable storage and submit a written report to the City of Arcadia for review and approval prior to occupancy of the first building on the site. Once approved, the final report shall be filed with the South-Central Coastal Information Center ("SCCIC").

43. **MM-GEO-1.** In the event that paleontological resources (e.g., fossils) are exposed during construction activities for the Project, all construction work occurring within 50 feet of the find shall immediately stop until a Qualified Paleontologist meeting Society of Vertebrate Paleontology (SVP 2010) standards can evaluate the significance of the find and determine whether or not additional study is warranted. If the discovery is clearly not significant, the paleontologist may document the find and allow work to continue. If significant paleontological resources are discovered during earthmoving activities, the qualified paleontologist shall prepare and submit a Paleontological Resources Recovery Plan ("PRRP") to the City for review and approval. The recovery plan shall include, but is not limited to, sampling and fossil recovery procedures, museum curation for any scientifically significant specimen recovered, and a report of findings. Recommendations in the PRRP as approved by the City shall be implemented before construction activities can resume at the site where the significant paleontological resources were discovered. Any reports and plans resulting from implementation of this measure shall be submitted to City

Planning Division and filed with the Natural History Museum of Los Angeles County.

44. **MM-HAZ-1. Hazardous Building Materials Survey.** Prior to the issuance of a demolition permit for any existing on-site structures, a qualified environmental specialist shall conduct a survey for asbestos-containing materials, lead-based paint, polychlorinated biphenyls, mercury, and other hazardous building materials, such as universal wastes and refrigerants, to document the presence of any potentially hazardous materials within the structures. If survey results are positive, all potentially hazardous materials identified as part of this survey shall be handled and disposed in accordance with the federal and state hazardous waste and universal waste regulations. Demolition plans and contract specifications shall incorporate any necessary abatement measures in compliance with the findings of the hazardous building materials survey and federal, state, and local regulations, including those of the U.S. Environmental Protection Agency (which regulates disposal), Occupational Safety and Health Administration, California Occupational Safety and Health Administration (which regulates employee exposure), the South Coast Air Quality Management District, and the Metallic Discards Act of 1991 (Public Resources Code, Section 42160 et seq.), particularly Public Resources Code, Section 42175, Materials Requiring Special Handling, for the removal of mercury switches, PCB-containing ballasts, and refrigerants. Upon completion of construction activities, proof of proper handling and disposal shall be provided to the City's Public Works Department.
45. **MM-HAZ-2. Contaminated Soil Management.** Prior to the issuance of a grading permit, the Project Applicant/Property Owner shall retain a qualified environmental professional to prepare a soil management plan ("SMP") that outlines the proper screening, handling, characterization, transportation, and disposal procedures for contaminated soils on site based on the findings of the site-specific conditions, geophysical surveys, and Phase I and II Environmental Site Assessments, and shall identify any areas of known or suspected soil contamination. The SMP shall be provided to the City Development Services Department for review prior to any site grading. The Project's contractor shall ensure implementation of the SMP through the contract specifications for all confirmed and suspected contaminated soils which require excavation and offsite disposal. The SMP shall include health and safety and training procedures for construction workers who may come into contact with contaminated soils. The health and safety procedures shall include periodic breathing zone monitoring for volatile organic compounds ("VOCs") using a handheld organic vapor analyzer and include required actions to be taken if concentrations of VOCs exceed applicable screening levels for health and safety of onsite workers and the public. The SMP shall also include instructions for the identification of potentially-impacted soils, procedures for temporary cessation of construction activity and evaluation of the level of environmental concern if potentially-impacted soils or underground storage tanks are encountered, procedures for characterizing and managing potentially-impacted soils, and follow-

up procedures such as disposal and reporting, as necessary. Contaminated soil shall be managed and disposed of in accordance with applicable federal, state, and local regulations. Upon completion of construction activities, proof of compliance with the SMP shall be provided to the City's Development Services Department.

46. **MM-NOI-1.** Prior to the issuance of a demolition permit, the Project Applicant/Property Owner shall ensure that the following measures are included in the construction contractor's contract specifications and that the following measures are implemented and monitored for compliance throughout construction:

- a. All construction equipment must have supplier-approved sound muffling devices (e.g., engine air intake or exhaust treatment) installed and used in compliance with relevant industry standards and Cal/OSHA regulations pertaining to construction noise, which shall be properly maintained and used at all times such equipment is in operation.
- b. The construction contractor shall place stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site, including the hotels located adjacent to the northern and northwestern boundaries of the Project site.
- c. The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during the construction period.
- d. All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays.
- e. An eight (8) foot tall temporary noise barrier shall be erected or installed along an extent of the northern Project site property line where it is adjacent to the nearest noise-sensitive receptor. The barrier can comprise one or more materials of construction and/or assembly, so long as the net sound transmission class ("STC") is 15 or better, and thus expected to yield a minimum of 5 dB noise reduction when blocking direct sound paths between onsite Project construction noise-producing activities or equipment and the offsite receptor of concern. The horizontal extent of the installed barrier should be compatible with Caltrans or other industry guidance with respect to minimizing flanking effects around the ends of the barrier, based on both the offsite receptor position and the onsite position or zone of construction activity.

47. **MM-TRA-1.** Prior to the issuance of a grading permit, the Project Applicant/Property Owner shall coordinate with the City Engineer to prepare engineering plans that remove and reconfigure the raised median on E. Huntington Drive to extend the eastbound left-turn pocket to at least 75 feet. Plans shall be prepared and implemented to the satisfaction of the City's Public Works Services Director and the work on E. Huntington Drive shall be completed prior to the issuance of a certificate of occupancy.
48. **MM TRA 2.** Prior to the issuance of a building permit, the Project Applicant/Property Owner shall prepare a Parking Signage Plan to clearly identify ingress/egress and circulation for residents and commercial visitors. The Parking Signage Plan shall require that adequate signage be installed within the commercial section of the parking structure directing personal vehicles to use the Gateway Drive egress to exit the Project site, and to prohibit egress through the Courtyard to E. Huntington Drive, in order to avoid conflicts with valet operations.
49. **MM-TRA-3.** Prior to the issuance of demolition or grading permits, the Project Applicant/Property Owner shall develop and implement a City-approved Construction Traffic Control Plan. The Plan shall be prepared in accordance with applicable City guidelines and shall address the potential for construction-related vehicular traffic, as well as pedestrian and bicycle circulation disruption in the public right-of-way. The Plan shall describe safe detours and shall include protocols for implementing the following: temporary traffic controls (e.g., a flag person during heavy truck traffic for soil export) to maintain smooth pedestrian and traffic flow; dedicated on-site turn lanes for construction trucks and equipment leaving the site; scheduling of peak construction truck traffic that affects traffic flow on the arterial system to off-peak hours; consolidation of truck deliveries; and/or rerouting of construction trucks away from congested streets or sensitive receptors.
50. **MM-TCR-1.** *Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.* The Project Applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the Project description/definition and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered tribal cultural resources (TCRs), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project Applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the Project Applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the Project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the Project Applicant/lead agency that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact Kizh TCRs.

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

51. **MM-TCR-2. *Unanticipated Discovery of Human Remains and Associated Funerary Object.*** Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods discovered or recognized on the Project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, they shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

Human remains and grave/burial goods shall be treated alike per California Public Resources Code Section 5097.98(d)(1) and (2).

Construction activities may resume in other parts of the Project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the Project Manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

52. **MM-TCR-3. *Procedures for Burials and Funerary Remains.*** If it is determined, through compliance with Public Resources Code Section 5097.98 and other applicable regulatory requirements that the Gabrieleño Band of Mission Indians - Kizh Nation is the Most Likely Descendant ("MLD"), the following shall be implemented:
- a. As the MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.
 - b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
 - c. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

- d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed.
 - e. In the event preservation in place is not possible despite good faith efforts by the Project Applicant/Property Owner, before ground-disturbing activities may resume on the Project site, the landowner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects.
 - f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
 - g. The Tribe will work closely with the Project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.
53. **MM-UTL-1. Sewer Upgrade Fair Share Payment.** Prior to issuance of a Certificate of Occupancy permit for the Project, the Applicant/Property Owner shall make a fair share contribution of nine percent (9%) of the Fifth Avenue Sewer Upgrade Project cost, not to exceed \$108,000, to the City to help fund upgrading of the sewer line in Fifth Avenue. The Fifth Avenue Sewer Upgrade Project will be included in the City's 2024-25 Capital Improvement Plan budget and the work will be completed by the City's Public Works Services Department by the end of the 2024-25 Fiscal Year. This measure shall be implemented to the satisfaction of the City Engineer and/or the City Public Works Services Department as appropriate.

Attachment No. 4

Administrative Approval of EXT 24-04
(December 9, 2024)



ER 24-0004

EXTENSION REQUEST

PLEASE COMPLETE THE FOLLOWING INFORMATION (REQUIRED):

PROJECT ADDRESS 233 E HUNTINGTON DR, ARCADIA, CA 91006

APPLICATION TYPE AND NUMBER(S): ZC 22-01, GPA 22-01, MUP 22-02, ADR 22-06

EXPIRATION DATE: 1/16/2025

LENGTH OF
EXTENSION REQUEST: 1 year
(Maximum 1 year)

APPLICANT(S) NAME DUSTIN NICOLARSEN

MAILING ADDRESS 205 HIGHLAND PLACE

CITY MONROVIA STATE CA ZIP 91016

E-MAIL ADDRESS dustin.assist@gmail.com

TELEPHONE NO. 6262345933

PROPERTY OWNER(S) NAME DUSTIN NICOLARSEN

MAILING ADDRESS 205 HIGHLAND PLACE

CITY MONROVIA STATE CA ZIP 91016

E-MAIL ADDRESS dustin.assist@gmail.com

TELEPHONE NO. 6262345933

(REQUIRED): PLEASE PROVIDE A WRITTEN DETAILED EXPLANATION ON A SEPARATE
PIECE OF PAPER (ATTACH TO THIS APPLICATION) EXPLAINING WHY AN EXTENSION
SHOULD BE GRANTED.THE APPLICANT AND PROPERTY OWNER HEREBY DECLARE UNDER PENALTY OF PERJURY THAT ALL
THE INFORMATION SUBMITTED FOR THIS APPLICATION IS TRUE AND CORRECT.

APPLICANT'S SIGNATURE

DATE 11/12/24

PROPERTY OWNER'S SIGNATURE

DATE 11/12/24

ACTION TAKEN

☒ APPROVED☐ CONDITIONALLY APPROVED☐ DENIEDCONDITIONS/REASONS FOR
DENIAL:BY: [Signature] DATE: 12/9/2024 EXPIRATION: 1/16/2026THERE IS A TEN (10) DAY APPEAL PERIOD FOR THIS APPLICATION. APPEALS MUST BE SUBMITTED IN WRITING TO THE
COMMUNITY DEVELOPMENT DIVISION WITH A \$728.00 APPEAL FEE BY 5.30 p.m. P.M. ON 12/19/2024

DATE FILED RECEIPT NO. PAID RECEIVED BY

Attachment No. 5

Preliminary Exemption Form



PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	APPROVE A SUBSEQUENT ONE-YEAR TIME EXTENSION REQUEST FOR THE DERBY MIXED-USE PROJECT LOCATED AT 233 AND 301 EAST HUNTINGTON DRIVE										
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):	233 & 301 E. Huntington Drive										
3. Entity or person undertaking project:	A. B. Other (Private) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">(1)</td> <td style="width: 40%; text-align: left;">Name</td> <td style="width: 10%; border-left: 1px solid black;"></td> <td style="width: 40%; text-align: left;">Dustin Nicolarsen</td> </tr> <tr> <td style="text-align: center;">(2)</td> <td style="text-align: left;">Address</td> <td style="border-left: 1px solid black;"></td> <td style="text-align: left;">233 E. Huntington Drive</td> </tr> </table>			(1)	Name		Dustin Nicolarsen	(2)	Address		233 E. Huntington Drive
(1)	Name		Dustin Nicolarsen								
(2)	Address		233 E. Huntington Drive								
4. Staff Determination:	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:										
a.	☐	The proposed action does not constitute a project under CEQA.									
b.	☐	The project is a Ministerial Project.									
c.	☐	The project is an Emergency Project.									
d.	☐	The project constitutes a feasibility or planning study.									
e.	☐	The project is categorically exempt.									
		Applicable Exemption Class:									
f.	☐	The project is statutorily exempt.									
		Applicable Exemption:									
g.	☒	The project is otherwise exempt on the following basis:	15061(b)(3) – Common Sense Exemption								
h.	☐	The project involves another public agency which constitutes the Lead Agency.									
		Name of Lead Agency:									

Date: December 23, 2025

Staff: Fiona Graham, Planning Services Manager



CITY OF ARCADIA

STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

DATE: January 13, 2026

TO: Honorable Chairperson and Planning Commission

FROM: Lisa L. Flores, Interim Development Services Director
Fiona Graham, Planning Services Manager
By: Simon Vuong, Economic Development Manager

SUBJECT: APPROVE A ONE-YEAR TIME EXTENSION REQUEST TO PRESERVE A LEGAL NONCONFORMING RESTAURANT/BAKERY USE WITH A DRIVE-THROUGH SERVICE WINDOW AT THE FORMER GOLDSTEIN'S BAGEL BAKERY, LOCATED AT 408-412 N SANTA ANITA AVENUE

CEQA: Not A Project

Recommendation: Approve

SUMMARY

The Applicant and Property Owner, Daniel Ross on behalf of Towne Group, LLC, is requesting approval of a one-year time extension (EXT 25-05) of Conditional Use Permit No. CUP 94-004 to preserve a legal nonconforming restaurant/bakery use with a drive-through service window for the former Goldstein's Bagel Bakery, located at 408-412 North Santa Anita Avenue. It is recommended that Planning Commission adopt Resolution No. 2185 (refer to Attachment No. 1) approving the one (1) year extension.

BACKGROUND

The subject property is developed with a commercial building formerly occupied by Goldstein's Bagel Bakery. The restaurant/bakery use with a drive-through service window was legally established under Conditional Use Permit No. CUP 94-004, which was approved by the Planning Commission on March 8, 1994. Refer to Attachment No. 4 for a copy of the March 8, 1994 Planning Commission Staff Report and Resolution No. 1511.

At that time the property was zoned C-2 (Commercial), however the zoning subsequently changed to Downtown Mixed Use (DMU) which does not allow drive-through uses. As such, the restaurant/bakery use with a drive-through service window is considered legal nonconforming.

Under the Development Code, legal nonconforming uses or structures may continue, provided they are not discontinued for more than one year. If discontinued, the nonconforming status may be lost unless a time extension is granted by the approving authority, in this case, the Planning Commission. Goldstein's Bagel Bakery ceased operations beginning September 2024 and the property has remained vacant since.

In recognition of the Applicant's ongoing efforts to identify a tenant for the property, and to facilitate the formal extension process, the City granted a one-time 60-day administrative extension on September 17, 2025 extending the CUP expiration to November 18, 2025 (refer to Attachment No. 3). This temporary extension was provided to preserve the existing entitlement for two-months while the Applicant prepared and submitted a formal request for a one-year time extension. Refer to Attachment No. 2 for a copy of the Applicant's extension request.

DISCUSSION

The business license for Goldstein's Bagel Bakery was closed on September 19, 2024. Pursuant to the Development Code, the legal nonconforming use rights remained in effect for 12 months from that date, meaning a new business could have occupied the site subject to Conditional Use Permit No. CUP 94-004.

Economic Development staff has worked closely with the property owner's broker for more than 18 months to secure a viable, high-quality tenant for the site. These efforts have included reviewing business proposals and letters of interest, discussing applicable business license and entitlement requirements, identifying site constraints and operational challenges, and exploring alternative redevelopment or reuse scenarios. Despite these efforts, additional time has been needed due to the site's location, surrounding land use considerations, and broader economic uncertainty that has slowed brick-and-mortar business expansion.

The Applicant is now requesting a one-year extension to preserve the existing legal nonconforming restaurant/bakery use with a drive-through service window while

continuing to look for potential future tenants or to consider redevelopment options for the site. Approval of the requested extension would not authorize any expansion, intensification, or modification of the nonconforming drive-through feature; rather, it would allow the continued existence of the existing entitlement for an additional one-year period, until September 19, 2026.

Granting the requested extension would support the City's Economic Development goals by maintaining the site's flexibility and attractiveness to prospective tenants. Preserving the existing restaurant/bakery with a drive-through service window is particularly relevant in the current economic environment, as many quality businesses seek drive-through-enabled buildings due to changing consumer behavior, operational efficiency, reduced labor demands, and increased resilience during periods of economic uncertainty. The drive-through window is an existing physical feature of the building, and any future tenant would be expected to operate in a manner that preserves the existing nonconformity rather than expanding or changing the use.

For these reasons, the requested one-year extension would allow continued efforts to secure an appropriate tenant or potential redevelopment of the property while maintaining consistency with the intent of the Development Code and the City's broader economic development objectives.

FINDINGS

Section 9108.11.090(F) of the Development Code requires that for a Time Extension to be granted, it must be found that all of the following prerequisite conditions can be satisfied:

- 1. There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based.**

Facts to Support This Finding: There have been no changes in circumstances or law that would preclude the Planning Commission from making the findings upon which the original approval was based. Although the site's zoning has changed from C-2 (Commercial) to DMU (Downtown Mixed Use), and applicable development standards have also changed since the original approval of Conditional Use Permit No. CUP 94-004, the approved bakery/restaurant use

with a drive-through service window remains consistent with the findings made for the original approval. The requested extension does not authorize a new use, expansion, or intensification of the originally approved operations, but instead seeks to preserve the existing entitlement consistent with its prior approval. The fundamental conditions and assumptions upon which the original findings were based remain substantially unchanged. The physical characteristics of the site, including its size, configuration, access, and circulation, continue to be adequate to accommodate the approved use as originally evaluated. The surrounding land use context has not changed in a manner that would render the use incompatible with adjacent properties or detrimental to the public health, safety, or welfare. Further, no changes in State or local law have occurred that would prohibit the continuation of the approved use. The bakery/restaurant with a drive-through service window has historically operated at the site without creating adverse impacts related to traffic, parking, circulation, or environmental effects that would undermine the basis for the original approval. Accordingly, despite changes to the zone since 1994, there have been no changes in applicable law, policy, or factual circumstances that would preclude the Planning Commission from making the same findings today as for the originally approved Conditional Use Permit No. CUP 94-004.

- 2. Appropriate evidence has been provided by the applicant to document that:**
 - a. A good faith intent to exercise the permit or approval has been demonstrated; and**
 - b. The extension is required due to an unusual hardship that was not the result of personal action(s) undertaken by the applicant.**

Facts to Support These Findings: Since the site became vacant in approximately September 2024, the property owner has demonstrated a good faith intent to exercise the approval by actively and continuously pursuing re-tenanting of the site. The City's Economic Development Division has worked closely with the property owner and its representatives throughout this period to identify and secure a viable, high-quality tenant who would continue to use the property, including the drive-through service window.

Over the past 18 months, the owner has diligently evaluated multiple potential tenants, including reviewing business proposals and letters of interest, discussing applicable business license and entitlement requirements,

addressing site constraints and operational challenges associated with the existing location being on a busy road, and exploring alternative feasible uses for the property. These efforts reflect ongoing, affirmative actions to implement the approval rather than abandonment or delay.

Despite these efforts, the ability to exercise the approval within the original time frame has been impeded by circumstances beyond the applicant's control, including the site's location, surrounding land use constraints, and broader economic uncertainty affecting the commercial leasing market. These factors have limited the pool of suitable tenants and extended the timeframe necessary to secure an appropriate business for the site. As a result, additional time is required to allow the applicant to exercise the approval, and the extension request is not attributable to personal action or inaction by the applicant.

ENVIRONMENTAL ANALYSIS

The requested extension is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption), as it involves an extension to an approved Conditional Use Permit within an existing structure with no expansion or change in use. Refer to Attachment No. 5 for the Preliminary Exemption Assessment.

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 Planning website. The notice was also sent out by mail to property owners within 300 ft of the property. As of January 7, 2025, no public comments have been received regarding the request.

RECOMMENDATION

Staff recommends that the Planning Commission approve EXT 25-05, allowing a one-year time extension to Conditional Use Permit No. CUP 94-004 to preserve the legal nonconforming restaurant/bakery use with a drive-through service window at the former Goldstein's Bagel Bakery located at 408-412 North Santa Anita Avenue.

If the restaurant/bakery use with the drive-through service window is not reactivated within the extension period, the legal nonconforming status shall expire in accordance with the Development Code and the drive-through use will no longer be allowed to operate.

PLANNING COMMISSION ACTION

Approval

If the Planning Commission intends to approve a one (1) year time extension to Conditional Use Permit No. CUP 94-004, the Commission should approve a motion approving the extension, find that the extension is exempt from the California Environmental Quality Act (CEQA), and that it is consistent with the findings.

Denial

If the Planning Commission intends to deny the one (1) year time extension to Conditional Use Permit No. CUP 94-004, the Commission should approve a motion to deny an extension and state the reason for not granting an extension.

If any Planning Commissioner, or other interested party has any questions or comments regarding this matter prior to the January 13, 2026, Planning Commission Meeting, please contact Economic Development Manager, Simon Vuong at (626) 574-5409, or by email at svuong@ArcadiaCA.gov.

Approved:



Fiona Graham
On behalf of
Lisa L. Flores
Interim Development Services Director

Attachment No. 1: Resolution No. 2185

Attachment No. 2: Extension Request Letter from Applicant/Property Owner
(November 11, 2025)

Attachment No. 3: Letter from City Extension for Nonconforming Drive-Through
Letter (September 17, 2025)

Attachment No. 4: CUP 94-004 and Resolution No. 1511 (Goldstein's Bagel Bakery)
Attachment No. 5: Preliminary Exemption Assessment

Attachment No. 1

Resolution No. 2185

RESOLUTION NO. 2185

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION TO PRESERVE A LEGAL NONCONFORMING DRIVE-THROUGH SERVICE WINDOW FOR A FORMER RESTAURANT, GOLDSTEIN'S BAGEL BAKERY, LOCATED AT 408-412 N. SANTA ANITA AVENUE

WHEREAS, on March 22, 1994, the Planning Commission approved Conditional Use Permit No. CUP 94-004 to allow a bakery/restaurant use with a drive-through service window, known as Goldstein's Bagel Bakery, located at 408-412 N. Santa Anita Avenue; and

WHEREAS, Goldstein's Bagel Bakery operated at the site pursuant to CUP 94-004 until approximately September 2024, at which time the business ceased operations and the property became vacant; and

WHEREAS, since the site became vacant, representatives for the property owner have actively worked with the City's Economic Development Division to secure an appropriate tenant to occupy the existing building; and

WHEREAS, the bakery/restaurant use with a drive-through service window constitutes a legal nonconforming use that was scheduled to expire on September 17, 2025, and the City granted a one-time, 60-day extension to allow the property owner to submit a formal Extension Request pursuant to Division 8 of the Development Code; and

WHEREAS, on November 14, 2025, a formal Extension Request (EXT 25-05) was filed by Danny Ross on behalf of the property owner, Shirley Rosenberg, requesting a one-year extension of Conditional Use Permit No. CUP 94-004 in order to preserve the existing drive-through service window; and

WHEREAS, on December 23, 2025, Development Services staff completed an environmental assessment for the requested extension in accordance with the California Environmental Quality Act ("CEQA") and determined that the extension to the Conditional Use Permit will not change the environmental findings that were previously adopted in the Initial Study/Negative Declaration, and thus, no further CEQA review is required as an extension is not a project pursuant to Section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, on January 13, 2026, a duly noticed public hearing was held before the Planning Commission on said extension request, 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 Development Services Department in the staff report dated January 13, 2026, are true and correct.

SECTION 2. This Commission finds that based upon the entire record, pursuant to Section 9108.11.090(F) of the Arcadia Development Code, all of the following findings can be made.

1. There have been no changes in circumstances or law that would preclude the Review Authority from making the findings upon which the original approval was based; and

There have been no changes in circumstances or law that would preclude the Planning Commission from making the findings upon which the original approval was based. Although the site's zoning has changed from C-2 (Commercial) to DMU (Downtown Mixed Use), and applicable development standards have also changed since the original approval of Conditional Use Permit No. CUP 94-004, the approved bakery/restaurant use with a drive-through service window remains consistent with the findings made for the original approval. The requested extension does not authorize a new use, expansion, or intensification of the originally approved operations, but instead seeks to preserve the existing entitlement consistent with its prior approval. The fundamental conditions and assumptions upon which the original findings were based remain substantially unchanged. The physical characteristics of the site, including its size, configuration, access, and circulation, continue to be adequate to accommodate the approved use as originally evaluated. The surrounding land use context has not changed in a manner that would render the use

incompatible with adjacent properties or detrimental to the public health, safety, or welfare. Further, no changes in State or local law have occurred that would prohibit the continuation of the approved use. The bakery/restaurant with a drive-through service window has historically operated at the site without creating adverse impacts related to traffic, parking, circulation, or environmental effects that would undermine the basis for the original approval. Accordingly, despite changes to the zone since 1994, there have been no changes in applicable law, policy, or factual circumstances that would preclude the Planning Commission from making the same findings today as for the originally approved Conditional Use Permit No. CUP 94-004.

2. Appropriate evidence has been provided by the applicant to document that:

a. A good faith intent to exercise the permit or approval has been demonstrated; and

b. The extension is required due to an unusual hardship that was not the result of personal action(s) undertaken by the applicant.

FACT: Since the site became vacant in approximately September 2024, the property owner has demonstrated a good faith intent to exercise the approval by actively and continuously pursuing re-tenanting of the site. The City's Economic Development Division has worked closely with the property owner and its representatives throughout this period to identify and secure a viable, high-quality

tenant who would continue to use the property, including the drive-through service window.

Over the past 18 months, the owner has diligently evaluated multiple potential tenants, including reviewing business proposals and letters of interest, discussing applicable business license and entitlement requirements, addressing site constraints and operational challenges associated with the existing location being on a busy road, and exploring alternative feasible uses for the property. These efforts reflect ongoing, affirmative actions to implement the approval rather than abandonment or delay.

Despite these efforts, the ability to exercise the approval within the original time frame has been impeded by circumstances beyond the applicant's control, including the site's location, surrounding land use constraints, and broader economic uncertainty affecting the commercial leasing market. These factors have limited the pool of suitable tenants and extended the timeframe necessary to secure an appropriate business for the site. As a result, additional time is required to allow the applicant to exercise the approval, and the extension request is not attributable to personal action or inaction by the applicant.

SECTION 3. Pursuant to the provisions of the California Environmental Quality Act ("CEQA"), no further CEQA review is required as an extension is not a project pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 4. For the foregoing reasons the Planning Commission approves a one-year time extension (EXT 25-05) to Conditional Use Permit No. CUP 94-004 to preserve the existing legal nonconforming bakery/restaurant use with a drive-through service window, located at 408-412 N Santa Anita Avenue.

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 13th day of January, 2026

Domenico Tallerico
Chair, Planning Commission

ATTEST:

Lisa L. Flores
Secretary

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

Attachment No. 2

Extension Request Letter from
Applicant/Property Owner (November 11,
2025)

November 11, 2025

Mr. Jason Kruckeberg

Assistant City Manager/Development Services Director

240 West Huntington Dr. Arcadia, CA 91007

RE: CUP 94-004 408-412 N. Santa Anita Avenue, Arcadia – Extension of
Nonconforming Drive-Through Use in Downtown Mixed Use (DMU) Zone

Mr. Kruckenberg,

Thank you for the courtesy extension of the nonconforming drive-through use at our property located at 408-412 N. Santa Anita Ave, Arcadia. We know you did not have to do that and sincerely appreciated the gesture.

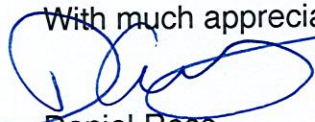
Our broker, Jodi Shoemake, continues to work hard to secure the right tenant for this property. This process has taken more time than any of us anticipated, however everyone is working in good faith and has been communicating with the city on a regular basis with regard to the status of potential tenants and some ongoing challenges at the site.

Our goal is for Jodi to find a great long-term tenant and one that all parties involved will be happy with. Time is of the essence. This property sitting vacant is no one's interest and I speak for myself and my two partners (my brother and aunt) that we are extremely motivated to have a long-term tenant as soon as possible.

We would appreciate an extension of the Nonconforming Drive-Through Use of 1-year. While we don't anticipate needing a full year, this would give Jodi time to secure a quality tenant with enough time for a due diligence period for the new tenant.

Please feel free to contact me with any questions or concerns.

With much appreciation,



Daniel Ross

Towne Group, LLC

Manager

Attachment No. 3

Letter from City Extension for
Nonconforming Drive-Through Letter
(September 17, 2025)



DEVELOPMENT SERVICES DEPARTMENT

September 17, 2025

Jodi Shoemake
Founding Principal
Lee & Associates
1055 East Colorado Boulevard, Suite 330
Pasadena, CA 91106
jshoemake@lee-associates.com

Towne Group LLC
Property Owner of 408-412 N Santa Anita Ave, Arcadia, CA 91006
c/o Danny Ross, Darren Ross
10341 Vanalden Avenue
Northridge, CA 91326
danny@pinnacleestate.com
darren@magiccastlehotel.com

SUBJECT: Extension of Nonconforming Drive-Through Use in Downtown Mixed Use (DMU) Zone

SITE ADDRESS: 408-412 N Santa Anita Avenue, Arcadia

Dear Ms. Shoemake:

The City of Arcadia has received your request to extend the nonconforming drive-through use at 408-412 N Santa Anita Avenue. For background information, a Conditional Use Permit (CUP 94-004) was granted on March 8, 1994, to Goldstein's Bagel Bakery and Restaurant, for the operation of a bagel bakery and restaurant over 1,500 sq ft with a drive-through service window. This permit also included approvals of various other modifications related to parking and signage, along with a list of conditions of approval that must be complied with.

Since Goldstein's Bagel Bakery closed its business on September 19, 2024, the site has remained vacant. During that time, we have been actively collaborating with you to secure

viable tenant(s) for the site. Several proposals and businesses have expressed interest, however, the common theme amongst them is the desire to retain the existing drive-through use. The site is currently zoned Downtown Mixed-Use (DMU), which per Section [9102.05.020](#), Table 2-10 Land Use Regulations and Allowable Uses in Downtown Zones, does not permit drive-through or drive-up facilities. As a result, the current drive-through facility is classified as a legal nonconforming use. If this use is discontinued for more than 12 months following the business license expiration date, the CUP will expire on September 19, 2025.

This letter grants a 60-day extension beyond the initial 12-month period to preserve the drive-through use, extending the deadline from September 19, 2025, to **November 18, 2025**. This extension is being provided since a significant amount of time and resources have been invested in securing a quality tenant for the property, and considering the location has a number of site challenges that still need to be resolved, additional time is warranted for prospective tenants to complete their due diligence. To preserve the drive-through use beyond this extended deadline, the property owner must submit an Extension application (attached) associated with the existing CUP. This application must be submitted to the City no later than November 18, 2025. If a complete application is not received by that date, the legal nonconforming drive-through use will expire. The extension may be granted if the Applicant can show that a good faith effort has been demonstrated. This request will be subject to review by the Planning Commission since they were the Authority that reviewed the original CUP.

Public noticing is required pursuant to Development Code Section [9108.13](#), Public Notices and Hearings.

A radius map and mailing list covering a 300-foot radius must be submitted, along with one set of mailing labels. These items must be saved on a flash drive in digital format.

Each lot on the map must be consecutively numbered to correspond with the property owner's list, the radius map, and the Excel spreadsheet. The Excel spreadsheet must include the following columns, in this exact order:

1. Assessor's Parcel Number (APN)
2. Property Owner's Name
3. Mailing Address
4. City, State, and Zip Code

The names and addresses of current property owners may be obtained from the Los Angeles County Assessor's Office, or you may choose to have a radius mapping company prepare the list on your behalf.

For any questions or assistance regarding this extension, please contact Simon Vuong, Economic Development Manager, at (626) 574-5409 or svuong@arcadiaca.gov.

Sincerely,

DEVELOPMENT SERVICES DEPARTMENT

A handwritten signature in blue ink, appearing to read 'Jason Kruckeberg', with a stylized, sweeping flourish at the end.

Jason Kruckeberg
Assistant City Manager/Development Services Director

Enclosed: Extension Request Application

c: Simon Vuong, Economic Development Manager
Lisa Flores, Deputy Director of Development Services
Fiona Graham, Planning Services Manager

Attachment No. 4

CUP 94-004 and Resolution No. 1511
(Goldstein's Bagel Bakery)

RESOLUTION NO. 1511

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA, CALIFORNIA, GRANTING CONDITIONAL USE PERMIT 94-004 FOR A BAGEL BAKERY AND RESTAURANT WITH A DRIVE-THROUGH SERVICE WINDOW AT 412 NORTH SANTA ANITA AVENUE.

WHEREAS, on January 31, 1994, a Conditional Use Permit application was filed by Robert Friedman for a "Goldstein's" bagel bakery and restaurant with a drive-through service window, Planning Division Case No. C.U.P. 94-004, on property commonly known as 412 North Santa Anita Avenue, more particularly described as follows:

Lots 2 and 3, Block 82, of the Arcadia Santa Anita Tract, in the City of Arcadia, County of Los Angeles, State of California, as filed in Map Book 15, Pages 89 - 90 in the Office of the Los Angeles County Recorder.

WHEREAS, a public hearing was held on March 8, 1994, at which time all interested persons were given full opportunity to be heard and to present evidence;

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

Section 1. That the factual data submitted by the Planning Division in the attached report is true and correct.

Section 2. This Commission finds:

1. That the granting of such Conditional Use Permit will not be detrimental to the public health or welfare, or injurious to the property or improvements in such zone or vicinity.

2. That the use applied for at the location indicated is a proper use for which a Conditional Use Permit is authorized.

3. That the site for the proposed use is adequate in size and shape to accommodate said use. All yards, spaces, walls, fences, loading, landscaping and other features are adequate to adjust said use with the land and uses in the neighborhood.

4. That there will be adequate on-site parking to accommodate the proposed use because during the peak hours of business i.e., from 7:00 a.m. to 9:00 a.m., the majority of the business would be drive-through service and take-out.

5. That if there are current on-street parking and traffic circulation problems, such problems should be addressed as separate issues; therefore, staff shall forward the following advisory recommendations to the City Council: 1) consider imposing a time limit on the street parking along La Porte Street and Santa Anita Avenue; and 2) close the existing median opening in the vicinity of the proposed "Goldstein's" bagel bakery and restaurant at 412 North Santa Anita Avenue

6. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

7. That the granting of such Conditional Use Permit will not adversely affect the comprehensive General Plan.

8. That the use applied for will not have a substantial adverse impact on the environment.

Section 3. That for the foregoing reasons this Commission grants a Conditional Use Permit for a "Goldstein's" bagel bakery and restaurant with a drive-through service window subject to the following conditions:

1. Conditions as set forth below from the Department of Public Works shall be complied with to the satisfaction of the Director of Public Works.

1) The applicant shall provide, through the Department of Public Works, a "Right Turn Only" restriction on the westbound alley traffic at Santa Anita Avenue, and a "No Parking" restriction (red curb) shall be placed across the property frontage on Santa Anita Avenue.

2) The applicant shall comply to the additional traffic and circulation conditions of approval proposed by the Arcadia Police Department and adopted by the Arcadia Planning Commission.

3) Obtain a permit for all work performed in the Public right-of-way.

4) Remove and reconstruct 25 feet of existing A.C. alley pavement from Santa Anita Avenue easterly, to the satisfaction of the City Engineer. The structural section shall consist of a 1 inch surface A.C., on a 2 1/2 inch base A.C., upon a 4 inch aggregate base. Contact the Department of Public Works for type of A.C.

5) Reconstruction of the existing off-site improvements or reconstruction or regrading of existing on-site parking or drive areas will require additional review of finalized construction drawings by the Engineering Division.

6) Installation of a sand/grease interceptor, if required, shall conform to the requirements of the Los Angeles County Sanitation District and the Arcadia Building Division.

7) Replace the A.C. pavement in the alley if it is damaged during construction. Limits of removal shall be subject to approval of the public works inspector.

8) Remove and replace deficient or damaged curb, gutter, sidewalk and/or pavement to the satisfaction of the City Engineer.

9) Arrange for underground utility service and dedicate easements to utility companies.

10) All survey monuments, center line ties and survey reference points shall be protected in place or re-established where disturbed. This work will be the responsibility of the permittee and shall be at the permittee's expense.

11) Public Works Inspector shall be contacted at (818) 574-5490, at least 24 hours prior to construction of off-site improvements. All Public Works improvements shall be completed to the satisfaction of the Director of Public Works prior to final acceptance by Building and Safety Division and prior to occupancy.

2. That the center divider along Santa Anita Avenue shall be posted with a "No Left Turn" sign to prohibit the southbound traffic on Santa Anita Avenue from turning into the public alley. This condition shall be complied with to the satisfaction of the Arcadia Police Department.

3. That fire protection shall be provided to the satisfaction of the Arcadia Fire Department.

4. Conditions as set forth below from the Water Division shall be provided to the satisfaction of the Water Manager.

1) Water requirements for fire protection shall be determined by the Arcadia Fire Department.

2) A Water Meter Clearance Application shall be submitted to ensure proper meter/service sizing.

3) New water service shall conform to the Uniform Plumbing Code and must be installed by the Arcadia Water Division upon request and payment of fees by the developer.

4) Backflow protection for all landscape irrigation and fire protection services shall be provided to the satisfaction of the Water Division.

5) No water service lateral, meter or flush out shall be permitted in any driveway.

5. That a modification be granted for 19 on-site parking spaces in lieu of 45 spaces required, and that this approval shall not constitute an approval for the general reduction in parking for the site. That this parking modification shall only be for the use approved by C.U.P. 94-004 (a bagel bakery/restaurant).

6. That the following sign modifications are granted for the proposed business:

A. A rear wall sign would be provided in lieu of the requirement that no wall sign shall be located within 100 feet of a residential zone (Sec. 9262.4.4.B.).

B. To permit a proposed free-standing sign to be within a 10'-0" special setback along Santa Anita Avenue (Sec. 9320.65.15 -- 60'-0" from the center-line of Santa Anita).

C. To permit the free-standing sign to provide a vertical clearance of 14'-4" over the drive-through lane in lieu of a require clearance of 15'-0" (Sec. 9262.4.6.E.).

7. That the seating for the patrons shall not exceed a total of 12 interior tables with 24 seats and 7 outdoor tables with 14 seats.

8. That C.U.P. 94-004 shall not take effect until the owner and applicant have executed a form available at the Planning Division indicating awareness and acceptance of the conditions of approval.

9. Noncompliance with the provisions and conditions of this Conditional Use Permit shall constitute grounds for its immediate suspension or revocation.

10. That the Planning Commission shall reserve jurisdiction, and will hold a hearing 3 months after the issuance of the Certificate of Occupancy to review all related parking and traffic circulation issues; and that the Commission retains jurisdiction to impose such conditions that the Commission feels are appropriate, based on the evidence presented at the hearing.

11. That a sign containing alternative transportation information to encourage ridesharing, carpools, etc., shall be posted in a location where the greatest number of employees are likely to see it.

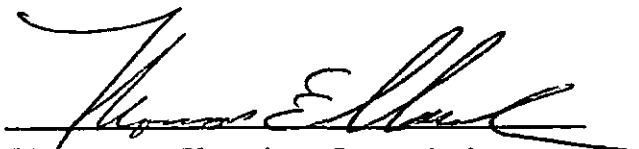
Section 4. The decision, findings and conditions contained in this Resolution reflect the Commission's action of March 8, 1994 and the following vote:

AYES: Commissioners Daggett, Hedlund, Huang, Kovacic, Clark
NOES: None
ABSENT: None

Section 5. The Secretary shall certify to the adoption of this Resolution and shall cause a copy to be forwarded to the City Council of the City of Arcadia.

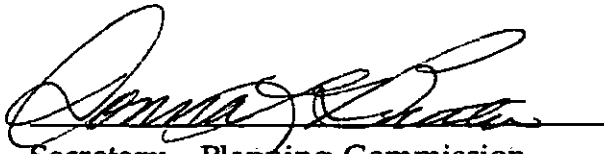
I HEREBY CERTIFY that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 22nd day of March, 1994 by the following vote:

AYES: Commissioners Daggett, Hedlund, Huang, Kovacic, Clark
NOES: None
ABSENT: None



Chairman, Planning Commission
City of Arcadia

ATTEST:



Secretary, Planning Commission
City of Arcadia



MARCH 8, 1994

TO: ARCADIA CITY PLANNING COMMISSION

FROM: PLANNING DIVISION
CORKRAN W. NICHOLSON, SENIOR PLANNER

CASE NO.: C.U.P. 94-004

SUMMARY

The applicant, Robert Friedman, is requesting a conditional use permit for a "Goldstein's" bagel bakery and restaurant at 412 North Santa Anita Avenue. The Planning Division is recommending approval of the applicant's request subject to the conditions set forth in this staff report.

GENERAL INFORMATION

APPLICANT: Robert Friedman (Architect for the project)

LOCATION: 412 North Santa Anita Avenue

REQUEST: A conditional use permit for a "Goldstein's" bagel bakery and restaurant, which also requires the approval of the following modifications:

- A. 19 on-site parking spaces would be provided in lieu of 45 spaces required (Section 9269.5.).
- B. A rear wall sign would be provided in lieu of the requirement that no wall sign shall be located within 100 feet of a residential zone (Sec. 9262.4.4.B.).
- C. To permit a proposed free-standing sign to be within a 10'-0" special setback along Santa Anita Avenue (Sec. 9320.65.15 -- 60'-0" from the center-line of Santa Anita).
- D. To permit the free-standing sign to provide a vertical clearance of 14'-4" over the drive-through lane in lieu of a require clearance of 15'-0" (Sec. 9262.4.6.E.).

LOT AREA: 15,713.34 sq.ft. (.36 acres)

FRONTAGE: 103.65 feet along Santa Anita Avenue

EXISTING LAND USE & ZONING:

The subject site is within the Arcadia Redevelopment Agency's area, and is currently developed with a vacant 4,000 sq.ft., commercial building and a parking lot; zoned C-2.

SURROUNDING LAND USE & ZONING:

North In-N-Out; zoned C-2
South: Office building; zoned C-2
East: Mixed light industrial uses; zoned M-1
West: Fasching's car wash facility; zoned C-2

GENERAL PLAN DESIGNATION:

The subject site is designated as Commercial.

BACKGROUND INFORMATION

On January 18, 1994, the Arcadia Redevelopment Agency reviewed and approved the applicant's design proposal for the subject bakery and restaurant. The purpose of the required Agency's review is as follows:

1. To give the Agency the opportunity to determine if new private projects are in conflict with any Agency projects which are being considered or developed in the same area.
2. To provide the opportunity to incorporate the private project with the Agency project and/or to eliminate or to mitigate any conflicts at the earliest stage of the design process.
3. To afford the Agency an opportunity to review the preliminary architectural plans of private projects to insure that these projects are not out of character with the area as to be a hindrance to future development.

The Agency's action does not supersede the City's building or zoning regulations. Such regulations must be complied with unless modified in accordance with the procedures set forth in the Arcadia Municipal Code; therefore, only the proposed architectural treatment of the building (including the new signs) was approved by the Agency.

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March 8, 1994
Page 2

PROPOSAL

The applicant is requesting a conditional use permit for a "Goldstein's" bagel bakery and restaurant with a drive-through service window, as shown on the submitted site plan. The building, which was previously occupied by a dry cleaning establishment, would be remodeled to provide a bakery and restaurant service arrangement. A maximum of 12 tables with 24 seats are proposed inside the building, and a new outdoor patio area (450 sq.ft.) would provide for an additional 7 tables with 24 seats.

Exterior improvements will significantly alter and enhance the appearance of the building. A small portion of the building will be removed and replaced with landscaping and parking. The projecting mansard roof will also be removed.

The building will be sandblasted and painted an off-white color, with a grey stucco accent cornice around the entire building. Incorporated within this cornice will be two neon bands. Additional raised grey stucco accent trim around window and door openings is proposed along the entire Santa Anita frontage. This stucco trim will also be extended (i.e., wrapped around the corners of the building) onto the north and east elevations.

The applicant is also proposing to install a rear entrance doorway, burgundy awnings over window and door openings, goose neck lamp fixtures to the wall in the outdoor patio area and a blue glazed ceramic tile wainscot along the bottom edge of the primary window areas (see the attached building elevations).

The existing driveway that extends along the front and south side of the building will remain and be used for access to the proposed drive-through service window.

Landscaping

In addition to the site's existing landscape planter along Santa Anita Avenue, landscape planters will be added along the public alley to buffer a proposed stamped concrete pedestrian walkway.

Parking and traffic circulation

The site currently has 13 on-site parking spaces with no handicapped parking. This proposal will provide 19 on-site parking spaces, which includes a handicapped space, in lieu of 45 spaces required for the proposed restaurant use (i.e., 10 space per 1,000 sq.ft., of gross floor area @ 4,000 sq.ft., plus the outdoor patio area @ 450 sq.ft.).

The Public Works Department is recommending that the applicant provide, through the Public Works Department, a "Right Turn Only" restriction on the

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March 8, 1994
Page 3

westbound alley traffic at Santa Anita Avenue. Also, a "No Parking" restriction (i.e., a red curb) shall be placed across the property frontage on Santa Anita Avenue.

In addition, the Arcadia Police Department has reviewed this proposal and is recommending that the center divider along Santa Anita Avenue be posted with a "No Left Turn" sign to prohibit the southbound traffic on Santa Anita Avenue from turning into the public alley; and that the site's parking lot exit onto the public alley also be posted with a "No Left Turn" sign. The posted signs will help to mitigate any potential traffic congestion at the intersection of the alley and Santa Anita Avenue.

Signs

The proposed plans also detail open channel letter signs with neon lighting on the building's east and west elevation as well as a 25'-0" tall illuminated Plexiglass pole sign within the site's landscape planter along Santa Anita Avenue. The signs were reviewed by the Public Works Department and the Arcadia Redevelopment Agency. Neither had any opposition to the location of the signs or to the related modifications.

MISCELLANEOUS INFORMATION

The applicant has advised staff that the hours of operation would be Monday through Sunday 7:00 a.m. to 7:00 p.m., and that the peak hours of business would be from 7:00 a.m. to 9:00 a.m. Also, there would be a total of 5 employees.

ANALYSIS

A bagel bakery/restaurant is a permitted use in the C-2 zone with an approved conditional use permit. Based upon the applicant's proposal it is staff's opinion that the on-site parking would be adequate because during the peak hours of business i.e., from 7:00 a.m. to 9:00 a.m., the majority of the business would be drive-through service and take-out. However, staff feels that the applicant's drive-through service should only be in operation during the morning hours from 7:00 a.m. to 10:00 a.m. This would mitigate potential problems with the traffic that is currently generated by the neighboring "In-N-Out" drive-through business, which opens at 10:30 a.m.

CEQA

Pursuant to the provisions of the California Environmental Quality Act, the Planning Division has prepared an initial study for the proposed project. Said initial study did not disclose any substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise and objects of

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Page 4

historical or aesthetic significance. When considering the record as a whole, there is no evidence that the proposed project will have any potential for an adverse effect on wildlife resources. Therefore, a Negative Declaration has been prepared for this project.

RECOMMENDATION

The Planning Division recommends approval of Conditional Use Permit 94-004 subject to the following conditions:

1. Conditions as outlined in the attached report from the Department of Public Works shall be complied with to the satisfaction of the Director of Public Works.
2. That the following conditions shall be complied with to the satisfaction of the Arcadia Police Department:
 - A. The center divider along Santa Anita Avenue shall be posted with a "No Left Turn" sign to prohibit the southbound traffic on Santa Anita Avenue from turning into the public alley.
 - B. The site's parking lot exit onto the public alley shall also be posted with a "No Left Turn" sign to prohibit westbound traffic from the parking lot.
3. That fire protection shall be provided to the satisfaction of the Arcadia Fire Department.
4. The following conditions as submitted by the Water Division shall be complied with to the satisfaction of the Water Manager:
 - A. Water requirements for fire protection shall be determined by the Arcadia Fire Department.
 - B. A Water Meter Clearance Application shall be submitted in to ensure proper meter/service sizing.
 - C. New water service shall conform to the Uniform Plumbing Code and must be installed by the Arcadia Water Division upon request and payment of fees by the developer.
 - D. Backflow protection for all landscape irrigation and fire protection services shall be provided to the satisfaction of the Water Division.

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Page 5

- E. No water service lateral, meter or flush out shall be permitted in any driveway.
- 5. That a modification be granted for 19 on-site parking spaces in lieu of 45 spaces required, and that this approval shall not constitute an approval for the general reduction in parking for the site. That this parking modification shall only be for the use approved by C.U.P. 94-004 (a bagel bakery/restaurant).
- 6. That the following sign modifications are granted for the proposed business:
 - A. A rear wall sign would be provided in lieu of the requirement that no wall sign shall be located within 100 feet of a residential zone (Sec. 9262.4.4.B.).
 - B. To permit a proposed free-standing sign to be within a 10'-0" special setback along Santa Anita Avenue (Sec. 9320.65.15 -- 60'-0" from the center-line of Santa Anita).
 - C. To permit the free-standing sign to provide a vertical clearance of 14'-4" over the drive-through lane in lieu of a require clearance of 15'-0" (Sec. 9262.4.6.E.).
- 7. That the seating for the patrons shall not exceed a total of 12 interior tables with 24 seats and 7 outdoor tables with 14 seats.
- 8. That the drive-through service window shall only be in operation during the morning hours from 7:00 a.m. to 10:00 a.m.
- 9. That C.U.P. 94-004 shall not take effect until the owner and applicant have executed a form available at the Planning Division indicating awareness and acceptance of the conditions of approval.
- 10. Noncompliance with the provisions and conditions of this Conditional Use Permit shall constitute grounds for its immediate suspension or revocation.

FINDINGS AND MOTIONS

Approval

If the Planning Commission intends to take action to approve this project, the Commission should move to approve and file the Negative Declaration and find that the project will not have a significant effect on the environment and direct staff to prepare the appropriate resolution incorporating the specific findings and

C.U.P. 94-004
March 8, 1994
Page 6

conditions of approval set forth in the staff report, or as modified by the Commission.

Denial

If the Planning Commission intends to take action to deny this project, the Commission should move to deny and direct staff to prepare an appropriate resolution incorporating the Commission's decision and findings in support of that decision.



Memorandum

Date: February 22, 1994

TO: Planning Department

FROM: Joseph R. Lopez, Director of Public Works *JR Lopez*

SUBJECT: CUP #94-004 - Review of Plans for 412 N. Santa Anita Avenue (Proposed Goldstein's Bagel Bakery Shop)

In response to your memorandum, the items which this department has concern or special knowledge of are listed below:

1. The existing parkway width is 5 feet on Santa Anita Avenue. A public alley, 20 feet wide, abuts the north side of the site.
2. The subject property is served by a sewer line that has the capacity to transport sewage flows generated in accordance with land use reflected in the City's current general plan to CSD's system.

This department has reviewed the subject CUP and recommends the following conditions of approval:

1. There are no conditions of approval imposed by encroachment into any special setback along Santa Anita Avenue.
2. Traffic volume will be increased on Santa Anita Avenue and in the public alley adjacent to the site. The applicant shall provide, through the City Public Works Department, RIGHT TURN ONLY restriction on westbound alley traffic at Santa Anita Avenue, and NO PARKING restriction (red curb) across the property frontage on Santa Anita Avenue.

The applicant shall comply to additional traffic and circulation conditions of approval proposed by the Arcadia Police Department and adopted by the Arcadia Planning Commission.

3. Obtain permit for all work performed in Public right-of-way.

4. Remove and reconstruct 25 feet of existing A.C. alley pavement from Santa Anita Avenue easterly, to the satisfaction of the City Engineer. Structural section shall be 1 inch surface A.C. on 2½ inch base A.C. on 4 inches aggregate base. Contact Public Works Department for type of A.C.
5. Reconstruction of existing off-site improvements or reconstruction or regrading of existing on-site parking or drive areas will require additional review of finalized construction drawings by the Engineering Division.
6. Installation of a sand/grease interceptor, if required, shall conform to the requirements of the Los Angeles County Sanitation District and the Arcadia Building Division.
7. Replace AC pavement in the alley damaged during construction. Limits of removal shall be subject to approval of the public works inspector.
8. Remove and replace deficient or damaged curb, gutter, sidewalk and/or pavement to satisfaction of the City Engineer.
9. Arrange for underground utility service and dedicate easements to utility companies.
10. All survey monuments, centerline ties and survey reference points shall be protected in place or re-established where disturbed. This work will be the responsibility of the permittee and shall be at the permittee's expense.
11. Public Works Inspector shall be contacted at (818) 574-5490, at least 24 hours prior to construction of off-site improvements. All Public Works improvements shall be completed to the satisfaction of Director of Public Works prior to final acceptance by Building and Safety Division and prior to occupancy.

The above items are to be complied with to the satisfaction of the Director of Public Works in accordance with the applicable provisions of the Arcadia Municipal Code.

JRL:DAS:ds

MM

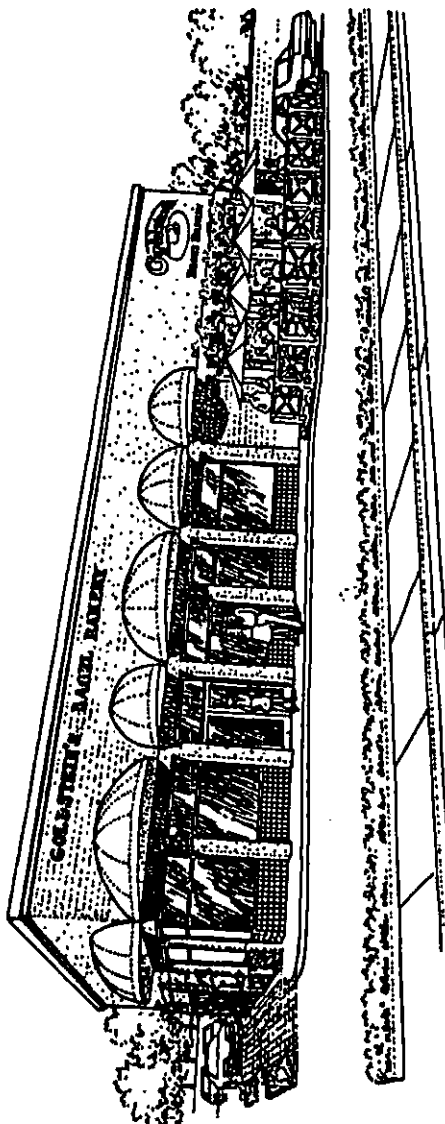
ARCHITRAVE

GOLDSTEIN BAGEL BAKERY
1000 Broadway, New York, N.Y.
Goldstein & Son, Inc.
1000 Broadway, New York, N.Y.
Goldstein & Son, Inc.

COVER SHEET

1

Goldstein's



BAGEL BAKERY

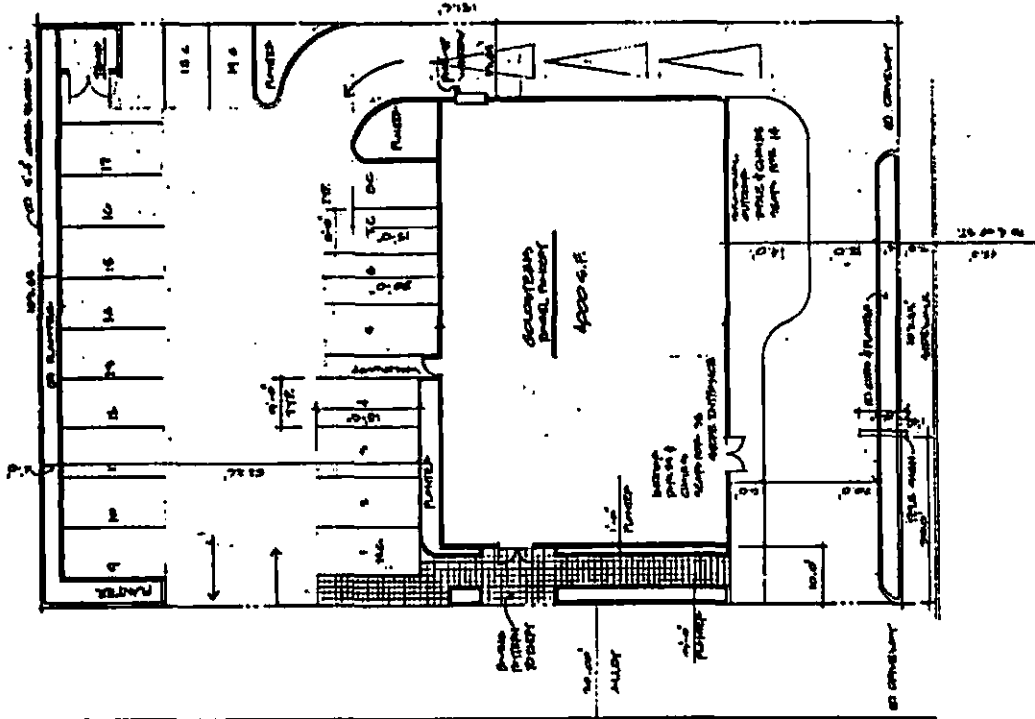
412 N. Santa Anita Avenue

ARCHITRAVE
FRIEDMAN ARCHITECTS
1000 15th St. N.W.
Washington, D.C. 20004
(202) 462-1111

GOLDSTEIN SAGEL BARNET
1000 15th St. N.W.
Washington, D.C. 20004
(202) 462-1111

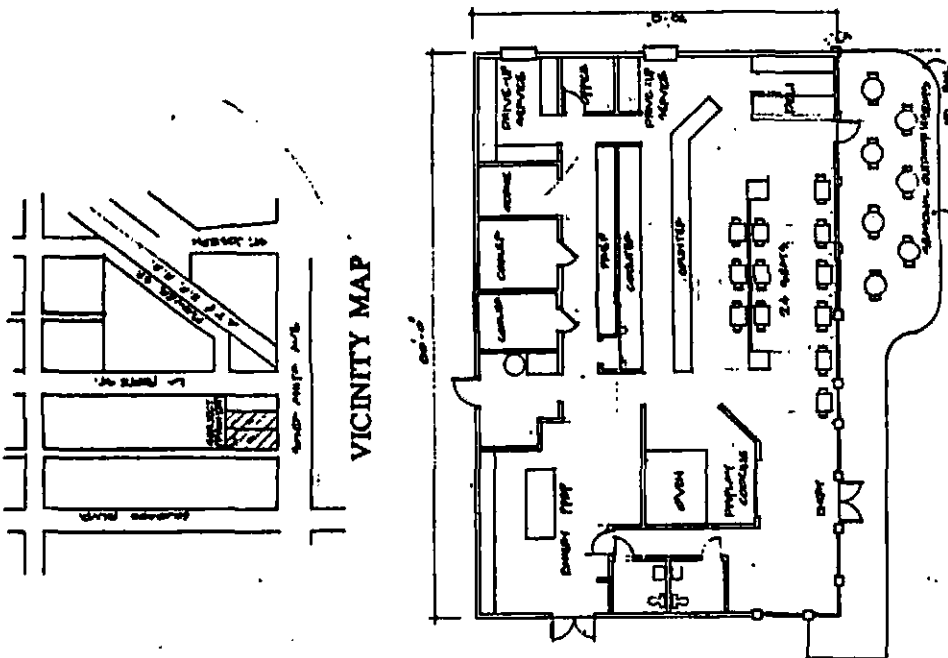
SITE & FLOOR PLANS

2



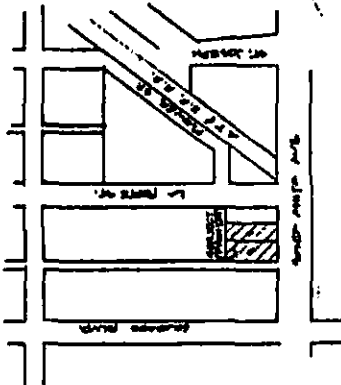
15th St. N.W.

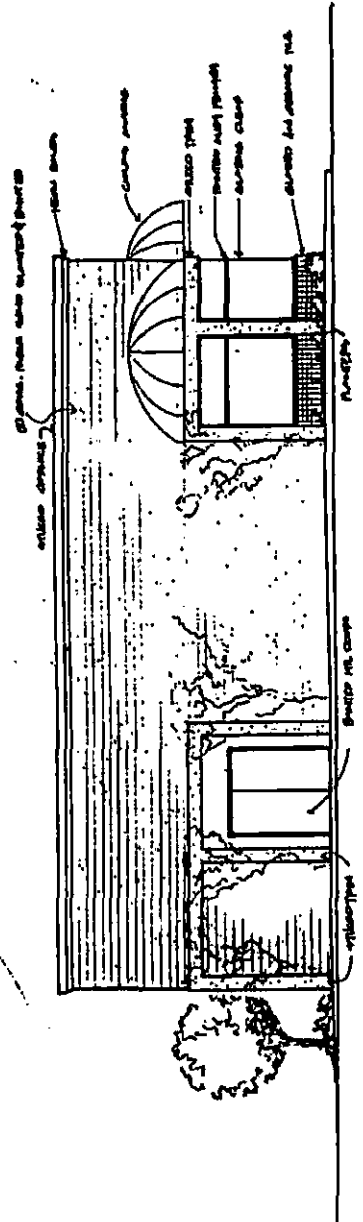
SITE PLAN



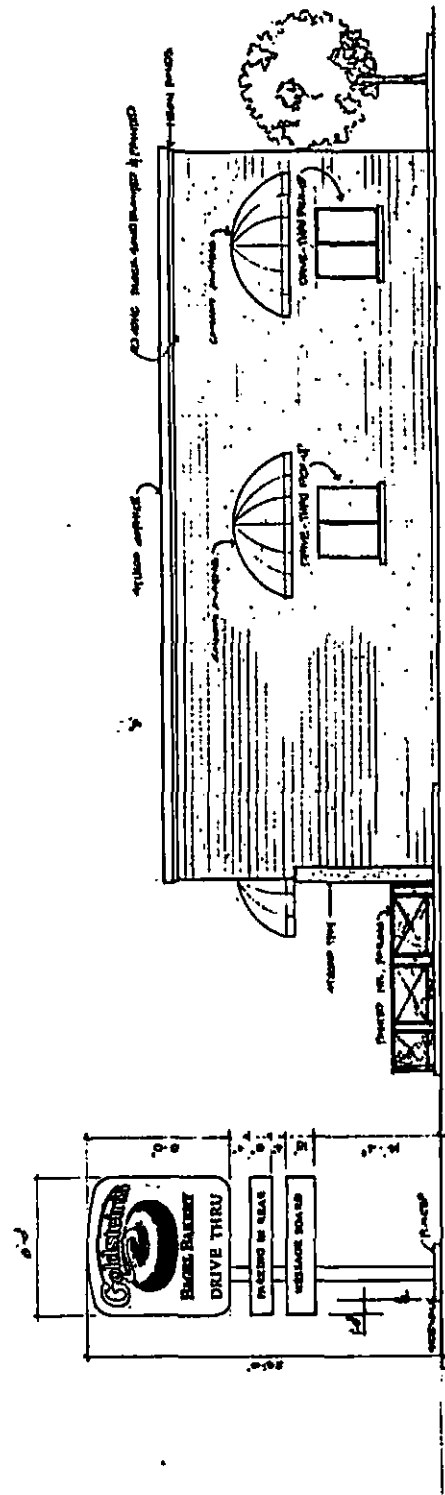
FLOOR PLAN

VICINITY MAP





NORTH ELEVATION



SOUTH ELEVATION

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NEGATIVE DECLARATION

CITY OF ARCADIA, CALIFORNIA

- A. Description of project: A conditional use permit for
a proposed "Goldstein's" bagel bakery and
restaurant.
- B. Location of project: 412 North Santa Anita Ave.
Arcadia, CA.
- C. Name of applicant or sponsor: Robert Friedman
- D. Finding: This project will have no significant effect upon the environment within the meaning of the California Environmental Quality Act of 1970 for the reasons set forth in the attached Initial Study.
- E. Mitigation measures, if any, included in the project to avoid potentially significant effects:

Date: 2/2/94

Date Posted: _____

Corkran W. Nicholson
Signature
Senior Planner
Title

ENVIRONMENTAL CHECKLIST FORM

A. BACKGROUND

1. Name of Proponent

Robert Friedman / Bagel Bakery

2. Address and Phone Number of Proponent

30 E. Mondecito Ave., #12
Sierra Madre, CA 91024

B. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	YES	MAYBE	NO		YES	MAYBE	NO
1. <u>Earth</u> . Will the proposal result in:				h. Substantial reduction in the amount of water otherwise available for public water supplies?			
a. Unstable earth conditions or in changes in geologic substructures?			✓	i. Exposure of people or property to water related hazards such as flooding?			✓
b. Disruptions, displacements, compaction or overcovering of the soil?			✓	4. <u>Plant Life</u> . Will the proposal result in:			
c. Change in topography or ground surface relief features?			✓	a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?			✓
d. The destruction, covering or modification of any unique geologic or physical features?			✓	b. Reduction of the numbers of any unique, rare or endangered species of plants?			✓
e. Any increase in wind or water erosion of soils, either on or off the site?			✓	c. Introduction of new species of plants into an area, or result in a barrier to the normal replenishment of existing species?			✓
f. Changes in siltation, deposition or erosion which may modify the channel of a river or stream.			✓	5. <u>Animal Life</u> . Will the proposal result in:			
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?			✓	a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?			✓
2. <u>Air</u> . Will the proposal result in:				b. Reduction of the numbers of any unique, rare or endangered species of animals?			✓
a. Substantial air emissions or deterioration of ambient air quality?			✓	c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?			✓
b. The creation of objectionable odors?			✓	d. Deterioration to existing wildlife habitat?			✓
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?			✓	6. <u>Noise</u> . Will the proposal result in:			
3. <u>Water</u> . Will the proposal result in:				a. Increases in existing noise levels?			✓
a. Changes in currents or the course of direction of water movements in fresh waters?			✓	b. Exposure of people to severe noise levels?			✓
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?			✓	7. <u>Light and Glare</u> . Will the proposal produce new light or glare?			✓
c. Alterations to the course or flow of flood waters?			✓	8. <u>Land Use</u> . Will the proposal result in a substantial alteration of the present or planned land use of an area?	✓		
d. Change in the amount of surface water in any water body?			✓	9. <u>Natural Resources</u> . Will the proposal result in:			
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?			✓	a. Increase in the rate of use of any natural resources?			✓
f. Alteration of the direction or rate of flow of ground waters?			✓	b. Substantial depletion of any nonrenewable natural resources?			✓
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of any aquifer by cuts or excavations?			✓				

	YES	MAYBE	NO
10. <u>Risk of Upset.</u> Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	✓
11. <u>Population.</u> Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	—	—	✓
12. <u>Housing.</u> Will the proposal affect existing housing, or create a demand for additional housing?	—	—	✓
13. <u>Transportation/Circulation.</u> Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	—	✓	—
b. Effects on existing parking facilities or demand for new parking?	—	✓	—
c. Substantial impact upon existing transportation systems?	—	—	✓
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	✓
e. Alterations to waterborne, rail or air traffic?	—	—	✓
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	✓	—
14. <u>Public Services.</u> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	—	—	✓
b. Police protection?	—	—	✓
c. Schools?	—	—	✓
d. Parks or other recreational facilities?	—	—	✓
e. Maintenance of public facilities, including roads?	—	—	✓
f. Other governmental services?	—	—	✓
15. <u>Energy.</u> Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	✓
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	✓
16. <u>Utilities.</u> Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	—	—	✓
b. Communications systems?	—	—	✓
c. Water?	—	—	✓
d. Sewer or septic tanks?	—	—	✓
e. Storm water drainage?	—	—	✓
f. Solid waste and disposal?	—	—	✓
17. <u>Human Health.</u> Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	✓
b. Exposure of people to potential health hazards?	—	—	✓

	YES	MAYBE	NO
18. <u>Aesthetics.</u> Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	✓
19. <u>Recreation.</u> Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	—	—	✓
20. <u>Archaeological/Historical.</u> Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building?	—	—	✓
21. <u>Mandatory Findings of Significance.</u>			
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	✓
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	—	—	✓
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	—	—	✓
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	✓

C. DISCUSSION OF ENVIRONMENTAL EVALUATION

see attached

D. DETERMINATION
(to be completed by the Lead Agency)

On the basis of this initial evaluation:

☒ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date

2/2/94

Colman W. Nickerson
(Signature)

ENVIRONMENTAL CHECKLIST FORM
C.U.P. 94-004 - GOLDSTEIN'S BAGEL BAKERY AND RESTAURANT

8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of the area?

The subject property is developed with a commercial building and a related parking lot. The site is zoned C-2 and is shown on the general plan as commercial. The proposed bagel bakery and restaurant is a change in land use; however, the proposal is consistent with both the General Plan designation and the Zoning.

- 13a. Will the proposal result in a generation of substantial additional vehicular movement?

Currently there is no traffic to the site because the existing building is vacant. The Public Works Department has reviewed this proposal and has determined that traffic volume will be increased on Santa Anita Avenue and in the public alley which is adjacent to the site. Therefore, to mitigate potential traffic problems the Public Works Department is recommending that the applicant provide, through the Public Works Department, a "Right Turn Only" restriction on the westbound alley traffic at Santa Anita Avenue, and a "No Parking" restriction (i.e., a red curb) across the property frontage on Santa Anita Avenue.

In addition, the Arcadia Police Department is recommending that the center divider along Santa Anita Avenue be posted with a "No Left Turn" sign to prohibit the southbound traffic on Santa Anita Avenue from turning into the public alley; and that the site's parking lot exit onto the public alley also be posted with a "No Left Turn" sign. The posted signs would hopefully mitigate any potential traffic congestion at the intersection of the alley and Santa Anita Avenue.

- 13b. Effects on existing parking facilities or demand for new parking?

The applicant is requesting a modification to provide 19 on-site parking spaces in lieu of 45 spaces required for the proposed use. Based upon the applicant's proposal it is staff's opinion that the on-site parking would be adequate because during the peak hours of business i.e., from 7:00 a.m. to 9:00 a.m., the majority of the business would be drive-through service and take-out.

- 13f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?

As a result of any increase in the traffic in this area, there is a potential of traffic problems to vehicles, bicycles and/or pedestrians. The applicant is proposing to provide a rear public entrance from the parking area and a pedestrian walkway to the front entrance to mitigate any potential traffic hazards to pedestrians. Also, staff feels that the applicant's drive-through service should only be in operation during the morning hours from 7:00 a.m. to 10:00 a.m. This would mitigate potential problems with the traffic that is currently generated by the neighboring "In-N-Out" drive-through business, which opens at 10:30 a.m.

ENVIRONMENTAL INFORMATION FORM

- A. Applicant's Name: ROBERT FURMAN
 Address: 38 E. MONTECITO AVE., #12 SIENNA MADRE CA 91024
- B. Property Address (Location): 412 N. SANJO ANITA
- C. General Plan Designation: _____
- D. Zone Classification: _____
- E. Proposed Use (State exactly what use is intended for the property, i.e., type, activities, employment):
EXISTING BUILDING TO BE REMODELED
AS BAGEL BAKERY. SALE OF BAKERY GOODS.
INDOOR SEATING FOR 20, PATIO SEATING FOR 14.
- F. Square Footage of Site: 15,705
- G. Square Footage of Existing Buildings:
 1. To Remain: 4000 s.f.
 2. To Be Removed: 300 s.f.
- H. Square Footage of New Buildings: N/A
- I. Square Footage of Buildings to be Used for:
 1. Commercial Activities: 4000 s.f.
 2. Industrial Activities: _____
 3. Residential Activities: _____
- Number of Units: _____

J. Describe the following:

1. The environmental setting of the project site as it exists.

COMMERCIAL ZONE ALONG SANTA ANITA
ADJACENT TO OTHER USES THAT ARE
SIMILAR.

2. The proposed alterations to the project site.

REMODEL FACADE AND INTERIOR.
PROVIDE FOR DRIVE-THRU SERVICE

3. The use and development of the surrounding properties.

COMMERCIAL - NORTH - FAST FOOD
SANTA - OFFICE
EAST - INDUSTRIAL
WEST - COMMERCIAL / CARWASH

K Check the appropriate answers to the following questions:

Yes No

1. Will the proposed project result in a substantial alteration of ground contours and/or alteration of exiting drainage pattern? ___ ✓
2. Will the proposed project result in a change in groundwater quality and/or quantity? ___ ✓
3. Will the proposed project result in an increase in noise, vibration, dust, dirt, smoke, fumes, odor or solid waste? ___ ✓
4. Will the proposed project result in the use or disposal of potentially hazardous materials? ___ ✓
5. Will the proposed project result in a substantial increase in demand for municipal services and/or energy consumption? ___ ✓

Explain in detail any "YES" answers to the above questions on additional sheets.

L. Provide any additional information which would elaborate on the potential environmental consequences resultant from the proposed project.

M. Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 1/31/94


Signature of Applicant

Environmental Information Form

Attachment No. 5

Preliminary Exemption Assessment



CITY OF
ARCADIA

PRELIMINARY EXEMPTION ASSESSMENT

1. Name or description of project:	APPROVE A ONE-YEAR TIME EXTENSION REQUEST TO PRESERVE A LEGAL NONCONFORMING RESTAURANT/BAKERY USE WITH A DRIVE-THROUGH SERVICE WINDOW AT THE FORMER GOLDSTEIN'S BAGEL BAKERY, LOCATED AT 408-412 N SANTA ANITA AVENUE	
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):	408-412 N Santa Anita Avenue – The business is located between E Colorado Blvd and La Porte St	
3. Entity or person undertaking project:	A.	
	B. Other (Private)	
	(1) Name	Danny Ross, Darren Ross, Vikki Flam
	(2) Address	10341 Vanalden Avenue, Los Angeles, CA, 91326
4. Staff Determination:		
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:		
a. ☐	The proposed action does not constitute a project under CEQA.	
b. ☐	The project is a Ministerial Project.	
c. ☐	The project is an Emergency Project.	
d. ☐	The project constitutes a feasibility or planning study.	
e. ☐	The project is categorically exempt.	
	Applicable Exemption Class:	
f. ☐	The project is statutorily exempt.	
	Applicable Exemption:	
g. ☒	The project is otherwise exempt on the following basis:	15061(b)(3) – Class 1 (Common sense exemption)
h. ☐	The project involves another public agency which constitutes the Lead Agency.	
	Name of Lead Agency:	

Date: December 23, 2025

Staff: Simon Vuong, Economic Development Manager



**ARCADIA PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, DECEMBER 9, 2025**

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

ROLL CALL

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

ABSENT: None

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

Planning Services Manager Fiona Graham reported that the November 25 meeting minutes were amended and redlined copies were distributed to the Commissioners.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

1. **Resolution No. 2178**– Approving the Appeal and the revised project for a new two-story Modern-style single-family house at 363 Warren Way

CEQA: Exempt

Recommendation: Adopt

Appellant: Thomas Li

MOTION - PUBLIC HEARING

Chair Tallerico introduced the item and Associate Planner Gary Yesayan presented the staff report.

The Commissioners did not have any questions for staff.

The public hearing was opened.

The Appellant and project designer Thomas Li thanked staff for working with him and the property owners on a resolution that would lead to approval of the project.

There were no speakers present for this item.

Commissioner Arvizu made a motion to close the public hearing.

Commissioner Wilander seconded the motion.

Without objection, the motion was approved.

DISCUSSION

Commissioner Hui said the project complies with the development standards and its scale is compatible with the neighborhood and therefore recommended approval.

Vice Chair Tsoi was glad to see that the Appellant addressed the issues pointed out by staff and was in support of the project.

Commissioner Wilander concurred with her colleagues.

Commissioner Arvizu congratulated the Appellant and staff for resolving the issues that were discussed in the previous meeting. He said the design will be a great improvement to the neighborhood.

Chair Tallerico asked the Commissioners if they had concerns with the minor setback encroachment of the cabana in rear yard as mentioned on page 10 of the staff report.

Vice Chair Tsoi pointed out that it is an existing structure and he had no concerns if left as is.

Commissioner Wilander agreed.

Chair Tallerico asked a general question about protected trees on a project site and who pays for the required arborist report.

Mr. Yesayan explained that the property owner pays a certified arborist to provide a report about the protected tree(s).

MOTION

It was moved by Commissioner Hui, seconded by Vice Chair Tsoi to adopt Resolution No. 2178 approving the Appeal and revised project for a new two-story Modern-style single-family house at 363 Warren Way in which the project is exempt from CEQA.

ROLL CALL

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

There is a ten (10) appeal period. Appeals are to be filed by 4:30 p.m. on Friday, December 19, 2025.

PUBLIC HEARING

2. **Resolution No. 2183**– Approving Conditional Use Permit No. CUP 25-02 to allow the operation of a children's fitness and educational enrichment facility (KidStrong) within an existing tenant space at the Arcadia Gateway Center at 320 E. Huntington Drive

CEQA: Exempt

Recommendation: Adopt

Applicant: KidStrong

MOTION - PUBLIC HEARING

Chair Tallerico introduced the item and Senior Planner Melissa Chipres presented the staff report.

Commissioner Hui asked why this location was selected for this business.

Mr. Chipres deferred the question to the Applicant to respond when the public hearing opened.

Chair Tallerico asked for more information about the exercises and activities for the participants.

Ms. Chipres listed the various exercises including obstacle courses, balancing on beams, running and agility drills, and zigzag runs. The social, emotional, and cognitive development focused activities include color-matching activities, memory games, and follow-the-leader patterns.

The public hearing was opened.

Nailah Elmasri introduced herself as the Applicant and said she has a deep-rooted connection in the City of Arcadia as she was born and raised in the City. Ms. Elmasri explained their proposal and why it would be a great addition to the City.

Commissioner Hui pointed out that there are not many children's gyms in the City or in the area and asked if she is aware of any competing businesses. She also asked how the business was being promoted.

Ms. Elmasri said there are not many competitors in the area and that KidStrong offers a great alternative to the tutoring facilities that only focus on education. She said her promotional efforts include talking to people at local events and at church. Additionally, the KidStrong franchise takes care of all the online promoting including ads and posts on social media.

Commissioner Hui asked if the class size and facility size will be similar to the other KidStrong locations.

Ms. Elmasri stated that the franchise limits the unit size between 2,800 and 3,000 square feet and the maximum class size can be 15 children. She said on average the class sizes are 12 kids per class.

Commissioner Hui asked if the franchise allows their location to expand into a bigger facility if there is a high demand.

Mr. Elmasri, also present, said that in the event that there is high demand for bigger classes the franchise prefers a new location to be opened in the area.

Commissioner Hui asked if there are safety protocols in place so that children do not run out of the building into the parking lot.

Ms. Elmasri stated it is very safe for the participants. Additionally, the parents are highly encouraged to stay for the class and therefore will be around to monitor their children.

Vice Chair Tsoi asked about the maximum number of students at any given time and the coach to student ratio.

Ms. Elmasri stated that there will be two classes at once with a maximum number of 15 students and two coaches per class. She said there will also be a general manager in the front check-in area.

Commissioner Arvizu asked what qualifications will be required for the coaches.

Ms. Elmasri stated that the coaches will go through a hybrid (online and in-person) certification course and the KidStrong headquarters' staff will run the in-person certification course.

Commissioner Arvizu asked if the coaches will get a background check.

Mr. Elmasri said the coaches are required to be background checked and be CPR certified.

Commissioner Arvizu asked what the restroom is set up like.

Ms. Elmasri said that there will be male and female restrooms.

Chair Tallerico asked about the background check requirement and hiring process. He asked if they would follow the KidStrong hiring requirements for employees and coaches.

Ms. Elmasri confirmed KidStrong has detailed hiring requirements, and they will follow them.

There were no speakers present for this item.

Commissioner Wilander made a motion to close the public hearing.

Commissioner Hui seconded the motion.

Without objection, the motion was approved.

DISCUSSION

Vice Chair Tsoi said the proposed use is a great concept and it is complimentary to the other businesses at the plaza. However, he had some questions about how this type of facility is regulated.

Commissioner Wilander said that it appears the Applicant has done their homework about running a great business and that it is good to have the support of the franchise. She asked the Applicant more about the hiring and training process of their coaches.

Ms. Elmasri said that she is certified to train her coaches and that trainers from headquarters fly out to hold a boot camp for all the coaches-to-be in the area to finalize their certification.

Commissioner Hui said that this type of facility is long overdue and the curriculum is very appealing. She asked what happens when there is turnover of coaches and how often training courses are held for new coaches.

Before the discussion continued, Chair Tallerico asked for a motion to reopen the public hearing.

Commissioner Arvizu motioned to reopen the public hearing.

Vice Chair Tsoi seconded the motion.

Ms. Elmasri said that coaches from local areas will fill the positions until new coaches are hired and trained. When there are enough new coaches to train among all the locations in the area, the KidStrong headquarters will fly out trainers to hold training.

Commissioner Hui asked what the characteristics are they look for in the coaches.

Ms. Elmasri said they screen through videos submitted by the applicants and look for individuals who have personalities that will be compatible with children of all ages.

Commissioner Hui asked if parents are involved in the classes with their children.

Ms. Elmasri said yes, there will be a parent and child class for ages 1-3 years old.

Commissioner Arvizu asked what happens when a child must use the bathroom in the middle of a class and who accompanies the child to the bathroom.

Ms. Elmasri said parents are present, they can accompany their child to the bathroom.

Commissioner Arvizu asked what happens if the parent is not present.

Ms. Elmasri stated that the parents stay for the duration of the class most of the time but in the chance that they need to step out they notify one of their staff members.

Commissioner Arvizu asked if the rear doors have an alarm system in case a child opens the door and if it is a condition of approval.

Ms. Chipres stated they do not have an alarm, and it is not a condition of approval.

Commissioner Wilander asked if it is required for a child to be accompanied to the bathroom by an adult.

Ms. Elmasri stated that older children are not required to be escorted to the bathroom and younger children will be accompanied by a parent.

Chair Tallerico pointed out finding No. 5 which states that the Arcadia Police and Fire Departments had no concerns regarding public safety and operational impacts and asked if that includes children's safety.

Ms. Graham stated that the police and fire departments review the proposal from their perspective, like proper emergency access and capacity numbers.

Chair Tallerico made a motion to close the public hearing.

Commissioner Wilander seconded the motion.

Without objection, the motion was approved.

Commissioner Arvizu said he loved the idea about a children's fitness facility, however he was concerned about the two rear exit doors and asked if a condition be added to state that an alarm be required for the doors.

Commissioner Wilander agreed that the condition be added.

Commissioner Hui concurred with the Commissioners.

Vice Chair Tsoi said from experience, only two doors are required as an entrance and exit. However, he is in favor of requiring an alarm on the two rear doors.

MOTION

It was moved by Commissioner Arvizu, seconded by Commissioner Wilander to adopt Resolution No. 2183 approving Conditional Use Permit No. CUP 25-02 to allow the operation of a children's fitness facility (KidStrong) within an existing tenant space at the Arcadia Gateway Center at 320 E. Huntington Drive with the addition of a condition requiring and audio alarm be installed on the rear exit doors. The project is exempt from CEQA.

ROLL CALL

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

There is a ten (10) appeal period. Appeals are to be filed by 4:30 p.m. on Friday, December 19, 2025.

PUBLIC HEARING

3. **Resolution No. 2180**– Approving Tentative Parcel Map No. TPM 25-04 (84910) to subdivide the airspace for an approved four unit multi-family residential condominium development 48 E. Colorado Boulevard
CEQA: Exempt
Recommendation: Adopt

Applicant: Philip Chan

MOTION - PUBLIC HEARING

Chair Tallerico introduced the item and Associate Planner Gary Yesayan presented the staff report.

Vice Chair Tsoi asked if there are guest parking spaces onsite.

Mr. Yesayan stated that this project did not require parking due to AB 2097 and therefore no guest parking was offered. However, the developer voluntarily provided a two-car garage for each unit.

The public hearing was opened.

Philip Chan, the applicant and architect of the project, provided some information about his design and answered Chair Tsoi's question about parking.

Commissioner Arvizu asked if there was more than one entrance and exit to the property.

Mr. Chan explained that units A-C have access from the alley on the south end of the property and through Colorado Boulevard on the north side. Due to limited space, unit D will only have access from the alley.

There were no speakers present for this item.

Commissioner Arvizu made a motion to close the public hearing.

Commissioner Hui seconded the motion.

Without objection, the motion was approved.

DISCUSSION

The Commissioners did not have any further discussion about the item.

MOTION

It was moved by Commissioner Wilander, seconded by Chair Tallerico to adopt Resolution No. 2180 approving Tentative Parcel Map No. TPM 25-04 (84910) to subdivide the airspace for an approved four unit multi-family residential condominium development at 48 E. Colorado Boulevard in which the project is Exempt from CEQA and is consistent with the Subdivision Map Act.

ROLL CALL

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

There is a ten (10) appeal period. Appeals are to be filed by 4:30 p.m. on Friday, December 19, 2025.

PUBLIC HEARING

4. **Resolution No. 2182**– Approving Tentative Parcel Map No. 25-06 (84918) to subdivide the airspace for a four-unit Condominium Development at 158-160 California Street

CEQA: Exempt

Recommendation: Adopt

Applicant: Eric Tsang

MOTION - PUBLIC HEARING

Chair Tallerico introduced the item and Senior Planner Melissa Chipres presented the staff report.

The Commissioners did not have any questions for staff.

The public hearing was opened.

The Applicant and project architect, Eric Tsang was present to speak on behalf of the property owner and stated that they accept the conditions of approval.

Commissioner Arvizu asked if there was an approach from both the alley and the street.

Mr. Tsang confirmed there will be an approach from both ends.

There were no speakers present for this item.

Commissioner Wilander made a motion to close the public hearing.

Vice Chair Tsoi seconded the motion.

Without objection, the motion was approved.

DISCUSSION

The Commissioners did not have any further discussion about the item.

MOTION

It was moved by Commissioner Wilander, seconded by Commissioner Hui to adopt Resolution No. 2182 approving Tentative Parcel Map No. 25-06 (84918) to subdivide the

airspace for a four-unit condominium development at 158-160 California Street in which the project is Exempt from CEQA and is consistent with the Subdivision Map Act.

ROLL CALL

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

There is a ten (10) appeal period. Appeals are to be filed by 4:30 p.m. on Friday, December 19, 2025.

CONSENT CALENDAR

1. Minutes of the November 25, 2025, Regular Meeting of the Planning Commission

Recommendation: Approve

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

ROLL CALL

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

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

Mayor Pro Tem Wang was not present.

MATTERS FROM THE PLANNING COMMISSIONERS

Commissioner Hui said she has noticed an increase of people using e-bikes on the sidewalks and she believes it is a public safety concern. She asked if the City had investigated the issue.

Chair Tallerico asked Mr. Martz if Commissioner Hui's comments fall under the rubric of "land use".

Mr. Martz stated that public safety is not in the purview of the Planning Commission.

Chair Tallerico stated that he will revisit his point about the duties and responsibilities of the Planning Commission in the new year.

MATTERS FROM ASSISTANT CITY ATTORNEY

Mr. Martz had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Graham reported that the December 23 meeting will be cancelled in observation of the Christmas holiday later that week.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:43 p.m., to Tuesday, January 13, 2026, at 7:00 p.m. in the City Council Chamber.

Chair Tallerico, Planning Commission

ATTEST: _____

Lisa L. Flores
Secretary, Planning Commission