

PLANNING COMMISSION

RESOLUTION NO. 25-6166

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE PERMIT NO. 24-44

ADMINISTRATIVE PERMIT NO. 24-44

CATEGORICAL EXEMPTION

APPLICANT: Wine Selections

LOCATION: 4141 S Nogales Street Unit #C103

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 Administrative Permit to:

Allow the sale of wine for off-site consumption within an existing 1,031 square foot tenant space in a commercial building on certain property described as follows:

Assessor Parcel No. 8725-001-055 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 March 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 in its behalf reveal the following facts:

1. The applicant is requesting approval of an Administrative Permit to allow the sale of wine for off-site consumption within an existing 1,031 square-foot tenant space in a commercial building located in the “Service Commercial Mixed-Use” (SMU) Zone.
2. Findings necessary for approval of an Administrative 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 an Administrative Permit:
 - a. The proposed use is consistent with the Service Commercial Mixed-Use Zone. The Service Commercial Mixed-Use Zone is composed primarily of retail and service commercial, recreational business office and multi-family residential land uses which by their nature are of a relative high intensity; are unique in that their success depends upon direct motorist exposure and excellent access. The proposed use is the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The Wine Selections store would offer the same convenience for purchasing alcohol as other retailers, wine would be the business' only sale.
 - b. The proposed use is the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The business will be open Wednesday through Sunday from 11:00 a.m. to 6 p.m. The sale of alcohol will be limited between these hours. The site is not located within a high crime area and is not located within an area of undue concentration of off-sale alcohol licenses. 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 in size and are properly designed to accommodate all existing uses. The long-standing facilities and uses have provided

sufficient parking on site for a number of years. There is no evidence that the addition of alcohol sales within the existing tenant space will increase the current parking demand.

- d. The subject property abuts East Valley Boulevard and South Nogales Street and can be accessed by either street. The existing subject property along with the adjacent tenant spaces are long-standing facilities and the previous use of the tenant space was office/retail, similar to the proposed use. There is no evidence that the addition of alcohol sales within the subject property will generate a substantial amount of vehicular traffic, nor alter the percent circulation pattern.
 - e. Granting the Administrative Permit for the proposed sale of wine for off-site consumption 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 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, Administrative Permit No. 24-44 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 Administrative 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 Administrative 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 Administrative 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 Administrative Permit No. 24-44 is subject to the following conditions:
- a. Comply with the plans reviewed by the Planning Commission on March 11, 2025.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the “Service Commercial Mixed-Use” Zone.
 - d. Comply with all requirements of the California Department of Alcoholic Beverage Control (ABC) and obtain all necessary permits.
 - e. The approved use allows for the sale of wine for off-site consumption within the existing 1,031 square foot convenience store.
 - i. The total square footage dedicated to the use is 127 square feet, being a storage area of 120 square feet and a display area of 7 square feet.
 - f. The identification card reader is required to determine the authenticity of the identification that displays the age of the individual.
 - g. Signs shall be prominently posted, stating that California State Law prohibits the sale of wine to persons under the age of twenty-one (21) years.
 - h. A CCTV surveillance system shall be installed prior to the issuance of the alcohol license and prior to the sale of any alcohol products, that views and records all areas within the interior of the store sales floor and the exterior of the tenant space. The CCTV surveillance system shall meet the following minimum requirements:
 - 720p (1280x720) minimum recording resolution is required. An increase in resolution of 1080p (1920x1080) or better is encouraged.
 - Minimum H.264 video compression. H.265 is also acceptable.
 - Real-time recording at 30 fps per camera at 720p resolution.
 - Use caution when purchasing systems and ensure that each camera will be recording at full resolution and frame rate at the minimum spec, whether it is 720p, 1080p, or better. Recording devices often have limitations and will sometimes be advertised as supporting 720p or 1080p; however, the advertising does not explain that the higher resolution is only for limited channels and when maxed out will provide reduced resolution.

- Minimum 30-day storage retention and archival for each camera (all video) at 720p resolution, 30fps (full frame rate and resolution).
 - Design your camera system to ensure that the privacy of your patrons is not infringed, and do not view or record areas where your patron(s) would have an expectation of privacy. Typically, this is easily resolved by the placement of the camera and is not an issue. However, where this could present a problem as the need for both coverage and privacy exists in the same area, camera technology exists that allows for the best of both worlds. Called “video masking,” “window blanking,” and by other names, it allows the area within a larger view to be masked so that private areas cannot be seen, however surrounding areas are still viewable.
 - The recording device must contain a USB port for Police Department and/or Public Safety personnel to easily access the system and download video.
 - Video shall be exportable in an open file format.
- i. The business owner shall provide the Police Department and/or Public Safety Department with access to the CCTV system footage and information as deemed necessary for any investigation(s).
 - j. The approval of this Administrative Permit does not provide the business owner a license to sell wine. The business owner shall obtain a from the California Department of Alcoholic Beverage Control prior to the sales wine on site.
 - k. Staff shall closely monitor any complaints or concerns filed regarding the off-site sale of wine. The applicant and/or business operator shall work with staff to address any 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.
 - l. Any addition or modification of the use shall require the submittal of a new Administrative Permit.
 - m. 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.
 - n. The operation of the facility complies with the West Covina Noise Ordinance.

- o. The Administrative Permit may be revoked, amended, and suspended by the Planning Commission under the provisions of Section 26-268 of the West Covina Municipal Code.
- p. In the event that the “off-sale” alcohol use is discontinued for a period of six (6) months, the conditional use permit shall be reviewed by the Planning Commission at the property owner’s written request via the submittal of the prescribed form, application materials, and corresponding fee. The Planning Commission may opt to move forward with the revocation procedures, impose additional conditions of approval, or accept the continuation of the use without any changes to the original conditional use permit conditions of approval.

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 March 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: March 11, 2025

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission