



Office of the City Clerk

NOTICE OF SPECIAL MEETING

As authorized by California Government Code Section 54956 and Arcadia City Charter Section 408, a Special Meeting of the Arcadia City Council is hereby called to be held at the City Council Chambers, 240 W. Huntington Drive, Arcadia, California on Thursday, July 18, 2024, at 4:00 p.m.

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (626) 574-5455. Sufficient notice 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),请求作出调整或提供便利设施。提前充足的时间发出通知将使市政 府能够做出合理安排,确保顺利参加会议。

At this Special Meeting, the following matters will be discussed.

CLOSED SESSION

- a. Pursuant to Government Code Section 54956.9 (d)(1) to confer with legal counsel regarding the matter of Moises Anguiano v. City of Arcadia, Arcadia Public Works Services Department; and Does 1-30, inclusive (Case No. 23AHCV00981).
- b. Confer with legal counsel regarding anticipated litigation.

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)

Facts and Circumstances: Written threat of litigation (Government Code Section 54956.9(e)(3)

CONTINUED PUBLIC HEARING (OPEN SESSION)

a. Resolution No. 7563 affirming the Planning Commission approval of Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for a 16-unit, contemporary style, multifamily residential condominium development at 314-326 S. Second Avenue. CEQA: Exempt

Recommended Action: Uphold Planning Commission Approval

There will be time reserved for those members of the public who wish to address the City Council regarding the above items.

In accordance with the Brown Act, public comments will be limited to addressing the item listed on this special meeting agenda. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.

No other business than the above will be considered at this meeting.

240 W. Huntington Drive Post Office Box 60021 Arcadia, CA 91066-6021 (626) 574-5455 www.ArcadiaCA.gov

Dated: July 17, 2024

Michael Cao Mayor of the City of Arcadia



STAFF REPORT

Development Services Department

DATE: July 18, 2024

TO: Honorable Mayor and City Council

- **FROM:** Jason Kruckeberg, Assistant City Manager/Development Services Director Lisa Flores, Deputy Development Services Director By: Fiona Graham, Planning Services Manager
- SUBJECT: RESOLUTION NO. 7563 AFFIRMING THE PLANNING COMMISSION APPROVAL OF MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT, CONTEMPORARY STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE CEQA: Exempt Recommendation: Uphold Planning Commission Approval

SUMMARY

At their regularly scheduled meeting on March 12, 2024, the Planning Commission held a public hearing related to Multiple Family Architectural Design Review No. MFADR 23-03 and associated applications. This project was submitted by Philip Chan on behalf of the property owner, Smart Property LA II LLC, to develop the sites located at 314-326 S. Second Avenue and construct 16 new condominium units that will be three stories in height. The Planning Commission voted 3-2 to approve the project. On March 19, 2024, Council Member Kwan requested that the project be called up for review by the City Council. At the April 16, 2024, City Council Meeting, the City Council voted to call up the item and hold a de novo public hearing on the Project.

At the May 7, 2024, City Council Meeting, the City Council held a public hearing on the Project and, after hearing testimony from the Applicant and the public, voted 5-0 to continue the item 30 days. At the June 4, 2024, City Council Meeting, the City Council voted 5-0 to continue the Project to a Special Meeting to be held on July 18, 2024, to allow the City time to inspect the property for Code violations and for the property owner to begin taking any reparative actions that may be necessary.

Call for Review for Project at 314-326 S. Second Ave. July 18, 2024 Page 2 of 3

BACKGROUND

The subject property is comprised of four (4) adjacent lots currently developed with 16 units (four on each lot). The Applicant is requesting to demolish all 16 units, merge the existing four (4) lots together as one parcel through the tract map process, and construct 16 new detached condominium units that will be three-stories tall with garage parking at grade level. All the units will have four bedrooms and 5.5 bathrooms and will range in size from 2,305 to 3,207 square feet. For more information on the project and this item, refer to Attachment No. 3 for the complete May 7, 2024, City Council staff report, including all attachments.

DISCUSSION

On June 12, 2024, representatives of the Development Services Department and Fire Department visited the site to undertake an inspection of exterior areas of the apartment buildings at 314-326 S. Second Avenue. At that inspection, Staff identified various violations related to property maintenance and, on June 18, 2024, issued a Notice of Violation to the property owner outlining the specific violations and the abatement actions required with a completion deadline of July 16, 2024. In general, the corrective actions require the property owner to undertake landscaping maintenance, tree maintenance, removal of debris, roof repair, fence repair, and building maintenance and repair.

A follow-up inspection was completed on July 16, 2024. Staff confirmed that most violations had been resolved including building maintenance, landscaping, and safety concerns. Repairs to the roof are beginning within the next several days. The Applicant is undertaking patching and waterproofing of the roof and permits have been issued for the work. Some other minor issues are outstanding such as the painting of stucco repair work, and removal of large waste items in the trash enclosure, both of which are to be resolved within the next couple of weeks. Due to the relatively short timeframe given to complete the necessary work and the progress made to date, Staff is satisfied that a good faith effort has been made by the property owner and that the work will be completed soon in response to the Notice of Violation and issued building permits. A condition has been added to the Resolution to ensure that work is pursued and completed as intended.

RECOMMENDATION

It is recommended that the City Council uphold the Planning Commission's decision and approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10; state that the proposal satisfies the requisite findings; and adopt the attached Resolution No. 7563 that incorporates the requisite environmental and subdivision findings and the conditions of approval as presented in the Resolution, or as modified by the City Council.

Call for Review for Project at 314-326 S. Second Ave. July 18, 2024 Page 3 of 3

Approved:

3

Dominic Lazzaretto City Manager

Attachment No. 1: Resolution No. 7563

Attachment No. 2: June 4, 2024, City Council staff report

Attachment No. 3:

May 7, 2024, City Council staff report with the following

attachments

- March 12, 2024, Planning Commission Staff Report and Resolution No. 2142 (without attachments)
- March 12, 2024, Planning Commission Approved Minutes
- Tentative Tract Map No. 84291
- Architectural Plans
- Arborist Report
- Letter from Property Owner at 319 S. Second Ave.
- Preliminary Exemption Assessment

Attachment No. 1

RESOLUTION NO. 7563

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, AFFIRMING THE PLANNING COMMISSION APPROVAL OF MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT, CONTEMPORARY STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE

WHEREAS, on September 1, 2023, applications for Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Tract Map No. TTM 23-02 (83831), and Healthy Tree Removal Permit No. TRH 23-14 were filed by Philip Chan on behalf of the property owner, Smart Property LA II LLC, for a 16 unit, three-story, contemporary style multi-family residential condominium development, a tentative tract map subdivision, and the removal of a protected Coast Live Oak Tree and encroachment into the dripline of one protected tree at 314-326 S. Second Avenue (collectively, "Project"); and

WHEREAS, on January 20, 2024, Planning Services completed an environmental assessment for the Project in accordance with the California Environmental Quality Act ("CEQA"), and recommends that the Planning Commission determine the Project is exempt under CEQA per Section 15332 of the CEQA Guidelines because the Project is considered an in-fill development project; and

WHEREAS, on March 12, 2024, a duly-noticed public hearing was held before the Planning Commission on said Project, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, after the public hearing the Planning Commission adopted Resolution No. 2142 with a 3-2 vote approving Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Tract Map No. TTM 23-02 (83831), and Healthy Tree Removal Permit No. TRH 23-14 for a 16 unit, three-story, contemporary style multi-family residential condominium development, a tentative tract map subdivision, and the removal of a protected Coast Live Oak Tree and encroachment into the dripline of one protected tree at 314-326 S. Second Avenue, subject to the conditions of approval listed in the staff report; and

WHEREAS, on March 19, 2024, City Council Member Sharon Kwan submitted a request for the consideration of a call for review of the Planning Commission's approval of the Project; and

WHEREAS, on April 16, 2024, the City Council considered the call for review and a majority vote was obtained to formally call up the item and schedule it for a public hearing; and

WHEREAS, on May 7, 2024, a duly noticed public hearing was held before the City Council on said application, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, after taking all testimony and closing the public hearing, the City Council voted to continue its review of the Project for a period of 30 days to allow for further consideration of the Project; and

WHEREAS, on June 4, 2024, the item was further considered by the City Council and, after taking testimony from the Property Owner's representative and members of the public, the City Council voted to continue its review of the Project to a Special Meeting to be held on July 18, 2024, to allow for further consideration of the Project; and

WHEREAS, on July 18, 2024, the item was further considered by the City Council, and

2

WHEREAS, based upon the entire record, including without limitation the staff report and related documents presented to the City Council, the City Council finds as follows with respect to the approval of Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Tract Map No. TTM 23-02 (83831), and Healthy Tree Removal Permit No. TRH 23-14 for a 16 unit, three-story, contemporary style multi-family residential condominium development, a tentative tract map subdivision, and the removal of a protected Coast Live Oak Tree and encroachment into the dripline of one protected tree at 314-326 S. Second Avenue.

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 July 18, 2024, are true and correct.

SECTION 2. The City Council finds, based upon the entire record:

Subdivision – Tentative Tract Map

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

FACT: The proposed tentative tract map for a 16-unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan and Development Code, and the Subdivision Map Act. The Project will exceed the maximum density by providing 16 residential units instead of 15 units to ensure the project complies with Government Code Section 65863 – the No Net Loss Law. The Project will not be detrimental to the General Plan Medium

Density Residential Land Use designation and the R-2, Medium Density Multiple Family Residential zoning designation, respectively. These designations are intended to accommodate high density residential units such as condominiums, within the appropriate neighborhoods such as this. There is no specific plan applicable to this project.

The proposed tentative tract map complies with the Subdivision Map Act because the proposed 16-unit condominium development complies with the requirements of the Subdivisions Division of the Development Code and all other City requirements to subdivide for condominium purposes.

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

Land Use and Community Design Element

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

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

FACT: The site is physically suitable for this type of development and the consolidation of the four (4) lots into one (1) lot can accommodate the Project and comply

with all other applicable zoning requirements, including but not limited to parking, setbacks, height, and open space. The site will provide ample amenities for residents and will be compatible with the existing neighborhood. Since the existing site has existed for many years with 16 units without detriment, the site is suitable to replace the existing density of 16 units with 16 units. Therefore, the site is physically suitable for the proposed 16-unit multi-family residential development.

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

FACT: The Project is an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. Therefore, the Project would not cause substantial environmental damage or impact wildlife.

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

FACT: The Project is to subdivide the airspace of 16 units for condominium purposes. The construction would be in compliance with all applicable Building and Fire Codes to ensure public health and safety. While the proposed 16 units exceeds the calculated maximum allowed, the existing site has 16 units, therefore, allowing the same number of units as already exists will not be detrimental and shows the City's existing infrastructure would adequately serve the new development. Therefore, the development would not cause any public health or safety problems.

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

the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to the review authority to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision):

FACT: There are three existing six-feet wide easements that will remain for utility purposes for this Project. The Project will not conflict with these easements as no permanent structures will be built over the easements. The 10-foot-wide utility easement that runs through the center of the property shall be quitclaimed prior to approval of the Final Tract Map. Therefore, the Project does not conflict with the existing easements, as acquired by the public at large for access through or use of property within the proposed subdivision.

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

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

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

FACT: The Project is in conformance with all the regulations of the City's Development Code. The Project will replace the same number of units that are on the

6

four parcels, therefore there will be no net loss from this new development. There is no other public agency that has jurisdiction over this subject site.

Site Plan and Design Review

1. The proposed development will be in compliance with all applicable development standards and regulations in the Development Code.

FACT: The subject site is zoned the R-2, Medium Density Multiple Family Residential zoning designation, which allows for the development of accommodate medium to high density residential units such as condominiums, within the appropriate neighborhoods such as this. The Project will exceed the maximum density by providing 16 residential units instead of 15 units to ensure the project complies with Government Code Section 65863 – the No Net Loss Law. Despite the increased density, the new Project will comply with all other applicable zoning requirements, including but not limited to parking, setbacks, height, and open space. Therefore, the new development will be in compliance with all the applicable standards and regulations in the Development Code.

2. The proposed development will be consistent with the objectives and standards of the applicable Design Guidelines.

FACT: The proposed development is located within the Medium Density Residential (R-2) Zone, which is intended to provide a variety of medium to high density residential developments. The proposed design of the 16-unit condominium project is compatible with existing multi-family developments in the surrounding neighborhood in terms of design, massing, and scale. The proposed Contemporary architectural style would be compatible with other existing multi-family developments along Second Avenue as the neighborhood is eclectic with no dominant architectural style. While this will be the

¹¹

first of this style on this block, the style provides an elevated and modern look to the neighborhood and the detached buildings help to reduce the physical mass of the development. The project features five (5) buildings oriented towards the site's primary public street to help define the street frontage and pedestrian areas. The project features extensive landscaping including the planting of 13 new 36-inch box trees in the front yard and maintaining the three mature Magnolia trees which help further mitigate the mass and scale from the street. The architectural elements incorporated in this design, such as neutral toned stucco, tile roofing, and brick veneer, are consistent with developments in the vicinity that have similar features. Additionally, the massing and scale of the new development will not be out of character with developments in the vicinity as many of the existing multi-family developments, despite being two-stories, are around 30' 0" in height. The adjacent building is three stories with a semi-subterranean floor and attached garage and total height of 33'-6". In addition, the proposed buildings have articulation on all facades which provides visual interest and reduces massing. Therefore, the proposed development will be consistent with the objectives and standards of the Multi-Family Design Guidelines.

3. The proposed development will be compatible in terms of scale and aesthetic design with surrounding properties and developments.

FACT: The new two-story home would be compatible with the character of the neighborhood in terms of the architectural design of multi-family developments along Second Avenue as the neighborhood is eclectic with no dominant architectural style. The Contemporary style development is consistent with the City's design guidelines in terms of form, roof, articulations, and design features and details. The third story of the building

¹²

is stepped back 20' from the ground floor to make the building appear less imposing at the pedestrian level and more compatible with the existing neighborhood which is made up of a mix of one and two-story developments and one other three story development directly north of the property. The high pitch roof and gables on the second story hides a large portion of the third story at the front and sides of the buildings and the articulation between the floors serves to further reduce the visual mass of the home. Directly behind the project, there is a townhouse development with units that are larger in square footage than the average unit size of the Project and the next lot over has unit sizes of 2,700 square feet and greater, therefore, the scale of the project will not be out of line with the adjacent multifamily developments. Of the units that front Second Street, the building frontage length is similar in length to other developments that also front Second Street which is approximately 31'-0" in linear length. The design also incorporates traditional architectural elements to better blend the style in the surrounding area while the wood paneling and overall neutral palette, and white brick veneer give it a unique modern flair. There are design variations for each of the townhouses which help to provide a variation between the homes and give an appearance more akin to a single-family home rather than a large complex. The architectural design, overall articulation, extensive front yard landscaping including retention of three large, existing Magnolia trees, and large third story setbacks help minimize the scale, soften the appearance of the home, and allow for consistency with the neighborhood. The City's Planning Division found that the Contemporary architectural style is appropriate for the neighborhood, that the development had sufficient articulation, and that the façade detailing, windows and doors,

and colors and materials are suitable for the style and compatible with the surrounding properties and developments.

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

FACT: The proposed development will have an adequate site layout as the site will have one access driveway for ingress and egress from Second Avenue. The driveway is sufficiently set back from the street and will allow for easy vehicular ingress and egress to the site which will prevent any cars from backing up onto the street. Each of the units will have a 20' x 20' two-car garage that will be accessed from the shared driveway. Each of the garages will meet the required 25'-0" backout space. The site will also comply with the minimum guest parking spaces of eight (8) parking spaces, and a bike rack for eight (8) spaces will be located on the north side of the property adjacent to the pedestrian entry on Second Avenue. The proposed landscaping will complement the architectural design, provide screening along all sides, including trees and shrubs fronting Second Avenue and large hedges along the side and rear property lines, and is consistent with landscaping in the neighborhood.

5. The proposed development will be in compliance with all of the applicable criteria identified in Subparagraph 9107.19.040.C.5 for a Site Plan and Design Review application.

FACT: The proposed project would be in compliance with all the applicable criteria set forth in Subparagraph 9107.19.040.C.5, including all other applicable sections of the Development Code. The project is in compliance with the City's Multi-Family Residential Design Guidelines as the proposed home will have an appropriate mass, scale, and

¹⁴

design that fits in with the other homes in the immediate vicinity. The project complies with all other applicable zoning requirements, including but not limited to parking, setbacks, height, and open space. The site will provide ample amenities for residents including both private and common open space and will be compatible with the existing neighborhood. The site layout and design are harmonious with the neighborhood as the proposed development meets or exceeds all required setbacks. The visual mass of the home is softened by "hiding" the third story within the roof at the front of the house. Extensive new landscaping throughout will complement the development and provide additional screening along both side and the rear property lines. The driveway for the site is designed to provide efficient and safe access to the residents and neighbors. No major impacts on or off-site are expected from this project. Therefore, the proposed home will be consistent with the City's Multi-Family Residential Design Guidelines and General Plan.

<u>Removal of a Healthy Protected Tree and Encroachment into the Protected Zone</u> of a Protected Tree

h. Removal of a Healthy Protected Tree and Encroachment into a Protected Tree FACT: The removal of the protected Coast Live Oak tree is necessary since it will not survive due to the proposed grading and excavation for one of the units and that the construction will severely damage the roots and there would be limited space for any future canopy growth. The proposed encroachment within the dripline of the protected tree (Southern Magnolia tree) is also necessary for the construction of one of the units in the rear of the property, however, the potential impacts of the construction of the units and proposed improvements will not harm the health of the tree, and its long-term health

¹⁵

since the tree will not be within the area of structural excavation of one of the units and the Applicant shall be required to follow all protection measures within the Arborist report. Therefore, the removal of a healthy protected tree and encroachment into the dripline of a protected tree are warranted to accommodate the proposed development.

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

SECTION 4. For the foregoing reasons the City Council affirms the Planning Commission's determination that the Project is Categorically Exempt under the California Environmental Quality Act ("CEQA") Section 15332, Class 32, and the Planning Commission's approval of Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for a 16-unit, contemporary style, multi-family residential condominium development and the removal of one protected tree and the encroachment into the protected zone of one protected tree at 314-326 S. Second Avenue, subject to the conditions of approval attached hereto.

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 18th day of July, 2024.

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:

Michael J. Maurer City Attorney

Page Intentionally Left Blank

RESOLUTION NO. 7563 Conditions of Approval

- 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 Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the approval of the Deputy Development Services Director, or designee.
- 2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall be subject to review and approval by the Deputy Development Services Director, or designee.
- 3. The Applicant/Property Owner shall plant a 60" box Coast Live Oak tree and two 36inch box Magnolia "Little Gem" trees within the front yard area as part of the replacement trees for the removal of the healthy protected tree. These trees must be shown on the final landscape plan. The Applicant/Property Owner shall also comply with all the measures listed in the Arborist Report, dated December 9, 2023. During construction, a Certified Arborist shall be on-site to monitor and ensure proper placement of the new replacement trees as well as survival of the existing protected Southern Magnolia tree. A follow-up report shall be submitted to the City prior to issuance of a Certificate of Occupancy.
- 4. The Applicant/Property Owner shall comply with all the measures listed in the Arborist Report, dated December 9, 2023. If the Certified Arborist determines that the tree may not survive at the time the follow-up report is prepared, then the Applicant shall plant a new 36-inch box tree on the subject site prior to issuance of a Certificate of Occupancy. The location and type shall be approved by the Deputy Development Services Director or designee.
- 5. The project shall comply with the latest adopted edition of the following codes as applicable:
 - a) California Building Code
 - b) California Electrical Code
 - c) California Mechanical Code
 - d) California Plumbing Code
 - e) California Energy Code
 - f) California Fire Code
 - g) California Green Building Standards Code
 - h) California Existing Building Code
 - i) Arcadia Municipal Code

- 6. The project shall comply with Chapter 35A Multiple Family Construction Standards as amended in the Arcadia Municipal Code Section 8130.20.
- 7. All utility conductors, cables, conduits and wiring supplying electrical, cable and telephone service to a multiple family building shall be installed underground except risers which are adjacent to and attached to a building.
- 8. A grading plan shall be prepared by a registered civil engineer and approved by the City prior to issuance of a building permit. The grading plans shall indicate all onand off-site improvements and shall indicate complete drainage paths of all drainage water run-off.
- 9. A demolition permit shall be obtained from Building Services prior to the removal and/or demolition of the structures on site.
- 10. Prior to approval of the Tract Map, the Applicant/Property Owner shall:
 - a. Remove existing driveway approaches and construct new driveway approach per the City's standards.
 - b. Remove and replace new sidewalk providing adequate path of travel in compliance with Americans with Disabilities Act ("ADA"). Ensure locations around obstructions provide necessary clearances.
 - c. Remove and replace curb and gutter with 2' asphalt slot cut from property line to property line along the property frontage of Second Avenue.
 - d. The 10-foot easement that is owned by Southern California Edison shall be quitclaimed and a copy of the recordation shall be submitted to the City prior to filing the final tract map.
- 11. The Applicant/Property Owner shall submit a Low Impact Development ("LID") plan for this project, and it shall comply with the Los Angeles County Department of Public Works 2014 LID standard Manual and show the selected measures on the grading plan. These selected measures include, but are not limited to using infiltration trenches, bio-retention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.
- 12. Prior to receiving a Certificate of Occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, as determined by the City Engineer.
- 13. There is a 12-inch ductile iron water main with 80 psi static pressure that the development shall connect to on Second Avenue. for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations to the Public Works Services Department to determine the total combined maximum domestic and fire demand and verify the water service size required prior to issuance of a Building Permit.

- 14. The Applicant/Property Owner shall install a common master water meter for the residential multi-family development. The water meter for each unit can be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
- 15. A separate water service and meter shall be required for common area landscape irrigation. A reduced pressure backflow device shall be installed.
- 16. 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 for fire service if required.
- 17. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to issuance of a building permit for the new development.
- 18. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department, Engineering Section. Abandonment of existing water services, if necessary, shall be by the Applicant/Property Owner, according to Public Works Services Department.
- 19. An 8" Vitrified Clay Pipe ("VCP") sewer line is available on Second Avenue to provide sanitary sewer service for the project. The Applicant/Property Owner shall utilize the existing sewer lateral, if possible. If there are any changes to the existing sewer lateral, the Applicant/Property Owner shall obtain approval from the Los Angeles County Sanitation District to connect to the exiting sewer main prior to commencing work, and obtain an encroachment permit from City of Arcadia.
- 20. If any drainage fixture elevation is lower than the elevation of next upstream manhole cover, an approved type of backwater valve is required to be installed on the lateral at the right-of- way and it shall be reviewed and approved by the Public Works Department prior to issuance of a building permit.
- 21. The Applicant/Property Owner shall file a Notice of Intent ("NOI") with the State Water Resources Control Board for a General Construction NPDES Permit and pay applicable fees to the State Water Resources Control Board.
- 22. The Applicant/Property Owner shall prepare a Storm Water Pollution Prevention Plan ("SWPPP") as part of the General Construction Permit requirements prior to issuance of a building permit.
- 23. All structures shall be provided with an automatic fire sprinkler system per the City of Arcadia Fire Department Single & Multi-Family Dwelling Sprinkler Standard.
- 24. A knox box shall be provided adjacent to the pedestrian and vehicle gates so that

the pedestrian and vehicle entry gate shall be openable without a special key for the City of Arcadia Fire Department.

- 25. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System ("NPDES") measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Deputy Development Services Director, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
- 26. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with MFADR 23-03, TTM 23-05 (84291), TRH 23-04, TRE 23-10 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the 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 the City that the deposit has fallen below the initial amount, Applicant/Property Owner shall replenish the deposit each and every time in order for City's legal team to continue working on the matter. The City shall only refund to the Applicant/Property Owner any unexpended funds from the deposit within 30 days of: (i) a final, non-appealable decision by a court of competent jurisdiction resolving the legal action; or (ii) full and complete settlement of legal action. The City shall have the right to select legal counsel of its choice. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge(s). In consideration for approval of the Project, this condition shall remain in effect if the entitlement(s) related to this Project is rescinded or revoked, at the request of the Applicant or not.

- 27. Approval of for Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the City Council has adopted the Resolution. The executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.
- 28. Prior to the issuance of a demolition permit, the Applicant/Property Owner shall undertake ongoing property maintenance in compliance with the City's Municipal Code, to the satisfaction of the Development Services Director/Assistant City Manager or designee.

19

Attachment No. 2



STAFF REPORT

Development Services Department

- **DATE:** June 4, 2024
- TO: Honorable Mayor and City Council
- **FROM:** Jason Kruckeberg, Assistant City Manager/Development Services Director Lisa Flores, Deputy Development Services Director Fiona Graham, Planning Services Manager
- SUBJECT: RESOLUTION NO. 7563 AFFIRMING THE PLANNING COMMISSION APPROVAL OF MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT, CONTEMPORARY STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE CEQA: Exempt Recommendation: Uphold Planning Commission Approval

SUMMARY

At their regularly scheduled meeting on March 12, 2024, the Planning Commission held a public hearing related to Multiple Family Architectural Design Review No. MFADR 23-03 and associated applications. This project was submitted by Philip Chan on behalf of the property owner, Smart Property LA II LLC, to develop the sites located at 314-326 S. Second Avenue and construct 16 new condominium units that will be three stories in height. The Planning Commission voted 3-2 to approve the project. On March 19, 2024, Council Member Kwan requested that the project be called up for review by the City Council. At the April 16, 2024, City Council Meeting, the City Council voted to call up the item and hold a de novo public hearing on the Project.

At the May 7, 2024, City Council Meeting, the City Council held a public hearing on the Project and, after hearing testimony from the Applicant and the public, voted 5-0 to continue the item 30 days. For more information on the project and this item, refer to Attachment No. 2 for the complete May 7, 2024, City Council staff report, including all attachments.

RECOMMENDATION

It is recommended that the City Council uphold the Planning Commission's decision and approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract

Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) June 4, 2024 Page 2 of 2

Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10; state that the proposal satisfies the requisite findings; and adopt the attached Resolution No. 7563 that incorporates the requisite environmental and subdivision findings and the conditions of approval as presented in the Resolution, or as modified by the City Council.

Approved:

Dominic Lazzaretto City Manager

Attachment No. 1: Attachment No. 2:

Attachment No. 1: Resolution No. 7563

May 7, 2024 City Council staff report with the following attachments

- March 12, 2024, Planning Commission Staff Report and Resolution No. 2142 (without attachments)
- March 12, 2024, Planning Commission Approved Minutes
- Tentative Tract Map No. 84291
- Architectural Plans
- Arborist Report
- Letter from Property Owner at 319 S. Second Ave.
- Preliminary Exemption Assessment

Attachment No. 3



STAFF REPORT

Development Services Department

DATE: May 7, 2024

TO: Honorable Mayor and City Council

- **FROM:** Jason Kruckeberg, Assistant City Manager/Development Services Director Lisa Flores, Deputy Development Services Director Fiona Graham, Planning Services Manager
- SUBJECT: RESOLUTION NO. 7563 AFFIRMING THE PLANNING COMMISSION APPROVAL OF MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT, CONTEMPORARY STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE CEQA: Exempt Recommendation: Uphold Planning Commission Approval

SUMMARY

At their regularly scheduled meeting on March 12, 2024, the Planning Commission held a public hearing related to Multiple Family Architectural Design Review No. MFADR 23-03 and associated applications. This project was submitted by Philip Chan on behalf of the property owner, Smart Property LA II LLC, to develop the sites located at 314-326 S. Second Avenue and construct 16 new condominium units that will be three stories in height. The Planning Commission voted 3-2 to approve the project. On March 19, 2024, Council Member Kwan requested that the project be called up for review by the City Council. At the April 16, 2024, City Council meeting, the City Council voted to call up the item and thereby, hold a de novo public hearing on the Project.

It is recommended that the City Council uphold the Planning Commission approval of the project, adopt Resolution No. 7563 (refer to Attachment No. 1); find that the project is Categorically Exempt under CEQA; and approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the conditions listed in Resolution No. 7563.

Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) May 7, 2024 Page 2 of 7

BACKGROUND

The subject property is four adjacent lots currently developed with 16 units (four on each lot). The Applicant is requesting to demolish all 16 units, merge the existing four (4) lots together as one parcel through the tract map process, and construct 16 new condominium units that will be three-stories tall with garage parking at grade level. All the units will have four bedrooms and 5.5 bathrooms, and will range in size from 2,305 to 3,207 square feet.

The project complies with the development standards of the R-2 Zone, including, but not limited to, setbacks, height, open space, minimum parking requirements, guest parking, and bicycle spaces. No modifications or variances were requested through the application process. The proposed project requires approval of the following applications and documents:

- Tentative Tract Map No. TTM 23-05 (84291) To merge the existing four lots and subdivide the residential units into condominiums.
- Multi-Family Architectural Design Review No. MFADR 23-03 For the architectural design review of this project.
- Protected Tree Encroachment Permit No. TRE 23-10 and Protected Healthy Tree Removal No. TRH 23-04 The design will encroach into the canopy of one (1) protected tree at the rear of the property and remove one (1) protected tree from the subject property.

The Project was considered by the Planning Commission at the March 12, 2024, Regular Planning Commission Meeting (refer to Attachment No. 2 for the Planning Commission staff report and resolution); staff recommended approval of this project. All the required findings were made, it was determined that the site was physically suitable for this development in the subject zoning designation, and it was found that the proposed design was compatible with the other existing multi-family developments within the surrounding neighborhood in terms of design, massing, and scale.

During the public hearing, two residents spoke in opposition to the project and submitted a letter at the hearing (refer to Attachment No. 7). Commissioner Arvizu thought the proposed development was a nice design and listed some of the elements that he thought were attractive, but he could not make one of the findings pertaining to Land Use Policy No. LU 4-1, which states that the new development will be consistent in scale, mass, and character with the other structures within the surrounding neighborhood. Commissioner Arvizu recommended that the Planning Commission deny the project on that basis. The motion failed with a 2-3 vote, with Vice Chair Wilander also voting to deny the Project. Another motion was made by Commissioner Tallerico to approve the project, and that the Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) May 7, 2024 Page 3 of 7

proposal met all the requisite findings; the motion passed with a 3-2 vote. Refer to Attachment No. 3 for the March 12, 2024, Planning Commission Meeting Minutes.

Following Project approval on March 12, 2024, and within the 10-day appeal period, Council Member Kwan requested a City Council call for review of the Project. At the April 16, 2024, City Council Meeting, the City Council voted to call up the Project for a de novo public hearing, pursuant to the "Call for Review" process.

DISCUSSION

The proposed Project complies with all the development standards of the R-2 Zone, including, but not limited to, setbacks, height, and open space. Also, the proposed project complies with the minimum parking requirements for each of the units, guest parking, and bicycle spaces. The R-2 Zone requires a minimum density of two dwelling units per lot, and a maximum density of one unit per 3,750 square feet of lot area. This provision results in a maximum allowable density of 15 units for the combined lot area. However, in order to comply with the State's "No Net Loss" law, at no time may a jurisdiction take action on a permit that will cause a shortfall of sites in the Regional Housing Needs Assessment (RHNA); therefore, the project must have at least 16 units, since it currently has that many units.

Tentative Tract Map

The Applicant is proposing a Tentative Tract Map to subdivide the property into detached townhomes. The proposed Tentative Tract Map complies with all provisions of the Development Code and the Subdivision Map Act. The property contains several existing easements that are used for utility purposes. The easements will either be retained or quitclaimed to accommodate the new townhomes. No dedications are required as part of the Project. Refer to Attachment No. 4 for Tentative Tract Map No. 84291.

Site Plan and Design Review

Concurrent with the subdivision application, the City Council must approve, conditionally approve, or deny the architectural design of the proposed project. The project is designed in a Contemporary architectural style – refer to Attachment No. 5 for the architectural plans and Figure 1, below.

Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) May 7, 2024 Page 4 of 7



Figure 1 – Architectural rendering of the Project as seen from 2nd Avenue.

The exterior walls of the building are proposed to be finished with a white stucco with brick veneer and vertical wood siding, which will be used to accent some exterior walls. The roof would consist of grey colored roofing tiles. Many of the elements incorporated in this design, such as the neutral tone stucco with complimentary brick veneer, pitched roof, clean lines, and articulation between the different stories, are found on properties in the neighborhood on Second Avenue and, therefore, help the project blend in with developments in the vicinity that have similar features. The Contemporary style of the buildings will provide an elevated and modern look to the immediate neighborhood, which is a mix of different architectural styles, heights, and massing. The Contemporary style mixes traditional elements with a modern flare that complements and elevates the streetscape. In addition, the front-facing balconies will not be out of character as there are other developments that also feature front-facing balconies on the street.

The massing and scale of this project will be compatible with the other multi-family developments found within this immediate neighborhood. The detached nature of the units creates the appearance of a smaller, more intimate-scale project to better blend in with existing developments in the surrounding area.

Each unit in the Project is three stories and 33 feet in height, complying with the applicable Development Standards. However, to reduce the massing of the units, the third stories are smaller than the first and second stories, and are set far back on all facades. This is especially true for the five units that front Second Avenue. For these units – Types "A" and "B" in the architectural plans – the third story will be set back 19' and 21'-5", respectively, from the first floor of the units. This large setback will reduce the visibility of the third stories as seen from Second Avenue. While there are no other three-story developments in the immediate area, the height of the new development will be compatible with the existing developments on Second Avenue as there are other two-story developments that have building heights at approximately 30'-0" such as the adjacent property, which features semi-subterranean parking and two stories above. In

fact, the reason the three-story allowance was added to the Code in recent years was to discourage semi-subterranean parking as a development pattern. The following is an overview of multifamily properties within the immediate area surrounding the Project:

Address and Zone	Height	Year Built
302 & 304 S. Second Ave.	Approximately 30' above grade (33'-6"	
R-3 Zone	above basement floor)	1983
	2 stories + semi-subterranean parking	
162 California St.	Estimated 30'	1991
R-3 Zone	2 stories + semi-subterranean parking	
400 - 412 S. Second Ave.	24'	2000
R-2 Zone	2 stories	2000
405 - 411 S. Second Ave.	Estimated 28'	1993
R-3 Zone	2 stories	1995
167 & 169 El Dorado St.	29'-2"	1999
R-3 Zone	2 stories	1999
414 S. Second Ave.	25'-5"	2024
R-2 Zone	2 stories	2024

The surrounding neighborhood contains a wide range of developments including original, one-story single-family houses, new, attached multifamily townhomes, and older style condominiums with varied architectural styles and semi-subterranean parking. South Second Avenue also contains a mix of zoning, with R-3 to the west and R-2 to the east, allowing varied maximum densities for multifamily development within the immediate vicinity.

As a result, the proposed development and subdivision of condominiums would be consistent with the City's General Plan, Multiple-Family Residential Design Guidelines, the Development Code, the State Subdivision Map Act, and would not violate any requirements of the California Regional Water Quality Control Board.

Tree Removal

The Applicant is requesting to remove one (1) protected Coast Live Oak tree on site. The tree is located in the northwest portion of the property and has a trunk diameter of 16 inches. Due to its species and size, the tree is protected per the City's Protected Tree Ordinance and has a health rating of 'B' (Adequate Health but with slight decline). The tree is proposed to be removed because its roots would be severely encroached upon during construction by one of the units and there would be limited space for any future canopy growth. In addition, each of the buildings is at the minimum building separation, setbacks, and open space requirements, and accommodating the tree would result in a bulkier and less high-quality design. As a result, the tree is proposed to be removed as noted in the Arborist Report – refer to Attachment No. 6 for the Arborist Report.

Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) May 7, 2024 Page 6 of 7

In this case, there is sufficient justification for the removal of the tree. As a remedial measure, the project will be subject to Condition No. 3, which requires that two (2) replacement trees be planted as part of the project. The Applicant is proposing to plant one (1) 60" box Coast Live Oak, and two (2) additional 36" box Magnolia 'Little Gem' trees as replacements within the front yard, in order to exceed the required replacement tree requirement.

Tree Encroachment

The proposed construction of Unit 10 in the rear of the property will encroach within the protected area of one (1) Southern Magnolia tree. However, no structural excavation will be taking place within the critical root zone. The tree is expected to survive as long as the Applicant adheres to the recommendations in the Arborist Report during demolition and construction, and a Certified Arborist is required to be on-site during grading to ensure all the trees are protected – refer to Condition No. 4 in Resolution No. 7563.

It is recommended that the City Council uphold the Planning Commission's decision on the Project. This can be accomplished by adopting Resolution No. 7563. If the City Council disagrees and would like to overturn the Planning Commission decision, the City Council should state which findings cannot be met by the Project as part of the decision. A revised Resolution reflecting denial of the project would be returned at the next City Council meeting for a vote.

ENVIRONMENTAL ANALYSIS

It has been determined that the project site is less than five (5) acres; the project site has no value as a habitat for endangered, rare, or threatened species; the proposed project would not have any significant effects upon the environment, and the site can be adequately served by all the required utilities and public services. Therefore, the project is exempt under Class 32 (In-Fill Development Projects) pursuant to Section 15332 of the California Environmental Quality Act ("CEQA") Guidelines. Refer to Attachment No. 8 for the Preliminary Exemption Assessment.

PUBLIC NOTICE

Public hearing notices for the City Council's review of the Planning Commission's approval of the Project were mailed to the owners of those properties that are located within 300 feet of the subject property on April 24, 2024. As of May 2, 2024, staff did not receive any public comments on this project.

Call for Review for MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 (314-326 S. Second Ave.) May 7, 2024 Page 7 of 7

FISCAL IMPACT

Development of the project is expected to lead to increased property tax revenue as well as development impact fees; however, the fiscal impact of the Project impact is expected to be immaterial in the context of overall Citywide development.

RECOMMENDATION

It is recommended that the City Council uphold the Planning Commission's decision and approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10; state that the proposal satisfies the requisite findings; and adopt the attached Resolution No. 7563 that incorporates the requisite environmental and subdivision findings and the conditions of approval as presented in this staff report, or as modified by the City Council.

Approved:

Dominic Lazzaretto City Manager

Attachment No. 1:	Resolution No. 7563
Attachment No. 2:	March 12, 2024, Planning Commission Staff Report and Resolution
	No. 2142 (without attachments)
Attachment No. 3:	March 12, 2024, Planning Commission Approved Minutes
Attachment No. 4:	Tentative Tract Map No. 84291
Attachment No. 5:	Architectural Plans
Attachment No. 6:	Arborist Report
Attachment No. 7:	Letter from Property Owner at 319 S. Second Avenue
Attachment No. 8:	Preliminary Exemption Assessment



STAFF REPORT

Development Services Department

- **DATE:** March 12, 2024
- **TO:** Honorable Chairman and Planning Commission
- **FROM:** Lisa L. Flores, Deputy Development Services Director Prepared By: Alison MacCarley, Assistant Planner
- SUBJECT: RESOLUTION NO. 2142 APPROVING MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT, CONTEMPORARY STYLE, MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE CEQA: Exempt Recommendation: Adopt

SUMMARY

The Applicant, Philip Chan, on behalf of the property owner, Smart Property LA II LLC, is requesting approval of Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for a 16-unit, three-story, Contemporary style multi-family residential condominium development at 314-326 S. Second Avenue. The proposed development and subdivision are consistent with the City's General Plan, Development Code, and Subdivision Map Act. It is recommended that the Planning Commission adopt Resolution No. 2142 (refer to Attachment No. 1) and find that the project is Categorically Exempt under CEQA and approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the conditions listed in this staff report.

BACKGROUND

The subject site consists of four parcels: 314 S Second Avenue, 320 S. Second Avenue,

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 2 of 16

324 S. Second Avenue, and 326 S. Second Avenue. The combined square footage of the lots will be approximately 59,440 square feet. The interior lots are located on the east side of Second Avenue, between California Street and El Dorado Avenue. The northernly two lots, 314 S. Second Avenue and 320 S. Second Avenue, share a driveway between them and the two southernly lots, 324 S. Second Avenue and 326 S. Second Avenue also shares a driveway between them. Although there are four separate legal lots, they function as one big complex with shared open space, driveway, etc. The properties are zoned R-2, Medium Density Multiple Family Residential, with a General Plan Land Use Designation of Medium Density Residential. The properties are surrounded by R-2 zoned properties to the south and east and R-3, High Density Multiple Family Residential properties to the north and west.

Each lot has four (4) residential units, two detached duplexes, with a total of 16 units on all four lots. At 314 Second Avenue, the front unit was built in 1954 and the rear unit was built in 1956. At 320 S. Second Avenue, both structures were built in 1959, and the structures at 324 S. Second Avenue and at 826 S. Second were all built in 1960, refer to Attachment No. 2 for an Aerial photo with Zoning Information and Photos of the Subject Properties and Figure 1.

Based on the evaluation by an Architectural Historian, the properties do not meet any of the minimum requirements for designation as a historical resource under federal, state and local criteria. The residences are not a good example of any particular architectural style and are not representative of or associated with any important historical events or people. The structures have not yet been demolished due to the City's replacement policy for residential projects, which requires approval of a new project prior to demolition of the structures on site.



Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 3 of 16



Figure 1 – Existing Residences at 314-316 S. Second Avenue (top) and 324-326 S. Second Avenue (bottom)

PROPOSAL

The Applicant is requesting to demolish all 16 structures on the properties, merge the lots together as one parcel through the tract map process, and construct 16 new condominium units that will be three-stories tall with garage parking at grade level - refer to Attachment No. 3 for the Tentative Tract Map and Attachment No. 4 for the proposed Architectural Plans. The proposed architectural style will be Modern-Contemporary which incorporates many architectural elements found within the neighborhood. While this will be the first of this style on this block, the style provides an elevated and modern look to the neighborhood and the detached building helps to reduce the physical mass of the development. The upper levels of the buildings are stepped back from the ground floor to make the building appear less imposing at the pedestrian level and more compatible with the existing neighborhood which is made up of a mix of one- and twostory developments. The design also incorporates traditional architectural elements to better blend the style in the surrounding area while the wood paneling and overall neutral palette, and white brick veneer give it a unique modern flair. The designs vary slightly so they are not identical and help to provide a variation between the homes and to prevent the development from having a singular design throughout the site. Although there is no dominant architectural style in the area, the design would be compatible with the existing multi-family developments in the neighborhood, as it incorporates elements seen on nearby homes such as neutral toned stucco, tile roofing, clean lines, and brick veneer (see Figure 2).

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 4 of 16



Figure 2 – 314 -326 S. Second Avenue Rendering

All units will have four bedrooms and 5.5 bathrooms that range from 2,305 square feet to 3,207 square feet in size. Each of the units will have pedestrian access off Second Avenue through a walkway on the northwest side of the property refer to Figure 3 below.

The site will have one access driveway for ingress and egress from Second Avenue. Each of the units will have a 20' x 20' two-car garage that will be accessed from the shared driveway. Each of the garages will meet the required 25'-0" backout space. The site will also comply with the minimum guest parking spaces of eight (8) parking spaces, and a bike rack for eight (8) spaces will be located on the north side of the property adjacent to the pedestrian entry on Second Avenue.

The proposed development will have an overall building height of 33', which is the maximum allowed height for a building with a pitched roof. The development complies with all the minimum setback requirements. Fifteen of the units will have their own private open space in the side and/or rear of the units, and one unit, Unit 11, will have 132 square foot balcony which complies with the minimum requirements of being greater than 30 inches in width and depth as their private open space. The property will also feature 633 square feet of common open space towards the rear of the property in front of Units 10 and 12, which features benches and an outdoor gas grill for residents.
Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 5 of 16



The proposal also includes the removal of 30 existing unprotected trees and one protected Coast Live Oak tree that is located within the front yard area at 320 S. Second Avenue to accommodate the proposed development. The proposed development will also encroach within the dripline of another protected tree, a Southern Magnolia tree, that is located within the required rear yard setback at 320 S. Second Avenue. Additional analysis will be provided later in this staff report under the Analysis section.

ANALYSIS

The project complies with the development standards of the R-2 zone, including, but not limited to setbacks, height, and open space. Also, the proposed project complies with the minimum parking requirements for each of the units, guest parking, and bicycles spaces.

The R-2 zone requires a minimum density of two dwelling units per lot, and a maximum density of one unit per 3,750 square feet of lot area. This calculates a maximum density of 15 units for the combined lot area. However, in order to comply with the State's "No Net Loss" law, at no time may a jurisdiction take action on a permit that will cause a

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 6 of 16

shortfall of sites in the Regional Housing Needs Assessment (RHNA), therefore the project must have at least 16 units since it currently has that many units.

Concurrent with the subdivision application, the Planning Commission must approve, conditionally approve, or deny the architectural design of the proposed project. The project is designed in a Contemporary architectural style – refer to Attachment No. 4 and Figure 2. There are five units that front unto Second Avenue in order to promote pedestrian areas and define the street frontage. The exterior walls of the building are proposed to be finished with a white stucco with brick veneer and vertical wood cladding which will be used to accent some exterior walls. The roof would consist of grey colored roofing tiles. Many of the elements incorporated in this design, such as the neutral tone stucco with complimentary brick veneer, pitched roof, clean lines, and articulation between the different stories are found on Second Avenue and help the project blend in with developments in the vicinity that have similar features.

The massing and scale of this project will be compatible with the other multi-family developments found within this immediate neighborhood. The Contemporary style of the buildings will provide an elevated and modern look to the immediate neighborhood which is a mix of different architectural styles, heights, and massing. The Contemporary style mixes traditional elements with a modern flare which complements and elevates the streetscape. The layout of the detached units helps to achieve a smaller scale and reduce the physical mass to better blend the project in with the existing surroundings which is made up of other multifamily developments and single-family residences. The frontfacing balconies will not be out of character as there are other developments that also feature front-facing balconies on the street, including a project that was recently approved by the Planning Commission. The height of the new development will be compatible with the existing developments on Second Avenue as there are other two-story developments that have building heights at approximately 30'-0" such as the adjacent property next door which features subterranean parking and two stories. Additionally, there will be landscape hedging along the perimeter of the site that would provide a buffer between the subject property and the adjacent multifamily developments and there will be a minimum of 10 feet setback from all the adjacent properties. Therefore, the proposed development and subdivision of condominiums would be consistent with the City's General Plan, Multiple-Family Residential Design Guidelines, the Development Code, the State Subdivision Map Act, and would not violate any requirements of the California Regional Water Quality Control Board.

Tree Removal

The Applicant is requesting to remove one (1) protected Coast Live Oak tree on site. The tree is located in the northwest portion of the property and has a trunk diameter of 16 inches. Due to its species and size, the tree is protected per the City's Protected Tree Ordinance and a health rating of 'B' (Adequate Health but with slight decline). The tree is proposed to be removed because its root would be severely encroached upon during construction of one of the units and there would be limited space for any future canopy growth. In addition, each of the buildings is at the minimum building separation, setbacks,

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 7 of 16

and open space requirements and to accommodate the tree would result in a bulkier and less high-quality design. As a result, the tree is proposed to be removed as noted in the Arborist Report – refer to Attachment 5 of the Arborist Report.

In this case, there is sufficient justification for the removal of the tree. As a remedial measure, the project will be subject to Condition No. 3, which requires that two (2) replacement trees be planted as part of the project. However, the Applicant is proposing to plant a one (1) 60" box Coast Live Oak, and two additional 36" box Magnolia 'Little Gem' trees as replacement trees along the front yard in order to meet and exceed the required replacement trees, see figure 4 below.

Tree Encroachment

The proposed construction of Unit 10 in the rear of the property will encroach within the protected area of one (1) Southern Magnolia tree. However, no structural excavation will be taking place within the critical root zone. The tree is expected to survive as long as the Applicant adheres to the recommendations in the Arborist Report during demolition and construction and a Certified Arborist will have to be on-site during grading to ensure all the trees are protected – refer to Condition No. 4.



Figure 4 – Circled in Red: Coast Live Oak (#29) to be removed, Circled in Yellow: Southern Magnolia (#31) to remain; Blue Stars are the required replacement trees.

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 8 of 16

FINDINGS

Tentative Tract Map

The proposal to subdivide the airspace for 16 residential condominium units requires a subdivision through the Tentative tract map process – see Attachment No. 3 for Tentative Tract Map No. TTM 23-05 (84291). The proposed subdivision complies with the subdivision regulations of the Arcadia Municipal Code and the Subdivision Map Act and would not violate any requirements of the California Regional Water Quality Control Board. The following findings are required for approval of a Tentative tract map:

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

Facts in Support of the Finding: The proposed tentative tract map for a 16-unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan and Development Code, and the Subdivision Map Act. The Project will exceed the maximum density by providing 16 residential units instead of 15 units to ensure the project complies with Government Code Section 65863 – the No Net Loss Law. The Project will not be detrimental to the General Plan Medium Density Residential Land Use designation and the R-2, Medium Density Multiple Family Residential zoning designation, respectively. These designations are intended to accommodate high density residential units such as condominiums, within the appropriate neighborhoods such as this. There is no specific plan applicable to this project. The proposed tentative tract map complies with the Subdivision Map Act because the proposed 16-unit condominium development complies with the requirements of the Subdivisions Division of the Development Code and all other City requirements to subdivide for condominium purposes.

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

Land Use and Community Design Element

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

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

Facts in Support of the Finding: The site is physically suitable for this type of development and the consolidation of the four (4) lots into one lot can accommodate the project and comply with all other applicable zoning requirements, including but not limited to parking, setbacks, height, and open space. The site will provide ample amenities for residents and will be compatible with the existing neighborhood. Since the existing site has existed for many years with 16 units without detriment, the site is suitable to replace the existing density of 16 units with 16 units. Therefore, the site is physically suitable for the proposed 16-unit multi-family residential development.

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

Facts in Support of the Finding: The project is an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. Therefore, the Project would not cause substantial environmental damage or impact wildlife.

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

Facts in Support of the Finding: The project is to subdivide the airspace of 16 units for condominium purposes. The construction would be in compliance with all applicable Building and Fire Codes to ensure public health and safety. While the proposed 16 units exceeds the calculated maximum allowed, the existing site has 16 units, therefore, allowing the same number of units as already exists will not be detrimental and shows the City's existing infrastructure would adequately serve the new development. Therefore, the development would not cause any public health or safety problems.

E. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision).

Facts in Support of the Finding: There are three existing six-feet wide easements that will remain for utility purposes for this project. The project will not conflict with these easements as no permanent structures will be built over the easements. The 10-foot-wide utility easement that runs through the center of the

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 10 of 16

property shall be quitclaimed prior to approval of the Final Tract Map. Therefore, the project does not conflict with the existing easements, as acquired by the public at large for access through or use of property within the proposed subdivision.

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

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

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

Facts in Support of the Finding: The project is in conformance with all the regulations of the City's Development Code. The project will replace the same number of units that are on the four parcels, therefore there will be no net loss from this new development. There is no other public agency that has jurisdiction over this subject site.

Architectural Design Review

The proposed development is located within the Medium Density Residential (R-2) Zone, which is intended to provide a variety of medium to high density residential developments. The proposed design of the 16-unit condominium project is compatible with existing multifamily developments in the surrounding neighborhood in terms of design, massing, and scale. The proposed Contemporary architectural style would be compatible with other existing multi-family developments along Second Avenue as the neighborhood is eclectic with no dominant architectural style. The architectural elements incorporated in this design, such as neutral toned stucco, tile roofing, and brick veneer, are consistent with developments in the vicinity that have similar features. Additionally, the massing and scale of the new development will not be out of character with developments in the vicinity as many of the existing multi-family developments, despite being two-stories, are around 30' 0" in height. The proposed buildings have articulation on all facades, providing visual interest and reducing massing. The proposed design is therefore consistent with the City's Multi-family Residential Design Guidelines. All City requirements regarding disabled access and facilities, occupancy limits, building safety, health code compliance, emergency equipment, environmental regulation compliance, and parking and site design shall be complied with by the property owner/Applicant to the satisfaction of the Building Official, City Engineer, Deputy Development Services Director, Fire Marshal, and Public Works Services Director, or their respective designees.

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 11 of 16

ENVIRONMENTAL ASSESSMENT

It has been determined that the project site is less than five (5) acres; the project site has no value as a habitat for endangered, rare or threatened species; the proposed project would not have any significant effects upon the environment, and the site can be adequately served by all the required utilities and public services. Therefore, the project is exempt under Class 32 (In-Fill Development Projects) pursuant to Section 15332 of the State California Environmental Quality Act (CEQA) Guidelines. Refer to Attachment No. 5 for the Preliminary Exemption Assessment.

PUBLIC NOTICE/COMMENTS

A public hearing notice for this item was posted at the City Clerk's Office, City Council Chambers, at the Arcadia Library, and on the City's website on February 29, 2024. It was also mailed to the property owners located within 300 feet of the subject property. As of March 12, 2024, no comments were received regarding this project. The existing tenants were also notifed of the project on February 2, 2024.

RECOMMENDATION

It is recommended that the Planning Commission approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the following conditions, find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), and adopt Resolution No. 2142, subject to the following conditions of approval:

- 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 Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the approval of the Deputy Development Services Director, or designee.
- 2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall be subject to review and approval by the Deputy Development Services Director, or designee.
- 3. The Applicant/Property Owner shall plant a 60" box Coast Live Oak tree and two 36inch box Magnolia "Little Gem" trees within the front yard area as part of the replacement trees for the removal of the healthy protected tree. These trees must be shown on the final landscape plan. The Applicant/Property Owner shall also comply with all the measures listed in the Arborist Report, dated December 9, 2023. During construction, a Certified Arborist shall be on-site to monitor and ensure

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 12 of 16

proper placement of the new replacement trees as well as survival of the existing protected Southern Magnolia tree. A follow-up report shall be submitted to the City prior to issuance of a Certificate of Occupancy.

- 4. The Applicant/Property Owner shall comply with all the measures listed in the Arborist Report, dated December 9, 2023. If the Certified Arborist determines that the tree may not survive at the time the follow-up report is prepared, then the Applicant shall plant a new 36-inch box tree on the subject site prior to issuance of a Certificate of Occupancy. The location and type shall be approved by the Deputy Development Services Director or designee.
- 5. The project shall comply with the latest adopted edition of the following codes as applicable:
 - a) California Building Code
 - b) California Electrical Code
 - c) California Mechanical Code
 - d) California Plumbing Code
 - e) California Energy Code
 - f) California Fire Code
 - g) California Green Building Standards Code
 - h) California Existing Building Code
 - i) Arcadia Municipal Code
- 6. The project shall comply with Chapter 35A Multiple Family Construction Standards as amended in the Arcadia Municipal Code Section 8130.20.
- 7. All utility conductors, cables, conduits and wiring supplying electrical, cable and telephone service to a multiple family building shall be installed underground except risers which are adjacent to and attached to a building.
- 8. A grading plan shall be prepared by a registered civil engineer and approved by the City prior to issuance of a building permit. The grading plans shall indicate all on-and off-site improvements and shall indicate complete drainage paths of all drainage water run-off.
- 9. A demolition permit shall be obtained from Building Services prior to the removal and/or demolition of the structures on site.
- 10. Prior to approval of the Tract Map, the Applicant/Property Owner shall:
 - a. Remove existing driveway approaches and construct new driveway approach per the City's standards.
 - b. Remove and replace new sidewalk providing adequate path of travel in compliance with Americans with Disabilities Act (ADA). Ensure locations around obstructions provide necessary clearances.

Resolution No. 2142 - MFADR 23-03, TTM 23-05 (84291), TRH 23-04, and TRE 23-10 314-326 S. Second Avenue March 12, 2024 – Page 13 of 16

- c. Remove and replace curb and gutter with 2' asphalt slot cut from property line to property line along the property frontage of Second Avenue.
- d. The 10-foot easement that is owned by Southern California Edison shall be quitclaimed and a copy of the recordation shall be submitted to the City prior to filing the final tract map.
- 11. The Applicant/Property Owner shall submit a Low Impact Development (LID) plan for this project, and it shall comply with the Los Angeles County Department of Public Works 2014 LID standard Manual and show the selected measures on the grading plan. These selected measures include, but are not limited to using infiltration trenches, bio-retention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.
- 12. Prior to receiving a Certificate of Occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, as determined by the City Engineer.
- 13. There is a 12-inch ductile iron water main with 80 psi static pressure that the development shall connect to on Second Avenue. for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations to the Public Works Services Department to determine the total combined maximum domestic and fire demand and verify the water service size required prior to issuance of a Building Permit.
- 14. The Applicant/Property Owner shall install a common master water meter for the residential multi-family development. The water meter for each unit can be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
- 15. A separate water service and meter shall be required for common area landscape irrigation. A reduced pressure backflow device shall be installed.
- 16. 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 for fire service if required.
- 17. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to issuance of a building permit for the new development.
- 18. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department,

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

- 19. An 8" Vitrified Clay Pipe (VCP) sewer line is available on Second Avenue to provide sanitary sewer service for the project. The Applicant/Property Owner shall utilize the existing sewer lateral, if possible. If they are any changes to the existing sewer lateral, the Applicant/Property Owner shall obtain approval from the Los Angeles County Sanitation District to connect to the exiting sewer main prior to commencing work any work, and an encroachment permit from City of Arcadia.
- 20. If any drainage fixture elevation is lower than the elevation of next upstream manhole cover, an approved type of backwater valve is required to be installed on the lateral at the right-of- way and it shall be reviewed and approved by the Public Works Department prior to issuance of a building permit.
- 21. The Applicant/Property Owner shall file a Notice of Intent (NOI) with the State Water Resources Control Board for a General Construction NPDES Permit and pay applicable fees to the State Water Resources Control Board.
- 22. The Applicant/Property Owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as part of the General Construction Permit requirements prior to issuance of a building permit.
- 23. All structures shall be provided with an automatic fire sprinkler system per the City of Arcadia Fire Department Single & Multi-Family Dwelling Sprinkler Standard.
- 24. A knox box shall be provided adjacent to the pedestrian and vehicle gates so that the pedestrian and vehicle entry gate shall be openable without a special key for the City of Arcadia Fire Department.
- 25. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Deputy Development Services Director, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
- 26. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for

damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with MFADR 23-03, TTM 23-05 (84291), TRH 23-04, TRE 23-10 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

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

27. Approval of for Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.

PLANNING COMMISSION ACTION

<u>Approval</u>

If the Planning Commission intends to approve this project, the Commission should move to approve Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, and Protected Diseased Tree Removal Permit No. TRD 23-08 and state that the proposal satisfies the requisite findings, and adopt the attached Resolution No. 2142 that incorporates the requisite environmental and subdivision findings, and the conditions of approval as presented in this staff report, or as modified by the Commission.

<u>Denial</u>

If the Planning Commission is to deny this project, the Commission should state the specific findings that the proposal does not satisfy based on the evidence presented with specific reasons for denial, and move to deny Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decision and specific findings.

If any Planning Commissioner, or other interested party has any questions or comments regarding this matter prior to the March 12, 2024, Planning Commission Meeting, please contact Assistant Planner, Alison MacCarley, at (626) 547-5447, or amaccarley@ArcadiaCA.gov.

Approved:

Lisa L. Flores Deputy Development Services Director

Attachment No. 1:	Resolution No. 2142
Attachment No. 2:	Aerial Photo with Zoning Information and Photos of the Subject
	Property and Vicinity
Attachment No. 3:	Tentative Tract Map No. TTM 23-05 (84291)
	Architectural Plans
Attachment No. 5:	Arborist Reported Dated December 9, 2023
Attachment No. 6:	Preliminary Exemption Assessment

RESOLUTION NO. 2142

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARCADIA. CALIFORNIA, APPROVING MULTIPLE FAMILY ARCHITECTURAL DESIGN REVIEW NO. MFADR 23-03, TENTATIVE TRACT MAP NO. TTM 23-05 (84291), HEALTHY TREE REMOVAL NO. TRH 23-04, AND PROTECTED TREE ENCROACHMENT NO. TRE 23-10 FOR A 16-UNIT. CONTEMPORARY STYLE. **MULTI-FAMILY** RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314-326 S. SECOND AVENUE

WHEREAS, on September 1, 2022, applications for Multiple Family Architectural Design Review No. MFADR 23-01, Tentative Tract Map No. TTM 23-02 (83831), and Healthy Tree Removal Permit No. TRH 23-14 were filed by Philip Chan on behalf of the property owner, Smart Property LA II LLC, a 16 unit, three-story, contemporary style multi-family residential condominium development, a tentative tract map subdivision, and the removal of a protected Coast Live Oak Tree and encroachment into the dripline of one protected tree at 314-326 S. Second Avenue (collectively, "Project"); and

WHEREAS, on January 20, 2024, Planning Services completed an environmental assessment for the Project in accordance with the California Environmental Quality Act ("CEQA"), and recommends that the Planning Commission determine the Project is exempt under CEQA per Section 15332 of the CEQA Guidelines because the Project is considered an in-fill development project; and

WHEREAS, on March 12, 2024, a duly-noticed public hearing was held before the Planning Commission on said Project, at which time all interested persons were given full opportunity to be heard and to present evidence.

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

SECTION 1. The factual data submitted by the Community Development Division in the staff report dated March 12, 2024, are true and correct.

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

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

FACT: The proposed tentative tract map for a 16-unit multi-family residential condominium development and subdivision of the airspace has been reviewed for compliance with the City's General Plan and Development Code, and the Subdivision Map Act. The Project will exceed the maximum density by providing 16 residential units instead of 15 units to ensure the project complies with Government Code Section 65863 – the No Net Loss Law. The Project will not be detrimental to the General Plan Medium Density Residential Land Use designation and the R-2, Medium Density Multiple Family Residential zoning designation, respectively. These designations are intended to accommodate high density residential units such as condominiums, within the appropriate neighborhoods such as this. There is no specific plan applicable to this project.

The proposed tentative tract map complies with the Subdivision Map Act because the proposed 16-unit condominium development complies with the requirements of the Subdivisions Division of the Development Code and all other City requirements to subdivide for condominium purposes.

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

2

Land Use and Community Design Element

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

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

FACT: The site is physically suitable for this type of development and the consolidation of the four (4) lots into one lot can accommodate the Project and comply with all other applicable zoning requirements, including but not limited to parking, setbacks, height, and open space. The site will provide ample amenities for residents and will be compatible with the existing neighborhood. Since the existing site has existed for many years with 16 units without detriment, the site is suitable to replace the existing density of 16 units with 16 units. Therefore, the site is physically suitable for the proposed 16-unit multi-family residential development.

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

FACT: The Project is an infill site within an urbanized area and does not serve as a habitat for endangered or rare species. Therefore, the Project would not cause substantial environmental damage or impact wildlife.

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

FACT: The Project is to subdivide the airspace of 16 units for condominium purposes. The construction would be in compliance with all applicable Building and Fire Codes to ensure public health and safety. While the proposed 16 units exceeds the calculated maximum allowed, the existing site has 16 units, therefore, allowing the same number of units as already exists will not be detrimental and shows the City's existing infrastructure would adequately serve the new development. Therefore, the development would not cause any public health or safety problems.

e. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision (This finding shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to the review authority to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision):

FACT: There are three existing six-feet wide easements that will remain for utility purposes for this Project. The Project will not conflict with these easements as no permanent structures will be built over the easements. The 10-foot-wide utility easement that runs through the center of the property shall be quitclaimed prior to approval of the Final Tract Map. Therefore, the Project does not conflict with the existing easements, as

4

acquired by the public at large for access through or use of property within the proposed subdivision.

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

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

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

FACT: The Project is in conformance with all the regulations of the City's Development Code. The Project will replace the same number of units that are on the four parcels, therefore there will be no net loss from this new development. There is no other public agency that has jurisdiction over this subject site.

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

FACT: The proposed development is located within the Medium Density Residential (R-2) Zone, which is intended to provide a variety of medium to high density residential developments. The proposed design of the 16-unit condominium project is compatible with existing multi-family developments in the surrounding neighborhood in terms of design, massing, and scale. The proposed Contemporary architectural style would be compatible with other existing multi-family developments along Second Avenue

5

as the neighborhood is eclectic with no dominant architectural style. The architectural elements incorporated in this design, such as neutral toned stucco, tile roofing, and brick veneer, are consistent with developments in the vicinity that have similar features. Additionally, the massing and scale of the new development will not be out of character with developments in the vicinity as many of the existing multi-family developments, despite being two-stories, are around 30' 0" in height. The proposed buildings have articulation on all facades, providing visual interest and reducing massing. The proposed design is therefore consistent with the City's Multi-family Residential Design Guidelines.

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

FACT: The removal of the protected Coast Live Oak tree is necessary since it will not survive due to the proposed grading and excavation for one of the units and that the construction will severely damage the roots and there would be limited space for any future canopy growth. The proposed encroachment within the dripline of the protected tree (Southern Magnolia tree) is also necessary for the construction of one of the units in the rear of the property, however, the potential impacts of the construction of the units and proposed improvements will not harm the health of the tree, and its long-term health since the tree will not be within the area of structural excavation of one of the units and the Applicant shall be required to follow all protected tree and encroachment into the dripline of a protected tree are warranted to accommodate the proposed development.

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

6

SECTION 4. For the foregoing reasons the Planning Commission determines that the Project is Categorically Exempt under the California Environmental Quality Act ("CEQA") Section 15332, Class 32, and approves Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for a 16-unit, contemporary style, multi-family residential condominium development and the removal of one protected tree and the encroachment into the protected area of one protected tree at 314-326 S. Second Avenue, subject to the conditions of approval attached hereto.

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 12th day of March, 2024.

Vincent Tsoi Chair, Planning Commission

ATTEST:

Lisa L. Flores Secretary

APPROVED AS TO FORM:

Michael J. Maurer City Attorney

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

I, Lisa Flores, Secretary of the Planning Commission of the City of Arcadia, hereby certify that the foregoing Resolution No. 2142 was passed and adopted by the Planning Commission of the City of Arcadia, signed by the Chair, and attested to by the Secretary at a regular meeting of said Planning Commission held on the 12th day of March 2024, and that said Resolution was adopted by the following vote, to wit:

AYES: Chair Tsoi, Commissioners Hui, Tallerico

NOES: Vice Chair Wilander and Commissioner Arvizu

ABSENT: None

Lisa L. Flores

Secretary of the Planning Commission

RESOLUTION NO. 2142

Conditions of Approval

- 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 Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10, subject to the approval of the Deputy Development Services Director, or designee.
- 2. Any required mechanical equipment, such as backflow devices, visible from the public right-of-way shall be screened from public view. Screening may include landscaping, solid walls or other methods deemed appropriate for the development. The placement and height of said screening shall be subject to review and approval by the Deputy Development Services Director, or designee.
- 3. The Applicant/Property Owner shall plant a 60-inch box Coast Live Oak tree and two 36-inch box Magnolia "Little Gem" trees within the front yard area as part of the replacement trees for the removal of the healthy protected tree. These trees must be shown on the final landscape plan. The Applicant/Property Owner shall also comply with all the measures listed in the Arborist Report, dated December 9, 2023. During construction, a Certified Arborist shall be on-site to monitor and ensure proper placement of the new replacement trees as well as survival of the existing protected Southern Magnolia tree. A follow-up report shall be submitted to the City prior to issuance of a Certificate of Occupancy.
- 4. The Applicant/Property Owner shall comply with all the measures listed in the Arborist Report, dated December 9, 2023. If the Certified Arborist determines that the tree may not survive at the time the follow-up report is prepared, then the Applicant shall plant a new 36-inch box tree on the subject site prior to issuance of a Certificate of Occupancy. The location and type shall be approved by the Deputy Development Services Director or designee.
- 5. The project shall comply with the latest adopted edition of the following codes as applicable:
 - a) California Building Code
 - b) California Electrical Code
 - c) California Mechanical Code
 - d) California Plumbing Code
 - e) California Energy Code
 - f) California Fire Code
 - g) California Green Building Standards Code
 - h) California Existing Building Code
 - i) Arcadia Municipal Code

- 6. The project shall comply with Chapter 35A Multiple Family Construction Standards as amended in the Arcadia Municipal Code Section 8130.20.
- 7. All utility conductors, cables, conduits and wiring supplying electrical, cable and telephone service to a multiple family building shall be installed underground except risers which are adjacent to and attached to a building.
- 8. A grading plan shall be prepared by a registered civil engineer and approved by the City prior to issuance of a building permit. The grading plans shall indicate all onand off-site improvements and shall indicate complete drainage paths of all drainage water run-off.
- 9. A demolition permit shall be obtained from Building Services prior to the removal and/or demolition of the structures on site.
- 10. Prior to approval of the Tract Map, the Applicant/Property Owner shall:
 - a. Remove existing driveway approaches and construct new driveway approach per the City's standards.
 - b. Remove and replace new sidewalk providing adequate path of travel in compliance with Americans with Disabilities Act (ADA). Ensure locations around obstructions provide necessary clearances.
 - c. Remove and replace curb and gutter with 2' asphalt slot cut from property line to property line along the property frontage of Second Avenue.
 - d. The 10-foot easement that is owned by Southern California Edison shall be quitclaimed and a copy of the recordation shall be submitted to the City prior to filing the final tract map.
- 11. The Applicant/Property Owner shall submit a Low Impact Development (LID) plan for this project, and it shall comply with the Los Angeles County Department of Public Works 2014 LID standard Manual and show the selected measures on the grading plan. These selected measures include, but are not limited to using infiltration trenches, bio-retention planter boxes, roof drains connected to a landscaped area, pervious concrete/paver, etc.
- 12. Prior to receiving a Certificate of Occupancy, the Applicant/Property Owner shall repair any damages caused by the development to the asphalt street frontages from property line to property line including but not limited to trench cuts and construction traffic, as determined by the City Engineer.
- 13. There is a 12-inch ductile iron water main with 80 psi static pressure that the development shall connect to on Second Avenue. for domestic water and/or fire services. The Applicant/Property Owner shall provide calculations to the Public Works Services Department to determine the total combined maximum domestic and fire demand and verify the water service size required prior to issuance of a Building Permit.

- 14. The Applicant/Property Owner shall install a common master water meter for the residential multi-family development. The water meter for each unit can be used to supply both domestic water services and fire services. The Applicant/Property Owner shall separate the fire service from domestic water service with an approved back flow device.
- 15. A separate water service and meter shall be required for common area landscape irrigation. A reduced pressure backflow device shall be installed.
- 16. 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 for fire service if required.
- 17. A Water Meter Permit Application shall be submitted to the Public Works Services Department prior to issuance of a building permit for the new development.
- 18. New water service installations shall be by the Applicant/Property Owner. Installation shall be according to the specifications of the Public Works Services Department, Engineering Section. Abandonment of existing water services, if necessary, shall be by the Applicant/Property Owner, according to Public Works Services Department.
- 19. An 8" Vitrified Clay Pipe (VCP) sewer line is available on Second Avenue to provide sanitary sewer service for the project. The Applicant/Property Owner shall utilize the existing sewer lateral, if possible. If they are any changes to the existing sewer lateral, the Applicant/Property Owner shall obtain approval from the Los Angeles County Sanitation District to connect to the exiting sewer main prior to commencing work any work, and an encroachment permit from City of Arcadia.
- 20. If any drainage fixture elevation is lower than the elevation of next upstream manhole cover, an approved type of backwater valve is required to be installed on the lateral at the right-of- way and it shall be reviewed and approved by the Public Works Department prior to issuance of a building permit.
- 21. The Applicant/Property Owner shall file a Notice of Intent (NOI) with the State Water Resources Control Board for a General Construction NPDES Permit and pay applicable fees to the State Water Resources Control Board.
- 22. The Applicant/Property Owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as part of the General Construction Permit requirements prior to issuance of a building permit.
- 23. All structures shall be provided with an automatic fire sprinkler system per the City of Arcadia Fire Department Single & Multi-Family Dwelling Sprinkler Standard.

- 24. A knox box shall be provided adjacent to the pedestrian and vehicle gates so that the pedestrian and vehicle entry gate shall be openable without a special key for the City of Arcadia Fire Department.
- 25. The Applicant/Property Owner shall comply with all City requirements regarding building safety, fire prevention, detection, suppression, emergency access, public right-of-way improvements, parking, water supply and water facilities, sewer facilities, trash reduction and recycling requirements, and National Pollutant Discharge Elimination System (NPDES) measures to the satisfaction of the Building Official, Fire Marshal, Public Works Services Director, and Deputy Development Services Director, or their respective designees. Compliance with these requirements is to be determined by having fully detailed construction plans submitted for plan check review and approval by the foregoing City officials and employees.
- 26. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold the City, any departments, agencies, divisions, boards, and/or commissions of the City, and its elected officials, officers, contractors serving as City officials, agents, employees, and attorneys of the City ("Indemnitees") harmless from liability for damages and/or claims, actions, or proceedings for damages for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with MFADR 23-03, TTM 23-05 (84291), TRH 23-04, TRE 23-10 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims, actions, or proceedings for damages, as described above, regardless of whether the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

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

27. Approval of for Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 shall not be in effect unless the Property Owner and Applicant have executed and filed the Acceptance Form with the City on or before 30 calendar days after the Planning Commission has adopted the Resolution. The executed Acceptance Form submitted to the Development Services Department is to indicate awareness and acceptance of the conditions of approval.



ARCADIA PLANNING COMMISSION REGULAR MEETING MINUTES TUESDAY, MARCH 12, 2024

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

ROLL CALL

PRESENT: Chair Tsoi, Vice Chair Wilander, Arvizu, Hui (arrived at 7:19 p.m.), and Tallerico

ABSENT: None

SUPPLEMENTAL INFORMATION FROM STAFF REGARDING AGENDA ITEMS

There were no items to report.

PUBLIC COMMENTS (5 minute time limit per person)

There were none.

PUBLIC HEARING

 Resolution No. 2142– Approving Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for 16-unit, Contemporary style, multi-family residential condominium development at 314-326 S. Second Avenue CEQA: Exempt Recommendation: Adopt

Applicant: Philip Chan

MOTION - PUBLIC HEARING

Chair Tsoi introduced the item and Assistant Planner, Alison MacCarley presented the staff report.

Vice Chair Wilander asked if one driveway was enough for 16 units. Ms. MacCarley said the Engineering Division had no comments or concerns about the one driveway.

Commissioner Arvizu asked about the square footage of the proposed units.

Deputy Development Services Director Lisa Flores confirmed the units' range in size between 2,300 and 3,200 square feet, and although the maximum density for this project site is 15 units, they are proposing 16 units so there is no net loss.

Commissioner Arvizu asked about the varying layouts of the proposed units and if there are other three-story buildings within a 500 ft radius.

Ms. McCarley stated that there is one building in the neighborhood that is two stories with a semisubterranean parking structure that is close to that height if measured from the garage grade.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the City's Planning Services Office located at 240 W. Huntington Drive, Arcadia, California, during normal business hours.

Commissioner Arvizu asked why the proposed development does not have parking below grade like those other developments.

Ms. Flores stated semi- subterranean parking is no longer permitted by Code.

Ms. Flores added that the third floor is stepped back approximately fifteen feet from the bottom two floors to help reduce the massing.

Commissioner Arvizu asked if there were other developments in the area that are 30 feet or higher.

Ms. MacCarley said there is a building north of the subject size that is about 30 feet in height.

Commissioner Tallerico asked if the developers meet all the City's standards.

Ms. Flores and Ms. MacCarley confirmed that the proposed development meets all standards.

Chair Tsoi asked where the replacement tree will be planted.

Ms. MacCarley confirmed that the replacement tree will be planted on the northern edge of the property.

The public hearing was opened.

The Applicant, Philip Chan, introduced himself as the Architect of the project and answered the Commissioner's questions.

Mr. Chan answered Commissioner Arvizu's questions about mass and scale and explained the elements that they had incorporated into the design that helps reduce the overall mass and scale.

Mr. Chan distributed a study demonstrating the aerial view of the project and the surrounding neighborhood.

Commissioner Tallerico asked why the units have 5.5 bathrooms and 4 bedrooms.

Mr. Chan explained that all bedrooms on the second floor have one bathroom, but there is a half bathroom on the first floor, and one bathroom on the third floor for the multi-purpose room so that the residents do not have to go to the second floor to use the bathroom.

Commissioner Arvizu asked how they decided on the size and square footage of the units.

Mr. Chan stated that the developer decided on the size of the units.

Mr. Chan also circled back to the question about subterranean parking and explained that it is not as popular as it was in the past. Instead, developers are opting to have parking at ground level with a third floor of living space.

Chair Tsoi suggested making the replacement tree smaller in order to fit more trees.

Chair Tsoi asked if the trash enclosure could be relocated so that it is toward the rear of the property. Perhaps it can be swapped with one of the guest parking spaces.

Ms. MacCarley said due to the dimensions it was not possible to swap the guest parking with the trash enclosure.

Robert Ip introduced himself as the owner's representative and spoke in favor of the project.

Doris Arbour introduced herself as an Arcadia resident of more than 50 years and spoke in opposition to the project. She had concerns with the size of the development and potential traffic issues. She also submitted a letter to the Planning Commission that expressed her concerns.

Jeanie Tarj introduced herself as a neighbor and expressed some concerns about the height of the structures and the potential increase in traffic to the area.

Chair Tsoi invited the Applicant back up to the podium if he would like to address any of the comments or concerns before they closed the public hearing.

Mr. Chan spoke for the last time and reiterated that his project is in compliance and follows all the guidelines and requirements.

Commissioner Tallerico made a motion to close the public hearing. Vice Chair Wilander seconded the motion.

Without objection, the motion was approved.

DISCUSSION

Commissioner Arvizu thought the proposed development was a nice design and listed some of the elements that he thought were attractive, however, he believed the development was larger than the other developments in terms of scale of mass and was concerned this will set a precedent for other proposals. Commissioner Arvizu also stated that he could not make one of the findings pertaining to the General Plan Land Use Policy No. LU 4-1 that the new development will be consistent in scale, mass, and character with the other structures within the surrounding neighborhood.

Vice Chair Wilander agreed with Commissioner Arvizu and stated that the proposed development looks very large and that it is one of her concerns. Ms. Wilander also stated she agreed with the number of proposed replacement trees.

Commissioner Tallerico shared the same concerns but recognizes that all findings have been made.

Commissioner Hui said the proposal has a nice curb appeal and thought it was comparable to other projects. Ms. Hui had no objection and was in favor of the project.

Chair Tsoi stated he liked the architectural style of the project and that it adds character to the neighborhood. Mr. Tsoi added that he would like to see more additional landscaping on the property and that the trash enclosure be concealed more than it already is so that it is out of public view. He also asked if the front yard setback is larger than other properties, and Ms. MacCarley stated that Second Avenue has a larger setback than other streets due to a special setback but that this property has already dedicated that setback that is why the building is situated further back.

MOTION

It was moved by Commissioner Arvizu, seconded by Vice Chair Wilander to deny the project on the basis that he could not make Tentative Tract Map letter A, that the proposed map, subdivision design and improvements were not consistent with the General Plan, specifically to General Plan Land Use Policy No. LU 4-1 in that the new development will not visually and functionally integrated in terms of scale, mass, and character with the other structures in the surrounding neighborhood. Therefore, he recommended denial of Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for 16-unit Contemporary style, multifamily residential condominium development at 314-326 S. Second Avenue.

ROLL CALL

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

The motion failed.

Chair Tsoi called for another motion.

It was moved by Commissioner Tallerico, seconded by Commissioner Hui to adopt Resolution No. 2142 approving Multiple Family Architectural Design Review No. MFADR 23-03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 for 16-unit Contemporary style, multi-family residential condominium development at 314-326 S. Second Avenue, and all the requisite findings were made and it is exempt from CEQA.

ROLL CALL

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

The motion was approved.

There is a 10-day appeal period. Appeals are to be filed by 5:30 p.m. on Monday, March 25, 2024.

CONSENT CALENDAR

1. Minutes of the February 27, 2024, Regular Meeting of the Planning Commission

Recommendation: Approve

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

ROLL CALL

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

The motion was approved.

MATTERS FROM CITY COUNCIL LIAISON

City Council Member Kwan had nothing to report.

MATTERS FROM THE PLANNING COMMISSONERS

Vice Chair Wilander and Commission Hui asked for updates about several businesses. Ms. Flores provided an update to all their questions.

Commissioner Tallarico informed the Commissioners that he will be giving a presentation of hostile architecture at the next meeting along with an update about what he learned from the Planning Commission Academy.

MATTERS FROM CITY ATTORNEY

City Attorney Mike Maurer had nothing to report.

MATTERS FROM STAFF INCLUDING UPCOMING AGENDA ITEMS

Ms. Flores reported that there will be no items for the March 26 meeting, and it will be cancelled. The next meeting will be on April 9.

ADJOURNMENT

The Planning Commission adjourned the meeting at 8:13p.m., to Tuesday, April 9, 2024, at 7:00 p.m. in the City Council Chamber.

Chair Tsoi, Planning Commission

ATTEST: Lisa L. Flores





16 UNITS MULTIFAMILY RESIDENTIALS

314-326 2ND AVE ARCADIA, CA 91007



ARCHITECTURAL PLANS PREPARED BY: PDS STUDIO INC



PDS STUDIO, Inc. | ARCHITECTURE + DESIGN 711 S FIRST AVE , ARCADIA, CA 91006 WWW.PDS-STUDIO.COM E: MAIL@PDS-STUDIO.COM P: (626) 294-9402




















































LEGEND:

- NEW OR EXISTING CONCRETE DRIVEWAY ENTRY. 1.
- GRAY / TAN COLORED STAMPED CONCRETE OR INTERLOCKING PAVERS, PER OWNER'S CHOICE. (TYPICAL) 2.
- TAN COLORED WASH FINISH CONCRETE w/ 6" WIDE BANDS, SCORE AS SHOWN. (TYPICAL) з.
- INDICATES IRRIGATED GROUND COVER AND MULCH; SEE PLANTING PLAN (TYPICAL)
- 5. UTILITY VAULT.
- 2-3" DECORATIVE RIVER STONE OR INORGANIC GROUND COVER.
- 7. REAL OR SYNTHETIC TURF, PER CITY STANDARDS.
- 8. BOXWOOD OR PRIVET HEDGE MAINTAINED AT 3' HIGH MAX. (TYPICAL)
- 9. NATURAL GRAY WASH FINISHED CONCRETE, SCORE AS SHOWN. (TYPICAL)
- 10. MAILBOX ENCLOSURE AND PEDESTRIAN GATE PER ARCHITECT, SEE GATE ELEVATION ABOVE. 11. LIGHT COLORED (WHITE OR LIGHT GRAY) 5'-6" VINYL FENCE. (TYPICAL)
- 12. VINYL GATE TO MATCH FENCING (#11). (TYPICAL)
- 13. ENTRY GATES & PILASTERS, SEE GATE ELEVATION ABOVE.
- 14. 3" THICK NON-COMPACTED ³/₄" CRUSHED ROCK OR PEA GRAVEL PER OWNER'S CHOICE OVER GEOFABRIC WEED BARRIER. (TYPICAL)

14

1

- 15. TRASH ENCLOSURE PER ARCHITECT. 16. EUGENIA COMPACTA HEDGE/SCREEN AT PERIMETER FENCE/WALL.
- 17. NEW 6' HIGH C.M.U WALL PER ARCHITECT.
- 18. EXISTING 6' HIGH BRICK WALL TO REMAIN.

FRONT YARD HARDSCAPE: TOTAL FRONT YARD SETBACK: 6,450 SQ.FT. TOTAL FRONT YARD HARDSCAPE: 2,447 SQ.FT (37.9%)



JMN BY ARCHITECT

2' SQ. x 6'-0" HIGH STUCCO COLUMN



314-326 2nd Ave Arcadia, CA 91006

Prepared for:

Philip Chan c/o PDS Studio 711 First Ave Arcadia, CA 91006 Arcadia, CA 91006

December 9, 2023

Prepared by:

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

> 1390 El Sereno Ave Pasadena, California 91103 (626)818-8704 jctcabral@sbcglobal.net

Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Table of contents

Arborist Certificate pg. 3	
Background and assignment Summary pg. 4	
Site Conditions & Google Earth Image pg. 5	
List Inventory pg. 6 & 7	
Survey & Site Plan With Trees pg. 8 & 9	
Tree Pictures pg. 10 thru 30	
Protection Guidelines pg. 31 thru 36	
Certificate of performance & Disclosure Statement pg. 37	
Arborist Signature Page Pg. 38	

International Society Of Arboriculture Certificate



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Summary

Mr. Chan,

You have retained my consulting arborist services to provide a tree inventory and protection plan for the property described as $324 - 356 2^{nd}$ Ave Arcadia, CA 91006. You are in the planning and permitting process of demolishing the existing multi-family 8 units and redeveloping the property with a new multi-family 15 units.

The proposed demolition and construction is expected to have minimal impact to the protected trees that will remain due to the distance of excavations, trenches, and footings to the tree trunks. A complete tree protection plan will be included to protect above and below ground tree parts from physical damage, soil compaction, and chemical damage.

Background and assignment

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

- 1) Identify all significant trees and protected trees on the property and label them on the architectural drawings as provided to the arborist by Mr. Philip Chan.
- 2) Evaluate the current health of the trees and possible impacts of the proposed construction based on the provided site plan and make recommendations.
- 3) Provide a tree protection plan that will help ensure the short and long term health of the protected trees that will remain during and after construction activities are completed.

The following report is based on my site visit on December 8, 2023 and my analysis of the trees, topo, site plan, and surrounding landscape. For the purpose of this report I will address these trees as **Trees # 1 thru 36.**

Site conditions

An 8 multi-family units currently exist on this property located $324 - 356 2^{nd}$ Ave Arcadia, CA 91006.

- 1) There are (**36**) total trees on the subject property of which (**4**) trees are protected by the City of Arcadia Tree Protection Ordinance due to their location and species.
- 2) There is (1) protected tree proposed to be removed. No off-site trees shall be impacted.

Google Earth Image



<u>Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006</u> Javier Cabral / Consulting Arborist

General Tree Condition Rating Guidelines (one or more of the below mentioned defects may not be present but one or more may be so extensive that it may downgrade a tree that would otherwise qualify for example, a (C) grade to a (D) grade due to the severity of the defect. As the consulting arborist I will make any annotation when the aforementioned conditions are the case so that the grade is better understood. Each tree will be rated as an individual tree with its structure, canopy, and root system.

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

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

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

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

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

List Inventory pg. 1

Tree #	Common Name	Botanical Name	Diameter at 4 feet In inches	Height (in feet)	Spread (in feet)	Health condition rating	Protection status	REMOVE or Preserve	Comments
1	Southern magnolia	Magnolia grandinflora	30	43	37	A	YES	Preserve	
2	Mexican fan palm	Washingtonia robusta	na	na	na	na	No	Remove	
3	Crape myrtle	Laferstroemia indica	3+7+9	20	20	А	No	Remove	
4	Southern magnolia	Magnolia grandinflora	15	30	24	В	YES	Preserve	
5	Jacaranda	Jacaranda mimosifolia	2+3+7	25	18	В	No	Remove	
6	Mexican fan palm	Washingtonia robusta	na	na	na	na	No	Remove	
7	Southern magnolia	Magnolia grandinflora	4+6+6+6	18	18	D	No	Remove	Severely stressed
8	Canary island palm	Phoenix canariensis	na	na	na	na	No	Remove	
9	Canary island palm	Phoenix canariensis	na	na	na	na	No	Remove	
10	Camphor	Cinnamomum camphora	10	25	25	А	No	Remove	
11	Bottlebrush	Callistemon citrinis	2+2+3+4+4+5+5	18	16	В	No	Remove	
12	Canary island palm	Phoenix canariensis	na	na	na	na	No	Remove	
13	American sweetgum	Liquidambar styraciflua	18	60	21	В	No	Remove	
14	Mexican fan palm	Washingtonia robusta	na	na	na	na	No	Remove	

Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006

Javier Cabral / Consulting Arborist

Tree #	Common Name	Botanical Name	Diameter at 4 feet In inches	Height (in feet)	Spread (in feet)	Health condition rating	Protection status	REMOVE or Preserve	Comments
15	American sweetgum	Liquidambar styraciflua	15	45	21	В	No	Remove	
16	Crape myrtle	Lagerstroemia indica	17	14	13	А	No	Remove	
17	California pepper	Schinus molle	25	50	41	В	No	Remove	
18	Crape myrtle	Lagerstroemia indica	11	35	27	А	No	Remove	
19	Crape myrtle	Lagerstroemia indica	8	25	23	А	No	Remove	
20	Hollywood juniper	Juniperus chinensis	9+20	35	18	В	No	Remove	
21	Crape myrtle	Lagerstroemia indica	1+2+2+3+3+3+3+3 +3+3+3+4+4+4	18	18	А	No	Remove	
22	California fan palm	Washingtonia filifera	na	na	na	na	No	Remove	
23	California fan palm	Washingtonia filifera	na	na	na	na	No	Remove	
24	Pecan	Carya illioinensis	20	50	33	с	No	Remove	severely topped
25	California fan palm	Washingtonia filifera	na	na	na	na	No	Remove	
26	California fan palm	Washingtonia filifera	na	na	na	na	No	Remove	
27	Queen palm	Syagrus romanzoffiana	na	na	na	na	No	Remove	
28	Avocado	Persea americana	18	18	16	D	No	Remove	Dying
29	Coast live oak	Quercus agrifolia	16	16	30	В	YES	Remove	
30	Avocado	Persea americana	14	14	18	в	No	Remove	
31	Southern magnolia	Magnolia grandinflora	15	15	16	В	YES	PRESERVE	
32	Pecan	Carya illioinensis	29	29	30	с	No	Remove	Severely topped
33	Pecan	Carya illioinensis	25	25	30	С	No	Remove	Severely topped
34	Southern magnolia	Magnolia grandinflora	8	8	16	В	No	PRESERVE	
35	Crape myrtle	Lagerstroemia indica	11	11	16	А	No	PRESERVE	
36	Mexican fan palm	Wasingtonia robusta	na	na	na	na	No	Remove	

List Inventory pg. 2

Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Site Survey With Trees (Full scale)





Site Plan With Protected Trees (cropped)

Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist









Trees # 4 & 5 (facing south)



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist








Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

























Tree 28 (facing southeast)



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Tree 29 (facing southwest)



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Tree 30 (facing south)



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist

Tree 31 (facing southeast)







Tree 34 (facing north)



Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006 Javier Cabral / Consulting Arborist





General Tree Protection Plan

- 1) Avoid damaging the roots, stem, and branches with mechanical and manual equipment. No roots shall be severed within the Tree Protection Zone "TPZ" which is the same as the area within the Tree Protection Fencing "TPF." Roots greater than two inches in diameter outside of the TPZ shall be cleanly severed with a sharp tool such as a hand saw or manual pruners.
- 2) Avoid soil compaction by prohibiting the use of heavy equipment such as backhoes and bobcats under the tree drip line. If access within the TPZ is required during the construction process, the route shall be covered in a 6 inch layer of mulch in the TPZ and the area shall be aerated and fertilized at the conclusion of construction.
- **3) Do not store or park tools**, equipment, vehicles, or chemicals under the tree drip line. No equipment or debris of any kind shall be placed within the TPZ. No fuel, paint, solvent oil, thinner, asphalt, cement, grout, or any other construction chemical shall be stored or allowed in any manner to enter within the TPZ.
- 4) Avoid washing of equipment and tools such as wheel barrels, shovels, and mechanical motors under the tree drip line.
- 5) **Prevent flooding and pooling** of service water under the drip line. Grade changes that will flood the TPZ are prohibited unless a drainage plan is implemented. No grade changes within the TPZ shall be allowed.
- 6) Avoid cutting tree roots whenever possible. This can sometimes be accomplished by bridging roots, tunneling, or radial trenching. If roots must be cut use a sharp tool that will make a clean flush cut and not tear the roots. If possible all digging under the tree drip line should be done manually to avoid tearing out of roots. Roots outside of the TPZ may be cleanly severed vertically with a sharp garden tool.
- 7) Do not raise or lower the grade within the tree protection zone of any protected trees unless approved by the project arborist. Roots greater than 1 inch in diameter that are exposed or damaged shall be cut with a sharp tool such as a hand saw, pruners, or loppers and covered with soil in conformance to industry standards as soon as possible. If any work is required within the TPZ the Arborist shall be consulted previous to beginning. The Arborist shall be contacted as soon as possible to arrange for a timely inspection and prevent delays.

Philip Chan "PDS Studio" 314-326 2 nd Ave Arcadia, CA 91006	December 9, 2023
Javier Cabral / Consulting Arborist	Pg. # 31

- 8) Protection fencing shall be 5 to 6 ft. high chain link freestanding panels or secured to posts driven into the ground. There shall be no entry gates into the protected zones. The protection fencing shall be in place before demolition begins and shall only be removed or reduced when all heavy equipment such as back-hoes, bobcats, loaders, and other heavy equipment with tires and tracks will not be required. Fencing can be adjusted or sections reduced or removed as the project advances into the landscaping phases of the project. The consulting arborist shall be contacted if there are doubts about the placement or removal of fencing.
- **9)** Landscape preparation & excavation within the TPZ shall be limited to the use of hand tools and small hand-held power tools and shall not be of a depth that could cause root damage. No attachments or wires other than those of a protective or non-damaging method shall be attached to a protected tree.
- **10)** Construction personnel should be briefed on the importance of the guidelines before construction begins and reminded of it during tailgate meetings and as necessary. A printed copy should be posted where employees can be reminded of it.



Survey With Protection Fencing (cropped)

Tree # 1 Southern magnolia (Protection Details)

- a) Structural excavation and over-excavation: No structural excavations are proposed within the drip line of this tree . Impact is expected to be be zero.
- **b)** New driveway: The new driveway is proposed on the opposite side of the property. Impact is expected to be zero.
- c) New Landscaping: The removal of the existing grass and under the drip line of this tree shall be done manually with manual tools to a maximum depth of 3 inches to prevent severe root disturbance and damage.
- **d)** New Sprinklers: No broadcast trenching for sprinklers shall be performed within 5 ft. of the edge of the tree trunk on all sides of this tree. The sprinkler water shall not wet the trunk of this tree to prevent fungal infection from persistent trunk moisture.
- e) Canopy pruning: No pruning of this tree will be required to complete the proposed construction project.
- f) **Root pruning:** Roots within 10 ft. from the trunk that are encountered for plantings shall be relocated if a root greater than 2 inches is encountered.
- **g) Protection Fencing:** shall consist of 6 ft. high chain link free standing panels and shall be in place before any works begins including demolition. All protection fencing may be removed or reduced when all heavy equipment and major construction is completed and landscaping is ready to be installed.
- **h) Maintenance:** During the hot summer months this tree shall be watered as needed until the sprinkler system is installed and working.
- i) Encroachment impacts: This project is expected to have a minimal to zero impact on the short- or long-term health of this tree and it is expected to survive in good health if the protection recommendations are followed and adhered to. <u>minimal impact means</u> that no roots greater than two inches are expected to be impacted and no interruption to water uptake or nutrient production, transportation, or storage is expected. Tree stability, anchorage, trunk, branch, and leaves are not expected to be impacted.

Tree # 4 Southern magnolia (Protection Details)

- a) Structural excavation and over-excavation: No structural excavations are proposed within the drip line of this tree . Impact is expected to be zero.
- b) **New driveway:** The new driveway is proposed on the opposite side of the property. Impact is expected to be zero.
- c) **New Landscaping:** The removal of the existing plants and ground cover under the drip line of this tree shall be done manually with manual tools only to prevent severe root disturbance and damage.
- d) **New Sprinklers:** No broadcast trenching for sprinklers shall be performed within 5 ft. of the edge of the tree trunk on all sides of this tree. The sprinkler water shall not wet the trunk of this tree to prevent fungal infection from persistent trunk moisture.
- e) **Canopy pruning:** No pruning of this tree will be required to complete the proposed construction project.
- f) **Root pruning:** Roots within 10 ft. from the trunk that are encountered for plantings shall be relocated if a root greater than 2 inches is encountered.
- **g) Protection Fencing:** shall consist of 6 ft. high chain-link free-standing panels and shall be in place before any works begins including demolition. All protection fencing may be removed or reduced when all heavy equipment and major construction is completed, and landscaping is ready to be installed.
- h) **Maintenance:** During the hot summer months this tree shall be watered as needed until the sprinkler system is installed and working.
- i) Encroachment impacts: This project is expected to have a minimal to zero impact on the short- or longterm health of this tree and it is expected to survive in good health if the protection recommendations are followed and adhered to. <u>minimal impact means</u> that no roots greater than two inches are expected to be impacted and no interruption to water uptake or nutrient production, transportation, or storage is expected. Tree stability, anchorage, trunk, branch, and leaves are not expected to be impacted.

Tree # 31 Southern magnolia (Protection Details)

- a) Structural excavation and over-excavation: No structural excavations are proposed within the drip line of this tree . Impact is expected to be zero.
- b) **New driveway:** The new driveway is proposed on the opposite side of the property. Impact is expected to be zero.
- c) **New Landscaping:** The removal of the existing plants and ground cover under the drip line of this tree shall be done manually with manual tools only to prevent severe root disturbance and damage.
- d) **New Sprinklers:** No broadcast trenching for sprinklers shall be performed within 5 ft. of the edge of the tree trunk on all sides of this tree. The sprinkler water shall not wet the trunk of this tree to prevent fungal infection from persistent trunk moisture.
- e) **Canopy pruning:** No pruning of this tree will be required to complete the proposed construction project.
- f) **Root pruning:** Roots within 10 ft. from the trunk that are encountered for plantings shall be relocated if a root greater than 2 inches is encountered.
- **g) Protection Fencing:** shall consist of 6 ft. high chain-link free-standing panels and shall be in place before any works begins including demolition. All protection fencing may be removed or reduced when all heavy equipment and major construction is completed, and landscaping is ready to be installed.
- h) **Maintenance:** During the hot summer months this tree shall be watered as needed until the sprinkler system is installed and working.
- i) Encroachment impacts: This project is expected to have a minimal to zero impact on the short- or long-term health of this tree and it is expected to survive in good health if the protection recommendations are followed and adhered to. <u>minimal impact means</u> that no roots greater than two inches are expected to be impacted and no interruption to water uptake or nutrient production, transportation, or storage is expected. Tree stability, anchorage, trunk, branch, and leaves are not expected to be impacted.

Certificate of Performance & Limiting Conditions

I Javier Cabral certify the following:

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

Philip Chan "PDS Studio" 314-326 2 nd Ave Arcadia, CA 91006	December 9, 2023
Javier Cabral / Consulting Arborist	Pg. # 37

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

Yours truly,

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

Januar Cabrud

<u>Philip Chan "PDS Studio" 314-326 2nd Ave Arcadia, CA 91006</u> Javier Cabral / Consulting Arborist

to whom it may concern:

3/12/24

We don't approve on the multi-family residential development, we think they are destroying our good neighbor by building skyscraper (That's what it would look like) It will also bring more traffic on becoul which we don't need more. We will have a harder time to get out of our driveway on 319 and that is this only way to back up out of our driveway. Do you think you want to buy a house with that much traffic ?? I don't think so. So the price will go down no matter when we decide to sell. It 's a shame they want to remove some protected It 's a shame they want to remove some protected trees that been there for years (ever). It's beautiful to be at the one of the doctories of the second of the to look at them, should not be destroyed. arcadia should Think about all the inconvenience for all of us. Hope you hear us and think of people of Second avenue Thank you, 319 S. Lecond avenue Doris & you arbour



PRELIMINARY EXEMPTION ASSESSMENT

1. Nar	Name or description of project:		Multiple Family Architectural Design Review No. MFADR 23- 03, Tentative Tract Map No. TTM 23-05 (84291), Healthy Tree Removal No. TRH 23-04, and Protected Tree Encroachment No. TRE 23-10 – A tentative tract map for a 16-unit residential condominium detached townhome development			
add atta (pre topo	 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): 		314-326 S. 2 nd Avenue (between California Street and El Dorado Avenue)			
	 Entity or person undertaking project: 		А.			
proj			B. Other (Private)			
			(1)	Name	Philip Chan on behalf of	
					Smart Property II LLC, property owner	
			(2)	Address	711 S. First Avenue	
4. Stat	ff Determin	ation:				
acc Qua	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.	\boxtimes	The project is categorically exempt.				
		Applicable Exemption	on Class:	15332 – 0	Class 32 (Infill Development)	
f.		The project is statutorily exempt.				
		Applicable Exemption	on:			
g.		The project is otherwise exempt on the following basis:				
		exempt on the lollow	ving basis:			
h.		•	•	blic agency	which constitutes the Lead Agency.	

Date: January 20, 2024

Staff: Alison MacCarley, Assistant Planner