



**CITY OF WEST COVINA**

**PLANNING COMMISSION**

**FEBRUARY 28, 2023, 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**

**1. APPROVAL OF MINUTES**

Regular meeting, February 14, 2023

## 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. **ADMINISTRATIVE USE PERMIT NO. 22-14  
SUBCOMMITTEE DESIGN REVIEW NO. 22-124  
CATEGORICAL EXEMPTION  
APPLICANT: K.C. Fong  
LOCATION: 345 S. Grand Avenue  
REQUEST: The applicant is requesting the approval of an Administrative Use Permit (AUP) to construct a new 3,000 square foot two-story single-family residence with an attached 400 square foot two-car garage on a 22,196 square foot vacant lot. This is a continued public hearing item from the February 14, 2023 Planning Commission meeting.**

## NON-HEARING ITEMS

3. **ART IN PUBLIC PLACES NO. 22-01  
1115 S. SUNSET AVENUE - EMANATE HEALTH (QUEEN OF THE VALLEY)**
4. **DEVELOPMENT CODE UPDATE PRESENTATION**

**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.

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

**6. CITY COUNCIL ACTION:**

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

**ADJOURNMENT**

**ITEM NO. 1.**

**TO:** Planning Commission  
**FROM:** Planning Division  
**SUBJECT:** **APPROVAL OF MINUTES**

**DATE:** **February 28, 2023**

Regular meeting, February 14, 2023

---

**Attachments**

Minutes 2.14.23

# DRAFT

## MINUTES REGULAR MEETING OF THE PLANNING COMMISSION CITY OF WEST COVINA Tuesday, February 14, 2023

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina City Council Chambers, 1444 West Garvey Avenue, West Covina, California.

### MOMENT OF SILENT PRAYER/MEDITATION

The Commission observed a moment of silent prayer and meditation.

### PLEDGE OF ALLEGIANCE

Heng led the Pledge of Allegiance

### ROLL CALL

Present: Lewis, Gutierrez, Williams, Heng, Becerra  
City Staff Present: Bettenhausen, Burns, Machado, Rivera, Berrospe

### APPROVAL OF MINUTES

1. Regular meeting, December 13, 2022  
Regular meeting, January 24, 2023

The minutes were approved as submitted.

### 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.

None

6. **ART IN PUBLIC PLACES NO. 22-01 (Heard out of order)**  
**1115 S. SUNSET AVENUE - EMANATE HEALTH (QUEEN OF THE VALLEY)**

Planning Manager Jo-Anne Burns presented the staff report.

Ken Fuller, representing Emanate Health (Queen of the Valley) spoke regarding the proposed artwork.

Comments and questions by the Commission.

Motion by Lewis, seconded by Williams, that the artist make the amendments to the proposed artwork recommended by the Commission. Motion carried 4-1, Gutierrez abstained.

**PUBLIC HEARINGS**

2. **CONDITIONAL USE PERMIT NO. 22-06**  
**CATEGORICAL EXEMPTION**  
**APPLICANT: Haneesha Desai (Kumon Tutoring Center)**  
**LOCATION: 150 North Grand Avenue, Suite 132**  
**REQUEST: The applicant is requesting a Conditional Use Permit (CUP) to allow for the operation of a tutoring center. The tutoring center will remain within the Grand Creek Shopping Center, relocating to an existing 1,760 square foot tenant space.**

Planning Aide Martin Berrospe presented the staff report.

Chairman Lewis opened the public hearing.

PROPONENT;

Haneesha Desai, representing the Kumon Tutoring Center, spoke in favor of the application and answered questions by the Commission.

OPPONENTS:

None

Chairman Lewis closed the public hearing.

Motion by Heng, seconded by Williams, to waive further reading and adopt Resolution No. 23-6119, approving Conditional Use Permit No. 22-06. Motion carried 4-0, Gutierrez absent.

Chairman Lewis stated that this action is final unless appealed to the City Council within ten days.

3. **CONDITIONAL USE PERMIT NO. 22-08**  
**CATEGORICAL EXEMPTION**  
**APPLICANT: Man Hon So**  
**LOCATION: 1414 S Azusa Ave, SUITE B-13**  
**REQUEST: The project consists of a Conditional Use Permit (CUP) to allow the operation of a tutoring center. The tutoring center is located within the South Hills Plaza Shopping Center in a 1,750-square foot tenant space.**

Assistant Planner Jerry Rivera presented the staff report.

Chairman Lewis opened the public hearing.

PROPONENT:

Man Hon So, applicant, spoke in favor of the request and answered questions by the Commission.

OPPONENTS:

None

Chairman Lewis closed the public hearing.

Discussion by the Commission.

Motion by Becerra, seconded by Heng, to waive further reading and adopt Resolution No. 23-6120 approving Conditional Use Permit No. 22-08. Motion carried 5-0.

Chairman Lewis stated this action is final unless appealed to the City Council within ten days.

4. **ADMINISTRATIVE USE PERMIT NO. 22-14**  
**SUBCOMMITTEE DESIGN REVIEW NO. 22-124**  
**CATEGORICAL EXEMPTION**  
**APPLICANT: K.C. Fong**  
**LOCATION: 345 S. Grand Avenue**  
**REQUEST: The applicant is requesting the approval of an Administrative Use Permit (AUP) to construct a new 3,000 square foot two-story single-family residence with an attached 400 square foot two-car garage on a 22,196 square foot vacant lot.**

Associate Planner Miriam Machado presented the staff report.

PROPONENT:

KC Fong, applicant, spoke in favor of the project and answered questions by the Commission.

OPPONENTS:

De'Borah Zaragoza, Fil Arzola, Deloris Haddow, Norman Schultheiss, Joe Torrecillas, Chris Haddow, Arecelia Diaz, Linda and Richard Klein spoke in opposition.

REBUTTAL:

KC Fong rebutted testimony in opposition and answered further questions from the Commission.

Chairman Lewis closed the public hearing.

Discussion by the Commission and comments by the City Attorney.

Motion by Heng, seconded by Williams, to continue the public hearing to February 28, 2023.  
Motion carried 5-0.

Discussion by the Commission regarding testimony by the opponents.

Chairman Lewis closed the public hearing.

## NON-HEARING ITEMS

### 5. FINDING OF CONFORMANCE WITH THE CITY'S GENERAL PLAN FOR VACATION OF A 1,801 SQ. FT. PROPERTY LOCATED ON THE CORNER OF VINCENT AVENUE AND WEST GARVEY AVENUE NORTH

Planning Manager Jo-Anne Burns presented the staff report.

Questions and comments by the Commission.

Motion by Williams, seconded by Gutierrez, to adopt Resolution No. 23-6122, determining that the vacation of a 1,801 square foot lot located at the corner of Vincent Avenue and West Garvey Avenue North is consistent with the City of West Covina's General Plan. Motion carried 4-1 (Lewis opposed.)

**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.

None

### 6. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- a. Forthcoming
  - Study Session - February 28, 2023, Development Code Update
  - Planning Commissioner's Academy
  - Centennial Festival and Dinner

### 7. CITY COUNCIL ACTION:

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

Review of Planning Commission recommendation for Drive Through Restaurants and Shopping Cart Containment to be considered at February 21, 2023 meeting.



## **ADJOURNMENT**

Chairman Lewis adjourned the meeting at 9:32 p.m.

Respectfully submitted:

Lydia de Zara  
Senior Administrative Assistant

**PLANNING DEPARTMENT STAFF REPORT**

---

**SUBJECT**

**ADMINISTRATIVE USE PERMIT NO. 22-14**

**SUBCOMMITTEE DESIGN REVIEW NO. 22-124**

**CATEGORICAL EXEMPTION**

**APPLICANT: K.C. Fong**

**LOCATION: 345 S. Grand Avenue**

**REQUEST:** The applicant is requesting the approval of an Administrative Use Permit (AUP) to construct a new 3,000 square foot two-story single-family residence with an attached 400 square foot two-car garage on a 22,196 square foot vacant lot. This is a continued public hearing item from the February 14, 2023 Planning Commission meeting.

**BACKGROUND**

During the public review period, planning staff received six (6) requests for a public hearing. Based on the requests received, planning staff forwarded the AUP to the Planning Commission. The Planning Commission meeting took place on February 14, 2023. The Planning Commission continued the item to the February 28, 2023 meeting, to allow the Planning Commission time to schedule on-site visits to the subject site with the applicant and concerned neighbors. During the public hearing, nine (9) neighbors addressed the Planning Commission with concerns pertaining to potential privacy impacts and view obstructions. In addition, the northerly neighbor expressed concerns that the proposed house would be constructed too close to his property based on his measurement of the storypole location.

**DISCUSSION**

The continuance allowed Planning Commissioners to schedule the requested site visits.

The applicant contacted the storypole contractor to verify if the storypoles were installed correctly. It was determined that the storypoles were not installed in the correct location and the contractor has since fixed the storypoles so that they accurately reflect the location of the proposed house. Since the February 14th Planning Commission meeting, staff has added a condition of approval requiring the applicant to submit a property survey prepared and stamped by a licensed surveyor that includes the location of the property lines staked/identified on site prior to building permit issuance. The concerns pertaining to privacy would be addressed by conditions of approval requiring landscaping screening (along the property lines). In addition, the proposed home exceeds the minimum setback requirements, distancing the home from the property lines.

**REQUIRED FINDINGS**

Prior to granting approval of an Administrative Use Permit, the following findings are required to be found:

***a. That the lot and proposed development is consistent with the general plan, zoning, and meets all other applicable code requirements.***

The proposed house is consistent with the Neighborhood Low (up to 8 dwelling units per acre) General Plan designation and the Residential Single-Family (R-1) Zone, in that it consists of the construction of one single-family residence on the lot. The project meets all applicable requirements of the Residential Single-Family (R-1) Zone and Area District III.

***b. That the development utilizes building materials, color schemes and a roof style which blend with the existing structure, if any, and results in a development which is harmonious in scale and mass with the surrounding residences.***

The neighborhood consists of a mixture of one-story and two-story homes and features a variety of architectural styles. The proposed two-story house features a modern architectural style with a flat roof, large clear-tempered double pane windows, smooth-finished stucco and wood siding.

***c. That the development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles.***

The proposed house will be accessible from a driveway off of South Grand Avenue and will not negatively impact circulation or safety for pedestrians and vehicles. The subject property is within all setbacks as required by the Municipal Code. The proposed house does not have negative effects on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-the-way. The Fire Department and Engineering Division has worked with the applicant to ensure that there will not be any vehicle circulation safety issues.

***d. That the development can be adequately served by existing or required infrastructure and services.***

The lot is adequately served by existing infrastructure (streets, sewer, water, etc.). The proposed two-story house is not anticipated to require additional infrastructure or services beyond that provided for the existing residences nearby. Therefore, the development can be adequately served by existing infrastructure and services.

***e. That the design of the structure has given consideration to the privacy of surrounding properties through the usage and placement of windows and doors, cantilevers, decks, balconies, minimal retaining walls, trees and other buffering landscaping materials.***

As conditioned, the windows on the second floor that face the single-story houses will not cause privacy impacts due to a combination of distance/setback, design, and landscape screening requirements.

***f. That the development is sensitive to the natural terrain, minimizes necessary grading, de-emphasizes vertical massing which could disrupt the profile of a natural slope, and does not impede any scenic vistas or views open to the public or surrounding properties.***

The proposal is sensitive to the natural terrain in that there are no major terrain modifications. Any necessary precise grading for construction will require that a grading permit be obtained from the Engineering Division. The project proposes a new two-story house that would not impede any scenic views from surrounding properties.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15303 (Class 3, New Construction) in that it consists of construction of one single-family residence in a residential zone.

## **STAFF RECOMMENDATIONS**

Planning Staff recommends that the Planning Commission adopt Resolution No. 23-6121 approving Administrative Use Permit No. 22-14 and Subcommittee Design Review No. 22-124.

## **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:** Miriam Machado, Associate Planner

---

### **Attachments**

Attachment No. 1 - Resolution of Approval

Attachment No. 2 - 02.14.2023 Staff Report

**PLANNING COMMISSION**

**RESOLUTION NO. 23-6121**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE PERMIT NO. 22-14.**

---

**ADMINISTRATIVE USE PERMIT NO. 22-14**

**SUBCOMMITTEE DESIGN REVIEW NO. 22-124**

**CATEGORICAL EXEMPTION**

**APPLICANT:** K.C. Fong

**LOCATION:** 345 S. Grand Avenue

---

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 an Administrative Use Permit to construct a 3,000 square foot two-story single-family residence within the parcel described as follows:

Assessor Parcel No. 8277-011-019, 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 28<sup>th</sup> day of February, 2023, 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 an Administrative Use Permit to allow for the construction of a 3,000 square foot two-story single-family residence with a 400 square foot attached garage. The subject property is located in the “Residential Single Family” (R-1) Zone.
2. Findings necessary for approval of an Administrative Use Permit are as follows:
  - a. *That the lot and proposed development is consistent with the general plan, zoning, and meets all other applicable code requirements.*

- b. That the development utilizes building materials, color schemes and a roof style which blend with the existing structure, if any, and results in a development which is harmonious in scale and mass with the surrounding residences.*
  - c. That the development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles.*
  - d. That the development can be adequately served by existing or required infrastructure and services.*
  - e. That the design of the structure has given consideration to the privacy of surrounding properties through the usage and placement of windows and doors, cantilevers, decks, balconies, minimal retaining walls, trees and other buffering landscaping materials.*
  - f. That the development is sensitive to the natural terrain, minimizes necessary grading, de-emphasizes vertical massing which could disrupt the profile of a natural slope, and does not impede any scenic vistas or views open to the public or surrounding properties.*
3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 3, New Construction) in that the proposed use will consist of the construction of one single-family residence.

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 an Administrative Use Permit:
- a. The proposed house is consistent with the Neighborhood Low (up to 8 dwelling units per acre) General Plan designation and the Residential Single-Family (R-1) Zone, in that it consists of the construction of one single-family residence on the lot. The project meets all applicable requirements of the Residential Single-Family (R-1) Zone and Area District III.
  - b. The neighborhood consists of a mixture of one-story and two-story homes and features a variety of architectural styles. The proposed two-story house features a modern architectural style with a flat roof, large clear-tempered double pane windows, smooth-finished stucco and wood siding.
  - c. The proposed house will be accessible from a driveway off of South Grand Avenue and will not negatively impact circulation or safety for pedestrians and vehicles. The subject property is within all setbacks as required by the Municipal Code. The proposed house does not have negative effects on the convenience and safety of

circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-the-way.

- d. The lot is adequately served by existing infrastructure (streets, sewer, water, etc.). The proposed two-story house is not anticipated to require additional infrastructure or services beyond that provided for the existing residences nearby. Therefore, the development can be adequately served by existing infrastructure and services.
  - e. As conditioned, the windows on the second floor that face the single-story houses will not cause privacy impacts due to a combination of distance/setback, design, and landscape screening requirements.
  - f. The proposal is sensitive to the natural terrain in that there are no major terrain modifications. Any necessary precise grading for construction will require that a grading permit be obtained from the Engineering Division. The project proposes a new two-story house that would not impede any scenic views from surrounding properties.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 22-14 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 plan 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 Administrative Use Permit by the Planning Commission or City Council.
  3. The Administrative 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 Planning Director his affidavit stating he is aware of, and accepts, all conditions of this Administrative 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 pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 22-14 is approved, subject to the following conditions:
    - a. Comply with the plans reviewed by the Planning Commission on February 14, 2023.

- b. Comply with all requirements of the “Single-Family Residential” (R-1) Zone, Area District III, and all other applicable standards of the West Covina Municipal Code.
- c. The accessory dwelling unit is not a part of this approval and requires approval of a separate application (Second Unit Review).
- d. The approval is to allow for the following:
  - i. The construction of a 3,000 square foot two-story single-family residence, which will consist of a great room, a library, a kitchen, four (4) bedrooms, three (3) bathrooms, one (1) powder room, a laundry room and a loft.
  - ii. The construction of a 400 square foot attached two-car garage.
  - iii. The construction of a 266 square foot open patio at the side of the residence and an 88 square foot open patio at the rear of the residence.
- e. That prior to building permit issuance, the application shall submit a property survey prepared and stamped by a licensed surveyor that depicts the location of the property lines identified and staked on site.
- f. That prior to final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated, and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced, and the site shall be kept free of diseased or dead plant materials and litter at all times. All plantings indicated on the landscape plan shall be installed prior to Building permit final. A licensed landscape architect shall certify that all the required plantings have been installed in accordance with the approved landscape plan.
- g. The grade onsite shall not be increased to the point that the swimming pools located on the neighboring properties are made out of compliance and would no longer meet the pool fence/wall height protection requirements.
- h. Air conditioning and heating ducting shall not be exposed on roofs per West Covina Municipal Code Sec. 26-409. Roof-mounted mechanical equipment is not permitted.
- i. Any proposed change to the approved site plan, floor plan, or elevations must be reviewed by the Planning Division, and the written authorization of the Community Development Director shall be obtained prior to implementation.



- j. The approved use shall not create a public nuisance as defined in the West Covina Municipal Code Section 26-416 regarding landscape maintenance and property maintenance.
- k. This development shall conform to all applicable Municipal regulations, Fire, Building, Mechanical, Electrical, and Plumbing codes and recognized, standards of installation.
- l. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day.
- m. The applicant shall sign an affidavit accepting all conditions of this approval.
- n. All outstanding fees and any required development impact fees shall be paid prior to the issuance of a building permit.

o. **BUILDING DIVISION:**

- i. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- ii. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.
- iii. School Developmental Fees shall be paid to the School District prior to the issuance of the building permit.
- iv. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
- v. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
- vi. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
- vii. The property shall be surveyed, and the boundaries shall be marked by a land surveyor licensed by the State of California.
- viii. Foundation inspection will not be made until the excavation has been surveyed and the setbacks determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
- ix. Project shall comply with the CalGreen Residential requirements.

- x. Demolition permit is required for any existing buildings which are to be demolished.
- xi. Fire-resistance rating requirements for exterior walls and maximum area of exterior wall openings and degree of open protection based on fire separation distance of 0 to 5 feet for dwellings and accessory buildings shall comply with Table R302.1(1) or Table R302.1(2) as applicable.
- xii. A grading and drainage plan shall be approved by Engineering Division prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
- xiii. One (1) set of electronic plans in PDF shall be submitted for review to include the new house.

p. **ENGINEERING DIVISION:**

- i. The main house shall be addressed as “**345 S Grand Avenue**” and an application to assign the address shall be filed with the Engineering Division prior to plan check submittal.
- ii. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the Planning Division Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- iii. Reconstruct the driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
- iv. Install new five-foot concrete sidewalk behind landscaped parkway along the length of the property frontage in accordance with SPPWC Standard Plan 113-2, and as directed by the City Engineer and/or his/her designee.
- v. Remove and replace broken and off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
- vi. Rehabilitate existing AC street pavement along the length of the property frontage to the centerline of the street as indicated below, and as directed by the City Engineer or his/her designee.

- vii. If any, all construction graffiti shall be removed (any underground utility identifying spray paint markings on the sidewalk and pavement related to excavation due to construction).
- viii. A grading and drainage plan shall be submitted to engineering department and plans shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
- ix. Stormwater Planning Program LID Plan Checklist (Form PC) completed by Engineer of Record shall be copied on the first sheet of the Grading Plans. The form can be found at the following link: <https://www.westcovina.org/home/showdocument?id=18427>.

q. **FIRE DEPARTMENT:**

- i. NFPA 13D Fire Sprinkler System required in the new house.
- ii. New Fire Flow Test required.
- iii. Required Fire Flow of 1,000 GPM @ 20 psi for 2 hours.
- iv. Ensure that there is at least 1 fire hydrant within 600 feet of the property line.
- v. Hard-wired smoke and carbon monoxide detectors with battery back-up required throughout the entire house.
- vi. Fire sprinklers required throughout the entire house.

**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 28<sup>th</sup> day of February 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: February 28, 2023

---

Nickolas Lewis, Chair  
Planning Commission

---

Paulina Morales, Secretary  
Planning Commission

## AGENDA

## ITEM NO. 4.

DATE: February 14, 2023PLANNING DEPARTMENT STAFF REPORT**SUBJECT****ADMINISTRATIVE USE PERMIT NO. 22-14****SUBCOMMITTEE DESIGN REVIEW NO. 22-124****CATEGORICAL EXEMPTION****APPLICANT:** K.C. Fong**LOCATION:** 345 S. Grand Avenue**REQUEST:** The applicant is requesting the approval of an Administrative Use Permit (AUP) to construct a new 3,000 square foot two-story single-family residence with an attached 400 square foot two-car garage on a 22,196 square foot vacant lot.**BACKGROUND**

The project site is a 22,196 square foot flag lot that is accessible via South Grand Avenue. The project site is adjacent to single-family residences to the north, south, east and west.

The table below summarizes the land-use for the project site and surrounding properties:

ITEM	DESCRIPTION
Zoning and General Plan	Zoning: Residential Single-Family (R-1) General Plan: Neighborhood - Low Density Residential (NL)
Surrounding Land Uses and Zoning	<b>North:</b> Residential Single-Family (R-1) <b>East:</b> Unincorporated Los Angeles County <b>South:</b> Residential Single-Family (R-1) <b>West:</b> Residential Single-Family (R-1)
Current Development	Vacant Residential Lot
Legal Notice	Notices of the Public Hearing have been mailed to all owners and occupants of properties located within 300 feet of the subject site.

All AUP applications require a public notice and a 10-day public review period to owners and occupants of properties located within a 300-foot radius of the project site. During the public review period, anyone may request a public hearing for the proposed project. If no requests are received, the project may be approved administratively by the Community Development Director.

During the public review period, planning staff received six (6) requests for a public hearing. Based on the requests received, planning staff forwarded the AUP to the Planning Commission. On December 5, 2022, planning staff received a comment from a neighbor whose primary concern was that the new proposed home would block their view, and would diminish their property value. On December 6, 2022, the same neighbor provided a follow-up letter requesting a hearing stating the size of the proposed home would not fit in with the neighborhood. Additionally, from December 7 to December 12, 2022, planning staff received four additional requests for a public hearing specifying privacy concerns.

In order to assist in addressing the concerns and allow the onsite visualization of the proposed home, the applicant proactively installed story poles onsite showing the total height of the proposed two-story

residence. The story poles were installed at various heights to show the overall building footprint, the highest point being set at 21 feet.

## DISCUSSION

The proposal consists of a request to construct a new 3,000 square foot two-story single-family residence with an attached 400 square foot two-car garage. The proposed residence will consist of a great room, a library, a kitchen, four (4) bedrooms, three (3) bathrooms, one (1) powder room, a laundry room, and a loft. The residence will also have an open deck located on the second floor, accessible from a common area.

In order to address any privacy concerns, the project also includes the installation of vegetation and trees along all four property lines. The proposed residence would sit lower than the majority of the neighboring properties to the south, and will be generally at the same level as the properties to the north, west, and east. In addition, generous setbacks that exceed the code standards are provided.

The table below summarizes the development standards requirements in comparison to the proposed project:

	PROPOSED	DEVELOPMENT STANDARDS
HOUSE SIZE	3,000 SF	≤ 4,000 SF
LOT COVERAGE	0.19	≤ 0.35
FLOOR AREA RATIO	0.14	≤ 0.35
SETBACKS		
Front (South)	50 Feet	≥ 30 Feet
Side (West)	16 Feet, 8 Inches	≥ 10 Feet
Side (East)	30 Feet	≥ 10 Feet
Rear (North)	37 Feet	≥ 25 Feet
HEIGHT	21 Feet	≤ 25 Feet

The project plans also indicate the construction of a 700 square foot proposed accessory dwelling unit (ADU) to be located at the rear of the residence. Per State law, the ADU is required to be reviewed and approved administratively and is not within the Planning Commission's purview.

## Design Review

The proposed house is designed utilizing a modern architectural style with a flat roof, large clear-tempered double pane windows, tempered glass railings, smooth-finished stucco and wood siding. The project was reviewed by the Subcommittee Design Review Board on November 22, 2022. At the meeting, the Subcommittee Design Review Board liked the modern design of the proposed house and recommended that the project move forward with the AUP noticing process.

## Staff Survey of Surrounding Residences

The neighborhood surrounding the subject property consists of single-story and two-story houses that were constructed from 1947 to 2000. Planning staff conducted a survey of 30 homes surrounding the subject property. The houses in the survey are located on S Grand Avenue, E Sunset Hill Drive, E Jodee Drive, and E Acridge Drive. The following chart shows the mean and median lot size, square footage of the homes and the number of bedrooms. The mean is the average of all the homes surveyed, and the median is the number that falls directly in the middle of the listed in numerical order.

	LOT SIZE	FLOOR AREA	FLOOR AREA RATIO	NUMBER OF BEDROOMS
<b>MEAN</b>	17,680 SF	2,501 SF	0.15	3
<b>MEDIAN</b>	16,325 SF	2,332 SF	0.13	3
<b>SUBJECT PROPERTY</b>	22,196 SF	3,000 SF	0.14	4

The new house, as proposed, would be approximately 19% larger than the average-sized house within the surveyed area. However, the project site is also approximately 20% larger than the average lot size and would exhibit a lower floor area ratio (FAR) than the average lot in the area (0.15 FAR for the average and 0.14 FAR for the proposed). In addition, there are six (6) other homes in the immediate neighborhood that are larger than the proposed house. The largest house in the surveyed area is 4,040 square feet. Therefore, the size of the proposed house is reasonably consistent with the existing elements and character of the neighborhood.

#### **REQUIRED FINDINGS**

Prior to granting approval of an Administrative Use Permit, the following findings are required to be found:

***a. That the lot and proposed development is consistent with the general plan, zoning, and meets all other applicable code requirements.***

The proposed house is consistent with the Neighborhood Low (up to 8 dwelling units per acre) General Plan designation and the Residential Single-Family (R-1) Zone, in that it consists of the construction of one single-family residence on the lot. The project meets all applicable requirements of the Residential Single-Family (R-1) Zone and Area District III.

***b. That the development utilizes building materials, color schemes and a roof style which blend with the existing structure, if any, and results in a development which is harmonious in scale and mass with the surrounding residences.***

The neighborhood consists of a mixture of one-story and two-story homes and features a variety of architectural styles. The proposed two-story house features a modern architectural style with a flat roof, large clear-tempered double pane windows, smooth-finished stucco and wood siding.

***c. That the development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles.***

The proposed house will be accessible from a driveway off of South Grand Avenue and will not negatively impact circulation or safety for pedestrians and vehicles. The subject property is within all setbacks as required by the Municipal Code. The proposed house does not have negative effects on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-the-way. The Fire Department and Engineering Division has worked with the applicant to ensure that there will not be any vehicle circulation safety issues.

***d. That the development can be adequately served by existing or required infrastructure and services.***

The lot is adequately served by existing infrastructure (streets, sewer, water, etc.). The proposed two-story house is not anticipated to require additional infrastructure or services beyond that provided for

the existing residences nearby. Therefore, the development can be adequately served by existing infrastructure and services.

***e. That the design of the structure has given consideration to the privacy of surrounding properties through the usage and placement of windows and doors, cantilevers, decks, balconies, minimal retaining walls, trees and other buffering landscaping materials.***

As conditioned, the windows on the second floor that face the single-story houses will not cause privacy impacts due to a combination of distance/setback, design, and landscape screening requirements.

***f. That the development is sensitive to the natural terrain, minimizes necessary grading, de-emphasizes vertical massing which could disrupt the profile of a natural slope, and does not impede any scenic vistas or views open to the public or surrounding properties.***

The proposal is sensitive to the natural terrain in that there are no major terrain modifications. Any necessary precise grading for construction will require that a grading permit be obtained from the Engineering Division. The project proposes a new two-story house that would not impede any scenic views from surrounding properties.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15303 (Class 3, New Construction) in that it consists of construction of one single-family residence in a residential zone.

## **STAFF RECOMMENDATIONS**

Planning Staff recommends that the Planning Commission adopt Resolution No. 23-6121 approving Administrative Use Permit No. 22-14 and Subcommittee Design Review No. 22-124.

## **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:** Miriam Machado, Associate Planner

---

## **Attachments**

Attachment No. 1 - Resolution of Approval

Attachment No. 2 - Hearing Request Letters



*City of West Covina*  
*Memorandum*  
**A G E N D A**

**ITEM NO. 3.**

**TO:** Planning Commission

**DATE:** February 28, 2023

**FROM:** Planning Division

**SUBJECT: ART IN PUBLIC PLACES NO. 22-01**

**1115 S. SUNSET AVENUE - EMANATE HEALTH (QUEEN OF THE VALLEY)**

---

**BACKGROUND:**

The Planning Commission approved Precise Plan No. 20-04 on January 26, 2021 to allow the construction of a new two-story medical office building, new emergency room and ICU Department, and a new 4 level parking structure within the Queen of the Valley Hospital Campus. The project is currently under construction. The total valuation for the entire project is \$93,000,000. The required art work allocation for the site is \$930,000 (1% of the total building valuation).

At the November 22, 2022 Planning Commission meeting, the Planning Commission approved the concept/design of the suspended aerial sculpture designed by artist Talley Fisher. The Planning Commission also provided feedback and design suggestions for the mural that is proposed to be located on the blank wall along the West elevation of the Medical Office Building.

On February 14, 2022, the Planning Commission reviewed the concept/rendering of the mural. The Planning Commission asked the applicant to redesign the mural to replace the clouds in the background (behind the figures) with a design related to West Covina's history such as the Lark Ellen Avenue palm trees. The Planning Commission also asked that Hurst Ranch be incorporated with the mural design.

**DISCUSSION:**

During the February 28, 2023 Planning Commission meeting, the applicant will present the Planning Commission design options with the Lark Ellen Palm trees on the background of the main (west) wall mural and a design option incorporating Hurst Ranch within the interior of the "100" in the centennial design on the side (north) wall.

**RECOMMENDATION:**

It is recommended that the Planning Commission select and approve a design for the murals.

**Submitted by:** Jo-Anne Burns, Planning Manager

---

**Attachments**

Attachment No. 1 - Feb. 14, 2023 Staff Report

*City of West Covina*  
*Memorandum*  
A G E N D A

ITEM NO. 5.

**TO:** Planning Commission

**DATE:** February 14, 2023

**FROM:** Planning Division

**SUBJECT:** ART IN PUBLIC PLACES NO. 22-01

1115 S. SUNSET AVENUE - EMANATE HEALTH (QUEEN OF THE VALLEY)

---

**BACKGROUND:**

The Planning Commission approved Precise Plan No. 20-04 on January 26, 2021 to allow the construction of a new two-story medical office building, new emergency room and ICU Department, and a new 4 level parking structure within the Queen of the Valley Hospital Campus. The project is currently under construction. The total valuation for the entire project is \$93,000,000. The required art work allocation for the site is \$930,000 (1% of the total building valuation).

At the November 22, 2022 Planning Commission meeting, the Planning Commission approved the concept/design of the suspended aerial sculpture designed by artist Talley Fisher. The Planning Commission also provided feedback and design suggestions for the mural that is proposed to be located on the blank wall along the West elevation of the Medical Office Building.

The concept for the mural was designed to follow the Planning Commission's direction.

**DISCUSSION:**

**Standards**

The code requires the following standards for artwork:

- **Location** - Artwork shall be situated in areas readily visible to the general public and be located in an area specifically designated on approved building plans. Appropriate locations may include entryways, greenbelts, and building exteriors.
- **Materials** - Artwork shall be constructed of permanent materials requiring a low level of maintenance. The application is reviewed for durability and weather resistance of the art media.
- **Maintenance** - The continued maintenance of artwork shall be the responsibility of the owner. Artists and developers shall include maintenance provisions in the artist's contract which stipulate the length of time the artist shall be responsible for repairs. Where artwork is placed on private property pursuant to the requirements of this article, the applicant shall execute and record a covenant with the Los Angeles County Recorder which sets forth the applicant's obligation to properly maintain the approved artwork. If any approved artwork placed on private property pursuant to this article is removed without city approval, the city shall pursue enforcement of the covenant and any other appropriate remedies that will ensure compliance with the requirements of this article.

**Mural**

The artist selected for the mural is Nate Frizzell. Mr. Frizzell has created artwork throughout California and across the United States including artwork for Adventure Park in Whittier California, Cadence Park in Irvine California, and La Quinta Museum in La Quinta, California.

The main westerly wall will have historical figures in sepia tones and modern color. The clouds in the background are made up of all the colors in the chosen palette and make the figures flow together. They have subtle religious undertones, and they allow a connection for the birds to fly through. The birds are House Finches and are native to the area. Finches are thought to be a guide to the world beyond; Native Americans regarded them as an omen of joy. The figures include Sister Columba who is shaking hands with a doctor, which symbolizes passing of the torch.

Mayor Maxson, West Covina's first mayor, stands proudly behind Sister Columba. Next to Mayor Maxson, stands Ellen Beach Yaw with a bird perched on her hand. Ellen Beach Yaw was an American Opera singer who was said to sing like a "lark," and the City's Lark Ellen Street was named after her. Next to the doctor is a nurse with her hand on the shoulder of a young girl wearing a West Covina t-shirt. She looks on, happily, at another finch flying through the air, connecting the mural at both ends.

Since the side wall is not flat and obstructed, the artist thought it would be better to utilize it for the centennial design while focusing the bulk of the painting on the larger flat wall. Several design options were provided for the centennial design. Staff recommends the Planning Commission approve the first design with the painted oranges with its citrus blossoms and leaves.

- Location - The mural will be painted directly on the exterior blank wall along the West elevation of the Medical Office Building.
- Materials - Graffiti and weather/UV resistant coating will be applied to the painted mural.
- Maintenance - Emanate Health would be responsible for maintaining the artwork and will be required to record a covenant reviewed and approved by the City Attorney.

- Budget - \$89,40

The budget submitted which includes the total cost for the artwork is \$89,400. The cost includes research and development, site visit, concept design, artist's fees, and equipment rental.

Please see below for a balance of the required Art In Public Places allocation:

Entire Project	\$930,000
Medical Office Building (Suspended Sculpture)	\$235,025
Medical Office Building (Mural)	\$89,400
<b>Balance</b>	<b>\$605,575</b>

#### **RECOMMENDATION:**

It is recommended that the Planning Commission approve the design for the murals.

**Submitted by:** Jo-Anne Burns, Planning Manager

---

#### **Attachments**

Attachment No. 1 - Mural Specifications

*City of West Covina*  
*Memorandum*  
**A G E N D A**

**ITEM NO. 4.**

**TO:** Planning Commission  
**FROM:** Planning Division  
**SUBJECT: DEVELOPMENT CODE UPDATE PRESENTATION**

**DATE: February 28, 2023**

---

**BACKGROUND:**

At the June 2, 2020 City Council meeting, the City Council authorized the City Manager to apply for and receive the Local Early Action Planning (LEAP) Grant from the California Department of Housing and Community Development, and enter into an agreement with the State for a grant of \$500,000. LEAP is a one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production and help local governments prepare for the 6th Cycle Regional Housing Needs Assessment. The City is utilizing the LEAP Grant to complete a comprehensive re-write of the City's Zoning Code (Development Code Update).

The Development Code Update process includes extensive community outreach. The City held five (5) community meetings within each of the City's Council Districts to make the meetings more accessible to the residents and to obtain public input. Public input was also received via email and through the Development Code Update website. Information obtained from the public was presented to the Development Code Update Subcommittee comprising of Commissioners Becerra and Gutierrez, and Councilmembers Wu and Castellanos. The draft Development Code is being prepared based on guidance obtained from the Subcommittee.

**DISCUSSION:**

Per the Planning Commission's request, the City's consultant will be presenting an update on the status of the Development Code Update.

**Submitted by:** Jo-Anne Burns, Planning Manager

---