

**WEST COVINA PLANNING COMMISSION AGENDA  
CITY COUNCIL CHAMBERS - FIRST FLOOR  
REGULAR MEETING**

**Tuesday January 22, 2019  
7:00 PM**

***AMERICANS WITH DISABILITIES ACT***

The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Planning Commission meetings, please call (626) 939-8422 (voice) or (626) 960-4422 (TTY) from Monday through Thursday. Do 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 Department 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. Oral Communications are limited to thirty (30) minutes. 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 a Public Hearing will be heard during the public hearing for that item.

Next Resolution No. 18-5978

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENT PRAYER/MEDITATION**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Minutes - December 12, 2018 Regular Meeting

## **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.*

2. Request for the third One-Year Extension of Time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20 and Variance No. 14-23 for the construction of a 78,474-square foot public storage building located at 1388 E. Garvey Avenue South.

## **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. Persons who are not afforded the opportunity to speak at this time may do so under "Continuation of Oral Communications" later on the agenda.

## **PUBLIC HEARINGS**

3. **CONDITIONAL USE PERMIT NO. 18-10**  
**CATEGORICAL EXEMPTION**  
APPLICANT: Alex Fei Yee for Hooray Montessori Preschool of West Covina  
LOCATION: 136 South Bandy Avenue  
REQUEST: The applicant is requesting a conditional use permit to allow the use of a child day care facility, Hooray Montessori Preschool of West Covina, to be in an "Multi- Family Residential 20" (MF-20) Zone.

## **NON-HEARING ITEMS**

4. **PLANNING DIRECTOR'S MODIFICATION NO. 17-27**  
**CATEGORICAL EXEMPTION**  
APPLICANT: Gregory Miller for Jack in the Box  
LOCATION: 2548 South Azusa Avenue  
REQUEST: The project consists of a proposal to remodel the exterior of an existing Jack in the Box restaurant with a drive-through located on the south side of Amar Road and east of Azusa Avenue.
5. **MINOR MODIFICATION NO. 18-03**  
**CATEGORICAL EXEMPTION**  
APPLICANT: Bob Christoff for BMW Management, Inc. (Sizzler)  
LOCATION: 1100 W. West Covina Parkway  
REQUEST: Remodel of the Exterior Portion of an Existing Sizzler Restaurant

## **CONTINUATION OF ORAL COMMUNICATIONS**

## **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 agendaize the matter for a future meeting.

### **6. PLANNING DIRECTOR'S REPORT:**

- a. Forthcoming - February 12, 2019

### **7. CITY COUNCIL ACTION:**

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

## **ADJOURNMENT**

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## Attachments

12.11.18 minutes

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# **UNADOPTED MINUTES**

## **A G E N D A**

**DATE: January 22, 2019**

**ITEM NO.: 1**

### **MINUTES**

#### **REGULAR MEETING OF THE PLANNING COMMISSION**

##### **CITY OF WEST COVINA**

**Tuesday, December 11, 2018**

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina Council Chambers. Chairman Redholtz led the Pledge of Allegiance and the Commission observed a moment of silence.

#### **ROLL CALL**

Present: Redholtz, Holtz and Rozatti

Absent: Heng (excused)

City Staff Present: Anderson, Hernandez, Aguilar, Barrios and de Zara

#### **APPROVAL OF MINUTES:**

1. Regular meeting, November 27, 2018

The minutes were approved as presented.

#### **OTHER MATTERS OR ORAL COMMUNICATIONS**

None

Chairman Redholtz requested that Item Nos. 5 and 6, Non-Hearing Items, be heard before the Public Hearings. Hearing no objections from the Commission, he asked staff to present the Staff Report for Item No. 6.

#### **NON-HEARING ITEMS**

6. (Continued from November 27, 2018)  
REVIEW OF REQUEST TO EXTEND HOURS OF OPERATION  
ADMINISTRATIVE USE PERMIT NO. 15-09  
2050 SOUTH VALINDA AVENUE (REBEL YELL BAR AND STEAKHOUSE)  
REQUEST: The applicant is requesting to extend the hours of operation.

Community Development Director Jeff Anderson presented the staff report. He told the Commission that staff had clarified the request with the applicant. Jason Roque, partner, spoke in support of the request and answered questions by the Commission. In addition, he told the Commission he agreed with the conditions of approval.

There was a short discussion by the Commission regarding the expanded hours of operation. Chairman Redholtz said he would like to amend the conditions of approval to require a review in 12 months, rather than 6 months as recommended by staff. Commissioner Rozatti asked if there were other businesses in the area that operated in a similar manner.

Motion by Redholtz, seconded by Holtz, to waive further reading and adopt Resolution No. 18-5971, as amended, to extend the hours of operation for Administrative Use Permit No. 15-09. Motion carried 2-1 (Rozatti opposed, Heng absent, excused.)

5. (Continued from November 27, 2018)

PRECISE PLAN NO. 16-08

CONDITIONAL USE PERMIT NO. 16-15

ADMINISTRATIVE USE PERMIT NO. 18-03

TREE REMOVAL PERMIT NO. 18-10

CATEGORICAL EXEMPTION

APPLICANT: Leah Lombardi (Chick Fil A)

LOCATION: 200 South Vincent Avenue

REQUEST: Take action on resolutions prepared at the request of the Planning Commission approving Precise Plan No. 16-08, Conditional Use Permit No. 16-15, Administrative Use Permit No. 18-03, and Tree Removal Permit No. 18-10.

Community Development Director Jeff Anderson presented the staff report. He also told the Commission that the applicants had agreed to the conditions of approval contained in the resolutions to be adopted.

Jennifer Daw, representing Chick Fil A, told the Commission Chick Fil A was pleased to be coming to West Covina. Chris Miller also spoke in support of Chick Fil A.

Gloria Gandara spoke in opposition to the drive through restaurant, citing environmental concerns, additional traffic on Vincent Avenue and the recent adoption of the Downtown Plan as her reasons for opposing the approval. Jennifer Daw rebutted the testimony in opposition and thanked the Commission for their support.

Motion by Holtz, seconded by Rozatti, to waive further reading and adopt Resolution No. 18-5972 approving Precise Plan No. 16-08. Motion carried 3-0 (Heng absent, excused.)

Motion by Holtz, seconded by Rozatti, to waive further reading and adopt Resolution No. 18-5973 approving Conditional Use Permit No. 16-15. Motion carried 3-0 (Heng absent, excused.)

Motion by Holtz, seconded by Rozatti, to waive further reading and adopt Resolution No. 18-5974 approving Administrative Use Permit No. 18-03. Motion carried 3-0 (Heng absent, excused.)

Chairman Redholtz said these actions will be final unless appealed to the City Council within ten (10) days.

## PUBLIC HEARINGS

2.     CONDITIONAL USE PERMIT NO. 18-07  
          CATEGORICAL EXEMPTION  
          APPLICANT: Raymond Qian for We Relax Spa  
          LOCATION: 112 Plaza Drive, Suite 2480  
          REQUEST: Request for a conditional use permit to allow a 494-square foot massage spa within Plaza West Covina.

Associate Planner Veronica Hernandez presented the staff report. During her presentation she told the Commission that there would be no new construction in conjunction with this business. She also explained that the business would consist of three tables and there would be no private rooms or disrobing by the customers. She also explained that the tables would be in partitioned spaces to allow for a small amount of privacy during the massage but still allow visibility. She told the Commission the findings for approval had been met and recommended approval.

There was a short discussion by the Commission regarding the types of massages available at the business, the differences between a full-service spa and what this business would offer.

Chairman Redholtz opened the public hearing.

### PROPONENT:

Lawrence Carmel, representing the applicant, spoke in favor of the application and answered questions by the Commission regarding the operation of the business. He also spoke to the Commission about the security and surveillance inside the spa and told the Commission that the massages will be done over clothes and performed by licensed massage therapists.

### OPPONENTS:

No one spoke in opposition to this request.

Chairman Redholtz closed the public hearing.

There was a short discussion regarding the proposal by the Commission. Commissioner Holtz said he didn't feel there would be a problem with this business because the interior is visible, and it is monitored.

Commissioner Rozatti commented that there are several similar businesses open in the mall and said she felt the location would not be an appropriate space for this use.

Motion by Holtz, seconded by Redholtz, to waive further reading and adopt Resolution No. 18-5975, approving Conditional Use Permit No. 18-07. Motion carried 2-1 (Rozatti opposed, Heng absent, excused.)

Chairman Redholtz said this action is final unless appealed to the City Council within ten (10) days.

3.     **CONDITIONAL USE PERMIT NO. 18-18**  
       **SUBCOMMITTEE FOR DESIGN REVIEW NO. 18-25**  
       **CATEGORICAL EXEMPTION**

APPLICANT: Jorge and Rosa Alvarez

LOCATION: 215 South Hillward Avenue

REQUEST: Request for a conditional use permit to construct a new 3,868-square foot, two-story house (including a 425-square foot garage). The house will consist of a 2,100-square foot first story and a 1,343-square foot second story. The house will feature 4 bedrooms and 4.5 bathrooms. The proposal also includes a 67-square foot covered patio and a 51-square foot covered porch.

Associate Planner Veronica Hernandez presented the staff report. During her presentation she reviewed the request and said the applicants had followed the Subcommittee for Design Review Guidelines. She recommended approval of the project.

There was a short discussion regarding the project. Commissioner Holtz asked if there had been any letters in opposition. Ms. Hernandez said that a phone call had been received and the caller expressed his concern with parking during the construction.

Chairman Redholtz opened the public hearing.

**PROPONENTS:**



Jorge and Rosa Alvarez, applicants, addressed the Commission regarding their request. Ms. Alvarez told the Commission they had lived in the home for 29 years and they wanted to make it more comfortable for their family to live in. Ms. Alvarez also answered questions by the Commission regarding the number of people who would occupy the home and if there was sufficient parking to accommodate their family vehicles.

**OPPONENTS:**

Chris Miller said that he's concerned with mansionization and asked if this will set a precedent in the neighborhood. He also expressed his concern with residents parking on the street.

**REBUTTAL:**

Mrs. Alvarez rebutted the testimony in opposition by saying that they have sufficient room on their property to park, and they prefer to park in the garage. She added that no additional family members will be living in the home.

Chairman Redholtz closed the public hearing.

The Commission had a discussion regarding the proposed addition. Mr. Anderson told the Commission that the garage would be larger and would provide more parking for the family's use.

Commissioner Holtz said he liked the design of the home but felt it was too large for the surrounding area. However, he noted that none of the neighbors objected so he would support the request. Commissioner Rozatti concurred with Commissioner Holtz.

Chairman Redholtz said he appreciated the color elevations, which made it easier for him to see and understand what was proposed. He concurred with the remainder of the Commission and stated that since the applicants had followed the Subcommittee for Design Review Guidelines he would also support the project.

Motion by Rozatti, seconded by Holtz, to waive further reading and adopt Resolution No. 18-5976, approving Conditional Use Permit No. 18-08. Motion carried 3-0 (Heng absent, excused).

Chairman Redholtz said this action is final unless appealed to the City Council within ten (10) days.

4. **ADMINISTRATIVE USE PERMIT NO. 18-21  
CATEGORICAL EXEMPTION**

APPLICANT: Channing He

LOCATION: 2849 Horizon Hills Drive

REQUEST: Request for an administrative use permit to construct a maximum height 8-foot retaining wall in the side yard of the existing single-family residence.

Planning Intern Baltazar Barrios presented the staff report. During his presentation Mr. Barrios told the Commission that the topography of the neighborhood included slopes, the neighborhood consisted of two-story homes and the wall will be several feet from the adjacent property. He also told the Commission that two of the neighbors had expressed concerns with the wall. He said the property owner had met with one of the neighbors and came to an agreement, but the other neighbor remained concerned that the wall would block his view.

Chairman Redholtz opened the public hearing.

PROPONENT:

Paul Chang, contractor representing the applicant, spoke in favor of the request and answered questions by the Commission. Mr. Chang told the Commission the property has a slope that reduces the usable space in the back yard. He explained the wall would help increase the square footage allowing the owner to build a swimming pool. Commissioner Rozatti asked what the size of the back yard currently is and if it was feasible to build a swimming pool without the retaining wall.

OPPONENTS:

No one spoke in opposition.

Chairman Redholtz closed the public hearing.

Commissioner Holtz said he noticed there is shrubbery and other retaining walls due to the topography of the area. He said he was in favor of the request because the trees and shrubs would cover the wall and it would not be visible.

Chairman Redholtz concurred with Commissioner Holtz. Mr. Anderson added that a landscape plan was also required in the conditions of approval.

Motion by Redholtz, seconded by Rozatti, to waive further reading and adopt Resolution No. 18-5977 approving Administrative Use Permit No. 18-21. Motion carried 3-0 (Heng absent, excused.)

Chairman Redholtz said this action is final unless appealed to the City Council within ten (10) days.

## CONTINUATION OF ORAL COMMUNICATIONS

None

## COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

Chairman Redholtz wished everyone a Merry Christmas and a Happy New Year.

### 5. PLANNING DIRECTOR'S REPORT:

a. FORTHCOMING

b. PROJECT STATUS REPORT – December, 2018

Community Development Director Jeff Anderson told the Commission that their next regular meeting was scheduled for January 22, 2019. He also announced that Associate Planner Veronica Hernandez accepted a position with another agency and this will be her last meeting. Chairman Redholtz and the Commission congratulated her and wished her well.

### 6. CITY COUNCIL ACTION:

None

## ADJOURNMENT

Chairman Redholtz adjourned the meeting at 8:25 p.m.

Respectfully submitted:

Lydia de Zara  
Senior Administrative Assistant

**ADOPTED AS SUBMITTED ON:**

**ADOPTED AS AMENDED ON:**



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

**ITEM NO. 2.**

**DATE: January 22, 2019**

**TO:** Planning Commission

**FROM:** Planning Division

**SUBJECT:** Request for the third One-Year Extension of Time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20 and Variance No. 14-23 for the construction of a 78,474-square foot public storage building located at 1388 E. Garvey Avenue South.

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**ANALYSIS:**

At the meeting of October 27, 2015, the Planning Commission recommended approval of General Plan Amendment No. 14-01, Zone Change No. 14-01, Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23 to allow the use of Public Storage Facility. At its meeting of December 15, 2015, the City Council approved General Plan Amendment 14-01, Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23 to allow the construction of a 78,474-square foot two-story public storage building.

The above-referenced entitlement was valid for a one-year period from the approval date and would expire on December 15, 2016. Prior to expiration, the applicant may request up to a maximum of three one-year extensions of time.

On October 21, 2016, Stephen Anderson, submitted a letter requesting an extension of time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23. The reason for the extension was the delay in working out details among the owners. The Planning Commission granted the request on December 13, 2016

On July 25, 2017, Stephen Anderson, submitted a letter requesting an extension of time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23. The reason for the extension was the delay in the preparation of construction plans for plan check. The Planning Commission granted the request extending the approval until December 15, 2018.

Over the past year, a new applicant has been diligently pursuing the completion of plan check. On December 4, 2018, Peter Nora, submitted a letter requesting an extension of time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23. The reason for the extension is to allow time for the applicant to complete the remaining grading plan and building plan reviews. The granting of this request will extend approval until December 15, 2019. The issuance of permits to allow for construction is anticipated in the next few weeks.

**RECOMMENDATION:**

Staff recommends that the Planning Commission approve a third one-year extension of time for Precise Plan No. 14-03, Conditional Use Permit No. 14-20, and Variance No. 14-23.

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**Attachments**

Extension Request Letter

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City of West Covina Planning Department  
1444 West Garvey Avenue  
Attn: Jeff Anderson

12/4/2018

**SUBJECT: General Plan Amendment No. 14-01, Zone Change No. 14-01, Precise Plan No. 14-03,  
Conditional Use Permit No. 14-20, and Variance No. 14-23**  
1388 E. Garvey Avenue South (Self Storage Facility)

Dear Planning Commission,

We are looking to extend our 3<sup>rd</sup> one-year extension of time request, for developing a self-storage facility at 1388 E. Garvey Avenue. Currently we have passed our building plan review, and will be passing our civil review the week of Dec. 3<sup>rd</sup> with mylars being submitted to Emilio Moraga. The remaining items required for building permit are Fire Plan Review, Landscaping and Planning. As there are only a few items before we receive building permit, we are hoping to extend our entitlement extension for 1 additional year. We are anticipating break-ground mid/end of January contingent on receiving building permit, and moving forward with the development.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Nora".

Peter Nora  
Chief Operating Officer  
U-Stor-It  
501 W. Broadway Suite 2020  
San Diego, CA 92101

**PLANNING DEPARTMENT STAFF REPORT**

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**SUBJECT**

CONDITIONAL USE PERMIT NO. 18-10

CATEGORICAL EXEMPTION

APPLICANT: Alex Fei Yee for Hooray Montessori Preschool of West Covina

LOCATION: 136 South Bandy Avenue

REQUEST: The applicant is requesting a conditional use permit to allow the use of a child day care facility, Hooray Montessori Preschool of West Covina, to be in an “Multi-Family Residential 20” (MF-20) Zone.

**DESCRIPTION OF APPLICATION**

The applicant is requesting a conditional use permit to allow the use of a child care facility, Hooray Montessori Preschool of West Covina, to be in an “Multi-Family Residential 20” (MF-20) Zone.

Staff recommends that the Planning Commission adopt a resolution approving Conditional Use Permit No. 18-10.

**BACKGROUND**

<b>ITEM</b>	<b>DESCRIPTION</b>
<b>ZONING AND GENERAL PLAN</b>	Zoning: “Multi-Family Residential” (MF-20) General Plan: Neighborhood Medium
<b>SURROUNDING LAND USES AND ZONING</b>	North: “Service Commercial” (S-C) and “Single-Family Residential”; professional office building and single-family residence East: “Single-Family Residential” (R-1): single-family residences South: “Multi-Family Residential” (MF-20): multi-family residences West: “Single-Family Residential” (R-1); multi-family residences
<b>CURRENT DEVELOPMENT</b>	Vacant facility
<b>LEGAL NOTICE</b>	Notices of Public Hearing have been mailed to 171 owners and occupants of properties located within 300 feet of the subject site.



In April of 2002 the Planning Commission approved Conditional Use Permit No. 02-03 and Precise Plan 02-01 to allow the use of the site as a child care center (pre-school and day-care) and increase the size of the facility. The condition use permit allowed for approximately 45 children with 4 teachers and precise plan allowed the addition of a 244-square foot classroom. The first conditional use permit to allow the site to be used for a child care center was approved by the Planning Commission in 1995. The last child care center to operate at the site was Footprints Child Care Center. The lot is currently vacant.

## DISCUSSION

The applicant is requesting an approval of a conditional use permit for the use of a child day care and learning center that will be called Hooray Montessori Preschool of West Covina (Hooray). The subject property is located in a “Multi-Family Residential” (MF-20) Zone located south of the Interstate 10 Freeway near the Glendora Avenue retail area. The subject property abuts East Dalewood Street Avenue. The facility is directly adjacent to multi-family residential neighborhoods on the west and south side. There is a dental office building and single-family residence north of the subject property and an alley directly east of the property.

The use of a child day care center in all zoning designations requires the approval of a Conditional Use Permit. The Conditional Use Permit for the previous use of a child day care center, Footprints Child Care Center, was approved in 2002 and has been inactive for more than six months. Under the Municipal Code, if the said use is inactive for more than 6 months the entitlement becomes null and an applicant must request an approval for a conditional use permit to allow a new child day care use.

Hooray is a child day care facility that provides preschool, child day care, and tutoring services. The facility will serve infants (six-weeks) to six years old. The program is anticipated to have a staff size of 5 employees and allow for up to 40 children. The programs and classes will be organized appropriately by age group and be provided by the Hooray curriculum. The child day care center would operate between the hours of 7:00 A.M. and 7:00 P.M, Monday through Friday and from 10:00 A.M. to 5:00 P.M. on Saturday and Sundays (weekend operations would be occasional and limited to seminars/workshops and specials events associated with the child care and learning center). A condition of approval has been included defining that weekend operations would be limited to events associated with the child day care use. The applicant states the children would not use the outdoor play area on the south portion of the site before 9:00 a.m.

The proposed day-care use would occupy an existing facility that includes four classrooms, a kitchen, five bathrooms and an outdoor play area. The facility is located on a 10,369- square foot property. The facility is one story with a floor area of 2,150 square feet and was built in 1957. There is one existing play area on the property, a 3,184- square foot area located on the south portion of the property. There are fences and walls that

separate the facility and the play area on the south portion of the property from the adjacent multi-family residences.

The site currently provides 8 standard parking stalls with 1 handicap parking stall, for a total of 9 parking stalls. The West Covina Municipal Code does not explicitly regulate day care parking. Staff determined that the function of a day care use is similar to an elementary school use. The parking standard for an elementary school use is one parking space per employee. With the anticipated staff size of 5 employees, it would be required to have 5 parking stalls. The site would have sufficient parking for the proposed use with the existing parking lot of 9 parking stalls.

## REQUIRED FINDINGS

Before an application for a conditional use permit can be made, the following finding shall be made:

- 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 “Multi-Family Residential” (MF-20) Zoning Map designation. A “Multi-Family Residential” (MF-20) zone allows day care center with approval of a conditional use permit. The proposed use is a day-care facility with a floor area of 10,369 square feet. The child day care facility would be known as Hooray Montessori Preschool and would provide programs for children at an early age of infants (six weeks) to the age of six. The proposed use is located on the southeast corner of East Dalewood Street and South Bandy Avenue, local streets. The child day care use would be located near multi-family and single-family residences, where it would be a convenience for the neighboring communities and families. While near single-family homes, the subject property is not directly adjacent with an alley and a street that separate the subject property from the single-family residences. The proposed child day care use meets all the applicable requirements of the “Multi-Family Residential” (MF-20) 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 child day care use will occupy an existing facility that was previously approved for a similar use in 2002. The operating hours of the proposed use are Monday through Friday from 7:00 A.M to 7:00 P.M. and from 10:00 A.M to 5:00 P.M on Saturday and Sunday (occasional basis only). The children would not be allowed to be in the outdoor play area at the south portion of the property before 9:00 A.M., as it is directly adjacent to multi-family residences. The site maintains walls and barriers to allow buffers between the public streets on South Bandy Street

with parking provided adjacent to the alley. With the conditions of approval, the proposed child day care use will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

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

The site for the proposed child day care use is 10,369 square feet in lot size with a landscaped area of approximately 1,130 square feet, outdoor play area of approximately 3,323 square feet, parking area with 9 parking spaces, and a building floor area of 2,150 square feet. The existing facility is a one-story building. The site was approved in 2002 for the use of a child day care center and site modifications to facilitate the said use. The proposed child day care use is similar in function and use to the previously approved occupant. No building additions or modifications to the area are proposed. The site and the proposed use would be compatible with the existing and surrounding land uses.

- 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 is south of the Interstate 10 freeway and abuts the East Dalewood Avenue, a local street. The only entrance to the site is via East Dalewood Avenue. The proposed child day care use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.

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

Granting the conditional use permit for the proposed use of a child day care facility would allow the opportunity for the surrounding community to have access to a day-care facility. The proposed child day care use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the goals and objectives of the General Plan. The General Plan states that the City shall arrange land uses with the regard to the health, safety, convenience, and welfare of the residents of the city.

## CONDITIONS OF APPROVAL

Conditions of Approval can be found in the attached resolution.

## GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan. The proposal is consistent with the following General Plan Policies and Actions:

- a. Policy 2.9: Support local businesses.

## ENVIRONMENTAL DETERMINATION

The project is a Categorical Exemption Class 1 (Section 15301: Existing Facilities) pursuant to the requirements of the California Environmental Quality Act of 1970 (CEQA) since the project involves only the remodel of an existing structure.

## CONCLUSION

The applicant is requesting a Conditional Use Permit for the use of a child day care facility in an “Multi-Family Residential” (MF-20) Zone that would occupy an existing building. The subject property was approved for a similar use (child day care center known as Foot Prints Child Care) in 2003 and became inactive in 2015. Under the Municipal Code, if the said use is inactive for more than six months an applicant must request an approval for a conditional use permit to allow the operation of the use.

Through the conditional use permit, findings were made to determine if the proposed child day care use would be suitable for the existing site and neighborhood. The findings concluded that the proposed child day care use is consistent with the “Multi-Family Residential” (MF-20) zoning designation, is in compliance with the General Plan, and would not be detrimental to the health and safety of the adjacent land uses and residents.

The proposed modifications to remodel the existing site are cosmetic in scope that do not require approval from the Planning Department (the applicant is responsible for obtaining the necessary building permits should their scope of work require it).

## STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt a resolution approving Conditional Use Permit No. 18-10.

## LARGE ATTACHMENTS

Plans - Plans are available for review by the public at the West Covina Library, West Covina Police Department, and West Covina Planning Department.

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### Attachments

Resolution for CUP 18-10

Vicinity Map

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**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.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 18-10**

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**CONDITIONAL USE PERMIT NO. 18-10**

**CATEGORICAL EXEMPTION**

**APPLICANT:** Alex Fei Yee for Hooray Montessori Preschool of West Covina

**LOCATION:**            136 S. Bandy Avenue

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WHEREAS, there was filed with this Commission, 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 a child day care center use in an existing 10,369- square foot one-story building on certain property described as follows:

Assessor Parcel No. 8476-007-011 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 10<sup>th</sup> day of January, 2019, 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 a child day care facility use within an existing two-story building of 10,369 square feet that is zoned as “Multi- Family Residential” (MF-20).
2.     The proposed child day care center anticipates accommodating 5 employees and up to 40 children ranging from infancy to the age of 6. The child day care center will be open from Monday through Friday 7:00 A.M. to 7:00 P.M and Saturday and Sunday from 10:00 A.M to 5:00 P.M. (weekend operations would be occasional and limited to seminars/workshops and specials events associated with the child care and learning center). The children would not use the outdoor play area on the south portion of the site before 9:00 a.m.

4. 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.
5. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.

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

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a conditional use permit:
  - a. The proposed use is consistent with the "Multi-Family Residential" (MF-20) Zoning Map designation. A "Multi-Family Residential" (MF-20) zone allows day care center with approval of a conditional use permit. The proposed use is a day-care facility with a floor area of 10,369 square feet. The child day care facility would be known as Hooray Montessori Preschool and would provide programs for children at an early age of infants (six weeks) to the age of six. The proposed use is located on the southeast corner of East Dalewood Street and South Bandy Avenue, local streets. The child day care use would be located near multi-family and single-family residences, where it would be a convenience for the neighboring communities and families. While near single-family homes, the subject property is not directly adjacent with an alley and a street that separate the subject

property from the single-family residences. The proposed child day care use meets all the applicable requirements of the "Multi-Family Residential" (MF-20) Zone.

- b. The proposed child day care use will occupy an existing facility that was previously approved for a similar use in 2002. The operating hours of the proposed use are Monday through Friday from 7:00 A.M to 7:00 P.M. and from 10:00 A.M to 5:00 P.M on Saturday and Sunday (occasional basis only). The children would not be allowed to be in the outdoor play area at the south portion of the property before 9:00 A.M., as it is directly adjacent to multi-family residences. The site maintains walls and barriers to allow buffers between the public streets on South Bandy Street with parking provided adjacent to the alley. With the conditions of approval, the proposed child day care use will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.
  - c. The site for the proposed child day care use is 10,369 square feet in lot size with a landscaped area of approximately 1,130 square feet, outdoor play area of approximately 3,323 square feet, parking area with 9 parking spaces, and a building floor area of 2,150 square feet. The existing facility is a one-story building. The site was approved in 2002 for the use of a child day care center and site modifications to facilitate the said use. The proposed child day care use is similar in function and use to the previously approved occupant. No building additions or modifications to the area are proposed. The site and the proposed use would be compatible with the existing and surrounding land uses.
  - d. The subject property is south of the Interstate 10 freeway and abuts the East Dalewood Avenue, a local street. The only entrance to the site is via East Dalewood Avenue. The proposed child day care use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
  - e. Granting the conditional use permit for the proposed use of a child day care facility would allow the opportunity for the surrounding community to have access to a day-care facility. The proposed child day care use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the goals and objectives of the General Plan. The General Plan states that the City shall arrange land uses with the regard to the health, safety, convenience, and welfare of the residents of the city.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 18-10 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 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 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 January 22, 2019.
  - b. Comply with all requirements of the West Covina Municipal Code.
  - c. 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.
  - d. The proposed business shall not constitute a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
  - e. The child day care center shall operate from Monday through Friday from 7:00 A.M. to 7:00 P.M.
  - f. The child care center can have occasional weekend events from 10:00 A.M to 5:00 P.M. on Saturday and Sunday that are limited to seminars/workshops and specials events associated with the child care and learning center).
  - g. The outdoor play area on the south portion of the site shall not be in use before 9:00 A. M.
  - h. The number of children served on-site at this location shall not exceed 40.
  - i. The maximum number of employees at the site at any time shall not exceed 5.
  - j. 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.

- k. The parking areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure washed as needed to maintain the site in a clean and orderly manner.
- l. The applicant shall comply with maximum occupancy (total number of persons allowed to occupy the facility) requirements, pursuant to applicable Fire and Building Codes.
- m. This approval does not include approval of signs; a separate sign permit shall be obtained prior to the installation of any signs.
- n. Any proposed change to the allowed use of a child day care center shall be first reviewed by the Planning Department, Engineering Division, Building Division, and Fire Department, and shall require the written authorization of the Planning Director prior to implementation.
- o. Landscaping on the site shall be maintained in a viable and healthy condition. Landscaping areas are to be kept free of litter and diseased or dead plants. Diseased, dead, damaged and/or disfigured plants shall be replaced as deemed necessary by the Planning Director. The irrigation system shall be maintained in an operative condition.
- p. The Zoning Code gives provisions for up to two one-year extensions to keep entitlements active. Therefore, prior to January 22, 2021, (if building permits have not been obtained) you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. Please be advised that the applicant will not be notified by the Planning Department about the pending expiration of the subject entitlement.
- q. The operation of the facility shall comply with the West Covina Noise Ordinance.
- r. The conditional use permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal Code.

#### Building Division

1. All Conditions of Approval as approved by the Planning Commission shall appear as notes on the plans submitted for building plan check and permits.
2. Building design shall comply with the 2016 California Building Code (CBC)

3. Separate application(s), plan check(s), and permit(s) is/are required for:
  - a. Tenant Improvements
  - b. Signs
  - c. Fire sprinkler/Alarm systems (*see Fire Department Prevention Bureau for requirements*)
  - d. Plumbing
  - e. Mechanical
  - f. Electrical
4. Complete architectural plans prepared a by State licensed architect will be required. Submit design for review at formal plans review.
5. Complete structural plans with calculations by State licensed engineer or architect will be required. Submit design for review at formal plans review.
6. Compliance to California T-24 Energy regulations will be required. Submit design for review at formal plans review.
7. Compliance to California Green Building Code will be required. Submit design for review at formal plans review.
8. Separate plumbing, mechanical and electrical plan check will be required. Submit design for review at formal plans review.
9. A complete code analysis is required. Address type of construction, occupancy, exiting, allowable areas, allowable heights, etc. Provide a summary on the drawing.
10. Compliance with the State of California Accessibility regulations is required, including:
  - a. Building entrances shall be provided with an accessible path of travel connecting the building entrances from the public sidewalk, accessible parking, and other buildings or essential facilities located on the site.
  - b. Accessible parking:
    - i. Shall be located at each main entrance. Where multiple major entrances occur, accessible parking shall be equally distributed among the entrances.
    - ii. Shall be 9 feet wide by 18 feet deep and be provided with a loading and unloading passenger access aisle of 8 feet wide for Van space and 5 feet wide for regular accessible spaces.
  - c. Bathroom/sanitary facilities shall be upgraded to current code.
11. Total plumbing fixtures required shall be determined by California Plumbing Code (CPC).
12. Where the occupant load of the entire building is 100 or more, fire sprinklers are required per CBC 903.2.3 amended by WCMC 10-27.

13. A fire alarm system shall be required for Group E occupancies per CBC 907.2.3 and 907.2.3.8.

14. An exiting plan identifying occupant load, exit separation, exit locations, etc. are required to be approved through plan check.

#### Building Design Considerations

- The ADA parking stalls shall be restriped, and a path of travel shall be provided from the parking to the primary entrance. The parking lot appears to be deteriorated and needs to be upgraded.
- The accessible path of travel is required to be 48" wide with running slope of no more than 1:20 and cross slopes of no more than 1:48. Please verify that the existing sidewalk and paving complies and that any step that occurs shall be modified to be a ramp. There appear to be steps at the entry which should be resolved.
- A curb ramp or ramp complying with CBC§ 11B-406 or 11B-405 respectively will be required to connect the raised sidewalk from the parking surfaces.
- An ADA path of travel is required from the street to the improvement per CBC § 11B-206.
- Upgrades to the existing bathroom facilities shall be required to make them ADA accessible. The existing bathrooms appear to not be upgraded and will need upgrade.
- Each room shall have at least two defined and unobstructed exits per CBC 1006.2.2.2.4. The exiting is not clearly defined in some rooms. Classroom 4 travels through a kitchen while other classrooms travel through other classrooms to the required exit. These exits need to be more direct.

#### Fire Department

1. \*\*NFPA 13D/13R/13 Fire Sprinkler System
2. NFPA 14 – Standpipe System/ Yard Standpipes
3. NFPA 72 – Fire Alarm /Fire Sprinkler Monitoring System
4. NFPA 17/17A – Dry/Wet Chemical Extinguishing System
5. NFPA 10 – Portable Fire Extinguishers
6. New Fire Flow Test Required
7. A Knox key box and labeled master key must be maintained/provide for emergency responder access after business hours.
8. \*\*Fire sprinklers will be required for occupant loads exceeding 100 persons.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a special meeting held on the 22<sup>nd</sup> day of January, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: January 22, 2019

EXPIRATION DATE: January 22, 2021 If not used

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Herb Redholtz, Chairman  
Planning Commission

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Jeff Anderson, Secretary  
Planning Commission

Vicinity Map  
Conditional Use Permit 18-10  
136 South Bandy Avenue



Hooray Montessori Preschool

**PLANNING DEPARTMENT STAFF REPORT**

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**SUBJECT**

PLANNING DIRECTOR'S MODIFICATION NO. 17-27

CATEGORICAL EXEMPTION

APPLICANT: Gregory Miller for Jack in the Box

LOCATION: 2548 South Azusa Avenue

REQUEST: The project consists of a proposal to remodel the exterior of an existing Jack in the Box restaurant with a drive-through located on the south side of Amar Road and east of Azusa Avenue.

**DESCRIPTION OF APPLICATION**

The applicant is proposing to complete a remodel of the existing 2,608 square foot restaurant known as Jack in the Box. The interior of the restaurant will include new seating and décor as well as accessibility upgrades. Minor parking lot upgrades are also proposed for ADA accessibility.

**BACKGROUND**

The existing Jack in the Box restaurant building is 2,608 square feet in size. The restaurant is located south of the Woodside Village Shopping Center commercial center.

<b>ITEM</b>	<b>DESCRIPTION</b>	
<b>ZONING AND GENERAL PLAN</b>	"C-3 - Heavy Commercial" and "Commercial"	
<b>SURROUNDING LAND USES AND ZONING</b>	North: "C-3 - Heavy Commercial" Woodside Village Shopping Center South: "PCD-1 Planned Community Development" East: "S-C – Service Commercial" West: La County Unincorporated (Valinda)	
<b>CURRENT DEVELOPMENT</b>	Jack in the Box	

**DISCUSSION**

The applicant is proposing to complete a remodel of the existing 2,608 square foot restaurant known as Jack in the Box. The interior of the restaurant will include new seating and décor as well as accessibility upgrades. Minor parking lot upgrades are also proposed for ADA accessibility.

## **Façade Improvement**

The applicant is proposing façade renovations including new paint, cultured brick veneer, new windows and awnings, and new architectural details.

The applicant is proposing to install new windows along the north, south, and west elevations. The existing fascia and masonry walls shall be painted for restoration. Additionally, new wall features are proposed along the north, south, west, and east elevations. These wall features will incorporate a parapet roof, add brick veneer to match existing masonry, exterior cement plaster, porcelain wall tile, and fiber cement siding panel. Furthermore, the applicant is proposing to integrate roof articulation and sign fascia above the south and west elevation of the building. The sign fascia is designed with formed corrugated panels with an external illumination that shines from the outside panels. Signage will be completed under a separate administrative submittal.

The building will be repainted in the following colors: “Black Fox” (gray), “Redbay” (red), “Mindful Gray” (dark gray), and “Sweet Georgia Brown” (brown).

In summary, the revised facade will add a variety of textures, color, and detail as well as modernize the building and create visual interest.

## **Other Improvements**

The applicant is also proposing to upgrade the existing parking lot by replacing any damaged curb, repair asphalt pavement area, new sidewalk, new parking light fixtures, add a new solid roof cover to a trash enclosure.

## **REQUIRED FINDINGS**

This Non-Hearing Item has no required findings.

## **CONDITIONS OF APPROVAL**

Staff recommends the following conditions:

1. Comply with plans reviewed by the Planning Commission on January 22, 2019.
2. Comply with all applicable sections of the West Covina Municipal Code.
3. This approval is for the modification to the façade of the existing building, installation of new windows along the north, south, and west elevations. The existing fascia and masonry walls shall be painted for restoration. Additionally, new wall features will incorporate a parapet roof, exterior cement plaster, porcelain wall tile, hollow metal doors and frames, and fiber cement siding panel.
4. This approval also includes painting the building in a new color palette. The range of paint colors approved are: “Black Fox” (gray), “Redbay” (red), “Mindful Gray” (dark gray), and “Sweet Georgia Brown” (brown).
5. This approval is also for the remodeling of the parking lot to replace any damaged curb, repair asphalt area, new handicap ramp, and parking signage.



6. Comply with all requirements of the “C-3 - Heavy Commercial” Zone.
7. 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.
8. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
9. All construction equipment shall be stored on the project site during the construction phase to eliminate daily heavy-duty truck trips on vicinity roadways.
10. All mechanical equipment not shown on the approved Study Plan shall be screened from all views in a manner that is architecturally compatible with the buildings on which they are mounted. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Planning Director for review and approval prior to the issuance of building permits pursuant to Municipal Code Section 26-568.
11. That any proposed change to the approved elevations shall be reviewed and approved by the Planning Director prior to implementation.
12. This permit is valid for 12 months from the date of approval. If a building permit is not issued within this period the approval will expire. **Please be advised that the applicant will not be notified by the Planning Department about pending expiration of the subject entitlement.**
13. This approval does not include the approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
14. Any sidewalk, hardscape or parking facility, with potholes, broken, raised or depressed sections, large cracks, mud and/or dust, accumulation of loose material, faded or illegible pavement striping or other deterioration shall be repaired.
15. Parking lots or other paved areas with a cracked, broken or otherwise deteriorating surface, in excess of ten (10) percent of the surface area shall be considered a nuisance and shall be repaired.
16. The asphalt at the site shall be slurry sealed at a minimum to repair cracked/broken asphalt and to get rid of oil stains.
17. Replace any plants destroyed during the construction process.
18. Any graffiti that appears on the property shall be cleaned or removed on the same business day.
19. Graffiti-resistant coatings shall be used on all walls, fences, sign structures, or similar structures to assist in deterring graffiti.

#### GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan. The proposal is consistent with the following General Plan Policies and Actions:

- a. Policy 2.1: Maintain and enhance the City’s current tax base.

#### ENVIRONMENTAL DETERMINATION

The project is a Categorical Exemption Class 1 (Section 15301: Existing Facilities) pursuant to the requirements of the California Environmental Quality Act of 1970 (CEQA) since the project involves only the rehabilitation of an existing structure and existing facilities.

## CONCLUSION

The proposal is to modify the exterior treatment of the existing Jack in the Box restaurant. The application has been forwarded to the Planning Commission as it is a significant change to the building appearance. Conditions of approval are included in this report and staff is supportive of the proposed changes that will provide building articulation and will provide a variety of colors and treatment.

## STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission approve Planning Director's Modification No. 17-27, subject to the conditions included in the staff report.

## LARGE ATTACHMENTS

Plans - Plans are available for review by the public at the West Covina Library, West Covina Police Department, and West Covina Planning Department.

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### Attachments

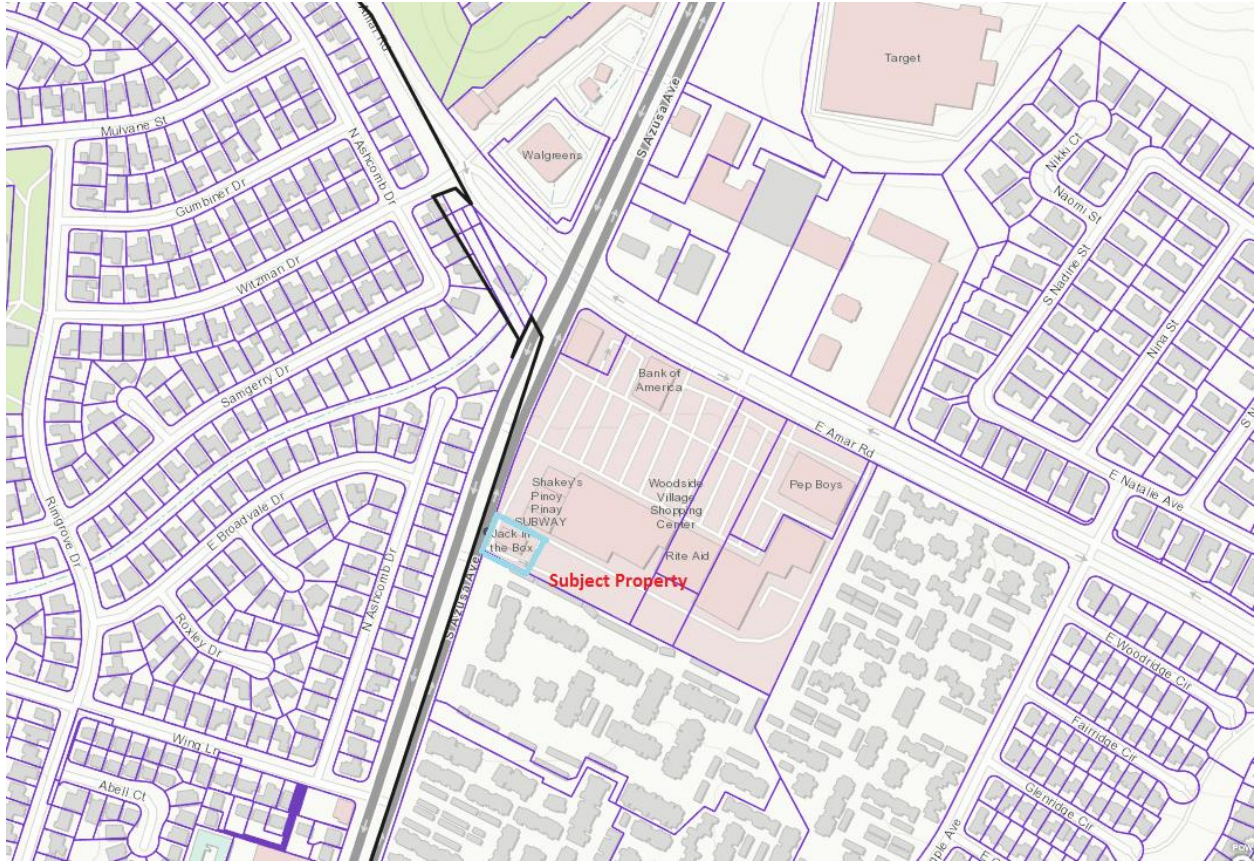
Vicinity Map

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### Vicinity Map

Planning Director's Modification No. 17-27

2548 South Azusa Avenue



## Jack in the Box

**PLANNING DEPARTMENT STAFF REPORT**

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**SUBJECT**

MINOR MODIFICATION NO. 18-03

CATEGORICAL EXEMPTION

APPLICANT: Bob Christoff for BMW Management, Inc. (Sizzler)

LOCATION: 1100 W. West Covina Parkway

REQUEST: Remodel of the Exterior Portion of an Existing Sizzler Restaurant

**DESCRIPTION OF APPLICATION**

The project consists of a proposal to remodel the exterior of an existing Sizzler restaurant located on the south side of West Covina Parkway, west of California Street.

Staff is recommending approval of Minor Modification No. 18-03.

**BACKGROUND**

The existing Sizzler restaurant building is 5,915 square feet in size with a 956-square foot outdoor seating area. The restaurant is located within the West Covina Parkway Plaza commercial center. The subject property is 125,000 square feet in size. An interior remodel of the existing restaurant was completed in 2004.

ITEM	DESCRIPTION
<b>ZONING AND GENERAL PLAN</b>	“General Urban” (GU) and “Commercial”
<b>SURROUNDING LAND USES AND ZONING</b>	North: “Urban Center” (U-C); Plaza West Covina South: “Single-Family Residential” (R-1) East: “Single-Family Residential” (R-1) West: “Single-Family Residential” (R-1)
<b>CURRENT DEVELOPMENT</b>	Sizzler Restaurant

On August 8, 2017, the Planning Commission approved Planning Director’s Modification No. 17-03 to allow the enclosure of an existing outdoor seating area, improve the parking lot, and upgrade the façade of the building. The applicant later decided to propose an addition to the rear of the restaurant under Precise Plan No. 18-04, which was approved by the Planning Commission on July 10, 2018. The applicant later decided to further modify the exterior of the building, requiring the approval of a Minor Modification.

## DISCUSSION

The applicant is proposing to complete a remodel of the existing Sizzler restaurant. The previously-approved improvements include a remodel of the interior of the restaurant, with new seating and décor as well as accessibility upgrades, the enclosure of an outdoor patio area to allow for more seating, minor parking lot upgrades for ADA accessibility, and the addition of 1,050 square feet to the rear of the building to expand the existing kitchen. The applicant previously proposed an upgrade to the exterior of the building to modernize the building and create visual interest at the pedestrian level. The new proposal is a more expansive facade improvement.

The applicant is now proposing façade renovations including new roof, new paint, cultured stone veneer, new windows and awnings, and new architectural details. The building currently features a Dutch gable roof with a parapet in the center and an entry tower. The applicant is proposing to demolish the existing roof and construct a parapet roof with three tower features. The towers would feature metal fascia with a metal band trim around the building in a copper color. Metal decking in a copper color would also be installed around the building. New windows would be installed along the north, west, and east elevations. The windows will feature dark red metal awnings. Stone veneer will be added along the north elevation and portions of the east and west elevations. Additionally, new wall treatment is proposed along the north and west elevations. These wall features will incorporate a parapet roof, metal siding in a copper color, and metal-framed American flag artwork. A metal overhang is included on the entry tower.

The building will be repainted in the following colors: "Cochise" (beige), deep red, and terra cotta. Metal accents will be in a brown or copper color. In summary, the revised facade will add a variety of textures, color, and detail as well as modernize the building and create visual interest at the pedestrian level.

## REQUIRED FINDINGS

No findings are required for a Minor Modification. Staff has included conditions of approval for the proposed remodel.

## CONDITIONS OF APPROVAL

Staff recommends the following conditions:

- a. Comply with plans reviewed by the Planning Commission on January 22, 2019.
- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all conditions of approval from Precise Plan No. 18-04.
- d. This approval is for the modification to the façade of the existing building, including a new parapet roof with metal fascia and accents, installing new windows along the north, east, and west elevations, installing new stucco wall features with a parapet roof and stone veneer wainscoting and metal-framed artwork, new stone veneer along the north, east, and west elevations, new metal awnings along the north, east, and west elevations, and a new metal overhang along the north elevation.
- e. This approval also includes painting the building in a new color palette. The range of paint colors approved are: "Cochise" (beige), deep red, and terra cotta. Metal accents

shall be in a brown or copper color.

- f. Comply with all requirements of the “General Urban” (GU) Zone.
- g. 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.
- h. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
- i. All construction equipment shall be stored on the project site during the construction phase to eliminate daily heavy-duty truck trips on vicinity roadways.
- j. All mechanical equipment not shown on the approved plan shall be screened from all views in a manner that is architecturally compatible with the buildings on which they are mounted. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Planning Director for review and approval prior to the issuance of building permits pursuant to Municipal Code Section 26-568.
  - 1. All outdoor trash areas shall be screened on all sides from public view by a minimum 5’6” high decorative block wall with a gate constructed of durable materials and a solid architectural cover. Provide construction details prior to issuance of a building permit.
- k. That any proposed change to the approved elevations shall be reviewed and approved by the Planning Director prior to implementation.
  - 1. This approval is valid concurrent with the approval of Precise Plan No. 18-04.
- m. This approval does not include the approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
- n. Any sidewalk, hardscape or parking facility, with potholes, broken, raised or depressed sections, large cracks, mud and/or dust, accumulation of loose material, faded or illegible pavement striping or other deterioration shall be repaired.
- o. Parking lots or other paved areas with a cracked, broken or otherwise deteriorating surface, in excess of ten (10) percent of the surface area shall be considered a nuisance and shall be repaired.
- p. The asphalt at the site shall be slurry sealed at a minimum to repair cracked/broken asphalt and to get rid of oil stains.
- q. Replace any plants destroyed during the construction process.
- r. Any graffiti that appears on the property shall be cleaned or removed on the same business day.
- s. Graffiti-resistant coatings shall be used on all walls, fences, sign structures, or similar structures to assist in deterring graffiti.
- t. BUILDING DIVISION
  - 1. The accessible path of travel is required to be 48” wide with running slope of no more than 1:20 and cross slopes of no more than 1:48. Please verify that the existing sidewalk and paving complies.
  - 2. A curb ramp complying with CBC§ 11B-406 will be required to connect the raised sidewalk from the parking surfaces.
  - 3. All Conditions of Approval as approved by the Planning Commission shall

- appear as notes on the plans submitted for building plan check and permits.
4. Building design shall comply with the 2016 California Building Code (CBC).
  5. Separate application(s), plan check(s), and permit(s) is/are required for:
    - i. Tenant Improvements
    - ii. Signs
    - iii. Fire sprinkler/Alarm systems (see Fire Department Prevention Bureau for requirements)
    - iv. Plumbing
    - v. Mechanical
    - vi. Electrical
  6. Complete architectural plans prepared a by State licensed architect will be required. Submit design for review at formal plans review.
  7. Complete structural plans with calculations by State licensed engineer or architect will be required. Submit design for review at formal plans review.
  8. Compliance to California Green Building Code will be required. Submit design for review at formal plans review.
  9. Separate plumbing, mechanical and electrical plan check will be required. Submit design for review at formal plans review.
  10. A complete code analysis is required. Address type of construction, occupancy, exiting, allowable areas, allowable heights, etc. Provide a summary on the drawing.
  11. Compliance with the State of California Accessibility regulations is required, including:
    - i. Building entrances shall be provided with an accessible path of travel connecting the building entrances from the public sidewalk, accessible parking, and other buildings or essential facilities located on the site.
  12. Accessible parking:
    - i. Shall be located at each main entrance. Where multiple major entrances occur, accessible parking shall be equally distributed among the entrances
    - ii. Shall be 9 feet wide by 18 feet deep and be provided with a loading and unloading passenger access aisle of 8 feet wide for Van space and 5 feet wide for regular accessible spaces.
  13. Aisles and seating shall be accessible.
  14. Provide Fire Alarms and Detection systems complying with CBC § 907 for the following projects:
    - i. West Covina Municipal Code requires fire sprinklers for the projects listed below except for open garages as defined by the California Building Code. WCMC § 7-18.13.
    - ii. In any existing building after the completion of any addition, which will exceed five thousand (5,000) square feet of floor area. WCMC § 7-18.13.1
  15. Total plumbing fixtures required shall be determined by California Plumbing Code (CPC).
- u. FIRE DEPARTMENT
1. NFPA 13D/13R/13 Fire Sprinkler System.

2. NFPA 10 – Portable Fire Extinguishers.
3. Fire sprinkler modifications in accord with the new enclosure will require separate approval and permit from the Fire Department. Panic hardware is required on exit door(s).

## GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan. The proposal is consistent with the following General Plan Policies and Actions:

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

## ENVIRONMENTAL DETERMINATION

The project is a Categorically Exemption Class 1 (Section 15301: Existing Facilities) pursuant to the requirements of the California Environmental Quality Act of 1970 (CEQA) since the project involves only the rehabilitation of an existing structure.

## CONCLUSION

Originally, an application was submitted for a Planning Director's Modification to enclose the existing outdoor patio area and to modify the facade of the existing Sizzler restaurant. Subsequently, Precise Plan No. 18-04 was approved to allow a 1,050-square foot addition to the rear of the restaurant, enclose the patio, and upgrade the facade of the building. The current proposal is to move forward with the 1,050-square foot addition and patio enclosure, while slightly modifying the facade improvements.

## STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission approve Minor Modification No. 18-03, subject to the conditions included in the staff report.

## LARGE ATTACHMENTS

Plans - Plans are available for review by the public at the West Covina Library, West Covina Police Department, and West Covina Planning Department.

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### Attachments

Vicinity Map

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## Vicinity Map

Minor Modification No. 18-03

1100 West Covina Parkway



Sizzler Restaurant