

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

**Tuesday February 12, 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. 19-5979

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENT PRAYER/MEDITATION**

**ROLL CALL**

**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.*

None

**APPROVAL OF MINUTES**

1. Minutes - January 22, 2019

## **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**

## **NON-HEARING ITEMS**

2. **INITIATION OF CODE AMENDMENT NO. 19-01**
3. **MINOR SITE PLAN REVIEW NO. 18-20**  
**CATEGORICAL EXEMPTION**  
**APPLICANT:** Greg Fick for Cadence Acquisition LLC  
**LOCATION:** 711 N. Azusa Ave.  
**REQUEST:** Request to remodel the facade of a 5,780 square foot, single-tenant building.

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

4. **CITY COUNCIL ACTION:**

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

5. **PLANNING DIRECTOR'S REPORT:**

- a. Forthcoming - February 26, 2019
- b. Project Status Report - January, 2019
- c. Change of Conflict of Interest Rule - Distance increased from 500 feet to 1,000 feet

**ADJOURNMENT**

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## **Attachments**

01.22.19 minutes

Project Status Report

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# UNADOPTED MINUTES

## A G E N D A

DATE: February 12, 2019

ITEM NO.: \_\_\_\_\_

### MINUTES

#### REGULAR MEETING OF THE PLANNING COMMISSION

#### CITY OF WEST COVINA

Tuesday, January 22, 2019

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

#### ROLL CALL

Present: Heng, Holtz, Rozatti and Redholtz

Absent: None

City Staff Present: Anderson, Morales, Aguilar and de Zara

#### APPROVAL OF MINUTES:

1. Regular meeting, December 12, 2018

The minutes were approved as submitted.

#### CONSENT CALENDAR

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.

Community Development Director Jeff Anderson presented the staff report. There was a short discussion by the Commission regarding the new ownership of the project and the reason it was delayed.

Motion by Holtz, seconded by Heng, to approve. Motion carried 4-0.

#### OTHER MATTERS OR ORAL COMMUNICATIONS

None

## 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 a “Multi-Family Residential 20 (MF-20) Zone.

Economic Development/Housing Manager Paulina Morales presented the staff report. During her presentation she spoke about the history of the property, telling the Commission that the site had always been used as a child day care site. She added that the conditional use permit granted for that use had expired in 2015 when the site was vacated by the previous tenant. She also told the Commission that the new owners currently operate a home-based day care and will incorporate a preschool on the site. Ms. Morales also told the Commission that the request met all the required findings. Staff recommended approval of the request. Commissioner Rozatti asked if anyone had responded to the public hearing notice.

Chairman Redholtz opened the public hearing.

### PROPONENT:

Alex Fei Yee, applicant, addressed the Commission regarding his application, his wife’s qualifications to teach and run a preschool and answered questions by the Commission. Chairman Redholtz asked about the cars currently parked on the site. Mr. Yee said the cars belonged to residents in the area who had begun parking there when they realized the property was vacant. He said the issue would be addressed once they began renovating the building and parking lot. In addition, Mr. Yee read a letter from the property owner in support of his proposed business.

### OPPONENTS:

No one spoke in opposition to the project.

Chairman Redholtz closed the public hearing.

There was a short discussion by the Commission regarding this request. Commissioner Rozatti asked how long a conditional use permit would be in effect. Mr. Anderson

explained that a conditional use permit runs with the land and only expires when the allowed use ceases operations for more than one year, which was happened in this case. Commissioner Holtz expressed his support of the application, since the applicants have experience in running this type of business.

Motion by Holtz, seconded by Heng, to waive further reading and adopt Resolution No. 19-5978, approving Conditional Use Permit No. 18-10. Motion carried 4-0.

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

#### 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.

Planning Assistant Rene Aguilar presented the staff report. During his presentation he told the Commission that this application was for the upgrading of the exterior of an existing Jack in the Box drive-through restaurant. He also told the Commission that there will be a new sign that will be reviewed by staff under a separate application. He also showed a power-point presentation of what the proposed improvements will look like once they are completed. Staff recommended approval of the project.

Gregory Miller, applicant and franchise operator, said these improvements were to be implemented for the entire chain of Jack in the Box restaurants. He said the interior will also be updated. Chairman Redholtz asked if there will be improvements to the parking lot. Mr. Miller responded that there will be parking lot improvements, including improvements to the handicapped parking stalls.

Chairman Redholtz expressed his support of the improvements to the business and added that these improvements will be beneficial to the business.

Motion by Rozatti, seconded by Holtz, to approve Planning Director's Modification No. 17-27. Motion carried 4-0.

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

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

Community Development Director Jeff Anderson presented the staff report. During his presentation he said this was a modification to previously-approved Precise Plan No. 18-04. He presented the site plan and said this minor modification would be beneficial to the approved Precise Plan. He added that only the façade would be modified, not the interior of the restaurant.

Bob Christoff, applicant, representing BMW Management, Inc. said that the decision was made to put more money into this site and that it is their intention to remain open during the remodeling of the exterior of the business. He added they are ready to apply for building permits and hope to start construction by Mother's Day. Chairman Redholtz expressed this support of the project.

Motion by Rozatti, seconded by Redholtz, to approve Minor Modification No. 18-03. Motion carried 4-0.

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

Commissioner Rozatti said the 2<sup>nd</sup> Annual Fitness Festival and 5K/1K Run and Walk will be held this Saturday, January 26, 2019 at the Plaza West Covina.

5. PLANNING DIRECTOR'S REPORT:

a. Forthcoming – February 12, 2019



Community Development Director Jeff Anderson said there are items for the February 12, 2019 regular Planning Commission meeting. He also announced that former Planning Intern Rene Aguilar has been hired as Planning Assistant, effective January 28, 2019.

6. CITY COUNCIL ACTION:

None

ADJOURNMENT

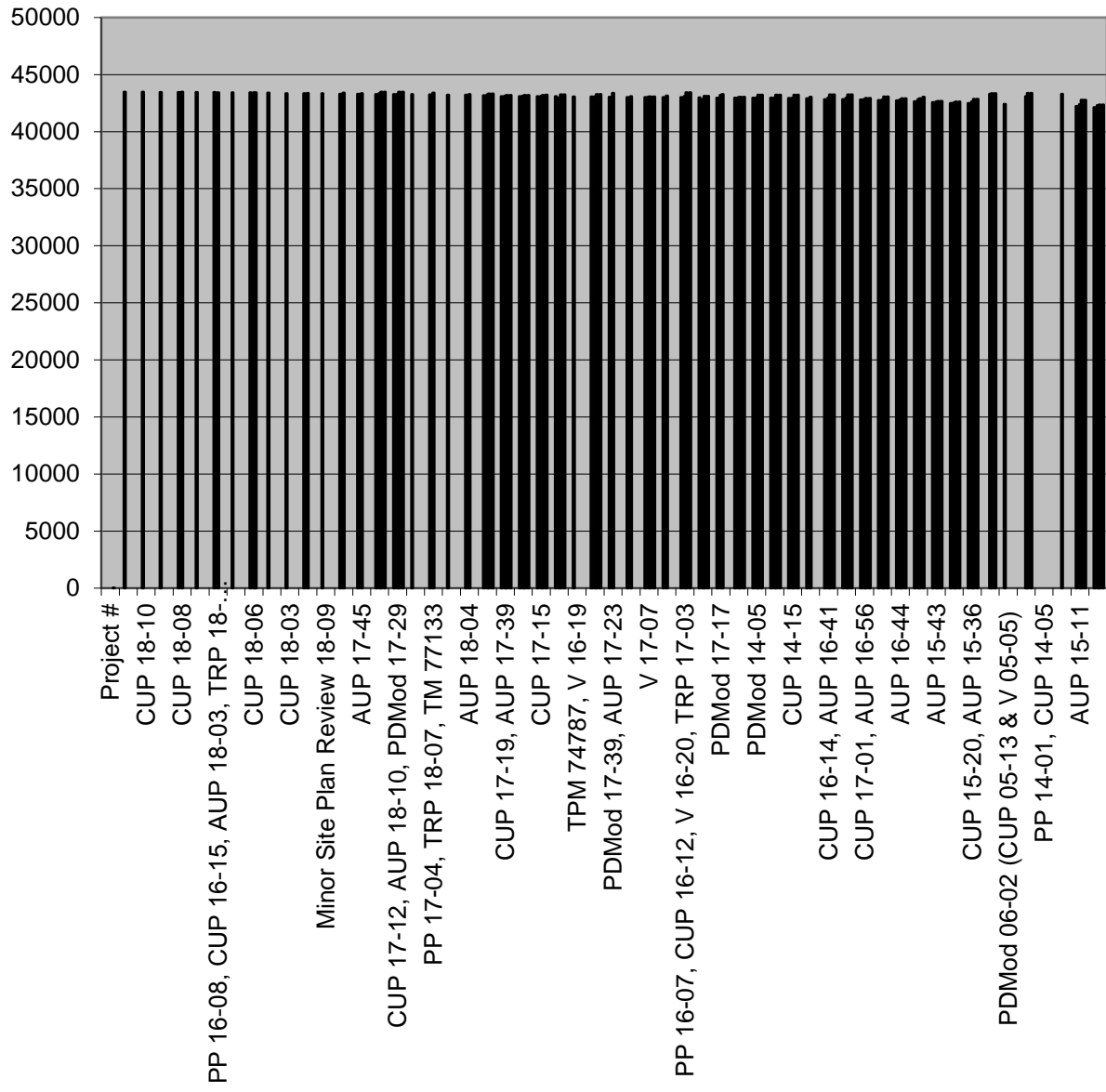
Adjourned at 7:40 p.m.

Respectfully submitted:

Lydia de Zara  
Senior Administrative Assistant

**ADOPTED AS SUBMITTED ON:**

**ADOPTED AS AMENDED ON:**



**AGENDA NO. 5.B. DATE: February 12, 2019****February 2019 Planning Commission Project Status Report**

<b>Project #</b>	<b>Address</b>	<b>Description of Project</b>	<b>PC Approved</b>	<b>Minor Mod</b>	<b>Plan Check Submittal</b>	<b>Plan Check Approval</b>	<b>Bldg. Permit Issued</b>	<b>Construction Status</b>
PDMod 17-27	2548 S Azusa Ave	Building Remodel	1/22/2019					
CUP 18-10	136 S Bandy Ave	Child Day Care	1/22/2019					
AUP 18-21	2849 Horizon Hills Dr	Retaining Wall	12/11/2018					
CUP 18-08	215 S Hillward Ave	Single Family House	12/11/2018		1/14/2019			
CUP 18-07	112 Plaza Dr, Suite 2480	Massage	12/11/2018					
CUP 16-15, AUP 18-03, TRP 18-10	200 S Vincent Ave	Fast Food Restaurant with Drive Through	12/11/2018		11/14/2018			
AUP 18-07	1117 S Lark Ellen Ave	Single Family House	11/27/2018					
CUP 18-06	146 N Grand Ave	Tutoring Center	11/27/2018		12/3/2018	12/3/2018		
CUP 18-04, V 18-02	934 West Covina Pkwy	Drive Through	10/23/2018					

Project #	Address	Description of Project	PC Approved	Minor Mod	Plan Check Submittal	Plan Check Approval	Bldg. Permit Issued	Construction Status
CUP 18-03	1532 E Amar Rd	Adult Day Care	9/11/2018					
CUP 18-05	1227 Inspiration Pt	Single Family House	9/11/2018		10/10/2018			
Minor Site Plan Review 18-09	675 S Glendora Ave	Exterior Painting of Building	8/28/2018					
PP 18-04	1100 West Covina Pkwy	Building Addition	7/10/2018	MM 18-03	11/1/2018			
AUP 17-45	2641 Elena Ave	2nd Story Addition	7/10/2018		9/5/2018			
PDMod 18-06	203 S Azusa Ave	Storage Sheds at Day Care	6/26/2018		8/30/2018	1/24/2019	1/24/2019	
CUP 17-12, AUP 18-10, PDMod 17-29	2301 S Azusa Ave	Drive-Through for Tierra Mia	6/26/2018		7/19/2018	1/28/2019	1/28/2019	
PP 15-07, TM 73652, V 15- 18	1920 W Pacific Ln	7-Unit Residential Project	6/26/2018					
PP 17-04, TRP 18-07, TM 77133	1530 W Cameron Ave	56-Unit Residential Project	5/22/2018		11/8/2018			
AUP 17-30, PDMod 17-40	1027 Amar Rd	Rooftop Wireless	4/24/2018					
AUP 18-04	2750 E Larkhill Dr	Single Family House	4/24/2018		6/11/2018			
AUP 17-33	734 Donna Beth Ave	AHQ	2/27/2018		5/14/2018	8/6/2018	8/6/2018	Under Construction

<b>Project #</b>	<b>Address</b>	<b>Description of Project</b>	<b>PC Approved</b>	<b>Minor Mod</b>	<b>Plan Check Submittal</b>	<b>Plan Check Approval</b>	<b>Bldg. Permit Issued</b>	<b>Construction Status</b>
CUP 17-19, AUP 17-39	1220 Inspiration Pt	Single Family House	12/12/2017		2/8/2018	4/11/2018	4/11/2018	Under Construction
V 17-09, AUP 17-32	1852 E Walnut Creek Pkwy	Front Setback/AHQ	12/12/2017		2/13/2018	4/5/2018	4/5/2018	
CUP 17-15	1227 S Orange Ave	Water Tank Wireless Facility	12/12/2017		1/11/2018	4/11/2018	5/1/2018	Under Construction
CUP 17-14	1424 S Azusa Ave	Tutoring/Dance Studio	12/12/2017		9/13/2017	5/15/2018	5/15/2018	Approved
TPM 74787, V 16-19	845 S Sunkist Ave	3-Lot Subdivision (No Addresses Assigned)	11/28/2017					Waiting for Recordation of Final Map
AUP 17-24,	3014 E. Cameron Ave	Single Family House	11/28/2017		1/2/2018	6/12/2018	6/14/2018	Under Construction
PDMod 17- 39, AUP 17- 23	711 N Azusa Ave	Building Remodel & On-Sale ABC	10/24/2017		9/27/2018			
AUP 17-11	1212 Inspiration Pt	Balcony	10/10/2017		12/13/2017			
V 17-07	2016 E Garvey Ave S	Wall Height	10/10/2017		11/13/2017	11/13/2017	11/13/2017	Under Construction
CUP 17-17, AUP 17-31	2831 Skyview Ln	Single Family House	9/26/2017		2/15/2018			
PP 16-07, CUP 16-12, V 16-20, TRP 17-03	1400 West Covina Pkwy	Assisted Living Facility	9/26/2017		1/15/2018	11/13/2018	11/13/2018	Under Construction

<b>Project #</b>	<b>Address</b>	<b>Description of Project</b>	<b>PC Approved</b>	<b>Minor Mod</b>	<b>Plan Check Submittal</b>	<b>Plan Check Approval</b>	<b>Bldg. Permit Issued</b>	<b>Construction Status</b>
PP 16-02, AUP 17-26	1360 W Garvey Ave S	New Bakery and Café	9/12/2017		4/26/2017	1/18/2018	1/18/2018	Under Construction
PDMod 17-17	1000 & 1050 Lakes Dr	Adding Compact Parking	8/22/2017		4/2/2018	6/14/2018		
CUP 17-13, AUP 17-19	1203 Inspiration Pt	Addition to Single-Family House	8/22/2017		10/3/2017	11/6/2017	11/6/2017	Under Construction
PDMod 14-05	501 Vincent Ave	Building Façade Remodel	8/8/2017		8/28/2017	4/25/2018	4/26/2018	Under Construction
CUP 17-07	421 S Glendora Ave	Tattooing Studio	8/8/2017		8/28/2017	4/24/2018	4/24/2018	Under Construction
CUP 14-15	1455 Queen Summit	Addition to Single-Family House	7/11/2017		8/23/2017	4/18/2018	4/18/2018	Under Construction
TPM 73142, CUP 17-05 & 17-05, AUP 16-16 & 16- 54	524 Barranca Street	2-Lot Subdivision (524 S Barranca & 3017 E Cortez)	6/13/2017		10/19/2017			
CUP 16-14, AUP 16-41	3017 Hillside Dr	Large Home	4/11/2017		8/30/2017	5/31/2018	5/31/2018	Under Construction
TPM 74133, V 16-08	2222 W Garvey Ave	3-Lot Subdivision (2250 W Garvey, 1035 S Willow, 1039 S Willow)	3/28/2017		7/31/2017	5/16/2018	5/16/2018	Under Construction
CUP 17-01, AUP 16-56	1321 Silverbirch	Addition to Single-Family House	3/14/2017		4/18/2017	7/19/2017	7/19/2017	Under Construction
AUP 16-23	223 N Leland Ave	MUSE & 2nd Story	1/24/2017		3/22/2017	12/6/2017	12/6/2017	Under Construction

Project #	Address	Description of Project	PC Approved	Minor Mod	Plan Check Submittal	Plan Check Approval	Bldg. Permit Issued	Construction Status
AUP 16-44	2730 Vanderhoof	1,361 sf Detached Garage	12/13/2016		3/6/2017	6/12/2017	6/12/2017	Under Construction
AUP 16-19	1117 S Serena Dr	Retaining Wall	10/11/2016		4/13/2017	6/13/2017	10/25/2017	
AUP 15-43	927 S Van Horn Ave	Addition to Single-Family House	7/26/2016		9/7/2016	11/4/2016	11/4/2016	Under Construction
Subcommittee for Design 15-46	916 E Michelle St	Remodel & addition to Single-Family House	5/10/2016		6/9/2016	9/7/2016	9/7/2016	Under Construction
CUP 15-20, AUP 15-36	100 Buckboard Cir	Addition to Single-Family House	4/26/2016		9/22/2016	4/25/2017	5/1/2017	Under Construction
PDMod 15-51	2934 E Garvey Ave S	Remodel Exterior of Building	03/08/2016 & 8/23/2016	PDMod 18-15 approved 6/13/18	7/11/2018	9/6/2018	9/6/2018	Under Construction
PDMod 06-02 (CUP 05-13 & V 05-05)	1042 East Idahome Street	Conversion of garage to Second Unit	2/23/2016					Convert garage back by 2/23/17
PP 14-05	835 W Christopher St	Construction of SEEK Education	02/09/2016 1st Ext 2/9/18		12/21/2017	10/15/2018	10/15/2018	Under Construction
PP 14-01, CUP 14-05	1030 E. Merced Ave	Expansion of Day Care Facility	12/08/2015 1st Ext - 12/13/17 2nd Ext - 1/23/18					
GPA 14-01, ZC 14-01, PP 14-03, CUP 14-20 & V 14-23	1388 E Garvey Ave South	Public storage facility	12/15/2015 1st Ext - 12/13/17 2nd Ext - 12/13/18		7/5/2018			

<b>Project #</b>	<b>Address</b>	<b>Description of Project</b>	<b>PC Approved</b>	<b>Minor Mod</b>	<b>Plan Check Submittal</b>	<b>Plan Check Approval</b>	<b>Bldg. Permit Issued</b>	<b>Construction Status</b>
AUP 15-11	824 E Michelle Street	Remodel of Single Family House	8/25/2015		1/14/2016	2/22/2017	2/22/2017	Under Construction
AUP 14-41	2736 E Larkwood St	546 sf Detached Garage	4/28/2015		10/22/2015	12/17/2015	12/17/2015	Under Construction



**ITEM NO. 2.**

**DATE: February 12, 2019**

**TO:** Planning Commission  
**FROM:** Planning Division  
**SUBJECT:** INITIATION OF CODE AMENDMENT NO. 19-01

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**BACKGROUND:**

In January of 2019, the Planning Department received a correspondence from Paige H. Gosney; representing rePlanet, LLC (“rePlanet”) requesting that a code amendment be initiated to consider amending the Municipal Code to allow small recycling facilities to be located less than 250 feet from properties zoned or occupied for residential use.

**ANALYSIS:**

In 2010, Code Amendment No. 09-06 was approved by the City Council to amend Chapter 26 (Zoning) of the West Covina Municipal Code to clarify and establish standards for recycling facility standards and for revisions to procedures, hearings, notices, fees and cases (Article VI). Currently, pursuant to Section 26-685-92(1)(i) of the City's Municipal Code, recycling facilities are required to have a minimum distance of two hundred and fifty (250) feet from a site zoned or occupied for residential use.

On September 22, 2018, the Planning Division received an application for a small collection facility in the parking lot of the Stater Brothers parking lot. That shopping center is located on the northeast corner of E. Amar Road and Valinda Avenue. The shopping center is surrounded on all four sides by single-family residences. Due to the unique characteristics of the Site, it is not possible to comply with the minimum distance requirement (250 feet) between the residences and the small collection facility. After meeting with the applicant, the applicant elected to submit a request for the initiation of a code amendment that could allow them to operate at that shopping center.

The City of West Covina Fee Schedule adopted on June 18, 2017, includes a category of “Code Amendment Proposed by Applicant”. In cases where an applicant is proposing a Code Amendment consideration, the Fee Schedule establishes a deposit of \$2,500 with final cost being the fully burdened hourly rate of staff time, actual costs (for publishing in the newspaper) and cost of City Attorney time. If it is the desire of the Planning Commission to initiate the code amendment, the \$2,500 fee would need to be paid prior to staff commencing work on the code amendment.

**RECOMMENDATION:**

Staff is requesting direction from the Planning Commission on the adoption of a resolution initiating a code amendment to the West Covina Municipal Code pertaining to standards for small recycling facilities.

**Submitted by:**

Paul Gutierrez, Planning Assistant

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**Attachments**

Attachment No. 1 - Initiation Resolution

Attachment No. 2 - Letter of Request

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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, INITIATING CODE AMENDMENT  
NO. 19-0 RELATED TO STANDARDS FOR SMALL RECYCLING  
FACILITIES**

WHEREAS, on February 12, 2019, the Planning Commission considered the initiation of a code amendment related to standards for small recycling facilities standards for separation from properties zoned or occupied by a residential use; and

WHEREAS, the studies and investigations made by the Planning Commission reveal the following facts:

1. The Municipal Code currently requires recycling facilities to have a minimum distance of two hundred and fifty (250) feet from a site zoned or occupied for residential use.
2. Due to the geographical setting, there are commercial centers that cannot currently comply with the separation standards, it is appropriate to consider the current separation standards for small recycling facilities.
3. The proposed action is considered to be exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of a code amendment, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of West Covina, in conformance with Section 26-153(a)(3) of the West Covina Municipal Code, does hereby initiate an application for a Code Amendment related to the standards for small recycling facilities.

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 12<sup>th</sup> day of February 2019 by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: February 12, 2019

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Herb Redholtz, Vice-Chairman  
Planning Commission

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Jeff Anderson, Secretary  
Planning Commission

GRESHAM | SAVAGE  
ATTORNEYS AT LAW

Paige.Gosney@GreshamSavage.com • San Bernardino Office  
(909) 890-4499 • fax (909) 890-9877

January 8, 2019

VIA E-MAIL (jeff.anderson@westcovina.org) & U.S. MAIL

Planning Commission  
Attn: Mr. Jeff Anderson, Planning Director  
City of West Covina  
1444 West Garvey Avenue South  
West Covina, California 91790

**Re: Request for Initiation of Municipal Code Amendment**

Dear Mr. Anderson:

This firm represents rePlanet, LLC ("rePlanet"), the applicant for Administrative Use Permit No. 18-25 for a proposed small beverage container recycling facility (the "Center") located at 1025 E. Amar Road in the City of West Covina ("City"). Specifically, the Center is proposed to be located within the front parking lot of the State Brothers shopping center located at the corner of E. Amar Road and Valinda Avenue ("Site"). There are single-family and multi-family residences located behind the supermarket shopping center and across Amar Road and Valinda Avenue to the south and east of the proposed Center, respectively.

As you are aware, pursuant to Section 26-685-92(1)(i) of the City's Municipal Code, recycling facilities are required to have a minimum distance of two hundred and fifty (250) feet of a site zoned or occupied for residential use. The proposed location of the Center is presently inconsistent with this minimum distance requirement. Accordingly, at this time, rePlanet is requesting that the City initiate proceedings for a Code Amendment to allow for small recycling facilities, such as the Center, to be located less than 250 feet from properties zoned or occupied for residential use.

Under certain circumstances and due to the unique characteristics of the Site, it is not possible to comply with the minimum distance requirement for the proposed Center. The City's current recycling ordinance is drafted in a one-size-fits-all manner and does not take into consideration that the proposed Center fronts on E. Amar Road, a highly-trafficked, five-lane commercial and residential corridor. Further, the commercial uses

*Since 1910*

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RIVERSIDE 3649 Mission Inn Avenue, First Floor Rotunda • Riverside, California 92501  
SAN DIEGO 550 West C Street, Suite 1810 • San Diego, California 92101  
GreshamSavage.com

Planning Commission  
Attn: Mr. Jeff Anderson, Planning Director  
City of West Covina, Planning Department  
January 8, 2019  
Page 2

consist primarily of neighborhood retail uses that serve the nearby high density residential area, rePlanet's principal customer/facility user.

Moreover, beverage container recycling facilities, such as the proposed Center, are commonly located in supermarket parking lots in accordance with the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code, §§ 14500, et seq.) (the "Act"). As a matter of prudent planning, supermarkets are often located adjacent to residentially-zoned areas making the placement of rePlanet facilities in supermarket parking lots problematic, particularly with residential setback limitations such as the 250-foot requirement in the City's Municipal Code.

Under the Act, the California Legislature declared its intent to make recycling and redemption services convenient, efficient and economical for consumers, and expressly urged "cities and counties, when exercising their zoning authority, to act favorably on the siting of multimaterial recycling centers, reverse vending machines, mobile recycling units, or other types of recycling opportunities, as necessary for consumer convenience, and the overall success of litter abatement and beverage container recycling in the state." (Pub. Resources Code, § 14501, subd. (e).) In order to accomplish these goals, the State of California Department of Conservation requires that a "Convenience Zone" be designated within a one-half mile radius of a supermarket that meets certain designated criteria, and that the supermarket creating the "Convenience Zone" be responsible for providing recycling/redemption services within that particular area. In the event that a designated supermarket does not provide the required recycling/redemption services, then it must pay a mandatory \$100 daily fine to the State.

The requested Code Amendment would further California's policy of making CRV recycling convenient for consumers and local residents and satisfy the Act's mandate that local governments act favorably in the exercise of their zoning authority with respect to beverage container recycling facilities, by ensuring that the Center can be approved in the proposed location and achieve its mission of fulfilling the recycling needs of City residents and consumers.

Finally, rePlanet is the largest CRV recycling company in California and has extensive experience owning and operating similar recycling facilities in partnership with property owners throughout California to meet the local recycling requirements of the local agency and the community. rePlanet looks forward to working with the City to

Planning Commission  
Attn: Mr. Jeff Anderson, Planning Director  
City of West Covina, Planning Department  
January 8, 2019  
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develop a standard that is both acceptable to the City and that considers the unique locations and limitations of supermarket recycling facilities, such as the Site.

Please contact me directly at [paige.gosney@greshamsavage.com](mailto:paige.gosney@greshamsavage.com) or (909) 890-4499, if you have any questions or would like to discuss this matter further.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Paige H. Gosney', with a stylized flourish at the end.

Paige H. Gosney, Attorney for  
GRESHAM SAVAGE  
NOLAN & TILDEN,  
A Professional Corporation

PHG/JJD:jmk

cc: Client (via e-mail only)

**PLANNING DEPARTMENT STAFF REPORT**

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**SUBJECT**

**MINOR SITE PLAN REVIEW NO. 18-20**

**CATEGORICAL EXEMPTION**

**APPLICANT:** Greg Fick for Cadence Acquisition LLC

**LOCATION:** 711 N. Azusa Ave.

**REQUEST:** Request to remodel the facade of a 5,780 square foot, single-tenant building.

**DESCRIPTION OF APPLICATION**

The applicant is requesting approval of a Planning Director's Modification to remodel the façade of the existing 5,780-square foot single-tenant building. The applicant will also be splitting the building into three tenant spaces as part of the proposal. The project is located in the "Neighborhood Commercial" (N-C) Zone.

Staff is recommending approval of the Minor Site Plan Review.

**BACKGROUND**

The Planning Commission approved Precise Plan No. 823 on July 19, 1989 allowing the construction of a single-tenant retail building. The building has been vacant since September 15, 2017, when the former school ended the previous lease. The subject property is approximately 18,770 square feet in area and is located on the northwest corner of Azusa Avenue and Puente Avenue.

On October 24, 2017, the Planning Commission approved Planning Director's Modification No. 17-39 to remodel the façade of the existing building. The approved project proposed splitting the building into three tenant spaces and included façade renovations comprised of new paint, new alternative materials, new awnings, and new entry features. The project proposed removal of the center entry feature and the addition of two new entry features to be painted a dark gray featuring a stone tile base and score lines. Building permits were never issued for this project.

Administrative Use Permit No. 17-28 was also approved at this time to allow for the off-sale of beer and wine at the proposed convenience store within the building.



ITEM	DESCRIPTION	
<b>ZONING AND GENERAL PLAN</b>	“Neighborhood Commercial” (N-C) and “Service and Neighborhood Commercial”	
<b>SURROUNDING LAND USES AND ZONING</b>	North: “Multiple-Family Residential” (MF-45); Apartment Buildings South: “Neighborhood Commercial” (N-C); Food4Less Commercial Center East: “Neighborhood Commercial” (N-C); CVS Pharmacy West: “Multiple-Family Residential” (MF-45); Apartment Buildings	
<b>CURRENT DEVELOPMENT</b>	The site is developed with 5,780-square foot vacant single-tenant retail building formerly occupied by Blockbuster Video Store.	

## DISCUSSION

The applicant is proposing to complete a remodel of the existing vacant 5,780-square foot tenant space. The single-tenant space will be split into three individual tenant spaces. One space will be 2,500 square feet in size and will be occupied by a convenience store. The remaining two tenant spaces will be 1,750 square feet and 1,530 square feet. The two tenant spaces are proposed to be retail uses. No additions are proposed to the existing building. The subject property provides 22 parking spaces.

### Façade Improvement

The applicant is proposing to modify the front elevation treatment as well as façade renovations including new paint, new alternative materials, and new awnings. The proposal removes the variable façade heights and the variety in color and the stone tile base.

The building is contemporary in style and features a straight parapet roof across the front elevation. The building currently features stucco walls, score lines, and a cornice, and will be painted in a warm brown color featuring a mist gray stripe. The proposal does not affect the interior floor plan. The entrances will also feature score lines to match the existing building. Dark brown awnings will be installed along the north, south, and east elevations.

The proposed design eliminates the varied roof height, entry features, and the stone tile base. The applicant is proposing to renovate the existing building and the proposed revisions continue to represent an investment in the property.

## REQUIRED FINDINGS

None

## CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval for Minor Site Plan Review No. 18-20 for the exterior modification of the building:

1. Comply with plans reviewed by the Planning Commission on February 12, 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, including the removal of the existing entry feature, painting of the entire building, score lines to match the existing building, and new dark brown entry awnings.
4. The total number of parking spaces shall remain 22.
5. Comply with all requirements of the "Neighborhood Commercial" Zone.
6. 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.
7. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
8. All construction equipment shall be stored on the project site during the construction phase to eliminate daily heavy-duty truck trips on vicinity roadways.
9. 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.
10. 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.
11. That any proposed change to the approved elevations shall be reviewed and approved by the Planning Director prior to implementation.
12. 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.
13. 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.
14. 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.
15. The asphalt at the site shall be slurry sealed at a minimum to repair cracked/broken asphalt and to get rid of oil stains.
16. Replace any plants destroyed during the construction process.
17. Any graffiti that appears on the property shall be cleaned or removed on the same business day.
18. Graffiti-resistant coatings shall be used on all walls, fences, sign structures, or similar structures to assist in deterring graffiti.
19. 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.

## BUILDING DIVISION

20. All Conditions of Approval as approved by the Planning Commission shall appear as notes on the plans submitted for building plan check and permits.
21. Submit construction plans to Building Division for review and building permit.

## POLICE DEPARTMENT

### 22. CCTV System Requirements:

- 960H (960 x 480) recording resolution
- H.264 video compression
- Real-time recording 30 fps per channel @ 960 resolution
- 2048 bit rate
- 1 TB hard disk drive at a minimum and larger if the number of cameras require more storage to meet the 30 day storage minimum
- Fixed cameras with complete coverage of areas that do not infringe on the privacy of patrons, PTZ (pan, tilt, zoom) optional
- Recordings preserved for a minimum of 30 days (30 day loop minimum)
- DVR must contain a USB port for police department personnel to easily access system and download video.

## GENERAL PLAN CONSISTENCY

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

1. Policy 2.1: Maintain and enhance the City's current tax base.
2. Policy 2.2 Diversify local tax base.

## ENVIRONMENTAL DETERMINATION

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 and the building is existing.

## CONCLUSION

The applicant is requesting the approval of a Minor Site Plan Review to remodel the façade of the existing 5,780-square foot single-tenant building.

## STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt a resolution approving Minor Site Plan Review No. 18-20 with the conditions of approval provided in the staff report.

## LARGE ATTACHMENTS

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

Submitted by: Megan Wu

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Attachments

Attachment No. 1 - Vicinity Map

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N Myrtlewood Ave

712

706

702

721

SUBJECT PROPERTY

711

N Azusa Ave

CVS/pharmacy

702

E Puente Ave

E Puente Ave

N Azusa Ave

645

Big Lots

635

646

1808

1814