

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 . 25-6159

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 24-08

CONDITIONAL USE PERMIT NO. 24-08

CATEGORICAL EXEMPTION

APPLICANT: Kate Hirsh (Habitat Health)

LOCATION: 702 N. Azusa Avenue

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

Allow the operation of an adult day care facility in 18,245 square foot building on certain property described as follows:

Assessor Parcel No. 8443-003-022 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 28th day of January 2025, conduct a duly advertised public hearing as prescribed by law to consider said application; and

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

1. The applicant is requesting approval of a Conditional Use Permit to allow for the use of an adult day care facility within a 18,245 square foot building in the “Neighborhood Commercial Mixed-Use” (NMU) 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 "Neighborhood Commercial Mixed-Use" (NMU) Zone. The NMU Zone is composed primarily of retail and service commercial uses, which by their nature are of moderate intensity; are necessary in order to provide convenient daily shopping facilities to residential home and apartment dwellers; and are generally adjacent to or close to residential zoning or development. The proposed use is an adult day care facility, with a proposed floor area of 18,245 square feet. The adult day care facility would provide recreational services for adult participants. The adult day care facility would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed adult day care facility use meets all the applicable requirements of the Neighborhood Commercial Mixed-Use Zone.

b. The proposed adult day care facility will occupy an existing vacant retail building. The business hours will be Monday through Friday from 9:00 a.m. to 5:00 p.m. With the conditions of approval, the proposed adult day 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 are adequate in size and designed to accommodate the proposed adult day care facility. As conditioned, sufficient parking exists on the site to accommodate the adult day care facility use, as the minimum number of parking spaces is being surpassed.
 - d. The subject property abuts South Azusa Avenue and East Puente Avenue. The site can be accessed via South Azusa Avenue and West Puente Avenue. The proposed adult day care facility use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
 - e. Granting the CUP for the proposed use of an adult day care facility would allow the opportunity for the surrounding community to have access to social activities and care. The proposed adult day care facility would not compromise the character of the surrounding neighborhood, nor would it be detrimental to the surrounding land uses. 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.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 24-08. 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. On the basis of the evidence presented, both oral and documentary, the Planning Commission finds and determines that pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15301 (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.
4. 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 their affidavit stating they are 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.
5. 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.

6. 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 January 28, 2025.
- b. Comply with all applicable sections of the West Covina Municipal Code.
- c. Comply with all requirements of the “Neighborhood Commercial Mixed-Use” (NMU) Zone.
- d. This approval is for an adult day care facility, which allows for a Program of All-Inclusive Care (PACE) in an 18,245 square foot building.
 - i. The existing 17,032 square foot building is being expanded to allow for a 780 square foot covered entry and a 433 square foot outdoor space.
- e. The adult day care facility is approved to operate Monday through Friday from 9:00 a.m. to 5:00 p.m.
- f. Staff shall closely monitor any parking complaints or concerns filed regarding the adult day care 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.
 - i. The service vans for the facility shall be parked on site overnight in designated parking spaces only. The service vans shall be marked with a business logo or color pattern to be easily distinguished as associated with Habitat Health.
- g. The adult day care facility is approved for 18,245 square feet. Any addition or modification of the use shall require the submittal of a new Conditional Use Permit.
- h. 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.
- i. All construction equipment, stationery or mobile, shall be equipped with properly operating and maintained mufflers.
- 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 Community Development Director shall be obtained prior to implementation.
- k. The operation of the facility shall comply with the West Covina Noise Ordinance.

- l. 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.
- m. 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.
- n. The Conditional Use Permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-268 of the West Covina Development Code.
- o. **BUILDING DIVISION**
 - i. 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.
 - ii. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior to permit issuance.
 - iii. Fees shall be paid to the County of Los Angeles Sanitation District prior to the issuance of the building permit.
 - iv. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
 - v. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
 - vi. A drainage plan shall be approved prior to the issuance of the building permit. The drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
 - vii. Stormwater Planning Program LID Plan Checklist (MS4-1 FORM) completed by Engineer of Record shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans. When applicable per the LID plan checklist, LID plan shall be approved through the Engineering Division prior submitting grading plans for review. The form can be found at the following link <https://www.westcovina.org/home/showdocument?id=18427>.

- viii. Unless nonseparated occupancies provision per Section 508.3 is used, the proposed area of Business B Occupancy shall be separated from the day care area of I-4 Occupancy per Table 508.4 of the Building Code.
- ix. Day care facility of I-4 Occupancy shall comply with Section 436 of the Building Code.
- x. All State of California disability access regulations for accessibility shall be complied with.
- xi. A proposed passenger drop-off and loading zone shall comply with Section 11B-209 of the Building Code.
- xii. Conversion of an existing accessible parking space into accessible EVCS shall not result in a total count of accessible parking spaces provided on the site to fall below the minimum quantity required by Section 11B-208.2 of Building Code.
- xiii. Summary of Accessibility Upgrades for Commercial Projects shall be completed and the completed form shall be copied on the plans. The form can be found at the following link <https://www.dropbox.com/s/4xkjyn5fhggpotk/Accessibility%20Upgrade%20Summary%20Form.pdf?dl=0>.
- xiv. Approval is required from the Los Angeles County Health Department for food handling and/or storage.
- xv. Separate application and plan review are required for Electrical plans.
- xvi. Separate application and plan review are required for Mechanical plans.
- xvii. Separate application and plan review are required for Plumbing plans.
- xviii. Plumbing fixtures shall be provided as required by Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
- xix. Project shall comply with the CalGreen Non-Residential mandatory requirements.
- xx. 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 indicating this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

- xxi. Separate permits are required for Fire Sprinklers.

p. **ENGINEERING DIVISION**

- i. Replace existing curb ramp at the corner of North Azusa Avenue and East Puente Avenue with a new curb ramp in accordance with SPPWC Standard Plan 111-5 and as directed by the City Engineer or his/her designee.
- ii. Reconstruct the driveway approach located on North Azusa Avenue and the driveway approach located on East Puente Avenue in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
- iii. Remove and replace broken and off grade sidewalk in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee.
- iv. Remove and replace broken and off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
- v. Relocate water meter from the side walk as directed by the City Engineer or his/her designee.
- vi. Rehabilitate existing AC street pavement along the length of the property frontage to the centerline of the street as indicated below, and as directed by the City Engineer or his/her designee.
- vii. Prior final of the building permit(s), inspection required by Public Works inspector.

q. **FIRE DEPARTMENT**

- i. NFAPA 13D/13R/13 Fire Sprinkler System.
- ii. NFPA 72 – Fire Alarm/Fire Sprinkler Monitoring System.
- iii. NFPA 17/17A – Dry/Wet Chemical Extinguishing System.
- iv. NFPA 10 – Portable Fire Extinguisher
- v. Automatic Smoke Detection System.
- vi. A minimum 20-foot-wide fire lane shall be provided and maintained throughout the parking lot.

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 28th day of January 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: January 28, 2025

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission