

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 . 25-6171

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 25-02

CONDITIONAL USE PERMIT NO. 25-02

CATEGORICAL EXEMPTION

APPLICANT: Sherrie Olson

LOCATION: 2887 E. Valley Boulevard

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 sale of beer, wine, and distilled spirits (Type 21) within an existing 2,400 square foot convenience store on certain property described as follows:

Assessor Parcel No. 8725-017-013 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 12th day of August 2025, conduct a duly advertised public hearing as prescribed by law to consider said application and voted to forward the application to the City Council for consideration; and

WHEREAS on August 12, 2025, the Planning Commission voted to reconsider the application, and conducted a duly advertised public hearing as prescribed by law to reconsider said application; and

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

1. The applicant is requesting approval of a Conditional Use Permit (CUP) to upgrade their existing Type 20 (sale of beer and wine for off-site consumption) license to Type 21 (Sale of beer, wine, and distilled spirits for off-site consumption), within an existing 2,400 square-foot convenience store, located 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 Zone. The Neighborhood Commercial Mixed-Use 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 within close proximity to residential zoning or development. The proposed use is to allow the sale of distilled spirits, in addition to the existing sale of beer and wine, for off-site consumption within an existing 2,400 square-foot convenience store. The 7-Eleven convenience store would offer the same convenience for purchasing alcohol as other retailers in the area.
 - b. The proposed use is to allow the sales of distilled spirits, in addition to the existing sale of beer and wine, for off-site consumption, within an existing 2,400 square-foot convenience store. The convenience store is open twenty-four (24) hours a day, seven (7) days a week. However, alcohol sales will be limited to the hours of 6:00 a.m. to 2:00 a.m. There are no concerns from the West Covina Police Department

(WCPD) regarding the proposed use, as there is no evidence that the proposed use will be detrimental to public health, safety, or general welfare when operating under the conditions indicated in the draft resolution.

- c. The existing building and site are adequate in size and is property designed to accommodate the existing use. The convenience store is a long-standing facility that has provided sufficient parking on site for years. There is no evidence that the upgrade/modification of the alcohol license for the convenience store will increase the current parking demand.
 - d. The subject property abuts East Valley Boulevard and can be accessed directly by the street. The convenience store is a long-standing facility and use. There is no evidence that the upgrade/modification of the alcohol license for the convenience store will generate a substantial amount of vehicular traffic, nor alter the present circulation patterns.
 - e. Granting the CUP for the proposed sale of beer, wine, and distilled spirits 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, Conditional Use Permit No. 25-02 is approved subject to the provisions of the West Covina Municipal Code expressly 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 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.

5. The costs and expenses of any enforcement activities including, but not limited to, attorneys' fees necessitated 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 Conditional Use Permit No. 25-02 is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on August 12, 2025.
 - b. Comply with all applicable sections of the West Covina Municipal Code, State and Federal laws.
 - c. Comply with all requirements of the "Neighborhood Commercial Mixed-Use" (NMU) 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 beer, wine, and distilled spirits (Type 21) within the existing 2,400 square foot convenience store.
 - f. The identification card reader is required to determine the authenticity of the identification that displays the age of the individual.
 - g. No coin or other fee-based operated video games or video entertainment machines shall be permitted on the premises.
 - h. Signage shall be posted in the parking lot and on the exterior of the building notifying persons that alcohol shall not be consumed on the premises.
 - i. Signs shall be prominently posted, stating that California State Law prohibits the sale of beer and wine to persons under the age of twenty-one (21) years.
 - j. The approval of this Conditional Use Permit alone does not provide the business owner a license to sell beer, wine, and distilled spirits. The business owner shall obtain a Type 21 license (Off-Sale General) from the California Department of Alcoholic Beverage Control prior to the sales of beer, wine, and distilled spirits on site.
 - k. Staff shall closely monitor any complaints or concerns filed regarding the off-site sale of beer, wine, and distilled spirits. 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 Conditional Use Permit application and fee.
- 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 must comply with the West Covina Noise Ordinance.
- o. Any proposed change to the approved site plan, floor plan, or elevations shall 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.
- p. 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.
- q. 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.

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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 12th day of August 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: August 12, 2025

Livier Becerra, Chair
Planning Commission

Roxanne Lerma, Secretary
Planning Commission