



CITY OF WEST COVINA

PLANNING COMMISSION

**JUNE 28, 2022, 7:00 PM
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790**

**Nickolas Lewis, Chair
Brian Gutierrez, Vice Chair
Shelby Williams, Commissioner
Sheena Heng, Commissioner
Livier Becerra, Commissioner**

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT

The City complies with the Americans with Disabilities Act (ADA). If you need special assistance at Planning Commission meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Please call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Planning Commission meetings, please request no less than four working days prior to the meeting.

PUBLIC COMMENTS/ADDRESSING THE COMMISSION

Any person wishing to address the Planning Commission on any matter listed on the agenda or on any other matter within their jurisdiction is asked to complete a speaker card that is provided on the speaker podium and submit the card to a Planning Division staff member.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda item. Requests to speak on non-agenda items will be heard during "Oral Communications" before the Public Hearing section of the agenda. Generally, comments are limited to five minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at his or her discretion, further limit the time of each speaker in order to accommodate a large number of speakers and/or to ensure that the business of the Planning Commission is effectively conducted.***

Any testimony or comments regarding a matter set for Public Hearing will be heard during the public hearing for that item.

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular meeting, June 14, 2022

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Planning Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

PUBLIC HEARINGS

2. **CONDITIONAL USE PERMIT NO. 22-01**
 CATEGORICAL EXEMPTION
 APPLICANT: Rodney Khan (2nd Home Adult Day Health Care)
 LOCATION: 501 S. Vincent Avenue, Suite 102
 REQUEST: The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow for a new adult day care facility, 2nd Home Adult Day Health Care, to be located within a 9,975 square foot tenant space.

3. **CONDITIONAL USE PERMIT NO. 22-03**
 CATEGORICAL EXEMPTION
 APPLICANT: Lifetastic Learning (Ivy Choy Chiu)
 LOCATION: 1414 S. Azusa Avenue, SUITE B18
 REQUEST: The project consists of a Conditional Use Permit (CUP) to allow the operation of a tutoring center. The tutoring center relocate within South Hills Plaza Shopping Center to a 1,400-square foot tenant space.

NON-HEARING ITEMS - None

TEN-DAY APPEAL PERIOD: Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. **NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME.** If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendize the matter for a future meeting.

4. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:**

- a. Forthcoming - July 12, 2022

5. **CITY COUNCIL ACTION:**

This is an oral presentation of City Council matters and actions, which are in the Commission's area of interest

ADJOURNMENT

TO: Planning Commission
FROM: Planning Division
SUBJECT: Regular meeting, June 14, 2022

ITEM NO. 1.
DATE: June 28, 2022

Attachments

Minutes 6.14.22

**These minutes are preliminary and are considered unofficial
until adopted at the next Planning Commission meeting by a majority vote.**

A G E N D A

DATE: June 28, 2022

ITEM NO.: 1

**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF WEST COVINA
Tuesday, June 14, 2022**

Regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina Council Chambers.

The Commission observed a moment of silent prayer/meditation.

Commissioner Williams lead the Pledge of Allegiance.

ROLL CALL

Present: Heng, Becerra, Gutierrez, Williams, Lewis

Absent: None

City Staff Present: Bettenhausen, Morales, Burns

APPROVAL OF MINUTES:

Regular meeting, May 10, 2022 – The minutes were approved as submitted.

ORAL COMMUNICATIONS - None

CONSENT CALENDAR

1. Extension of time for Tentative Tract (TPM) No. 82638, Administrative Use Permit (AUP) No. 19-35, Subcommittee for Design Review No. 19-62, and Tree Removal Permit No. 20-03 at 1177 South Spring Meadow Drive.

Motion by Gutierrez, seconded Lewis, to approve the Consent Calendar. Motion carried 5-0.

PUBLIC HEARINGS – None

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS (Heard out of order.)

None

2. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT (Heard out of order)

- a. Forthcoming – June 28, 2022

- b. Fourth of July parade and street fair, Summer Concert Series
- 4. CITY COUNCIL ACTION (Heard out of order.)
 - a. Ordinance for The Grove Specific Plan approved.
 - b. June 21, 2022 – Ordinance for Accessory Dwelling Units and the annual Art in Public Places work program will be on the Council agenda.

NON-HEARING ITEMS (Heard out of order)

- 1. Study Session – An oral presentation regarding the Brown Act.

City Attorney Baron Bettenhausen presented the staff report.

Discussion by the Commission.

ADJOURNMENT

Chairman Lewis adjourned the meeting at 7:38 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant

ADOPTED AS SUBMITTED ON:

ADOPTED AS AMENDED ON:

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CONDITIONAL USE PERMIT NO. 22-01

CATEGORICAL EXEMPTION

APPLICANT: Rodney Khan (2nd Home Adult Day Health Care)

LOCATION: 501 S. Vincent Avenue, Suite 102

REQUEST: The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow for a new adult day care facility, 2nd Home Adult Day Health Care, to be located within a 9,975 square foot tenant space.

BACKGROUND

The applicant is requesting approval of a Conditional Use Permit for the use of a new adult day care facility at 501 South Vincent Avenue, that will be called 2nd Home Adult Day Health Care. The subject property is in the General Urban Zone and is located along S. Vincent Avenue, south of its intersection with W. Covina Parkway, in the Vincent Plaza shopping center.

Item	Description
Zoning and General Plan	Zoning: "General Urban" (GU) General Plan: "Neighborhood - Medium Density Residential" (NM), Downtown Plan
Surrounding Land Uses and Zoning	North: "Single-Family Residential" (R-1), "Neighborhood - Medium Density Residential" (NM) East: "Neighborhood - Medium Density Residential" (NM) South: "Service Commercial" (S-C), "Neighborhood - Medium Density Residential" (NM), Multi-Family Residential (MF-20) West: "Single-Family Residential" (R-1)
Current Development	Shopping Center
Legal Notice	Notices of Public Hearing have been mailed to 125 owners and occupants of properties within 300 feet of the subject site. In addition, the public hearing notice was published in the San Gabriel Valley Tribune at least 10 days prior to tonight's meeting.

DISCUSSION

The applicant is requesting the approval of a Conditional Use Permit to allow for the operation of an adult day care facility for participants ranging from 60 to 90 years old. The Downtown Plan requires a Conditional Use Permit for an adult day care center in the "General Urban" (GU) Zone. The tenant space was previously occupied by a retail use.

Business Operation - The proposed business is 2nd Home Adult Day Health Care, an adult day care facility. The applicant has indicated that the adult day care facility will be open five days a week. Business hours will be Monday through Friday, from 8:00 a.m. to 4:00 p.m. The number of employees will be twelve (12) at any given time, and includes registered nurses and licensed vocational nurses. The interior of the building would include an open recreational area, five (5) offices, a nursing office, a commercial kitchen, a women's restroom, and a men's restroom.

The applicant has submitted a business operation plan that indicates the typical age of the participants is 65 years of age. Overall, the participant's age ranges from 60 years of age to 90 years of age, and includes veterans and physically disabled participants. The type of care provided will include physical therapy, speech therapy and chiropractic services. For entertainment, there will be brain games, healthcare informational sessions, religious visitations, birthday and holiday celebrations, along with other social activities. Two meals a day are provided, along with snacks, to ensure that participants meet prescribed nutritional standards. Participants will be dropped off by family members, drive their own cars, and/or arrive and depart via public transportation. The number of participants expected per day will range from 150 to 200.

Parking - The Downtown Plan requires 0.65 cumulative parking requirements per the West Covina Municipal Code (WCMC). As such, the adult day care facility requires a minimum of 26 parking spaces. The facility will provide two (2) ADA-compliant parking spaces, and 36 regular parking spaces, for a total of 38 parking spaces. For these types of facilities, the vast majority of clients are picked up and dropped off; the parking demand is primarily due to employees, which will be no more than 12 at any given time. The total number of parking spaces for the subject parcel shared with the two neighboring tenants is 290 parking spaces. Based on the proposed use, the limited hours of operation, and the existing uses at the site, it is anticipated that the parking demand will not exceed the amount of parking available.

REQUIRED FINDINGS

Findings necessary for the approval of a Conditional Use Permit are as follows:

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

The proposed use is consistent with the "General Urban" Zone in the Downtown Plan. The "General Urban" Zone is comprised primarily of community serving retail, office, entertainment, and hospitality uses. The proposed use is an adult day care facility with a floor area of 9,975 square feet. The adult day care facility would provide recreational services for adult participants. The adult day care facility would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed adult day care facility use meets all the applicable requirements of the "General Urban" Zone.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The proposed adult day care facility will occupy an existing vacant tenant space. The business hours are Monday through Friday from 8:00 a.m. to 4:00 p.m. With the conditions of approval, the proposed adult day care facility will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible there with

The existing building and site is adequate in size and designed to accommodate the proposed adult day care facility. As conditioned, sufficient parking exists on the site to accommodate the adult day care facility use and other tenants within the shopping center.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The subject property abuts South Vincent Avenue. The site can be accessed via South Vincent Avenue and West Christopher Street. The proposed adult day care facility use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.

e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

Granting the Conditional Use Permit for the proposed use of an adult day care facility would allow the opportunity for the surrounding community to have access to social activities and care. The proposed adult day care facility would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15303 (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt Resolution No. 22-6108 approving Conditional Use Permit No. 22-01.

LARGE ATTACHMENTS

Plans may be viewed at the West Covina City Hall Planning Division Counter at 1444 W. Garvey Avenue South, 2nd Floor - Room 208, West Covina CA 91790.

Submitted by:

Attachments

Attachment No. 1 - Resolution of Approval

Attachment 2: Business Operation Plan

P L A N N I N G C O M M I S S I O N

R E S O L U T I O N N O . 22-6108

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 22-01

CONDITIONAL USE PERMIT NO. 22-01

CATEGORICAL EXEMPTION

APPLICANT: Rodney Khan (2nd Home Adult Day Health Care)

LOCATION: 501 S Vincent Avenue, Suite 102

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Conditional Use Permit to:

Allow the operation of an adult day care facility in an existing 9,975 square foot tenant space on certain property described as follows:

Assessor Parcel No. 8475-007-036 as shown on the latest rolls of the Los Angeles County Tax Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 28th day of June 2022, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a Conditional Use Permit to allow for the use of an adult day care facility within an existing 9,975 square-foot tenant space in the “General Urban” Zone.
2. Findings necessary for approval of a Conditional Use Permit are as follows:
 - a. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.*

- b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*
 - c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.*
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.*
 - e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a Conditional Use Permit:
- a. The proposed use is consistent with the "General Urban" Zone in the Downtown Plan. The "General Urban" Zone is comprised primarily of community serving retail, office, entertainment, and hospitality uses. The proposed use is an adult day care facility with a floor area of 9,975 square-feet. The adult day care facility would provide recreational services for adult participants. The adult day care facility would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed adult day care facility use meets all the applicable requirements of the "General Urban" Zone.
 - b. The proposed adult day care facility will occupy an existing vacant tenant space. The business hours are Monday through Friday from 8:00 a.m. to 4:00 p.m. With the conditions of approval, the proposed adult day care facility will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.
 - c. The existing building and site is adequate in size and designed to accommodate the proposed adult day care facility. As conditioned, sufficient parking exists on

the site to accommodate the adult day care facility use and other tenants within the shopping center.

- d. The subject property abuts South Vincent Avenue. The site can be accessed via South Vincent Avenue and West Christopher Street. The proposed adult day care facility use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
- e. Granting the Conditional Use Permit for the proposed use of an adult day care facility would allow the opportunity for the surrounding community to have access to social activities and care. The proposed adult day care facility would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.

Policy 2.1 Maintain and enhance the City's current tax base.

Policy 2.4 Building on and grow West Covina's regional appeal.

- 2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 22-01 is approved subject to the provisions of the West Covina Municipal Code provided that the physical development of the herein described property shall conform to said Conditional Use Permit and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director before the use or occupancy of the property is commenced and before a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said conditional use permit by the Planning Commission or City Council.
- 3. The Conditional Use Permit shall not be effective for any purpose until the owner of the property involved (or his duly authorized representative) has filed at the office of the Community Development Director his affidavit stating he is aware of, and accepts, all conditions of this Conditional Use Permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
- 4. The costs and expenses of any enforcement activities, including, but not limited to attorney's fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
- 5. That the approval of the Conditional Use Permit is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on June 28, 2022.

- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all requirements of the “General Urban” Zone.
- d. The approved adult day care facility allows for an adult care program.
- e. The adult day care facility is approved to operate Monday through Friday from 8:00 a.m. to 4:00 p.m.
- f. Staff shall closely monitor any parking complaints or concerns filed regarding the adult day care facility use. The applicant and/or business operator shall work with staff to address any parking issues. In the event where issues remain unresolved, the Planning Commission shall review the Conditional Use Permit for the use and may, at its discretion, modify or impose new conditions.
- g. The adult day care facility is approved for 9,975 square feet. Any addition or modification of the use shall require the submittal of a new Conditional Use Permit.
- h. During construction, the delivery of materials and equipment, outdoor operations of equipment and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- i. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
- j. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.
- k. The operation of the facility shall comply with the West Covina Noise Ordinance.
- l. This approval does not include the approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
- m. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.
- n. The Conditional Use Permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal code.

o. BUILDING DEPARTMENT

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
3. Site plan shall show the unit numbers of the adjacent spaces along with the proposed tenant space.
4. South Coast Air Quality Management District must be contacted prior to any demolition or renovation. Call (909) 396-2000 for further information. Failure to comply with the provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.
5. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
6. Should the proposed alteration to the existing storefront involving modification of existing structural elements, structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
7. All State of California disability access regulations for accessibility shall be complied with.
8. Approval is required from the Los Angeles County Health Department for food handling and/or storage.
9. Building or tenant space occupied by more than 6 clients who receive custodial care shall be classified as I-4 Group Occupancy in accordance with California Building Code (CBC).
10. Changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in California Existing Building Code in effect.
11. The construction document shall demonstrate how the existing building can qualify as Type VA construction as well as how the allowable building area requirement is satisfied for the existing building per Section 506 of the CBC considering the change of use to I-4 Group Occupancy.

12. The construction document shall demonstrate how occupancy separation is provided between I-4 Group Occupancy and adjacent tenant spaces, including the one above, of different occupancies per Table 508.4 of the CBC.
13. An automatic fire alarm system shall be provided per Section 907.2.3.10 of CBC.
14. Smoke alarm and Carbon Monoxide detection shall be provided per Chapter 9 of the CBC.
15. Electrical plan check is required.
16. The project HVAC system shall comply with minimum ventilation rate according to the occupancy category per Table 402.1 of the California Mechanical Code.
17. Mechanical plan check is required.
18. Plumbing plan check is required.
19. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
20. Project shall comply with the CalGreen Nonresidential requirements.
21. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
22. Separate permit is required for Fire Sprinklers.

p. FIRE DEPARTMENT

1. Proof of fire sprinkler 5-year test and certification prior to final.
2. Proof of fire alarm annual test and certification prior to final.
3. Proof of hood system bi-annual test and certification prior to final.
4. New signage will be required for fire riser room/FACP room.
5. Existing red curbs must be repainted and striped prior to final.

6. Knox Box required for each unit.
7. A labeled key for each unit, along with a labeled master for exterior doors must be provided prior to final.
8. Any alteration to the existing fire protection systems will require a separate deferred submittal. Any non-permitted work may cause delay of final approval and issuance of Certificate of Occupancy.
9. Illuminated exit signage with emergency lighting.
10. Panic hardware where required.

NOTE: *Additional Fire Department requirements may be set upon future review of a full set of architectural plans.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 28th day of June 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: June 28, 2022

Nickolas Lewis, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission

Business Operation Plan
New Age Community Based Adult Services, Inc.
Adult Day Care Facility
501 S. Vincent Avenue
West Covina, CA 91790

New Age Community Based Adult Services, Inc. will be an important Adult Day Care facility that will enhance the health and wellbeing of the greater West Covina community and the adult day care participants. We will provide nutritious meals, access to health care, and the ability for participants to socialize with other participants, which is very important to both mental and physical health. This facility will be managed by Maryam Ghukasian, a Health Care Administrator, with extensive experience in operating Adult Day Care Facilities.

The Adult Day Care facility will occupy approximately 12,600 square feet and will operate:

- Monday – Friday (Saturday and Sunday will be closed).
- 8 am - 4 pm

The number of employees will be 12 at any given time and include Registered Nurses and Licensed Vocational Nurses.



The typical age of the participants is 65 years of age. Overall, the age ranges from 60 years of age all the way to 90 years of age. Included are veterans and physically disabled participants.

The type of care provided will include physical therapy, speech therapy and chiropractic services. For entertainment there will be brain games, healthcare informational sessions, religious visitations, birthday and holiday celebrations, along with other social activities.



Two meals a day are provided, along with snacks, to ensure that participants meet the prescribed nutritional standards.

Participants will be dropped off by family members, drive their own cars, or arrive / depart by public transportation such as Go West Dial-A-Ride and Access-A-Ride.

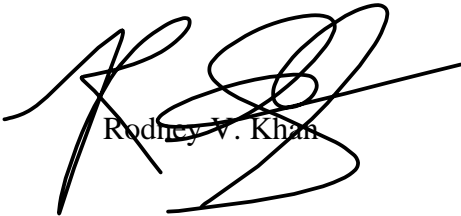
The number of participants expected per day will range from 150 to 200. The maximum number of participants will occur over a number of months and gradually increase as the business operates and establishes itself.

The Land Use Element of the General Plan designates the site as Neighborhood – Medium Density Residential (NM). The zoning for the property is General Urban Zone. The proposed Adult Day Care Facility is consistent with the land use and zoning designations. In addition, an Adult Day Care facility is an allowed use with a Conditional Use Permit.

This business at this location is very complimentary with other businesses in the shopping center as it has staggered peak hours. The Adult Day Care is busiest in the morning hours when the remainder of the shopping center is not as busy. Also, in the evenings and weekends when many of the adjacent businesses are busy the Adult Day Care Facility is closed.

To conclude, there has been an increase in the senior population, over the last few years, throughout the City. The Approval of the proposed Adult Day Care Facility, at this location, would show that the City is taking a responsible manner in addressing the need for Adult Day Care services for the community.

Thank you for your consideration,



Rodney V. Khan

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CONDITIONAL USE PERMIT NO. 22-03

CATEGORICAL EXEMPTION

APPLICANT: Lifetastic Learning (Ivy Choy Chiu)

LOCATION: 1414 S. Azusa Avenue, SUITE B18

REQUEST: The project consists of a Conditional Use Permit (CUP) to allow the operation of a tutoring center. The tutoring center relocate within South Hills Plaza Shopping Center to a 1,400-square foot tenant space.

BACKGROUND

The applicant is requesting approval of a CUP for the use of a tutoring center at 1414 S. Azusa Avenue, Suite B18, that will be called Lifetastic Learning. The subject property is located on the northeast corner of S. Azusa Avenue and E. Aroma Drive in the South Hills Plaza shopping center.

Item	Description
Zoning and General Plan	Zoning: Neighborhood Commercial (N-C) General Plan: Commercial (C)
Surrounding Land Uses and Zoning	North: Single-Family Residential (R-1) East: Single-Family Residential (R-1); Multi-Family Residential (MF-15) South: Multi-Family Residential (MF-20) West: Single-Family Residential (R-1); Multi-Family Residential (MF-15)
Current Development	South Hills Plaza (Shopping Center)
Legal Notice	Public Hearing Notices have been mailed to 485 owners and occupants of properties within 300 feet of the subject site.

DISCUSSION

The applicant is requesting approval to operate a tutoring center. The tutoring center would be located in a 1,400 square foot tenant space within the South Hills Plaza Shopping center. The proposed tutoring center would provide tutoring services for special-needs children that need special attention and specific necessities that other children do not.

Business Operation - The applicant has indicated that the tutoring center will be open six (6) days a week: Monday through Saturday from 1:30 p.m. to 6:00 p.m. There will be three (3) full-time employees and one (1) part-time employee. There will be a maximum of five (5) students per classroom at any given time. There are four (4) classrooms.

Parking - Parking at the center is shared among tenants and customers. Staff reviewed the site plan and found that there are 460 parking spaces provided. Based on the uses occupying the center, the

parking requirement is 438 parking spaces. The shopping center does include parking spaces in the rear of the shopping center behind the subject tenant space. The proposed tutoring center would require 12 parking spaces based on the parking calculation for school and the tutoring center uses (1 parking space per 2 employees, 1 parking space per 2 students).

REQUIRED FINDINGS

Findings necessary for the approval of a Conditional Use Permit are as follows:

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

The proposed use is consistent with the Commercial General Plan designation and the Neighborhood Commercial Zone. A Neighborhood Commercial Zone is composed primarily of moderate-intensity retail, recreational, and business office land uses. The proposed use is a tutoring center with a floor area of 1,400 square feet. The tutoring center would be known as Lifetastic Learning and would provide tutoring services to special needs children that need special attention and specific necessities that other children do not. The proposed use is on the northeast corner of Azusa Avenue and Aroma Drive. The tutoring center would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed tutoring center use meets all the applicable requirements of the Neighborhood Commercial Zone.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The proposed tutoring center will occupy a vacant tenant space. The business hours are Monday through Saturday from 1:30 p.m. to 6:00 p.m. With the conditions of approval, the proposed tutoring center will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The existing building and site is adequate in size and designed to accommodate the proposed tutoring center use. As conditioned, sufficient parking exists on the site to accommodate the tutoring center use and other tenants within the shopping center.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The subject property abuts South Azusa Avenue and East Aroma Drive. The site can be accessed via South Azusa Avenue and East Aroma Drive. The proposed tutoring center use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.

e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

Granting the Conditional Use Permit for the proposed use of a tutoring center would allow the opportunity for the surrounding community to have access to an after school program for children with special needs. The proposed tutoring center use would not compromise the character of the surrounding neighborhood

nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15303 (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt Resolution No. 22-6109 approving Conditional Use Permit No. 22-03.

LARGE ATTACHMENTS

Plans may be viewed at the West Covina City Hall Planning Division Counter at 1444 W. Garvey Avenue South, 2nd Floor - Room 208, West Covina CA 91790.

Submitted by: Jerry Rivera, Planning Assistant

Attachments

Attachment No. 1 - Resolution of Approval

Attachment No. 2 Business Operation Plan

P L A N N I N G C O M M I S S I O N

R E S O L U T I O N N O . 22-6109

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 22-03

CONDITIONAL USE PERMIT NO. 22-03

CATEGORICAL EXEMPTION

APPLICANT: Lifetastic Learning (Ivy Choy Chiu)

LOCATION: 1414 S. Azusa Avenue, Suite B18

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Conditional Use Permit to:

Allow the operation of a tutoring center in an existing 1,400 square foot tenant space on certain property described as follows:

Assessor Parcel No. 8493-040-179 as shown on the latest rolls of the Los Angeles County Tax Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 28th day of June 2022, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a Conditional Use Permit to allow for the use of a tutoring center within an existing 1,400 square-foot tenant space in the “Neighborhood Commercial Zone” (N-C).
2. Findings necessary for approval of a Conditional Use Permit are as follows:
 - a. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.*

- b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*
 - c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.*
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.*
 - e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities)

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a Conditional Use Permit:
 - a. The proposed use is consistent with the "Commercial" General Plan designation and the "Neighborhood Commercial" Zone. A "Neighborhood Commercial" Zone is composed primarily of moderate-intensity retail, recreational, and business office land uses. The proposed use is a tutoring center with a floor area of 1,400 square feet. The tutoring center would be known as Lifetastic Learning and would provide after-school tutoring services to kids with special needs from k-12. The proposed use is on the northeast corner of Azusa Avenue and Aroma Drive. The tutoring center use would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed tutoring center use meets all the applicable requirements of the "Neighborhood Commercial" Zone.
 - b. The proposed tutoring center use will occupy an existing vacant tenant space. The business hours will be Monday through Saturday from 1:30 p.m. to 6:00 p.m. With the conditions of approval, the proposed tutoring center will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

- c. The existing building and site are adequate in size and designed to accommodate the proposed tutoring center use. As conditioned, sufficient parking exists on the site to accommodate the tutoring center use and other tenants within the shopping center.
 - d. The subject property abuts South Azusa Avenue and East Aroma Drive. The site can be accessed via South Azusa Avenue and East Aroma Drive. The proposed tutoring center use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
 - e. Granting the Conditional Use Permit for the proposed use of a tutoring center would allow the opportunity for the surrounding community to have access to an after-school program for children with special needs. The proposed tutoring center use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 22-03 is approved subject to the provisions of the West Covina Municipal Code provided that the physical development of the herein described property shall conform to said Conditional Use Permit and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director before the use or occupancy of the property is commenced and before a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said conditional use permit by the Planning Commission or City Council.
3. The Conditional Use Permit shall not be effective for any purpose until the owner of the property involved (or his duly authorized representative) has filed at the office of the Community Development Director his affidavit stating he is aware of, and accepts, all conditions of this conditional use permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
4. The costs and expenses of any enforcement activities, including, but not limited to attorney's fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
5. That the approval of the Conditional Use Permit is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on June 28, 2022.

- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all requirements of the “Neighborhood Commercial” Zone.
- d. The approved tutoring center allows for an after-school tutoring program.
- e. The tutoring center is approved to operate Monday through Saturday from 1:30 p.m. to 6:00 p.m.
- f. Staff shall closely monitor any parking complaints or concerns filed regarding the tutoring center use. The applicant and/or business operator shall work with staff to address any parking issues. In the event where issues remain unresolved, the Planning Commission shall review the Conditional Use Permit for the use and may, at its discretion, modify or impose new conditions.
- g. The tutoring center is approved for 1,400-square feet. Any addition or modification of the use shall require the submittal of a new Conditional Use Permit.
- h. During construction, the delivery of materials and equipment, outdoor operations of equipment and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- i. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
- j. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.
- k. The operation of the facility shall comply with the West Covina Noise Ordinance.
- l. This approval does not include the approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
- m. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.
- n. The Conditional Use Permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal code.

o. BUILDING DEPARTMENT

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. The use of a tutoring center for training and skill development not in a school or academic program regardless of the ages served shall be classified as Business Group B Occupancy.
3. An open classroom shall not have seating in excess of the maximum occupant load calculated using the load factor of 20 per square feet.
4. To operate the business as Group B Occupancy, the net open classroom in floor area shall not exceed 750 square feet, and the total occupant load of the entire unit calculated using Table 1004.5 of the California Building Code shall not exceed 49.

p. FIRE DEPARTMENT

1. Proof of fire sprinkler 5-year test and certification prior to final
2. Proof of fire alarm annual test and certification prior to final
3. Existing red curbs must be repainted and striped prior to final
4. Knox Box required for each unit
5. A labeled key for each unit, along with a labeled master for exterior doors must be provided prior to final
6. Any alteration to the existing fire protection systems will require a separate deferred submittal. Any non-permitted work may cause delay of final approval and issuance of Certificate of Occupancy.
7. Illuminated exit signage with emergency lighting
8. Panic hardware where required

NOTE: *Additional Fire Department requirements may be set upon future review of a full set of architectural plans.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 28th day of June 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: June 28, 2022

Nickolas Lewis, Chairperson
Planning Commission

Paulina Morales, Secretary
Planning Commission

Lifetastic Learning

Business Operation Plan

Address: 1414 S. Azusa Ave, B18, West Covina, CA 91791

Lifetastic Learning focuses on providing enrichment activities for kids with special needs such as Autism, ADHD, learning disabilities, and etc. All our activities help kids with special needs to build their social skills, communication skills, independent living skills, fine motor, and gross skills. Our class ratio is 1:3 and each class will have a maximum of 5 students. With this small class ratio, instructors will have opportunities to observe and be more attentive with the students, make sure they comprehend the instructions, and provide assistance when needed.

The founder of Lifetastic Learning, Alice Lee, has been working with kids with special needs for over 15 years. She is BCBA (Board Certified Behavior Analyst) certified since 2016. Alice believes in the hidden potential of all kids with special needs and loves to help them to explore their own strength. Kids with special needs deserve to have fun in life beside all the therapies. Lifetastic learning is a place for them to find their special talent and a way to enjoy their life.

Lifetastic Learning welcomes kids with special needs from K-12. We provide a variety of activities, with each session at 60 minutes including break time. Each activity has a total of 12 sessions and are in a fixed curriculum schedule. \$65/hour per class. We collect payment monthly, and accept Cash or Check.

Lifetastic learning does not provide pick up services. Caregivers have to drop off kids to Lifetastic Learning themselves, sign kids in upon arrival, and sign off during pick up.

Operation Hours:

Monday: 1:30pm-6:00pm

Tuesday: 1:30pm-6:00pm

Wednesday: 1:30pm-6:00pm

Thursday: 1:30pm-6:00pm

Friday: 1:30pm-6:00pm

Saturday: 1:30pm-6:00pm

Classes:

Piano

Piano lessons offer an activity where children can learn to accept and utilize constructive criticism. Overcoming negative feedback with practice and accomplishing goals will help build confidence and self-esteem in students. Recitals and other performances will help build confidence in other non-musical areas such as public speaking. Also, having a musical skill can help a child stand out from everyone else, further adding to their self-confidence.

Rainbow bell

Learn to play basic songs with 8 colorful rainbow desk bells. It helps kids to learn about music note, recognise Color, basic rhythms, and play along song with peers.

Game Master

We introduce board games to students in a fun and exciting way! For all students and all levels, we teach students to play different kinds of board games and help them succeed in school by stimulating their problem-solving skills, analytical skills, and critical thinking. Includes exclusive booklets and worksheets. Win certificates, medals, and trophies!

Fun Yoga

Fun yoga teaches yoga to children and provides kids with a variety of yoga tools that they can take away from yoga class and use throughout their lives. Through basic and challenging yoga poses, partner poses, group poses, yoga games, mindfulness activities, music and stories, we promote strength, flexibility, coordination, and body awareness. Breathing and visualization techniques teach focus, relaxation and self-control. Fun yoga also promotes inner-strength, confidence and self-esteem; a feeling of well-being and respect for others; and, love for one's self, inside and out.

Science Club

Chemistry is amazing! Conduct physical and chemical experiments and learn what makes them work. Make your own desiccators and Elephant Toothpaste, grow copper sulfate crystals, and get ready for an instant snowstorm! All reactions are done outdoors and students wear protective goggles.

Lego Engineering

Being LEGO Smart is more than building with LEGO bricks--it's having the ability to work in teams, solve problems, and create solutions, as you explore your creativity! Join us for the perfect combination of learning and fun!

Mathtastic

Learn math through real life. Mathtastic helps kids to learn to use their math skills in real life, such as money values when going to shop at the supermarket, converting units when doing measurements when cooking, and time concepts when working in their schedule. Kids will learn communication skills when working as a group. Problems solve fun math everyday.

Comic creation

Cartooning is a great way to learn how to sketch and draw. You will learn to create your own characters as well as popular characters from Disney, Anime, and more! Learn about storylines, design, coloring, and lettering, as you create your very own comic book!

Recycled Art Workshop!

Turn your recyclables, found objects and even your family's trash into precious art! Make bottle cap fish escapes, water bottle hanging planters, bug hotels, tin can wind chimes and more! With the Recycled Art Workshop, students will develop an appreciation for used materials, learn about cultural differences regarding recycling, and further their understanding of saving the planet.

Chef junior

Kids will tantalize their taste buds and have fun with food! Different recipes each week from appetizers to entrees, snacks, desserts and more! Learn about nutrition, dining etiquette, and cooperation skills in this scrumptious class!

Kids Acting Workshop!

Acting exposes students to characterization, plot structure, ensemble acting, creativity, the art of listening and silence, and following directions all through the use of various theater games. Come join the fun!

Fun and fitness

Introducing a fun and energetic class where kids participate in a variety of interactive physical games including dodge ball, capture the Flag, real life angry bird, obstacle course, scavenger hunts and more. This program encourages positive social interaction, team building, and gross motor skills development.

Magic Academy!

Ever wonder how a Magician does a magic trick? This class unlocks some of the secrets to the techniques of magic. Students will gain skills in acting, comedy, and memorization that are essential to a magician's performance. They will use a variety of normal household items such as cards, coins, cups & balls, and rope, and learn cool simple tricks!

Sensory Treasure box

Kids learn about their feelings, body parts, five senses and physical needs through making their sensory treasure. Sensory treasure boxes provide activities that incorporate the senses can be an effective way to improve your kid's attention span, self-expression and reduce any anxiety related worries.

Soccer SuperStars!

Develop your soccer skills in this fun, educational, and active class! Students will learn the fundamentals of each position and basic soccer strategies as they hone their shooting, dribbling, passing, defending and ball control skills! Our emphasis is on sportsmanship, teamwork, and character development.

ITEM NO. 4. a.

DATE: June 28, 2022

TO: Planning Commission
FROM: Planning Division
SUBJECT: Forthcoming - July 12, 2022

Attachments

Forthcoming 7.12.22

AGENDA NO. 4. a.

DATE: June 28, 2022

FORTHCOMING PLANNING COMMISSION HEARING

July 12, 2022

A. CONSENT CALENDAR

(1)

EXTENSION OF TIME

PRECISE PLAN NO. 18-02,

CONDITIONAL USE PERMIT NO. 18-02

APPLICANT: 1415 Garvey, LLC

REQUEST: Assisted Living Facility

B. PUBLIC HEARINGS

(1)

CONDITIONAL USE PERMIT NO. 22-04

APPLICANT: Stephen Jamieson

LOCATION: 2539 East Garvey Avenue North

REQUEST: Instructional tasting events for beer, wine and distilled spirits (Type 86) within a supermarket

C. NON-HEARING ITEMS

None

July 26, 2022

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

None

C. NON-HEARING ITEMS

None