

PLANNING COMMISSION

RESOLUTION NO. 24-6151

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 24-07

CONDITIONAL USE PERMIT NO. 24-07

CATEGORICAL EXEMPTION

APPLICANT: Xuhe Yuan

LOCATION: 112 Plaza Drive, Suite #639

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 a massage parlor within an existing 1,147 square foot tenant space located in the Plaza West Covina Shopping Center on certain property described as follows:

Assessor Parcel No. 8474-007-037 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 22nd day of October 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 a Conditional Use Permit (CUP) to allow a massage parlor within an existing 1,147 square foot tenant space, known as Relax Station. The subject property is located within the "Urban Center" (UC) 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 massage services are designed to meet the community's wellness needs, offering a convenient and accessible way to promote health and relaxation.
 - b. The massage services will not, as conditioned, pose any harm to the health, safety, peace, or general welfare of individuals residing or working nearby, nor will they cause damage to property or improvements in the surrounding area. The business will be operating consistent with the mall hours and all massage therapists are required to have CAMTC certification.
 - c. The subject site is adequate in size and shape to accommodate the proposed use. The site provides parking spaces, no major exterior modifications are proposed, and the existing building is compliant with all development standards.
 - d. Access to the site is ample, with four major street access points on Vincent Avenue, West Covina Parkway, Sunset Avenue, and W. Garvey Avenue South, and other internal streets. No effect on required infrastructure will result from the proposed use. The proposed use is not anticipated to increase the amount of traffic to an unreasonable level.

- e. The granting of the Conditional Use Permit to allow the operation of a massage use will not adversely affect the West Covina General Plan, since the proposed use does not conflict with the site's "Commercial" land use designation. The project is consistent with the following General Plan policies: Policy 2.1 Maintain and enhance the City's current tax base and 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. 24-07 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. 24-07 is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on October 22, 2024.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the "Urban Center" Zone.
 - d. All employees and/or independent contractors providing massage services shall be certified by the California Massage Therapist Counsel (CAMTC). The business and each independent contractor shall have an active City of West Covina Business License.

- e. The business shall not operate outside of the Plaza West Covina's operating hours.
- f. Any changes to the approved floor plan, including but not limited to the construction of new walls, offices, massage rooms, storage rooms, etc. shall require Planning Commission review and amendment of the conditional use permit.
- g. Any addition or modification of the use shall require the submittal of a new Conditional Use Permit.
- h. 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.
- i. The operation of the facility complies with the West Covina Noise Ordinance.
- j. 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.
- k. 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.

1. **FIRE DEPARTMENT**

Based on the preliminary information received, the Fire Department requirements* for the above-noted project are:

- 1. NFPA 13D/13R/13 Fire Sprinkler System
- 2. NFPA 72- Fire Alarm/ Fire Sprinkler Monitoring System
- 3. NFPA 10- Portable Fire Extinguishers
- 4. Modifications to the existing fire sprinkler and/or fire alarm systems, in accord with the new partition layout, requires a permit and inspection by the Fire Department.

***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 22nd day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: October 22, 2024

Shelby Williams, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission