



NOTICE OF PREPARATION

OF AN ENVIRONMENTAL IMPACT REPORT AND PUBLIC SCOPING MEETING

City Project No.: Architectural Design Review No. ADR 22-06 with a Density Bonus, Certificate of Demolition No. COD 22-20, General Plan Amendment No. GPA 22-01, Lot Line Adjustment LLA No. 22-02, Minor Use Permit MUP No. 22-02, and Zone Change No. ZC 22-01

Project Name: The Derby Mixed-Use Project

Project Applicant: Elite Real Estate Holdings LLC

Project Address: 233 and 301 E. Huntington Drive, Arcadia, CA 91006

Public Comment Period: October 14, 2022 through November 14, 2022

Public Scoping Meeting: October 26, 2022 at 6:00 PM

Pursuant to Section 21165 of the California Public Resources Code and Section 15050 of the California Environmental Quality Act (CEQA) Guidelines, the City of Arcadia (City) is the Lead Agency for the preparation of an Environmental Impact Report (EIR) for The Derby Mixed-Use Project (Project). In accordance with CEQA Guidelines Section 15082, the City has prepared this Notice of Preparation (NOP) to provide responsible and trustee agencies, the Office of Planning and Research, and the County Clerk with sufficient information describing the Project and its potential environmental effects to enable the responsible agencies to make a meaningful response to this NOP.

The City is requesting your specific and detailed input regarding the scope and content of the environmental information related to your agency's statutory responsibility that must be included in the Draft EIR. Pursuant to CEQA Guidelines Section 15083, this NOP also serves to facilitate consultation with any persons or organizations that may be concerned with the environmental effects of the Project. Additionally, this NOP serves as a notice for the public Scoping Meeting, which is held to expedite and facilitate the consultation process. Because the City has already determined that an EIR is required for the proposed Project, as permitted by CEQA Guidelines Section 15060(d), the City will not prepare an Initial Study, but instead will begin work directly on the Draft EIR.

Project Location.

The Project site address is 223 and 301 East Huntington Drive and includes Assessor's Parcel Number (APN) 5773-009-070 and APN 5773-009-065. **Figure 1, Project Location**, depicts The Derby Mixed-Use Project (Project) boundaries in the context of the surrounding community and jurisdictions. The Project site is located in the City of Arcadia (City) within the County of Los Angeles, approximately 13 miles northeast from downtown Los Angeles. As measured from the Project site, the City of Sierra Madre is located approximately 1.4 miles to the north; the City of Monrovia is located approximately 0.13 mile (680 feet) to the east; the City of Temple City is located approximately 2.3 miles to the south; and the City of Pasadena and an area of unincorporated Los Angeles County are located approximately 2.5 miles to the west. Regional access to the Project site is via Interstate (I) 210 to Huntington Drive.

Existing Conditions

The Metro L Line (Gold) Station is located approximately 0.3 mile to the northwest of the Project site. Land uses in close proximity to the Project site are as follows:

- North: Hampton Inn Hotel; Residence Inn by Marriott, and surface parking lots
- East: Embassy Suites; surface parking; North 2nd Street; Springhill Suites; and Metro L Line tracks
- South: Huntington Drive; commercial strip center; surface parking lots; and Metro L Line tracks
- West: Gateway Drive; restaurant/commercial/office center; surface parking lots; and City of Monrovia

The 2.23-acre Project site currently consists of two structures, including The Derby, which is an occupied two-story restaurant at 233 East Huntington Drive, and a vacant one-story restaurant building at 301 East Huntington Drive that was previously occupied by the Souplantation restaurant. The remainder of the site is surface parking with minimal landscaping.

The Project site is zoned General Commercial (C-G) with a corresponding General Plan land use designation of Commercial.

Project Description Overview

The Project would construct a new space for The Derby restaurant as part of a new mixed-use residential and commercial development. The existing buildings and surface parking lots on the Project site would be demolished to accommodate the proposed Project and the Lot Line Adjustment would merge the two existing lots into one legal lot.

The Project would construct The Derby as a larger, two-story restaurant as part of a new, six-story mixed-use development consisting of restaurant, cafe, and multifamily residential uses. **Figure 2a, Proposed Project Overview**, provides a conceptual depiction of the Project site at buildout looking from the southwest towards the northeast. **Figure 2b, Proposed Project Directional Views**, provides additional views of Project site at buildout as viewed from the northwest, northeast, southwest, and southeast.

The proposed centerline of the two-story The Derby restaurant space would be located slightly west of the existing The Derby restaurant and would be designed to retain many of restaurant's most recognizable design elements, including the gable roof, stained glass windows, classic red booths, and horseracing memorabilia, while adding new elements such as a covered porte-cochère, horse-racing projections on the side of the building, a horseshoe-shaped lounge bar, an indoor-outdoor second story bar and dining area, and an expanded memorabilia collection display area. The Derby restaurant would maintain the low-slung craftsman-influenced character and scale of the existing building, as well as the existing "World Famous, The Derby" and "Guest Parking" neon signs, which would be preserved and relocated along the East Huntington Drive frontage to the ingress/egress driveway leading to the main entrance and vehicle roundabout for guest and valet drop off. The Derby restaurant was evaluated by an architectural historian meeting the Secretary of the Interior's Professional Qualification Standards for architectural history and the building was found to be ineligible for National Register of Historic Places, California Register of Historical Resources, and does not meet the local designation criteria. As such, the structure is not considered a historical resource for the purposes of CEQA.

The Project would include 205 market rate units and 9 affordable units, totaling 214 for-rent dwelling units. The unit mix would consist of 55 studios, 110 one-bedroom units (including four one-bedroom plus den units), and 49

two-bedroom units (including four two-bedroom plus den units). The residential units would be constructed within levels two through six of the proposed six-story building. The average square footage of the unit types would be 480 square feet (sf) for the studios, 720 sf for the one-bedroom units, 750 sf for the one-bedroom plus den units, 1,100 sf for the two-bedroom units, and 1,260 sf for the two-bedroom plus den units.

Various residential amenities would be constructed throughout the residential building and Project site. The six-story mixed-use building would front onto East Huntington Drive and would step back approximately 30 feet at the fifth and sixth levels to provide a landscaped residential pool and amenity space, including an approximately 4,800 sf roof deck and 1,100 sf indoor amenity kitchen for residents. Additional residential amenities would include a 6,500 sf landscaped courtyard, herb garden, and shared outdoor cooking space on level two fronting Gateway Drive, as well as other interior residential amenities such as a fitness center, co-working space, and yoga room. Approximately 65% of the units would include private balconies facing the exteriors of the six-story mixed-use building.

The Project would include one level of subterranean (i.e., basement level) parking for residents, as well as exterior and interior ground-level commercial and valet parking areas. Ground-floor parking areas would be predominately valet serviced and reserved for restaurant/café uses and residential visitors. Primary access to the residential tenant and guest parking at the basement level would be provided via a separate, secure ingress/egress driveway from Gateway Drive. Primary access for the commercial parking would be from two points: (1) via an ingress/egress driveway on East Huntington Drive approximately 50 feet east of driveway for the existing The Derby restaurant; and (2) via an ingress/egress driveway on Gateway Drive that would also accommodate service uses. The Project would provide a total of 414 parking spaces consisting of 241 residential and 173 commercial/valet spaces. Approximately 10% of the spaces provided would include electric vehicle charging stations. The Project would also include 10 commercial motorcycle parking spaces and 11 residential motorcycle parking spaces, and residential bicycle parking for 43 bicycles and commercial bicycle parking in a bicycle storage room behind the new restaurant.

The Project's basement level would consist entirely of residential parking. The ground level would include the new The Derby restaurant (including 12,850 sf for both levels), a 1,400 sf café space, a 3,300 sf complementary restaurant space, a residential leasing office, residential lobby, and residential bike storage area, as well as interior and exterior restaurant/café/valet parking areas. Level two would include a portion of The Derby's restaurant area, which would serve as The Derby's rooftop bar, as well as a residential co-working space, residential units, and an exterior residential courtyard and amenity space. Level three and level four would consist entirely of residential units, residential storage, and interior residential amenity spaces, including a yoga room. Level five would include residential units and additional residential amenity spaces, including the outdoor pool, roof deck, and interior amenity kitchen. Level six would include residential units, as well as a residential fitness center and exterior courtyard.

Off-site improvements would be required within the sidewalk and roadway rights-of-way along East Huntington Drive and Gateway Drive. These improvements would include modification and/or relocation of existing curb cuts, utility connections, removal of signage, street light relocation, and new/replacement street trees.

Requested Approvals/Permits

The current C-G zone has a maximum allowable building height of 40 feet and does not allow for residential use. Thus, a Zone Change (No. ZC 22-01) would be required to rezone the Project site to Downtown Mixed Use (DMU), which would allow for the Project's proposed mixed-use development (subject to a Minor Use Permit). The proposed Zone Change would also include an H7 Special Height Overlay, which would increase the maximum

allowable building height to 75 feet. The proposed six-story building would have an overall maximum height of 71 feet, including a 3-foot parapet, but not including rooftop appurtenances such as a screened mechanical enclosures, stairs and an elevator machine room. The Project would also require a General Plan Amendment (No. GPA 22-01) to change the land use designation from Commercial to Downtown Mixed Use.

Under the proposed DMU zoning, the Project site would have an allowable base density of 80 dwelling units per acre, allowing for a total of 178 dwelling units on the 2.23-acre site. The Project applicant proposes to utilize a 5% density bonus under the California Density Bonus Law (California Government Code Sections 65915 – 65918) which would increase the allowable dwelling unit count by 20% to 214 total units. In order to comply with state law, the Project would include nine very-low income (i.e., 50% Area Median Income) dwelling units. Thus, the final unit mix would consist of 205 market rate units and 9 affordable units, totaling 214 dwelling units. The Project would include a reduced number of parking spaces for the residential use because of the Density Bonus, and the applicant is requesting reduced residential tandem parking dimensions as a concession.

The following is a summary of discretionary approvals/actions the City will consider. Other ministerial permits that are not subject to CEQA review would also be required.

- General Plan Amendment to Downtown Mixed-Use
- Zone Change to Downtown Mixed-Use with Height Overlay (H7)
- Certificate of Demolition
- Minor Use Permit (Mixed-Use Development; Valet Parking; Outdoor Dining in Excess of 12 Tables)
- Lot Line Adjustment
- Site Plan and Design Review (Density Bonus)

Potential Environmental Effects of the Project

The Project could have potentially significant environmental impacts to the following environmental topic areas: Air Quality; Cultural Resources; Energy; Geology/Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology/Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services and Recreation; and Utilities/Service Systems. Because of the existing condition of the Project site, which is fully developed and located in an urbanized setting, implementation of the Project is not expected to result in any significant impacts to: Aesthetics; Agriculture and Forestry Resources; Biological Resources; Mineral Resources; and Wildfire, as discussed in Appendix A, Environmental Topics With No Potential For Significant Impacts.

Public Review and Scoping

This NOP, including Appendix A, is available for download on the City’s website at: www.arcadiaca.gov/projects. A print copy of this notice is also available for public review at each of the following City locations through November 14, 2022:

Arcadia City Hall – Planning Division
240 West Huntington Drive
Arcadia, CA 91007

Monday–Thursday: 7:30 a.m.–5:30 p.m.

Friday (Closed alternate Fridays): 7:30 a.m.–4:30 p.m.

<https://www.arcadiaca.gov>

Arcadia Public Library – Circulation Desk
20 West Duarte Road
Arcadia, CA 91006

Monday–Thursday: 10:00 a.m.–9:00 p.m.

Friday and Saturday: 10:00 a.m.–6:00 p.m.

www.arcadiaca.gov/library

Public Scoping Meeting. A public scoping meeting will be held to share information regarding the proposed Project and the CEQA environmental review process. The purpose of the meeting is to facilitate information sharing and to solicit written comments about the scope and content of the environmental analysis to be addressed in the Draft EIR.

The Scoping Meeting is an information-gathering meeting, not a public hearing. However, as part of the information-gathering process and as stated above, the City seeks community input for the Project. In order to be considered for the EIR, all comments must be submitted to the City in writing via email, fax, or via postal service, and all written comments received will be reviewed and considered by the City as part of the administrative record of the proposed Project. No decisions about the Project will be made at the Scoping Meeting. A separate public hearing for consideration of the proposed Project’s entitlement requests will be scheduled after the completion of the EIR. The date, time, and location of the Project’s Scoping Meeting are as follows:

DATE: October 26, 2022
TIME: 6:00 PM
LOCATION: The Gilb Museum of Arcadia Heritage (Museum Education Center)
380 West Huntington Drive, Arcadia, CA 91007

Submitting Comments. Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice. The City will consider all written comments regarding the potential environmental effects of the Project received during the NOP public review period. Please direct your written comments via mail, or email to:

Ms. Fiona Graham, Planning Services Manager
City of Arcadia Planning Division
240 West Huntington Drive
Arcadia, CA 91007

Attn: The Derby Mixed-Use Project EIR

Email: fgraham@ArcadiaCA.gov

Fax: (626) 447-9173

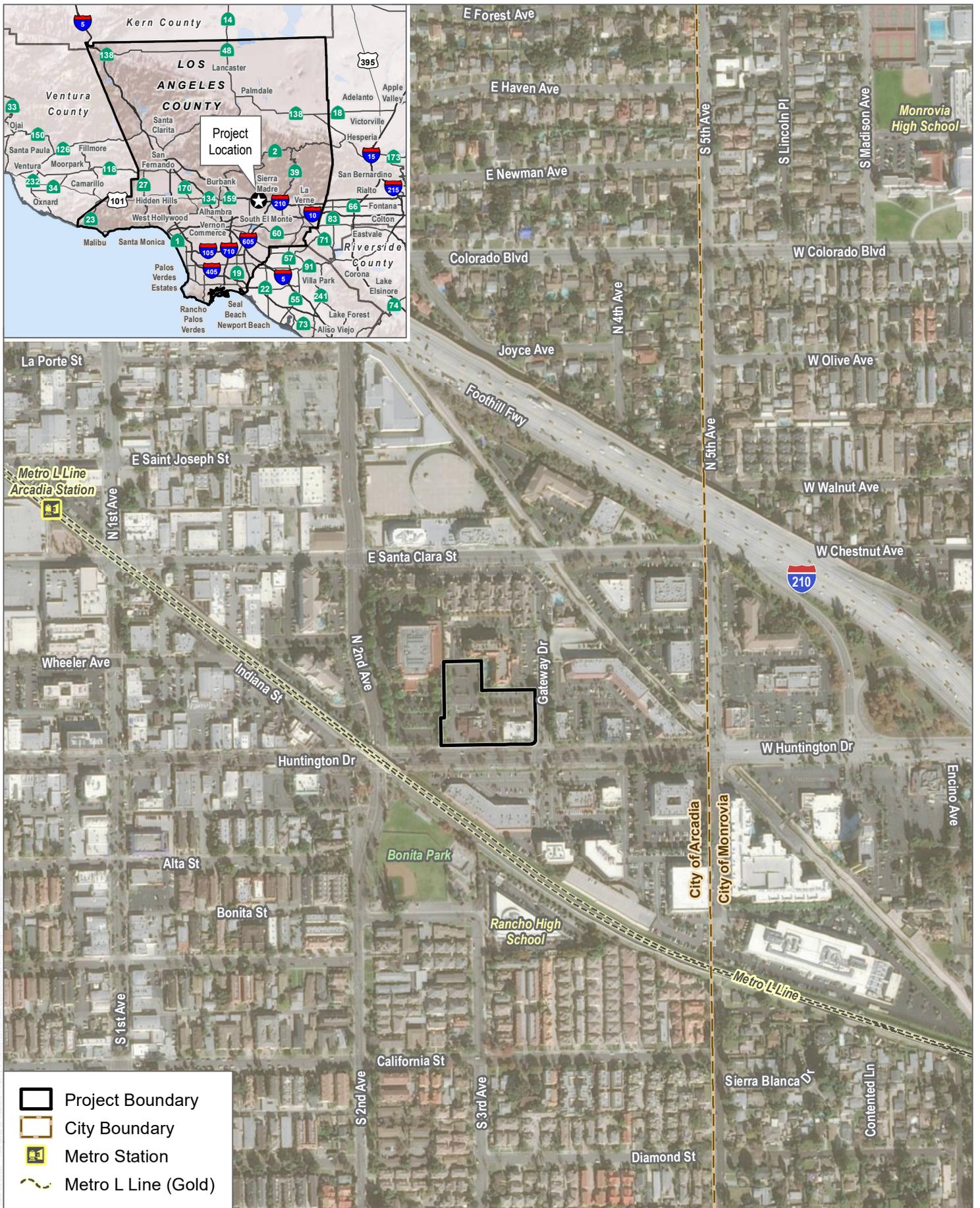
Date: October 10, 2022

Signature: 

Title: Planning Services Manager

Attachments:

- Figure 1. Project Location
- Figure 2a. Proposed Project Overview
- Figure 2b. Proposed Project Directional Views
- Appendix A: Environmental Topics With No Potential for Significant Impacts



SOURCE: ESRI 2020, Open Street Map 2019

FIGURE 1
Project Location
 The Derby Mixed-Use Project



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Source: Elite Real Estate Holdings LLC 2022

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FIGURE 2A
Proposed Project Overview
The Derby Mixed-Use Project

VIEW FROM NORTHWEST



VIEW FROM NORTHEAST



VIEW FROM SOUTHWEST



VIEW FROM SOUTHEAST



Source: Elite Real Estate Holdings LLC 2022

APPENDIX A

**The Derby Mixed-Use Project
 Environmental Topics with No Potential for Significant Impacts**

The Derby Mixed-Use Project (Project), as proposed, could have potentially significant environmental impacts to the following environmental topic areas: Air Quality; Cultural Resources; Energy; Geology/Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology/Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services and Recreation; Transportation; Tribal Cultural Resources; and Utilities/Service Systems. Because of the existing condition of the Project site—which is fully developed and located in an urbanized setting—the City of Arcadia (City), as the lead agency pursuant to CEQA, has determined that implementation of the Project would not result in any significant impacts to: Aesthetics; Agriculture and Forestry Resources; Biological Resources; Mineral Resources; and Wildfire, as discussed below.

CEQA Topic	Analysis Supporting No Potential for Significant Impact
<p>Aesthetics</p>	<p>The Project site is visible from surrounding land uses and roadways and the proposed Project would increase the development density and height. Site development would be required to comply with all Arcadia Development Code and Municipal Code requirements and would be required to adhere to the architectural and site design guidance provided in the City’s Commercial/Mixed Use Design Guidelines. Regarding aesthetic impacts, Senate Bill (SB) 743 [Public Resources Code (PRC) Section 21099(d)] specifies that for infill projects located in transit priority areas, impacts on aesthetics are not required to be evaluated under CEQA. Specifically, PRC Section 21099(d) sets forth guidelines for evaluating project impacts under CEQA, as follows: “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (TPA) shall not be considered significant impacts on the environment.” PRC Section 21099 defines a “transit priority area” as an area within 0.5 mile of a major transit stop, defined as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”</p> <p>PRC Section 21099 defines an “infill site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75% of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. PRC Section 21099 applies to the proposed Project, which consists of mixed-use project on an “infill” site located approximately 0.3 mile from the Metro L Line Arcadia Station; as such, the Project meets the criteria established by SB 743. Therefore, there would be no potential for significant impacts associated with aesthetics and aesthetics does not require evaluation or analysis in the EIR.</p>

CEQA Topic	Analysis Supporting No Potential for Significant Impact
<p>Agriculture and Forestry Resources</p>	<p>The Project site is in an urban area on a site that is fully developed with buildings and asphalt paving. The Project site is included within the City’s General Commercial (C-G) zone and the Commercial land use designation of the Arcadia General Plan. There are no existing agriculture or forestry activities on the site nor any readily available opportunities for agricultural or forestry operations on site or in the surrounding area. According to the California Department of Conservation’s California Important Farmland Finder, most of Los Angeles County, including the City, is not mapped as part of the state’s Farmland Mapping and Monitoring Program; thus, the Project site does not contain Prime Farmland, Unique Farmland, or Farmland of State Importance (collectively “Important Farmland”),¹ nor does it contain any parcels under a Williamson Act contract.² Additionally, neither the Project site nor the surrounding area contain forestland or timberland. Therefore, there would be no potential for significant impacts associated with agricultural and forestry resources.</p>
<p>Biological Resources</p>	<p>Under the existing conditions, the Project site is almost entirely developed with paved surfaces and buildings and is surrounded entirely by urban development. A limited amount of landscaped area is located within the Project site and along the public rights-of-way, consisting of small areas of ornamental trees and shrubs, which does not form a cohesive plant community that would provide quality, suitable habitat for candidate, sensitive or special status wildlife species, or support wildlife movement. A portion of the Santa Anita Wash alignment—a concrete flood control channel—is approximately 480 feet to the northeast of the eastern Project site boundary.³ No wetlands or other jurisdiction waters are within the Project site.⁴ Further, any development activities would be required to comply with all applicable requirements set forth by the City, including the City’s Tree Preservation Ordinance (Ordinance No. 2338).⁵ All development activities are subject to the requirement to protect nesting birds, in compliance with the Migratory Bird Treaty Act, which prohibits the accidental or "incidental" taking or killing of migratory birds.⁶ Therefore, there would be no potential for significant impacts associated with biological resources.</p>

1 California Department of Conservation. 2022. California Important Farmland Finder. Accessed August 24, 2022. <https://maps.conservation.ca.gov/dlrp/ciff/>.

2 California Department of Conservation. 2018. The Williamson Act Status Report 2016-17. Accessed August 24, 2022. Released 2018. https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2018%20WA%20Status%20Report.pdf.

3 United States Fish and Wildlife Service. 2022. National Wetlands Inventory, Wetlands Mapper, Search by Address. Accessed August 24, 2022. <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

4 Ibid.

5 Arcadia Municipal Code Chapter 1, Division 10, Tree Preservation (Section 9110.01 et al.)

6 United States Code Title 16, Subchapter II, Migratory Bird Treaty (Section 703 et al.)

CEQA Topic	Analysis Supporting No Potential for Significant Impact
Mineral Resources	<p>There are no oil wells or oil/mineral extraction activities on the Project site.⁷ Current on-site land uses do not allow for oil/mineral extraction. According to the City’s General Plan, Resource Sustainability Element, Figure RS-1 (Mineral Resource Zones), the Project site is within the Mineral Resources Zone-2 (MRZ-2), which is characterized as areas where adequate information indicates that significant mineral deposits are present or there is a high likelihood for their presence, and development should be controlled.⁸ However, given that the Project site is located within an urban setting, does not have a history of mineral extraction activities, does not currently allow for oil/mineral extraction, and is not designated for mineral extraction, the Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the local general plan or other land use plan. Therefore, there would be no potential for significant impacts associated with mineral resources.</p>
Wildfire	<p>The Project site is in a highly urbanized area and is not within a Very High Fire Hazard Severity Zone and would not exacerbate or expose people or structures to wildfire risks or substantially impair an adopted emergency response plan. The nearest wildland areas are in the Monrovia Wilderness Preserve, approximately 1 mile north of the Project site. Based on the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone web viewer, the Project site is not located in or near state responsibility areas or lands classified as Very High Fire Hazard Severity Zones. The closest designated Very High Fire Hazard Severity Zone is located approximately 0.92 mile north of the Project site.⁹ Therefore, there would be no potential for significant impacts associated with wildfires.</p>

7 Department of Conservation, Geologic Energy Management Division. 2022. Well Finder. Accessed August 24, 2022. <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-118.02294/34.14005/17>.

8 City of Arcadia. 2010. Arcadia General Plan Resource Sustainability Element. Adopted November 2010. Accessed August 24, 2022. <https://cms9files.revize.com/arcadia/Shape%20Arcadia/Development%20Services/general%20plan/Resource%20Sustainability.pdf>.

9 California Department of Forestry and Fire Protection. 2022. FHSZ Viewer. Accessed August 24, 2022. <http://egis.fire.ca.gov/FHSZ/>.