

ATTACHMENT NO. 2

PLANNING COMMISSION

RESOLUTION NO. 26 - 6177

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, RELEASING A COVENANT
RESTRICTING SALE OF 2200 EAST GARVEY AVENUE SOUTH**

TECHNICAL CLEAN-UP; RELEASE OF COVENANT

GENERAL CATEGORICAL EXEMPTION

APPLICANT: Charles Smyth (Market Street Development, LLC)

LOCATION: 2200 East Garvey Avenue South

WHEREAS, on March 24, 2026, the Planning Commission considered the release of a covenant restricting the sale of property located at 2200 East Garvey Avenue South.

WHEREAS, on June 6, 1995, Miguel Angel Flores, the then owner of the subject property, entered into a Covenant and Agreement to Hold Property as One Parcel in favor of the City of West Covina (the “City”) requiring that said Property be held as one parcel, which was recorded on June 8, 1995 as Recording No. 1995-921204 in the Official Records of Los Angeles County, California (the “Covenant”).

WHEREAS, specifically, the Covenant stated that the Property shall be held as one parcel and no portion shall be sold separately.

WHEREAS, the City and the Owner are willing to cancel and release the Covenant.

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

1. On November 25, 2025, the Planning Commission approved a Precise Plan (PP), Conditional Use Permit (CUP), and Tree Removal Permit (TP) to develop a new adult day care facility (“Project”) located at 2200 East Garvey Avenue South (the “Project Site”).
2. Project Site is encumbered with an outdated restrictive covenant that holds any sale of the Project Site bound to the sale of an adjacent parcel.
3. Covenant now poses an obstacle to the Project Site sale and impedes development of the adult day care Project approved by Commission on November 25, 2025.

4. However, the prior project requiring the 1995 Covenant is now permanently closed, and the Covenant no longer serves any practical purpose.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of West Covina, does hereby direct the Community Development Director to release the Covenant that is restricting the sale of 2200 East Garvey Avenue South.

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 24th day of March 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: March 24, 2026

Livier Becerra, Chair
Planning Commission

Arturo Cervantes, Secretary
Planning Commission