

PLANNING COMMISSION

RESOLUTION NO. 23-6139

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-08

CONDITIONAL USE PERMIT NO. 23-08

CATEGORICAL EXEMPTION

APPLICANT: Angelberto Medina Jr. (Jumpers Jungle)

LOCATION: 331 N. Azusa 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 use of an indoor jumping/kids entertainment facility within an existing 5,600-square foot tenant space within a certain property described as follows:

Assessor Parcel No. 8455-001-023 & 024 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 12th day of December 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 an indoor jumping/kids entertainment facility within an existing 5,600 square foot tenant space located in the "Service Commercial" (S-C) Zone.
2. The proposed indoor jumping/kids entertainment facility anticipates accommodating three (3) employees. The jumping/kids entertainment facility will be open 12 pm to 8:30 pm for weekdays, Wednesday will be closed. Saturday and Sunday hours will be 10 am to 9 pm.
3. 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.*
4. 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 indoor jumping/kids entertainment facility is desirable at the subject location in order to offer an expanded variety of entertainment and recreational alternatives to West Covina residents. The proposed tenant spaces face away from nearby residential areas in a shopping center with buildings that are set well back from the street. Neighboring uses are offices, medical offices, trade schools, and restaurants. The proposed use is not expected to pose any operational conflicts. Given the mix of existing uses within the shopping center, the availability of adequate parking and proposed hours of operation, the indoor jumping/kids entertainment facility will not create an adverse effect on the surrounding properties and is consistent with the property's underlying zone.
 - b. The project will not be detrimental to the health, safety, peace or general welfare of persons residing in the vicinity of the site because all construction is required to meet current city building and safety; Fire code requirements and conditions

placed on the project will mitigate any potential adverse effects such as excessive noise or overflow parking. Noise impact is expected to be minimal as all activities will be located inside the building.

- c. The subject site is adequate in size and shape to accommodate the proposed use. The site provides 980 parking spaces, no major exterior modifications are undergoing, and the existing building meets all setback and height standards. Parking will be adequate during the proposed hours of operation given that the surrounding retailers and medical offices are typically closed after 6:00pm and on weekends. This will result in less vehicular traffic and parking demand that might conflict with the vehicles patronizing the proposed use. The project conforms to the development standards of the underlying zone.
- d. The shopping center fronts upon Azusa Avenue, a four-lane major arterial, which provides direct access to the San Bernardino (I-10) Freeway to the south and the Foothill (I-210) Freeway to the north of the site. The site is accessible from other directions by Workman Avenue (a collector street) to the south and Rowland Avenue (a minor arterial) to the north via Azusa Avenue. Due to the accessibility and capacity of these routes, traffic generated by the project is not expected to impact local residential streets.
- e. The granting of the conditional use permit will not adversely affect the West Covina General Plan, since the proposed use, that of an indoor jumping/ kids entertainment facility, is conditionally permitted within the site's designation of "Service Commercial". The proposed use is consistent with the following General Plan policies:

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. 23-08 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 December 12, 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. Staff shall closely monitor any parking complaints or concerns filed regarding the athletic training facility 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.
 - e. The indoor jumping/kids entertainment facility is approved for 5,600 square feet. Any addition or modification of the use shall require the submittal and approval of a new Conditional Use Permit.
 - f. The indoor jumping/kids entertainment facility (Jumpers Jungle) is approved to operate 12 pm to 8:30 pm for weekdays, Wednesday will be closed. Saturday and Sunday hours will be 10 am to 9 pm.
 - g. The indoor jumping/kids entertainment facility (Jumpers Jungle) shall have a minimum of 3 employees during operating hours at all times.
 - h. No access to the rear abutting Single- Family Residential zone for customers.
 - i. No alcohol shall be allowed in the tenant space.
 - j. The business operator shall ensure that customers are not inebriated and/ or under the influence of drugs or alcohol.
 - 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. Amplified sound shall not exceed levels that are plainly audible, or vibrations felt on the outside of the tenant space.
- n. No noise amplifier shall be used at any time for instruction by employees or customers.
- o. Any speakers inside the tenant space shall be directed towards the front of the tenant space (north).
- p. The applicant shall comply with maximum occupancy (total number of persons allowed to occupy the facility) requirements, pursuant to applicable Fire and Building Codes.
- q. 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.
- 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.
- s. **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 current Building Code shall be submitted to Building Division for review prior to permit issuance.
 - 3. All State of California disability access regulations for accessibility shall be complied with
 - 4. Jumpers or similar play components, one of each type, on ground level shall be on an accessible route per Section 11B-240.2.1 of the California Building Code.
 - 5. Dining surfaces at the party area shall comply with Section 11B-226.1 of the California Building Code.

FIRE DEPARTMENT

1. Shall comply with all 2022 California Building Code, California Mechanical Code, California Fire Code, and requirements based on occupancy classification.
2. Proof of hood system bi-annual testing and certification required prior to Final Inspection, if system is present.
3. New signage will be required for the Fire Riser room/FACP room.
4. Existing red curbs must be repainted, and “NO PARKING” signage shall be installed or updated in Fire Lane Access areas.
5. Knox box is required, if one is present, it shall be updated with current business keys.
6. Monitored fire sprinkler system(s) may be required for the proposed building(s) and or any alterations. Plans shall be submitted prior to construction and permits shall be applied for prior to construction.
 - a. Proof of fire sprinkler 5-year test and certification prior to Final Inspection, if occupancy has existing sprinkler system installed.
 - b. All modifications/ additions to existing Sprinkler System shall be submitted for plan review and approval.
7. Monitored fire alarm system(s) may be required for proposed building(s) and or any alterations. Plans shall be submitted prior to construction and permits shall be applied for prior to construction.
 - a. Proof of Fire Alarm Annual test and certification shall be submitted prior to final inspection if occupancy has an existing Fire Alarm System installed.
 - b. Interconnection of Emergency Shutdown devices/ Heat Detection devices may be required.
 - c. Plans shall be submitted and approved prior to construction. Pre-Wire Inspection and function testing with AHJ shall be conducted.
 - d. Listing and all data sheets shall be provided to the Fire Official, and on-site for review when needed.

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 12th day of December 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: December 12, 2023

Brian Gutierrez, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission