

P L A N N I N G C O M M I S S I O N

R E S O L U T I O N N O . 23-6131

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-05

CONDITIONAL USE PERMIT NO. 23-05

CATEGORICAL EXEMPTION

APPLICANT: Shaheen Mallick (Walnut Valey Animal Hospital)

LOCATION: 4141 S. Nogales Street, Suite #B101

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Conditional Use Permit to:

Allow the use of a veterinary hospital within an existing 2,400-square foot tenant space within a certain property described as follows:

Assessor Parcel No. 8725-001-055 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 26th day of September 2023, conduct a duly advertised public hearing as prescribed by law to consider said application; and

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

1. The applicant is requesting approval of a Conditional Use Permit to allow for the use of a veterinary hospital within an existing 2,400 square foot tenant space in the "Service Commercial" (S-C) Zone.
2. 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 which 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 of 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 to the land and uses in the neighborhood and make it compatible therewith.*
 - 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.*
 - e. That the granting of such a Conditional Use Permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
3. 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 modifications 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 "Commercial" General Plan designation and the "Service Commercial" Zone. A "Service Commercial" Zone is composed primarily of high intensity retail, recreational and business office land uses. The proposed use is a veterinary hospital with a floor area of 2,400 square feet. The veterinary hospital would be known "Walnut Valley Animal Hospital" and would provide veterinary services to domesticated household pets. The proposed use is on the northeast corner of Valley Boulevard and S. Nogales Street within the Valley Nogales Center. The veterinary hospital use would be located near multi-family residences and single-family residences, where it would be a convenience for the neighboring communities and families. The proposed veterinary hospital use meets all applicable requirements of the "Service Commercial" Zone.
 - b. The proposed veterinary hospital use will occupy an existing vacant tenant space. The business hours are Monday through Sunday from 9:00 a.m. to 6:00 p.m. With the conditions of approval, the proposed veterinary hospital will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

- c. The existing building and site are adequate in size and designed to accommodate the proposed veterinary hospital use. As conditioned, sufficient parking exists on the site to accommodate the veterinary hospital use and other tenants within the shopping center.
- d. The site abuts S. Nogales Street and Valley Boulevard. The site can be accessed via S. Nogales Street and Valley Boulevard. The proposed veterinary hospital 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 veterinary hospital would allow the opportunity for the surrounding community to have access to pet health care. The proposed veterinary hospital use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land use. Allowing the proposed use is consistent with the policies and actions of the General Plan.

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

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

- 2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 23-05 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 Community Development Director before the use or occupancy of the property is commenced and before a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said 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 a duly authorized representative) has filed at the office of the Community Development Director his/her affidavit stating he/she is aware of, and accepts, all conditions of this Conditional Use Permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
- 4. The costs and expenses of any enforcement activities, including, but not limited to attorney's fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

5. That the approval of the Conditional Use Permit is subject to the following conditions:
- a. Comply with the plans reviewed by the Planning Commission on September 26, 2023.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the “Service Commercial” (S-C) Zone.
 - d. The approved veterinary hospital allows for the treatment of domesticated household pets.
 - e. The veterinary hospital is approved to operate 9:00 am to 6:00 pm Monday through Sunday.
 - f. The business owner and/or employees shall monitor the parking lot planters and planters located to the side and rear the building to ensure that they are free of animal waste.
 - g. Staff shall closely monitor any parking complaints or concerns filed regarding the veterinary hospital use. The applicant and/or business operator shall work with the staff to address any parking issues. In the event where issues remain unresolved, the Planning Commission shall review the Conditional Use Permit for the use and may, at its discretion, modify or impose new conditions.
 - h. The veterinary hospital is approved for 2,400 square feet. Any addition or modification of the use shall require the submittal and approval of a new Conditional Use Permit.
 - i. 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.
 - j. All construction equipment, stationery or mobile, shall be equipped with properly operating and maintained mufflers.
 - k. That any proposed change to the approved site plan, floor plan, or elevations shall be reviewed by the Planning Division, Building Division, Fire Department, and the Planning Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.
 - l. The operation of the facility shall comply with the West Covina Noise Ordinance.
 - 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 and Sign Criteria for the Valley Nogales Center.

- n. 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.

- o. **BUILDING DEPARTMENT**

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. Plans prepared in compliance with the code in effect shall be submitted to the Building Division for review prior to permit issuance.
3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
4. All State of California disability access regulations for accessibility shall be complied with.
5. Electrical plan check is required.
6. Mechanical plan check is required.
7. Plumbing plan check is required.
8. Project shall comply with the CalGreen Nonresidential requirements.
9. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
10. A separate permit is required for Fire Sprinklers.

- p. **FIRE DEPARTMENT**

1. NFPA 13D/13R/13 Fire Sprinkler System.
2. NFPA 72 – Fire Alarm/Fire Sprinkler Monitoring System.
3. NFPA 10 – Portable Fire Extinguishers.
4. A Knox box with a labeled master key must be maintained and provided for emergency responder access.

5. Security gates require Knox key switch for fire and police access.
6. Any modifications to an existing fire sprinkler/fire alarm system must be first approved and permitted by the Fire Department.
7. Illuminated exit signage with emergency lighting.
8. Fire access road the minimum road width shall be 26 feet.
9. All fire access roads shall have red curbing and be stenciled “No Parking Fire Lane” and have fire lane signs reading “**No Parking Fire Lane**” every 75 feet.
10. Panic hardware shall be installed where required.

NOTE: *Additional Fire Department requirements may be set upon future review of a full set of architectural plans.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 26th day of September 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: September 26, 2023

Brian Gutierrez, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission