

PLANNING COMMISSION

RESOLUTION NO. 22-6112

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE PERMIT NO. 22-10

---

ADMINISTRATIVE USE PERMIT NO. 22-10

CATERGORICAL EXEMPTION

**APPLICANT:** Davie Sy

**LOCATION:** 2825 E Cortez Street

---

WHEREAS, there was filed with this City a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of an Administrative Use Permit, to construct a two-story single-family residence on:

Parcel 1 of Tentative Parcel Map No. 22-01 (PM 83850); and

WHEREAS, the Planning Commission upon giving the required notice did on the 13th day of September, 2022, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, concurrent with this application, Subcommittee for Design Review, has been requested to allow for the construction of a single-family residence on the proposed lot; and

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

1. The applicant is requesting the approval of an Administrative Use Permit to allow for the construction of a two-story 3,148 square foot single-family residence, located in the “Residential Agriculture” (R-A) Zone, in Area District III.
2. Appropriate findings for approval of an Administrative Use Permit are as follows:
  - a. *That the lot and proposed development is consistent with the general plan, zoning, and meets all other applicable code requirements.*
  - b. *That the development utilizes building materials, color schemes and a roof style which blend with the existing structure, if any, and results in a development which is harmonious in scale and mass with the surrounding residences.*

- c. *That the development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles.*
  - d. *That the development can be adequately served by existing or required infrastructure and services.*
  - e. *That the design of the structure has given consideration to the privacy of surrounding properties through the usage and placement of windows and doors, cantilevers, decks, balconies, minimal retaining walls, trees and other buffering landscaping materials.*
  - f. *That the development is sensitive to the natural terrain, minimizes necessary grading, de-emphasizes vertical massing which could disrupt the profile of a natural slope, and does not impede any scenic vistas or views open to the public or surrounding properties.*
3. The proposal is considered to be categorically exempt, pursuant to Section 15303 (Class 1, New Construction) of the California Environmental Quality Act (CEQA), as the proposal involves the construction of a two-story single-family residence.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, for Administrative Use Permit No. 22-10, the Planning Commission makes the following findings:
- a. The proposed house is consistent with the "Neighborhood Low" (up to 8 dwelling units per acre) General Plan designation and the "Residential Agriculture" (R-A) Zone, in that it consists of the construction of one single-family home on each lot. The project meets all applicable requirements of the "Residential Agriculture" (R-1) Zone, and Area District III.
  - b. The neighborhood consists of one-story houses and feature a variety of architectural styles. The two proposed two-story house features a modern craftsman architectural style. The two-story house will feature large exterior windows, tiled roof, and stucco with wall veneer.
  - c. The proposed house will be accessible from a new driveway off of East Cortez Street and will not negatively impact circulation or safety for pedestrians and vehicles. The subject property with setbacks that comply with those required by the Municipal Code. The proposed house does not have negative effects on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-the-way.
  - d. The lot is adequately served by existing infrastructure (streets, sewer, water, etc.). The proposed two-story house is not anticipated to require additional infrastructure or services beyond that provided for the existing residences nearby.

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

- e. As conditioned, the windows on the second floor that face the single-story houses will not cause privacy impacts due to a combination of distance/setback, design, and landscape screening requirements.
  - f. The proposal is sensitive to the natural terrain in that there are no major terrain modifications. Any necessary precise grading for construction will require that a grading permit be obtained from the Engineering Division. The project proposes a new two-story house that would not impede any scenic views from surrounding properties.
- 2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, the Administrative Use Permit is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said precise plan by the Planning Commission or City Council.
  - 3. That the Administrative Use Permit shall not be effective for any purpose until the owner of the property involved (or a duly authorized representative) has filed at the office of the Community Development Director, his affidavit stating he is aware of, and accepts, all conditions of this Administrative Use Permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
  - 4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
  - 5. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 22-10 is approved, subject to the following conditions:
    - a. Comply with the Administrative Use Permit reviewed by the Planning Commission on September 13, 2022.
    - b. Approval of this Administrative Use Permit is contingent upon and shall not become effective unless and until Tentative Parcel Map No. 22-01 (83850) is approved and the final map is recorded.

- c. Comply with the development standards of "Residential Agriculture" (R-A) Zone, Area District III and all applicable provisions of the West Covina Municipal Code.
- d. This approval is to allow for the following:
  - i. The construction of a 3,148 square foot two-story single-family residence, which will consist of five (5) bedrooms, four (4) bathrooms, a kitchen, a living room, a laundry room, a dining room, and a recreational room.
  - ii. The construction of a 747 square foot attached three-car garage located along the front elevation of the residence.
  - iii. The construction of a 211 square foot attached patio cover to be located at the rear of the residence.
  - iv. The construction of a detached 1,000 square foot accessory structure to service the home as a workshop.
- e. That prior to final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced and the site shall be kept free of diseased or dead plant materials and litter at all times. All plantings indicated on the landscape plan shall be installed prior to Building permit final. A licensed landscape architect shall certify that all the required plantings have been installed in accordance with the approved landscape plan.
- f. At least one (1) 24: box-sized tree shall be installed within the front yard landscaping of the new parcel (Parcel 1) prior to Building permit final.
- g. The existing landscape screening along the west side shall be maintained. Supplementary landscape screening shall be installed in order to preserve the privacy of the west side neighbor.
- h. That the removal of any street trees is submitted to the Public Services Department Maintenance Division for review and approval.
- i. The bedroom window located on the west elevation shall be made of frosted/obscure glass.
- j. The grade onsite shall not be increased to the point that the swimming pools located on the neighboring properties (west and north) are made out of compliance and would no longer meet the pool fence/wall height protection requirements.

- k. Air conditioning and heating ducting shall not be exposed on roofs per West Covina Municipal Code Sec. 26-409. Roof-mounted mechanical equipment is not permitted.
- l. A covenant identifying the occupancy and limitations of the site in relation to the workshop, shall be recorded with the county recorder prior to building permit issuance. The applicant shall be responsible to prove the vesting and show evidence of recordation and shall pay the cost thereof.
- m. That any proposed change to the approved administrative use permit shall be reviewed by the Planning, Public Works, Fire and Police Departments, and the written authorization of the Community Development Director shall be obtained prior to implementation.
- n. Prior to requesting a final inspection by the Building Division, the Planning Division shall inspect the house.
- o. The applicant shall sign an affidavit accepting all conditions of this approval.
- p. All outstanding fees and any required development impact fees shall be paid prior to the issuance of a building permit.
- q. BUILDING DIVISION CONDITIONS:
  - i. Prior to submitting plans for plan check, a Final Map shall be submitted for review to the Engineering Division.
  - ii. A geotechnical and soils investigation report is required.
  - iii. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.
- r. ENGINEERING DIVISION CONDITIONS:
  - i. Prior to submitting plans for plan check, a Final Map shall be submitted for review to the Engineering Division.
  - ii. The building shall be addressed as 2819 E Cortez Street and an application to assign the new address shall be filed with the Engineering Division prior to plan check submittal.
  - iii. A park dedication in-lieu fee shall be paid to the City of West Covina prior to issuance of a Permit, or prior to approval of the final map, whichever occurs first, pursuant to Section 20-40 of the Municipal Code. The estimated park fee is approximately \$21,900 (438 x 2 (No. of lots) x \$25/sq. ft. (unit price of a developed park)).

- iv. A final parcel map prepared by or under the direction of a registered civil engineer or licensed land surveyor shall be submitted to and approved by the City prior to being filed with the Los Angeles County Recorder.
- v. A soils report is required.
- vi. A preliminary parcel map guarantee shall be provided which indicates all trust deeds (to include the name of the trustee), all easement holders, all fee interest holders, and all interest holders whose interest could result in a fee. The account for this title report shall remain open until the final parcel map is filed with the Los Angeles County Recorder.
- vii. Easements shall not be granted or recorded within any area proposed to be dedicated, offered for dedication, or granted for use as a public street, alley, highway, right of access, building restriction, or other easements until after the final parcel map is approved by the City and filed with the Los Angeles County Recorder, unless such easement is subordinated to the proposed dedication or grant. If easements are granted after the date of tentative approval, a subordination shall be executed by the easement holder prior to the filing of the final parcel map.
- viii. Monumentation of parcel map boundaries, street centerlines, and lot boundaries is required if the map is based on a field survey.
- ix. All conditions from City Departments and Divisions shall be incorporated into the parcel map prior to submitting the parcel map for review.
- x. In accordance with California Government Code Sections 66442 and/or 66450, documentation shall be provided indicating the mathematical accuracy and survey analysis of the parcel map and the correctness of all certificates. Proof of ownership and proof of original signatures shall also be provided.
- xi. Proof of Tax clearance shall be provided at the time of parcel map review submittal.
- xii. Upon submittal of the parcel map for review by the City, a letter signed by both the subdivider and the engineer shall be provided which indicates that these individuals agree to submit five (5) blueprints and one sepia mylar of the recorded map to the City Public Works Department.
- xiii. A reciprocal easement for ingress and egress, sanitary sewer, utility, drainage, water shall be provided for each property that does not front on or have direct access to the public way. Services to each property shall be underground and shall be located in a trench within this easement.

s. FIRE DEPARTMENT CONDITIONS:

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

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 13<sup>th</sup> day of September 2022, by the following:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: September 13, 2022

---

Nickolas Lewis, Chairman  
Planning Commission

---

Paulina Morales, Secretary  
Planning Commission