

PLANNING COMMISSION

RESOLUTION NO. 25-6164

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-04 AT 725/741 S. ORANGE AVENUE

CONDITIONAL USE PERMIT NO. 23-04

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Nick Hermann

LOCATION: 725/741 S. Orange 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 a 42,000 square-foot, 71 bed behavioral health facility hospital 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 11th day of February 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 a 42,000 square-foot, 71 bed behavioral health facility hospital in the “Urban Commercial Zone” in the Downtown Plan and Code.
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 the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating that although the project could have a significant effect on the environment, there will not be a significant effect due to mitigating measures.

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 Urban Center Zone. The Urban Center Zone is composed primarily of retail and service commercial, recreational, and business office land uses which, by their nature, are of a relatively high intensity. The proposed use is a 42,000 square foot behavioral health hospital facility. As conditioned, the facility will offer a unique service and community benefit by allowing the City to drop-off unhoused individuals in need for mental health care.
 - b. The proposed use is a behavioral health hospital facility. Patients arrive at the facility via non-emergency medical vans or ambulances coming from other care facilities, and are never discharged to the street with nowhere to go. Off-street parking will be provided. Based on anticipated parking demands, adequate off-street parking will be available most times. Therefore, there is no evidence that the use will be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.
 - c. The existing building and site are adequate and are properly designed to accommodate all existing and proposed uses. The medical offices and existing

hospital are long-standing facilities and uses that have provided adequate off-street parking for a number of years. Based on anticipated parking demands, adequate off-street parking will be available most times. The proposed use will not negatively impact the adjacent commercial retail center and medical office building since a minimal number of patient visitors will be present each day, the patients are dropped-off by vehicles without the use of sirens, the patients are never discharged onto the street, and the building addition is designed to be architecturally compatible with the existing hospital.

- d. The subject property abuts Orange and Cameron Avenues and is accessible via driveway on Orange Avenue. The site is accessible through streets located along commercial areas. Since patients are typically dropped off and picked up by a van or ambulance service, these vehicles come directly from the 10 Freeway off-ramp to the site, or from Cameron Avenue to Orange Avenue, and will not be channeled through residential areas. The parking lot across Orange Avenue is a longstanding use and will not be modified as part of this project.
 - f. Granting the CUP for the proposed use will not compromise the character of the surrounding neighborhood or be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan. The project is consistent with the following General Plan policies:
 - Our Prosperous Community P2.4 Build on and grow West Covina's regional appeal
 - Our Prosperous Community P2.7a Explore health/medical campus opportunities
 - Our Prosperous Community P2.9 Support local businesses.
1. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 23-04. 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.
 2. 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.

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 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.
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 February 11, 2025.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the "Urban Center Zone of the Downtown Plan and Code.
 - d. Approval of this precise plan is contingent upon, and shall not become effective unless and until, approval of Precise Plan No. No. 23-05 and Variance No. 24-02.
 - e. This approval is to allow for the construction of a 42,000 square foot, 71-bed behavioral health hospital addition.
 - f. Staff shall closely monitor any parking complaints or concerns filed regarding the West Covina Medical Center. 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.
 - g. 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.
 - h. All construction equipment, stationery or mobile, shall be equipped with properly operating and maintained mufflers.
 - i. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Fire, and Police Departments and Engineering, and that

the written authorization of the Community Development Director shall be obtained prior to implementation.

- j. The operation of the facility shall comply with the West Covina Noise Ordinance.
- k. 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.
- l. 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.
- m. 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.
- n. The applicant shall defend, indemnify, and hold harmless the City of West Covina, its agents, officers, and employees from any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, approval of this Conditional Use Permit. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.
- o. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
- p. To ensure that patients are not discharged onto the street or without proper housing, the business operator and/or property owner shall have a discharge plan to have all patients transferred to another facility or to a family member's care upon the conclusion of treatment and/or hospital discharge.
- q. The hospital operator shall allow the City to drop-off unhoused individuals in need of mental health care to either receive care onsite or at another nearby facility operated by the West Covina Medical Center ownership group at a rate not to exceed 10 patients per day.
- r. To ensure that the parking lot on Orange Avenue, across from the project site, continues to provide parking for the West Covina Medical Center, recorded legal

documentation shall be filed requiring the parking lot to remain a parking lot serving the West Covina Medical Center.

s. **TRAFFIC DIVISION**

- i. The applicant should provide to the City, a circulation plan for Deliveries, Trash, Medical Waste Drop Off and any patient access during construction.
- ii. All pedestrian paths from ADA parking spaces on-site to building should be clear from obstacles as well as be ADA compliant with ramps as well as truncated domes.
- iii. Refresh all red curb along Orange Avenue – project frontage.
- iv. Add 20' of red curb on the west side of the Orange Ave driveway.
- v. In the parking lot across from the hospital show the location of reserves spaces for staff as well as meet ADA requirements for number of ADA spaces.
- vi. Install 20' of red curb on either side of the hospital parking lot on Garvey Ave S for line of sight.
- vii. Provide clear signage noting the parking lot is for employees and guests to the hospital at the parking lot.

t. **FIRE DEPARTMENT**

- i. Continue to utilize 2022 or most current approved California Codes.
- ii. A written Fire Protection Plan is still required prior to proceeding pas foundation work. Notate on next plan revision.
- iii. Monitored Fire Sprinklers will be noted as deferred submittal on initial plans submittal.
- iv. Monitored Fire Alarm will be noted as deferred submittal on initial plans submittal.
- v. Monitored Fire Pump will be noted as deferred submittal on initial plans submittal.
- vi. Smoke Control system(s) noted as deferred submittal on initial plans submittal.
- vii. ERRCS will be noted as deferred submittal on initial plans submittal.
- viii. Fire Command Room to be identified on initial plan submittal.

- ix. After discussion with City Staff and Design Fire, the proposed alternate means and methods for the secondary access is acceptable as noted on page 4A "Fire Department Access Plan" on 2024.10.10 Entitlements Resubmittal A. pdf.
 - i. In lieu of Fire Department access from two separate points, the following alternate means and methods shall be required;
 - Fire fighter emergency access pathway/walkway along Cameron shall be provided.
 - Revised fire access turnaround will be required. (See #10)
 - Fire Command Room within behavioral health building to be provided.
- x. Fire will identify any additional signage or pavement stenciling to maintain requirements as noted in # 10.
- xi. An approved and serviceable on-site fire protection system will be required prior to the start of building construction. Notate on plans as deferred submittal on initial plans submittal.
- xii. A preliminary on-site fire protection plan will be required as part of the initial plan submittal.
- xiii. Hydrant installation shall be completed prior to combustible construction commencement.
- xiv. As per submittal, current available fire flow is 5000gpm, at 74psi, for 5hrs.
- xv. This requirement has been remediated by #9 alternate means and methods.
- xvi. Knox box location and installation to be noted on plans.
- xvii. This requirement has been remediated by #9 alternate means and methods.
- xviii. This requirement has been remediated by #9 alternate means and methods and #10.

***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 11th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: February 11, 2025

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission