



**CITY OF WEST COVINA**

**PLANNING COMMISSION**

**MARCH 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 a 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**

There are no minutes to review/approve for this meeting.

## 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.*

1. **Extension of Time for Administrative Use Permit (AUP) Nos. 19-31 and 20-31, and Subcommittee for Design Review Nos. 19-49 and 20-12 at 2445 Rio Verde Drive**

## PUBLIC HEARINGS

2. **CONDITIONAL USE PERMIT NO. 22-11  
CATEGOTICAL EXEMPTION  
APPLICANT:** Brooke Richards (Options For Youth)  
**LOCATION:** 131 N. Azusa Avenue  
**REQUEST:** The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow for the operation of a charter school within a 6,878 square foot commercial tenant space. The charter school would serve as an independent study learning center.

## NON-HEARING ITEMS

**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.

3. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:**
4. **CITY COUNCIL ACTION:**

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

## ADJOURNMENT



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

**ITEM NO. 1.**

**TO:** Planning Commission

**DATE:** March 28, 2023

**FROM:** Planning Division

**SUBJECT:** **Extension of Time for Administrative Use Permit (AUP) Nos. 19-31 and 20-31, and Subcommittee for Design Review Nos. 19-49 and 20-12 at 2445 Rio Verde Drive**

---

**BACKGROUND:**

The applicant is requesting the second one-year extension of time for the above-referenced entitlement. The Municipal Code allows up to two, one-year extensions of time.

**DISCUSSION:**

On February 25, 2020, the Planning Commission approved Tentative Parcel Map No. 82784, Administrative Use Permit Nos. 19-31 and 19-34, and Subcommittee for Design Review Nos. 19-49 and 20-12 that allowed for a subdivision of a property into two lots, and the construction of two-story homes on each lot (4,142 square foot two-story single family residence on Parcel A and 4,002 square foot two-story single family residence on Parcel B).

On January 25, 2022, Oliver Roan, the applicant, submitted a letter requesting an extension of time due to the pandemic. According to the applicant, at the time of request the map is awaiting recordation, and their architectural/structural plans had been submitted to the Building and Engineering Divisions for plan check.

On February 28, 2023, the applicant submitted a letter requesting an extension of time to allow the property owner more time to select/hire a contractor. The Parcel Map has been recorded with the Los Angeles County Clerk/Recorder's Office and the Building plan check has been completed/approved.

The request for the second and last extension is allowable per the City's municipal code.

**FINDINGS**

An application for an extension may be granted by the Planning Commission after finding the following:

**1. There have been no changes to the provisions of the general plan, any applicable specific plan, or this chapter applicable to the project since the approval of the tentative parcel map or tract map.**

The parcel map has been recorded and the subdivision completed. The construction of two single-family residential homes on each lot is consistent with the "Neighborhood Low" land use designation of the West Covina General Plan. The "Neighborhood Low" designation allows for up to 8.0 dwelling units per acre.

**2. There have been no changes in the character of the site or its surroundings that affect how the policies of the general plan, any applicable specific plan, or other standards of this chapter apply to the project.**

The General Plan land-use designation for the site and the properties surrounding the site has not changed since the project was approved in February 2020. The site and surrounding property has remained residential.

**3. There have been no changes to the capacities of community resources, including but not limited to roads, sewage treatment or disposal facilities, schools, or water supply so that there is no longer sufficient remaining capacity to serve the project.**

The lots will have access to school facilities, a public sanitary sewer system for the removal and disposal of wastewater, and to other utility services (power, water, gas, cable, and telephone).

**RECOMMENDATION:**

Staff recommends that the Planning Commission approve the second one-year extension of time for Administrative Use Permit Nos. 19-31 and 19-34, and Subcommittee for Design Review Nos. 19-49 and 20-12. Alternatively, the Planning Commission could deny the request, requiring the applicant to resubmit the AUP and Subcommittee for Design Review Applications.

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

---

**Attachments**

Attachment No. 1 - Extension Request

**PLANNING DEPARTMENT STAFF REPORT**

---

**SUBJECT**

**CONDITIONAL USE PERMIT NO. 22-11**

**CATEGOTICAL EXEMPTION**

**APPLICANT:** Brooke Richards (Options For Youth)

**LOCATION:** 131 N. Azusa Avenue

**REQUEST:** The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow for the operation of a charter school within a 6,878 square foot commercial tenant space. The charter school would serve as an independent study learning center.

**BACKGROUND**

The applicant is requesting the approval of a CUP to allow the operation of a new charter school within an existing 6,878 square foot tenant space to be located at 131 N. Azusa Avenue, that will be known as Options For Youth. The subject property is located in the Service Commercial Zone and is located along North Azusa Avenue and north of the Interstate 10 Freeway.

ITEM	DESCRIPTION
<b>Zoning &amp; General Plan</b>	Zoning: Service Commercial (S-C) General Plan: Commercial
<b>Surrounding Land Uses &amp; Zoning</b>	North: Service Commercial (S-C) East: Service Commercial (S-C) South: Interstate 10 Freeway, Neighborhood Commercial (N-C), Residential Single Family (R-1) West: Residential Single Family (R-1)
<b>Legal Notice</b>	Notices of Public Hearing have been mailed to 46 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 ten (10) days prior to the meeting.

**DISCUSSION**

The applicant is requesting the approval of a CUP to allow for the operation of a non-profit public charter school for students in grades 9 through 12 (high school). The proposed charter school would be located at 131 N. Azusa Avenue and would be a registered active charter school with the California Department of Education (CDE). The Municipal Code requires a CUP for a charter school in the "Service Commercial" Zone. The tenant space was previously occupied by a retail use and is currently vacant.

**Business Operation:**

The applicant has indicated that the charter school will be open five days a week, Monday through Friday, from 8:00 a.m. to 5:00 p.m. and will close on Saturday and Sunday. However, intermittently, Options For Youth will offer Saturday school as needed. The projected staff for the school site would consist of three (3) teachers with one (1) support staff. Staffing levels for the school site would be a total of sixteen (16) on a rotating schedule, with no more than four (4) staff members on-site on any given day. Each teacher would serve a maximum of eight (8) students per one-hour appointment. Appointment times available are 8:00 a.m., 9:00 a.m., 10:00 a.m., 11:00 a.m., 1:00 p.m., and 2:00 p.m. There will be a

lunch break from 12:00 p.m. to 1:00 p.m. After the last appointment, teachers are able to grade papers and perform administrative tasks. The interior of the building will consist of a lobby, an open floor office, a non-hazardous laboratory, three (3) individual classrooms, three (3) bathrooms, a break room, four (4) offices, and two (2) storage rooms.

Students who attend Options For Youth earn course credits and are enrolled in the school until they are able to transfer back to a traditional school, or graduate from Options For Youth with a high school diploma. According to the applicant, a primary characteristic that makes Options For Youth unique is that students can attend Options For Youth schools by choice. All students sign a contract stating their commitment by voluntarily adhering to the enrollment requirements, which include: attendance, work production, test performance, on-site rules, regulations and graduation. The aforementioned rules and regulations enforced at all Options For Youth Schools' address student behavior within the vicinity of each center.

Options For Youth offers blended learning, with most of the students' coursework being independent-study based. Students can receive direct instruction on site in small group instruction classes in different subjects, such as Math, English and Science. Students would come to the school site twice a week, either on a Monday-Wednesday schedule or a Tuesday-Thursday schedule. Moreover, students can attend on a Friday if an extra appointment is needed. It is expected that most students will arrive by public transportation, by bicycle, or by foot. Generally, the students who attend Options For Youth do not own a car. To assist with transportation, Metro passes and bus passes are offered to students free of charge.

### **Parking:**

The required number of parking spaces based on all existing tenants, including the proposed charter school, within the subject parcel is fifty-four (54) parking spaces. The charter school alone requires twenty (20) parking spaces, based on the following parking ratios:

- One (1) parking space for every 300 square feet of gross area of office space
- One (1) parking space per employee
- One (1) parking space per ten (10) high school students

The subject site has forty-seven (47) parking spaces shared among the tenants in the same shopping center. The neighboring tenants within this parcel include a jewelry store, a dentist office, and a Brazilian Jiu-jitsu school. Despite that there is another school on the premises, the Brazilian Jiu-jitsu school is classified as a primarily nighttime use, while the charter school is classified as primarily a daytime use. The Brazilian Jiu-jitsu school operates from 5:00 p.m. to 8:00 p.m. Monday through Friday, and 11:00 a.m. to 1:00 p.m. on Sundays. The Brazilian Jiu-jitsu school hours do not coincide with the charter school's business hours. Up to fifty (50) percent of the required parking spaces for a use considered to be primarily daytime use may be provided by a use considered to be primarily nighttime use. The Brazilian Jiu-jitsu school alone requires eleven (11) parking spaces, ten (10) of which would be allocated to the charter school during the charter school's business hours only. This would require the subject site to maintain at least forty-four (44) 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. To address any potential parking concerns or issues, the following conditions of approval have been included in the Resolution:

- In the event that the availability of parking is negatively impacted, the Planning Commission shall review the CUP for the use and may, at its discretion, modify or impose new conditions, or suspend or revoke the CUP pursuant to Section 26-253 of the West Covina Municipal Code.
- The total staff for the charter school shall be sixteen (16) on a rotating schedule, with no more than four (4) staff members on-site at any given time. The total number of students shall be a maximum of eight (8) per one-hour appointment for a total of twenty-four (24) students at any given time.
- No classes or appointments shall be scheduled to begin after 3:00 p.m. All classes and appointments shall end by 4:30 p.m.

- The installation of bicycle racks within the shopping center or indoors within the tenant space to allow students to safely and securely store their bicycles.

## 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 Service Commercial Zone. The Service Commercial Zone is comprised primarily of retail, commercial, recreational, and business office land uses. The proposed use is a charter school with a floor area of 6,824 square feet. The charter school would provide educational services for primarily high school students to continue their education. The charter school would be located near single-family residences, where it would be a convenience for the neighboring communities and families. The proposed charter school meets all the applicable requirements of the Service 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 charter school will occupy an existing vacant tenant space. The business hours are primarily Monday through Friday, from 8:00 a.m. to 5:00 p.m. With the conditions of approval, the proposed charter school will not be detrimental to the health, safety, peace, or general welfare of the 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 is adequate in size and is designed to accommodate the charter school. As conditioned, sufficient parking exists on the site to accommodate the charter school use and the other tenants within the 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 North Azusa Avenue. The site can be accessed via North Azusa Avenue and the West Interstate 10 Freeway. The proposed charter school 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.***

The granting of the CUP for the proposed use of a charter school would allow the opportunity for the surrounding community to have access to continue their education that they may not have otherwise. The proposed charter school 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.



## **GENERAL PLAN CONSISTENCY**

The City's General Plan Land Use Element designates the subject property for Commercial Uses. The project is consistent with the following General Plan policies:

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

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15301 (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. 23-6122 approving Conditional Use Permit No. 22-11.

## **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 - Business Operation Plan

Attachment No. 3 - Presentation

**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. 23-6122**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 22-11**

---

**CONDITIONAL USE PERMIT NO. 22-11**

**CATEGORICAL EXEMPTION**

**APPLICANT:**            Brooke Richards (Options For Youth)

**LOCATION:**            131 N. Azusa Avenue

---

WHEREAS, there was filed with this 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 charter school (Options For Youth) within an existing 6,878 square foot tenant space on certain property described as follows:

Assessor Parcel Nos. 8455-022-023, 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 March, 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 a Conditional Use Permit to allow the operation of a charter school (Options For Youth) within a 6,878 square foot tenant space within an existing commercial center.
2.     The proposed charter school will be open for instruction Monday through Friday from 8:00 a.m. to 5:00 p.m. and will serve a maximum of eight (8) students per one (1) hour appointment. Intermittently, the charter school will offer Saturday school.
3.     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 that 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 or 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 with the land and uses in the neighborhood and make it compatible thereto.*
  - d. *That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed uses and the street patterns of such a nature exist as to guarantee that such generation 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.*
4. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that the proposed use will occupy an existing tenant space.

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 charter school is consistent with the Service Commercial Zone. The Service Commercial Zone is comprised primarily of retail, commercial, recreational, and business office land uses. The proposed use is a charter school with a floor area of 6,824 square feet. The charter school would provide educational services for primarily high school students to continue their education. The charter school would be located near single-family residences, where it would be a convenience for the neighboring communities and families. The proposed charter school meets all the applicable requirements of the Service Commercial Zone.
  - b. The proposed charter school will occupy an existing vacant tenant space. The business hours are primarily Monday through Friday, from 8:00 a.m. to 5:00 p.m. With the conditions of approval, the proposed charter school will not be

detrimental to the health, safety, peace, or general welfare of the surrounding residents or business owners.

- c. The existing building is adequate in size and is designed to accommodate the charter school. As conditioned, sufficient parking exists on the site to accommodate the charter school use and the other tenants within the center.
- d. The subject property abuts North Azusa Avenue. The site can be accessed via North Azusa Avenue and the West Interstate 10 Freeway. The proposed charter school will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
- e. The granting of the CUP for the proposed use of a charter school would allow the opportunity for the surrounding community to have access to continue their education that they may not have otherwise. The proposed charter school 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. 22-11 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 Planning 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/her duly authorized representative) has filed at the office of the Planning Director his/her affidavit stating he/she 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 March 28, 2023.
- b. Comply with all the requirements of the West Covina Municipal Code.
- c. Comply with all the requirements of the Service Commercial Zone.
- d. This approval is for the operation of a 6,878 square foot charter school, offering students the opportunity to earn course credits, and are enrolled in the school until they are able to transfer back to a traditional school, or graduate from Options For Youth with a high school diploma.
- e. The hours of operation shall be limited Monday through Friday from 8:00 a.m. to 5:00 p.m., and Saturday from 8:00 a.m. to 5:00 p.m.
- f. The size of the charter school shall be limited to 6,878 square feet. Any addition or modifications shall require the submittal of a new Conditional Use Permit.
- g. The total staff for the charter school shall be sixteen (16) on a rotating schedule, with no more than four (4) staff members on-site at any given time. The total number of students shall be a maximum of eight (8) per one-hour appointment with no more than twenty-four (24) students on site at any given time.
- h. No classes or appointments shall be scheduled to begin after 3:00 p.m. All classes and appointments shall end by 4:30 p.m.
- i. The school shall either provide/install bicycle racks located outdoors within the shopping center parking area to allow students to safely/securely store their bicycles or provide a secure bicycle storage area within the interior of the tenant space. The bicycle racks or interior bicycle storage shall be in place prior to Building permit final and occupancy.
- j. The proposed charter school shall not provide day care services.
- k. In the event that the availability of parking is negatively impacted, the Planning Commission shall review the Conditional Use Permit for the use and may, at its discretion, modify or impose new conditions or suspend or revoke the Conditional Use Permit pursuant to Section 26-253 of West Covina Municipal Code.
- l. The Conditional Use Permit may be revoked, amended or suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal Code.
- m. 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.

- n. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
- o. The applicant shall sign an affidavit accepting all conditions of this approval.
- p. The applicant shall execute an indemnity agreement, in a form provided by the City and approved by the City Attorney, indemnifying the City against any and all actions brought against the City in connection with the approvals set forth herein.
- q. The proposed business shall not constitute a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- r. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- s. The applicant shall comply with maximum occupancy (total number of persons allowed to occupy the facility) requirements, pursuant to applicable Fire and Building Codes.
- t. This approval does not include approval of signs; a separate sign permit shall be obtained prior to the installation of any signs.
- u. 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.
- v. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
- w. That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning, Building, Fire and Police Departments and that the written authorization of the Community Development Director shall be obtained prior to implementation.
- x. All outstanding fees and any required development impact fees shall be paid prior to the issuance of a building permit.
- y. **BUILDING DIVISION**
  - 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. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
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. All State of California disability access regulations for accessibility and adaptability shall be complied with.
6. Additions, alterations, repairs and 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 the Existing Building Code in effect.
7. Electrical plan check is required.
8. Mechanical plan check is required.
9. Plumbing plan check is required.
10. 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.
11. Project shall comply with the CalGreen Non-Residential requirements.
12. E Group occupancy in a Type VB, non-sprinklered building of mixed occupancies with Group B and M of total area exceeding 9,000 SF is prohibited by Table 506.2 of the Building Code. Unless allowable area calculations per Section 508 is provided considering frontage increase provisions in Section 506.3 and/or the insertion of a Fire Wall complying with Section 706, or installation of new NFPA-13 fire sprinklers system, the plan may need to be revised.
13. E Group occupancy in a non-sprinklered building of mixed occupancies with Group B and M requires a occupancy separation wall of fire resistance rating of 2 hours per Table 508.4 of the Building Code. Unless proposed fire-resistance wall assembly details are included in the plans and/or project plans are revised to show compliance with Table 508.4.

14. The total occupant load for Group E occupancy is limited to 250 unless the existing structure has been redesigned to meet all the structural requirements in the Building Code for a building of risk category III.

**z. ENGINEERING DIVISION**

1. Should the proposed work generate a cut into any public right of way infrastructure (street, sidewalk, driveway, curb & gutter, etc.):
  - i. street paving shall be along the length of the property frontage to the centerline of the street as directed by the City Engineer or his/her designee.
  - ii. sidewalk reconstruction shall be in accordance with SPPWC Standard Plan 113-2, and as directed by the City Engineer and/or his/her designee.
  - iii. driveway apron reconstruction shall be in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
  - iv. curb and gutter reconstruction shall be in accordance with SPPWC Standard Plan 111-5 and as directed by the City Engineer or his/her designee.
2. If any, all existing street tree(s) in the parkway along the frontage of the property through shall be protected and maintained the duration of construction.
3. 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).

**aa. FIRE DEPARTMENT**

1. NFPA 13D/13R/13 Fire Sprinkler System.
2. NFPA 72 – Fire Alarm/Fire Sprinkler Monitoring System.
3. NFPA 10 – Portable Fire Extinguishers.
4. New Fire Flow Test Required.
5. A Knox box with a labeled master key must be maintained and provided for emergency responder access.
6. Any modifications to an existing fire sprinkler/fire alarm system must be first approved and permitted by the Fire Department.
7. Illuminated exit signage with emergency lighting.



8. Where a fire hydrant is located on a fire access road the minimum road width shall be 26 feet, exclusive of shoulders.
9. All fire access roads shall have red curbing and be stenciled "No Parking Fire Lane" and have fire lane signs reading "**No Parking Fire Lane**" every 75'.
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 March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: March 28, 2023

---

Nickolas Lewis, Chair  
Planning Commission

---

Paulina Morales, Secretary  
Planning Commission

December 14, 2022

Options for Youth- Duarte (OFY-D), a public charter school program is a non-profit charter school compliant with state ADA regulations to serve students in grades 9-12. The proposed West Covina center located at 131 N. Azusa Blvd., West Covina, CA. would be a registered active charter school with the California Department of Education (CDE). Additionally, OFY-Duarte is already accredited by the Western Association of Schools and Colleges (WASC). Students who attend OFY-Duarte earn course credits and are enrolled until either they transfer back to a traditional school or graduate from OFY-Duarte with a high school diploma.

One primary characteristic that makes OFY unique is that students attend OFY schools by choice. All students sign a contract stating their commitment by voluntarily adhering to the enrollment requirements, which include: attendance, work production, test performance, on-site rules, regulations and graduation. The aforementioned rules and regulations enforced at all OFY Schools' addresses student behavior within the vicinity of each center.

OFY-Duarte offers blended learning, with most of our students' coursework being independent study based. Students can receive direct instruction on site however in small group instruction classes in Math, English and Science. School hours are Monday thru Friday 8:00 am - 5:00 pm. Students would come to the school site twice a week, either on a Monday-Wednesday schedule or a Tuesday Thursday schedule. Additionally, students can come to the school site on a Friday if an extra appointment is needed. Each teacher serves a maximum of 8 students per 1 hour appointment. Appointment times are 8:00 am, 9:00 am, 10:00 am and 11:00 am. The school site is closed for lunch from 12:00 pm-1:00 pm. Afternoon appointments are at 1:00 pm and 2:00 pm. The school site is closed most Saturdays and all Sundays, however, OFY-Duarte offers Saturday school intermittently. Total staff is 16 on a rotating schedule.

Most students arrive by public transportation, by bicycle, or by foot and generally do not own a car due to less-privileged economic conditions. Metro and bus passes are offered to students free of charge. The school site would not have any car lines as well. If students arrive by car, the driver is required to park and then walk to the site. As students enter the vicinity of the school they are immediately ushered into the school under the supervision of onsite faculty who are also supervising the surroundings near the school's immediate location.

Additionally, in an effort to maintain a private, safe and respectful learning environment for each student, OFY-Duarte centers are built to current building code requirements and contain various features and amenities. For example, the exterior windows of each center are outfitted with tint and anti-graffiti film. Also, each center has an alarm system that triggers police action if an incident occurs. Furthermore, security cameras are installed around the center in an effort to deter and monitor the immediate vicinity. Finally, all third party vendors are required to check in and out of the center when in operation. These preventative measures are in place to ensure a safe and secure environment for all OFY-Duarte students and faculty. OFY-Duarte has from time to time utilized the services of a non armed guard, as an added measure of security.

I want to thank you for your consideration. Please let me know if you have any questions.

Sincerely,

Richard Moreno  
OFY-Duarte-Principal  
rmoreno@oflschools.org

# PLANNING COMMISSION MEETING

## MARCH 28, 2023

ITEM #2 – CONDITIONAL USE PERMIT NO. 22-11  
OPTIONS FOR YOUTH (CHARTER SCHOOL)

Planning Division

# OVERVIEW



- **Conditional Use Permit No. 22-11**
  - To allow the operation of a charter school within an existing tenant space.
- **Unit Size:** 6,878 Square Feet
- **Lot Size:** 1 Acre
- **Zone:** Service Commercial (S-C)
- **Location:** Along N. Azusa Avenue, Near Interstate 10 West
- **Surrounding Uses:** Single-Family Residential and Service Commercial

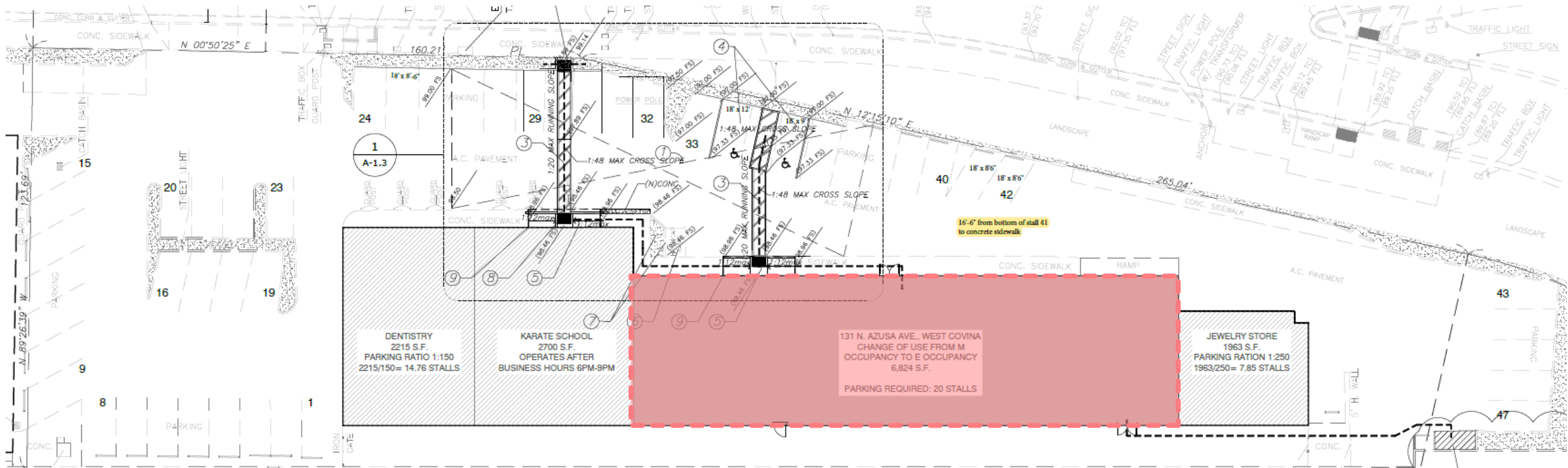




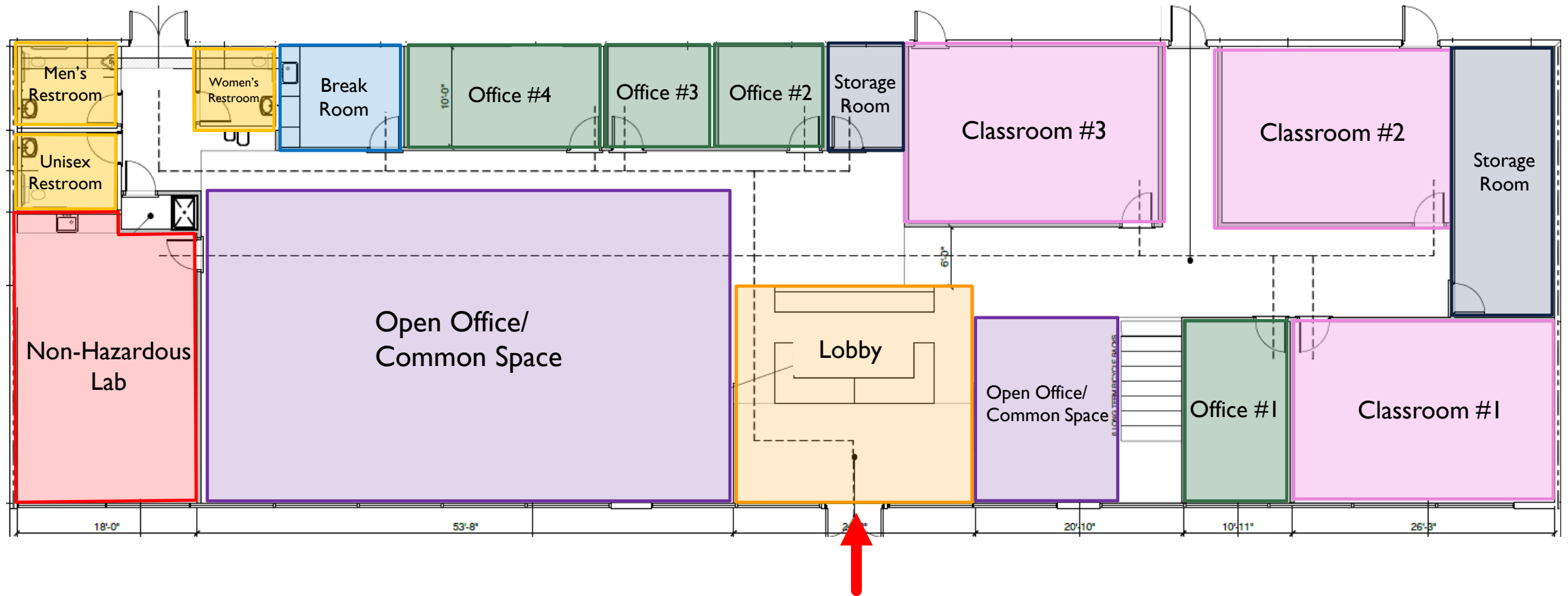
EXISTING SITE:

131 N AZUSA AVENUE

# SITE PLAN



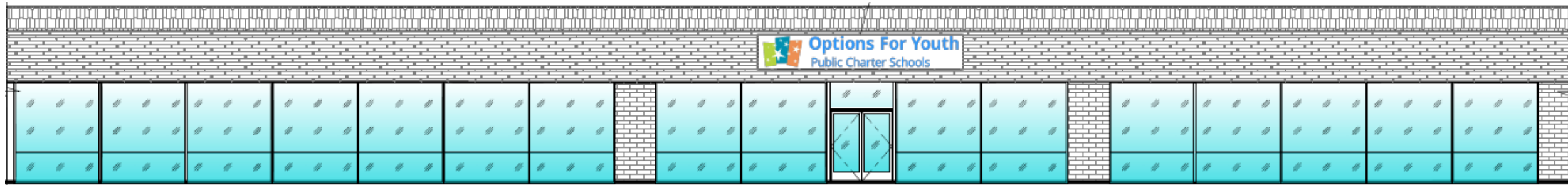
# FLOOR PLAN



Entrance



# ELEVATION – ENTRANCE



Entrance

# BUSINESS OPERATION PLAN

## Operation

- Charter School to serve as an independent study learning center
- Will serve high school students from grade 9 to 12

## Staff

- Maximum of 4 employees working at any given time
- Total of 16 staff on rotating schedules

## Clients

- Eight (8) students per one-hour session per Staff Member/Teacher

## Business Hours

- **Monday – Friday**  
8:00 AM – 5:00PM
  - Intermittently on Saturday
- Closed on Sunday

---

# STAFF RECOMMENDATION

- 
- Planning Staff recommends adopting Resolution No. 23-6122 approving Conditional Use Permit No. 22-11.