

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 . 24-6142

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-10 AND AMENDING CONDITIONAL USE PERMIT NO. 19-11

CONDITIONAL USE PERMIT NO. 23-10 (AMENDING CUP NO. 19-11)

CATEGORICAL EXEMPTION

APPLICANT: Joe Ghougassian

LOCATION: 928 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 installation and use of an automobile spray/painting booth/use within an existing automobile repair shop building on that certain property described as:

Assessor's Parcel Number 8487-017-025, as listed in the records of the office of the Los Angeles County Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of January 2024, 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 an amendment to Conditional Use Permit (CUP) No. 19-11 to allow a spray booth (autobody painting) for an existing automobile repair shop in the Service-Commercial (SC) 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 auto body paint/spray booth would be located within the existing automobile repair shop and would provide an added service that would contribute to the general well-being of the community. Community members utilizing the automobile repair shop would no longer experience the inconvenience of bringing their vehicles for repair at multiple locations. The proposed use is consistent with the Service Commercial Zone and other uses within the surrounding area.
 - b. As conditioned, the added auto body painting service will not be detrimental to the health, safety, peace or general welfare or persons residing or working in the vicinity or injurious to property or improvements in the vicinity. The business owner will obtain permits from the South Coast Air Quality Management District (SCAQMD).
 - c. The existing building and site is adequate in size and is properly designed to accommodate the automobile repair shop use. There is no evidence that the addition and operation of a painting/spray booth would negatively impact parking or vehicle traffic on Glendora Avenue.

- d. The subject property abuts streets and highways adequate in width and improvements to carry the traffic generated by the proposed use. Per WCMC Sec. 26-537(b), Service Commercial (S-C) uses are required to have access to a four-lane or wider street or highway. The project site is located on the east side of a principle arterial, Glendora Avenue, and south of E Barbara Avenue, a neighborhood street. There will be two vehicular access points, located on Glendora Avenue. The project site also provides sufficient parking for its patrons and employees.
 - e. Granting the CUP for the addition and operation of the painting/spray booth will not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan. The proposed use is consistent with Policy 2.1: Maintain and enhance the City's current tax base.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 23-10 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 their duly authorized representative) has filed at the office of the Community Development Director an 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 Conditional Use Permit No. 23-10 is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on January 23, 2024.

- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all requirements of the “Service Commercial” Zone.
- d. The approved use allows for the installation and use of an automobile spray/painting booth within an existing automobile repair shop building.
- e. The spray/painting booth shall operate as an incidental/accessory use to the primary use automobile repair shop.
- f. The approved hours of operation shall be Monday through Friday from 8:00 a.m. to 5:00 p.m. (closed on Saturday and Sunday). The applicant shall obtain approval from the Community Development Director for any modifications to the hours of operations.
- g. Comply with all conditions of approval of Conditional Use Permit No. 19-11.
- h. The applicant/business owner shall be responsible for obtaining separate permits from the South Coast Air Quality Management District.
- i. The applicant/business owner shall submit plans to the Building Division and obtain the required permits.
- j. **Fire Department Condition:**
 - i. Submit plans for plan check and obtain an Automatic Fire Extinguishing System permit.
- k. This Conditional Use Permit is valid for 24 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 Division about pending expiration of the subject entitlement.**
- l. The Zoning Code gives provisions for up to two one-year extensions to keep entitlements active. Therefore, prior to January 23, 2026, (if building permits have not been obtained) you are urged to file a letter with the department requesting a one-year extension is needed, as well as an applicable processing fee. Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.

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 23rd day of January 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: January 23, 2024

Brian Gutierrez, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission