

PLANNING COMMISSION

RESOLUTION NO. 23-6138

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 22-01

CONDITIONAL USE PERMIT NO. 23-06

CATEGORICAL EXEMPTION

APPLICANT: Luzmaria Chavez (Alta Med)

LOCATION: 933 S. Glendora Avenue

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 operation of an all-inclusive medical care facility for the elderly within an existing 18,017 square foot building on certain property described as follows:

Assessor Parcel No. 8469-019-001 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 24th day of October 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 an all-inclusive medical care facility for the elderly within an existing 18,017 square-foot building in the “Office Professional” (O-P) 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 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).

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 Office Professional Zone. The Office Professional Zone is comprised primarily of business, office, administrative or professional land uses which by their nature are of relative low intensity and therefore, when properly located and designed, are compatible with adjacent residential zoning and the development therein. The proposed use is an all-inclusive medical care facility for the elderly with a floor area of 18,017 square feet. The facility would provide recreational services for elderly participants. The facility would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families.
 - b. The proposed all-inclusive medical facility will occupy an existing vacant tenant space. The business hours are Monday through Friday, from 7:00 a.m. to 5:30 p.m. Participants will be on site from 7:30 a.m. to 2:00 p.m. With the conditions of approval, the proposed all-inclusive medical care facility will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

- c. The existing building and site is adequate in size and designed to accommodate the all-inclusive medical care facility. As conditioned, sufficient parking exists on the site to accommodate the employees of the all-inclusive medical care facility.
- d. The subject property abuts South Glendora Avenue. The site can be accessed via South Glendora Avenue and West Robindale Street. The proposed all-inclusive medical care facility 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 an all-inclusive medical care facility would allow the opportunity for the surrounding community to have access to social activities and care. The proposed all-inclusive medical care facility 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. 23-06 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 his 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 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 Conditional Use Permit No. 23-06 is subject to the following conditions:

- a. Comply with the plans reviewed by the Planning Commission on October 24, 2023.
- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all requirements of the “Office Professional” Zone.
- d. The approved medical care facility allows for the Alta Med Program of All-Inclusive Care for the Elderly (PACE).
- e. The all-inclusive medical facility is approved to operate Monday through Friday from 7:00 a.m. to 5:30 p.m.
- f. All gates shall remain open during operating business hours.
- g. Staff shall closely monitor any parking complaints or concerns filed regarding the medical facility use. The applicant and/or business operator shall work with 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 all-inclusive medical facility is approved for 18,017 square feet. Any addition or modification of the use shall require the submittal 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 be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.
- l. The operation of the facility complies 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.
- n. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the

Community Development Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.

- o. 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.

p. **BUILDING DIVISION**

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
3. Site plan shall show the unit numbers of the adjacent spaces along with the proposed tenant space.
4. South Coast Air Quality Management District must be contacted prior to any demolition or renovation. Call (909) 396-2000 for further information. Failure to comply with the provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.
5. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
6. Should the proposed alteration to the existing storefront involving modification of existing structural elements, structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
7. All State of California disability access regulations for accessibility shall be complied with.
8. Approval is required from the Los Angeles County Health Department for food handling and/or storage.
9. Building or tenant space occupied by more than 6 clients who receive custodial care shall be classified as I-4 Group Occupancy in accordance with California Building Code (CBC).
10. Changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in California Existing Building Code in effect.

11. The construction document shall demonstrate how the existing building can qualify as Type VA construction as well as how the allowable building area requirement is satisfied for the existing building per Section 506 of the CBC considering the change of use to I-4 Group Occupancy.
12. The construction document shall demonstrate how occupancy separation is provided between I-4 Group Occupancy and adjacent tenant spaces, including the one above, of different occupancies per Table 508.4 of the CBC.
13. An automatic fire alarm system shall be provided per Section 907.2.3.10 of CBC.
14. Smoke alarm and Carbon Monoxide detection shall be provided per Chapter 9 of the CBC.
15. Electrical plan check is required.
16. The project HVAC system shall comply with minimum ventilation rate according to the occupancy category per Table 402.1 of the California Mechanical Code.
17. Mechanical plan check is required.
18. Plumbing plan check is required.
19. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
20. Project shall comply with the CalGreen Nonresidential requirements.
21. 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.
22. A separate permit is required for Fire Sprinklers.

q. FIRE DEPARTMENT

1. Proof of fire sprinkler 5-year test and certification prior to final.
2. Proof of fire alarm annual test and certification prior to final.
3. Proof of hood system bi-annual test and certification prior to final.

4. New signage will be required for fire riser room/FACP room.
5. Existing red curbs must be repainted and striped prior to final.
6. Knox Box required for each unit.
7. A labeled key for each unit, along with a labeled master for exterior doors must be provided prior to final.
8. Any alteration to the existing fire protection systems will require a separate deferred submittal. Any non-permitted work may cause delay of final approval and issuance of Certificate of Occupancy.
9. Illuminated exit signage with emergency lighting.
10. Panic hardware where required.

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

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 24th day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: October 24, 2023

Brian Gutierrez, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission