

CITY OF COVINA  
PLANNING COMMISSION AGENDA  
REGULAR MEETING, TUESDAY, JULY 23, 2013  
COUNCIL CHAMBER, CITY HALL, 125 EAST COLLEGE STREET  
7:30 P.M.

PLEASE NOTE: THOSE WHO WISH TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM ARE REQUESTED TO FILL OUT A SPEAKER'S CARD AND LEAVE IT WITH A MEMBER OF THE STAFF PRIOR TO THE ITEM BEING CALLED. THE PURPOSE OF THIS IS TO ENSURE THAT YOUR NAME AND ADDRESS ARE CORRECTLY IDENTIFIED IN THE MINUTES OF THE PLANNING COMMISSION.

I. Opening Matters

- A. Pledge of Allegiance.
- B. Roll Call of Commissioners: Connors, Hodapp, Manning, McMeekin and Patterson.
- C. Minutes of the Regular Meeting of July 9, 2013
- D. Amendments to the Agenda.
- E. Public Comment:

Citizens wishing to address the Commission on any matter **not** on the agenda may do so at this time. Citizens wishing to be heard on any matter on the agenda, please wait until that point on the agenda. **Please keep your comments to five minutes or less and try not to be repetitive.**

Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting.

**PUBLIC HEARINGS**

- 2. Planning Commission to consider Application Conditional Use Permit (CUP) 13-009, a request to operate an adult day care facility at 545 South Eremland Drive, Covina.
  - Staff Report
  - Questions of staff from Commission
  - Open public hearing; receive testimony in favor and in opposition of the item
  - Close the public hearing
  - Roll Call Vote

**GENERAL MATTERS**

- 3. NONE

## ADMINISTRATIVE ITEMS

4. INFORMATION
5. COMMISSION COMMENTS
6. ADJOURNMENT

Adjourn to the regular meeting of the Planning Commission on August 13, 2013 at 7:30 p.m.

Additional information on any agenda item can be obtained by contacting the Planning Division at 125 East College Street, Covina, or by telephoning (626) 384-5450.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Planning Division office at (626) 384-5450 or the California Relay Service. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.



MINUTES OF THE JULY 9, 2013 REGULAR MEETING OF THE  
COVINA PLANNING COMMISSION HELD IN THE COUNCIL  
CHAMBERS OF CITY HALL, 125 EAST COLLEGE STREET AT 7:30  
P.M.

**CALL TO ORDER**

Chairman McMeekin called the Planning Commission meeting to order at 7:30 p.m.

**ROLL CALL**

Commission Members Present: Connors, Hodapp, Manning, McMeekin, Patterson

Commission Members Absent: None

Staff Members Present: Assistant City Attorney, City Planner

**PLEDGE OF ALLEGIANCE**

Chairman McMeekin led the Pledge of Allegiance.

**AMENDMENTS TO THE AGENDA**

None

**MINUTES OF THE REGULAR MEETING OF JUNE 25, 2013**

A motion was made and seconded to approve the minutes of the regular meeting of June 25, 2013.

**The motion carried by a vote 5-0.**

**ELECTION OF CHAIRMAN AND VICE CHAIRMAN**

City Planner Alan Carter opened the nominations for Chairman.

A motion was made and seconded to nominate Commissioner Manning for Chairman. There was no discussion.

City Planner Carter closed the nominations and voting took place. **Motion carried 5-0.**

City Planner Carter opened the nominations for Vice Chairman.

A motion was made and seconded to nominate Commissioner Patterson for Vice Chairman. There was no discussion.

City Planner Carter closed the nominations and voting took place. **Motion carried 5-0.**

**PUBLIC COMMENT**

Jeanne McCabe of Covina spoke about a neighbor who has ongoing garage sales several times a year. City Planner Carter stated to the Commission that he would confer with Neighborhood Preservation staff on the issue that Ms. McCabe raised and then get back to her.

## **PUBLIC HEARINGS**

### **ITEM NO. 2**

Planning Commission to consider an Ordinance of the City Council of the City of Covina, California amending Sections 17.04.414.5 and 17.60.025 of Title 17 of the Covina Municipal Code to expressly define and prohibit the operation of medical marijuana dispensaries and mobile marijuana dispensaries in the City.

Assistant City Attorney Jim Priest presented the report and answered the Commissioners' questions.

Chairman Manning opened the public hearing.

There were no speakers.

The public hearing was closed.

A motion was made and seconded to adopt **Resolution No. 2013-004 PC** recommending that the City Council adopt Ordinance No. 13-2025 amending the City's Zoning Code to expressly define and prohibit the operation of medical marijuana dispensaries and mobile marijuana dispensaries in the City.

**The motion carried by a vote of 5-0.**

## **GENERAL MATTERS**

### **ITEM NO. 3**

None

## **ADMINISTRATIVE ITEMS**

### **ITEM NO. 4** **INFORMATION**

City Planner Carter gave an update on the PCD Modification for the Arrow Grand Business Park, stating that the City Council approved the first reading of the Ordinance on July 2. The second reading and consideration of adoption of the Ordinance will go before the Council on July 16.

Mr. Carter also reported the status of the properties at 135 and 143 W. Center Street. There are no current code enforcement issues and no development plans to report. At the request of the Commission, Mr. Carter will follow up with the Neighborhood Preservation staff to determine what can be done to clean up the properties and will report back to the Commission at a future meeting.

**ITEM NO. 5**

**COMMISSION COMMENTS**

None.

**ITEM NO. 6**

**ADJOURNMENT**

A motion was made and seconded to adjourn the Planning Commission meeting to a meeting to be held on July 23, 2013 at 7:30 p.m. in the City Hall Council Chambers.

**The motion carried by a vote of 5-0.**

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Assistant Secretary

CITY OF COVINA

STAFF REPORT

JULY 23, 2013

ITEM NUMBER 2

**TO:** PLANNING COMMISSION  
**FROM:** LISA BRANCHEAU, ASSISTANT TO THE CITY MANAGER  
*a. c.*  
**COORDINATOR:** ALAN CARTER, CITY PLANNER  
**SUBJECT:** APPLICATION CUP 13-009

**APPLICANT:**

Mark Jaramillo

**REQUEST:**

A Conditional Use Permit to operate an adult day care facility

**LOCATION:**

545 South Eremland Drive (west side of Eremland Drive, just north of Rowland Street)

**SURROUNDING LAND USES AND ZONING:**

	EXISTING LAND USE	ZONING
Site	Vacant (now multi-space) Commercial Building	C-P (Commercial – Administrative & Professional)
North	Apartments	RD-1250 (Residential – Multiple Family)
South	Neighborhood Shopping Center (on same site)	C-3A (Regional or Community Shopping Center)
East	Commercial-Medical Buildings	C-P (Commercial – Administrative & Professional)
West	Commercial-Office Buildings	C-3A (Regional or Community Shopping Center)

**GENERAL PLAN DESIGNATION:**

General Commercial

**NOTIFICATION OF APPLICANT AND ADJACENT PROPERTY OWNERS:**

The applicant has been mailed a copy of the staff report. All property owners within a radius of 300 feet of the subject site were mailed notices of the public hearing on July 11, 2013.

**ENVIRONMENTAL DETERMINATION:**

This proposal is categorically exempt, pursuant to Class 1, Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines.

**PROJECT DATA:**

**PROJECT DATA TABLE**

<b>PROPOSAL-RELATED ITEM</b>	<b>FIGURE/FACT</b>
Site Area (includes subject commercial-office building and southerly commercial-retail buildings, which comprise neighborhood shopping center, and encompasses three total parcels)	48,728 square feet (1.1 acres)
Total Building Area (three single-story commercial buildings on overall site)	18,002 square feet (approximately), and comprised of several tenant spaces that consist of various retail and service businesses
Area of Tenant Space or Building of Proposed Adult Day Care Facility	4,768 square feet (approximately)
Total On-site Parking and Required Parking for Proposed Adult Day Care Facility	72 total parking spaces (including parking for disabled) currently exist on site; 20 parking spaces are required for proposed business/use (based on applicable parking standard of "1 stall per employee" (same standard as child day care facilities being applied, based on staff determination that operational parameters of proposed adult day care facility are similar to those of child day care)—and under a shared parking arrangement involving all parcels and business/uses on site, according to applicant, all business/uses have legal access to all 72 parking spaces); parking requirement for proposed business/use has been met or is not an issue relative to CUP application (provided parking for two

	southerly commercial-retail buildings is considered to be nonconforming)
Proposed Initial Maximum Number of Clients and Staff (including "direct care staff" and certain managers and administrators) at Peak Periods, as Stated by Applicant	36 clients and 20 total staff members (initially planned for opening)
Maximum Permitted Occupancy (for entire tenant space or appurtenant building) at Any One Time	Maximum occupancy will be subsequently established by Los Angeles County Fire Department
Proposed Initial Hours of Adult Day Care Facility, as Stated by Applicant	7:30 a.m. to 3:30 p.m., Mondays through Fridays

**BACKGROUND:**

The applicant proposes to operate an adult day care facility within the entire northern-most building on the subject three-building property. The facility, which would be licensed and regulated by the State, in addition to the City, would generally provide certain types of assistance and training to persons between 18 and 59 in age with developmental disabilities. To accommodate the adult day care operation, the applicant proposes to perform general interior improvement work, which would be reviewed administratively. For clarification on certain key components of the property and on the proposed adult day care facility, the Commission should refer to the above Project Data Table, to Exhibit A (applicant-submitted Business Plan), and to the associated project plans. Both the staff and the applicant will further address any proposal-related questions of the Commission at the meeting.

**ANALYSIS AND FINDINGS:**

As noted above, the Conditional Use Permit (CUP) application pertains to the operation of an adult day care facility. Based upon an analysis of the application, the staff recommends that the Planning Commission make the following findings:

1. That the site for the use is adequate in size and shape to accommodate the proposed use.

Fact: Both the overall 1.1-acre property and the 4,768-square foot tenant space or building in which the adult day care facility would operate appear to be large enough to accommodate the proposed business/use, all components of which would operate within the aforementioned building area and would be subject to various conditions of approval. No building expansions or other exterior-related improvements are proposed under the request. In addition, the property is flat and rectangular in shape, and the improvements on the site are situated in generally a conventional fashion, notably concerning the relation of the appurtenant tenant space to the adjacent on-site parking (where all persons associated with the adult day care operation that would drive to the site would likely park) and site

access. The latter factors should also further the operational viability of the business.

2. That the streets adjacent to the use are adequate to handle the traffic generated.

Fact: The building in which the adult day care facility would operate is served principally by Eremland Drive and Rowland Street. The staff believes that the overall surrounding roadway system has sufficient widths and capacities to accommodate the additional, probably negligible traffic that would be associated with the business/use.

3. That the use will have no adverse effect on abutting properties.

Fact: The commercial space or building in which the adult day care facility would function is sufficiently buffered from the closest residential properties to the north and northeast (apartments) by the concrete block-composed walls and glass elements of the appurtenant building, by the southerly orientation of the building, and by the setback and location of the surrounding buildings. There is also a six-foot high block wall along most of the northern property line. The appurtenant building in which the facility would be located is surrounded by commercial activities on three sides, and the building and adjoining parking appear to be well-sited/located to accommodate an adult day care-type use. In addition, the conditions of approval of the Conditional Use Permit application will provide the City with adequate safeguards for preventing potential negative impacts, such as noise, loitering, parking incursion, and drop-off-and pickup-associated problems.

4. That the proposed use does not affect the public health, safety and general welfare of the community.

Fact: Based on the nature of the proposed adult day care facility, including the fact that all clients would be transported to and from the location by primarily facility-related staff, the proposed use under the submitted CUP application should function as a lower intensity adult day care operation only. No major public health- or safety-related impacts have been identified during project review. The Police Department, for example, has reviewed the proposal and does not oppose the approval of the application request. And as previously noted, the associated conditions of approval would provide the City with sufficient leverage for preventing any problems concerning the overall use. Lastly, the business could bolster public vitality and local economic development policies, at least to a certain degree, by filling a current vacancy in and by complementing, at least to a certain extent, existing surrounding businesses.

**STAFF RECOMMENDATION:**

The staff recommends that the Planning Commission approve application CUP 13-009, subject to the attached conditions of approval.

**EXHIBITS:**

- A. *Applicant-Submitted Business Plan*
- B. *300-Foot Radius Mailing Map*
- C. *Area Map*
- D. *Site and Floor Plans (provided under separate cover)*

**CITY OF COVINA  
APPLICATION CONDITIONS OF APPROVAL  
APPLICATION CONDITIONAL USE PERMIT (CUP) 13-009  
AS RECOMMENDED FOR APPROVAL TO THE PLANNING COMMISSION  
ON JULY 23, 2013**

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The Conditional Use Permit (CUP) shall authorize the operation of an adult day care facility on a property at 545 South Eremland Drive.

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**1.0 TIME LIMIT:**

- 1.1 The approval of the application shall be subject to revocation one year from the date of the affirmation of the application by the Planning Commission if the approved use has not commenced.

**2.0 GENERAL REQUIREMENTS:**

- 2.1 Failure to comply with any conditions of approval noted herein shall be deemed just cause for revocation of application approval by the Planning Commission.
- 2.2 The approved Conditional Use Permit (CUP) application is categorically exempt pursuant to the California Environmental Quality Act (CEQA). If a Notice of Exemption is filed with the City, then the period during which legal challenges can be filed based upon violations of CEQA is reduced from 180 days to 35 days. To file the Notice of Exemption, please contact the Planning Division.
- 2.3 Final or construction plans, incorporating all conditions of approval and any plan-related changes required in the approval process, shall be submitted for review to and approval by the City Planner or his/her designee prior to building permit issuance in conjunction with the Plan Check process of the Building Division (see condition 2.20 below). All construction/final plans and documents shall conform to the plans approved by the Planning Commission. The conditions of approval listed herein shall be printed upon the face of and included as part of the construction/final plans.
- 2.4 Any proposed new or modified site features for the disabled that are associated with this project approval, including, but not limited to, property access identification, parking stall and unloading area dimensions, path of travel, and building access, must comply with all applicable State Codes and must first be reviewed and approved by the Building Division (please contact the Building Division staff for specific requirements and see Condition 2.20 below).

- 2.5 The initial zoning-related application concerning the proposal or proposed use, application Site Plan Review 13-002, which was reviewed by the Planning staff, shall be deemed to be approved.
- 2.6 All current zoning-related entitlements pertaining to the appurtenant property shall remain in effect, except where any provisions of the entitlements have been expressly superseded by this Conditional Use Permit application.
- 2.7 To address its refuse disposal needs, the adult day care facility shall utilize the trash bin that is kept within a trash bin enclosure that is located just southwesterly of the appurtenant building.
- 2.8 All drainage on the site shall continue to meet the applicable requirements of the Public Works Department.
- 2.9 Any new exterior wall-, ground-, and/or roof-mounted mechanical and utility equipment that is associated with the approved use under this application must be screened from view by building features or other elements or by painting that match the style and/or color of the building and/or landscaping. The method of screening shall be identified on the applicable construction or other plans and is subject to staff approval.
- 2.10 In accordance with Chapter 11.36 of the Covina Municipal Code, no street trees adjacent to the appurtenant site shall be cut or trimmed in any manner by any persons associated with property unless a written permit from the Public Works Department is first obtained.
- 2.11 Typical permanent and temporary exterior signage displaying the name of the subject business is not a part of this Conditional Use Permit application. All such signage requests are subject to a separate application process, whereby all applicable requirements shall be met and all necessary permits shall be obtained.
- 2.12 Approval of this request shall not waive compliance with all other sections of the Covina Municipal Code, the Covina Design Guidelines, and all other applicable plans and non-City laws and regulations that are in effect at the time of application approval by the Planning Commission and at the time of building permit issuance(s) by the Covina Building Division.
- 2.13 The City shall have the reasonable right of entry to inspect the immediate premises and the overall property to verify compliance with the Conditions of Approval.

- 2.14 Permittee shall defend, indemnify and hold harmless the City, 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 this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The City must promptly notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- 2.15 The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.
- 2.16 If any provision of this grant is held or declared to be invalid, then the entire approval shall be void and the privileges granted hereunder shall lapse.
- 2.17 The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by the applicant or the property owner's violation of any condition imposed by this Conditional Use Permit or any provision of the Covina Municipal Code or the Covina Design Guidelines shall be paid by the applicant and/or the property owner.
- 2.18 Any construction work that could be heard by any resident of the surrounding apartment and, farther away, other buildings must conform to the provisions of Chapter 7 (Noise) of the Covina Municipal Code, which prohibits construction between 8:00 p.m. and 7:00 a.m. on any day and on Sundays and legal holidays (except by special permit).
- 2.19 The following items are required in order to comply with the Los Angeles County Fire Department code requirements as they pertain to this proposal: please refer to attachment for conditions.
- 2.20 The following item is required in order to comply with the Public Works Department, Building Division code requirements as they pertain to this proposal: please refer to attachment for conditions.
- 2.21 The following items are required in order to comply with the Public Works Department, Environmental Division code requirements as they pertain to this proposal: please refer to attachment for conditions.

**3.0 PRIOR TO THE GRANTING OF FINAL APPROVAL OF THE NEW, APPROVED USE OR THE COMMENCEMENT OF OPERATIONS OF THE NEW, APPROVED USE:**

- 3.1** Prior to the completion of the approved improvements associated with the adult day care facility and the commencement of business operations, all conditions of approval shall be complied with to the satisfaction of the City Planner or his/her designee.
- 3.2** All project-related building, structural, parking, lighting, and/or landscape improvements shall be constructed or installed in a good workmanlike manner, consistent with the standard best practices of the subject trades and in a manner acceptable to the City.
- 3.3** Any project-related damages to any improvement(s) on the site shall be repaired or replaced, conforming to existing conditions.
- 3.4** This permit shall not be effective until such time as the applicant and the property owner each obtain an Inspection and Verification Permit and the City Planner or his/her designee certifies on said permits that the premises and use complies with all of the terms and conditions of this grant of approval.
- 3.5** This grant shall not be effective for any purposes until the applicant and the property owner have each filed at the office of the Planning Division certain affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant.
- 3.6** The installation of any security system that is associated with the business or uses, as addressed under Chapter 8.20 of the Covina Municipal Code, shall first be coordinated with the Covina Police Department. Please determine at the earliest possible time whether a security system is to be utilized, as failure to inform Police of security system installation plans may delay building permit issuance relating to the Plan Check process.
- 3.7** The business-required trash bin enclosure, as addressed under Condition 2.7 above, shall be fully operational, shall be in good physical condition, and shall meet all applicable requirements.
- 3.8** All exterior lighting on the property shall be fully operable, in accordance with the requirements listed under Condition 4.15 above, and, as further addressed in Condition 4.15, any additionally needed lighting shall be installed.

3.9 The business shall obtain and maintain a) a valid City business license and pay the required fee(s) in compliance with the provision of Section 5.04.060 of the Covina Municipal Code.

**4.0 THE APPROVED USE SHALL BE OPERATED IN ACCORDANCE WITH THE FOLLOWING:**

4.1 The adult day care facility shall be developed and operated in accordance with all design details as approved by the Planning Commission, the approved plans on file with the City, all representations of record made by the applicant, the conditions contained herein, the Covina Municipal Code (CMC), and the Covina Design Guidelines (CDG). Specifically, the scope of the adult day care use shall be limited to various educational, instructional, vocational, personal care, and related activities for persons with developmental disabilities between the ages of 18 and 59.

4.2 Any future-proposed new business types (other than an adult day care facility), tenant improvements, building or interior business expansions, and/or site improvement modifications anywhere in the appurtenant building shall first be reviewed and approved by the City staff for conformance with this Conditional Use Permit, the Covina Municipal Code (notably pertaining to parking requirements), the Covina Design Guidelines, the occupancy and other requirements of the Los Angeles County Fire Department, and the applicable permit issuance processes. If determined by the Planning staff to exceed the scope or intent of this Conditional Use Permit or in any way conflict with the appurtenant conditions, then the City may require the approval of a new Conditional Use Permit, the approval of an additional zoning application (if needed), and/or the submittal of certain use- or impact-related studies to address any identified concerns.

4.3 The adult day care facility shall comply with all applicable State requirements.

4.4 All adult day care-related activities shall be conducted completely within the interior of the appurtenant building only, and all building-associated doors and windows shall be kept completely closed during all times that any activities pertaining to the business are occurring. (It is expressly stated, for example, that no business-associated activities shall occur in the "building setback" area on the northern side of the building, which lies adjacent to a residential property.) In addition, any noise(s) from any activities associated with the use (such as from students or electronic devices) shall be controlled or managed by school management in a manner that conforms to the City Noise Ordinance (Chapter 9.40 of the Covina Municipal Code (CMC)), and to all other CMC provisions. Moreover, no exterior-located, business-associated speakers shall be permitted.

- 4.5 The maximum number of business-related employees, clients, and others on the premises at any one time shall not exceed the maximum associated occupancy(ies) established by and shall meet any other requirements of the Los Angeles County Fire Department. In addition to meeting this requirement, the adult day care facility shall not have more than 20 total staff members or employees on the premises at any time.
- 4.6 The hours of all activities at the adult day care facility, when clients are present, shall be limited to 7:00 a.m. and 6:00 p.m., Mondays through Fridays. Administrative, cleaning, maintenance, and repair activities may occur during all other periods.
- 4.7 At any one time during business hours, there shall be at least one (1) adult day care facility-related employee overseeing or managing operations pertaining to the overall facility, and that individual shall be at least 21 years of age. In addition, the management of the facility shall continually encourage all persons associated with the adult day care use to be courteous with all neighboring businesses and residences and shall continually monitor activities within the interior of and immediately surrounding the appurtenant building to prevent any outside loitering and to maintain a safe and orderly environment.
- 4.8 All clients shall enter and leave the facility from the doors on the front or southern side of the building, and all facility-related staff and others shall also use the doors on this side of the building as the principal means of accessing the structure. Access to the adult day care facility from the rear doors (along the northern side of the building) shall be limited to delivery- and maintenance- or repair related personnel and to facility staff, when necessary to enter or exit the building from that side.
- 4.9 The entire on-site parking facility on the overall site, which consists of areas that serve both the building with the adult day care facility and the two buildings that comprise the southerly community shopping center, shall at all times remain completely accessible to all vehicles associated with all activities on the site. In addition, all parcels of land on the site shall continue to function as a single property/site relative to present reciprocal parking and reciprocal access arrangements for all appurtenant use/businesses.
- 4.10 No parking stalls or drive aisles shall be modified or removed under this application (except where necessary to conform to applicable Building Division and/or related requirements).
- 4.11 No clients of the adult day care facility shall arrive at the facility by themselves in an automobile. Rather, all clients shall be transported to and from the facility by facility staff or others or via public transportation.

- 4.12 The management of the adult day care facility shall ensure that all business-related instructors, employees, and others that drive to the location park only in legal, designated parking spaces on the appurtenant site. In addition, the management shall encourage such individuals to park in the portion of the on-site parking that lies around the appurtenant building or in back of the southerly neighborhood community shopping center.
- 4.13 The management of the adult day care facility shall ensure that any persons dropping off or picking up any individuals associated with the facility do so only in a legal designated parking space on the site and in a safe manner (as opposed to, for example, idling in the driveway in front of the appurtenant building). In addition, any persons associated with the facility that are waiting to be picked up shall do so inside the appurtenant building only.
- 4.14 Both the parking-related gate along the eastern side of the site (section close to the appurtenant building serving the adult day care facility) and the pedestrian-related gate between the two southern-most buildings at the western portion of the site shall remain open during all times that any business/use on the site is open to the public or has any clients present.
- 4.15 Any and all exterior lighting on the appurtenant property (i.e., attached to the building and stand-alone features in any portion of the parking area) shall be fully functional at all times. At the time that the adult day care facility commences operations, this lighting shall further meet the minimum foot-candle standards of the City to maintain public safety, and the lighting shall not generate any glare onto surrounding streets or properties. If necessary, additional exterior lighting on the property shall be installed, prior to the opening of the adult day care facility, to meet this requirement, particularly concerning the yard/service area on the northern side of the appurtenant building and along the walkway linking the subject rearward portion of the site to the southerly frontward or retail/service portion of the property. Any new lighting shall further conform to applicable design standards.
- 4.16 Any loading or unloading activities pertaining to the adult day care facility shall be conducted on the appurtenant site only and in a manner that does not interfere with general operations pertaining to the subject business, with surrounding businesses and residences, and with adjacent streets.
- 4.17 The storage of any business-related items outside of the building shall be prohibited, unless all applicable standards of the Planning Division concerning location, screening, enclosure materials, and related items are met.

- 4.18 The site-, building-, signage-, and landscape-related improvements on the property shall be maintained in a sound and attractive condition, free of weeds, trash or debris, visible deterioration, graffiti, or other conditions that violate the Covina Municipal Code. The City may require that the applicant and/or the property owner pay the actual and reasonable cost for code compliance services needed to address any identified problem conditions.

CITY OF COVINA

INTEROFFICE MEMORANDUM

DATE: June 18, 2013

TO: \*Detective Bureau Lieutenant, Covina Police Department  
\*Lisa Brancheau, Assistant to the City Manager  
\*James Barnes, Inspector, Fire Department  
\*Flent McClain, Deputy Building Official  
\*Public Works Department:  
Engineering Division  
Environmental Division  
Water Division

FROM: Planning Division

SUBJECT: Conditional Use Permit (CUP) 13-009

APPLICANT: Mark Jaramillo

REQUEST: Proposed adult day care facility

ADDRESS: 545 S. Eremland Avenue

It is requested that all comments and requirements for the above project be submitted to the Planning Division no later than the date listed below. If responses can be made sooner, it would be greatly appreciated.

DUE NO LATER THAN: July 10, 2013

COMMENTS: Plans must be submitted to our institutions  
unit for approval



James Barnes

Name

6/20/13

Date

7733 Greenleaf Ave  
Whittier CA, 90602  
562-676-2034

CITY OF COVINA  
INTEROFFICE MEMORANDUM

DATE: June 18, 2013

TO: \*Detective Bureau Lieutenant, Covina Police Department  
\*Lisa Brancheau, Assistant to the City Manager  
\*James Barnes, Inspector, Fire Department  
\*Flent McClain, Deputy Building Official  
\*Public Works Department:  
Engineering Division  
Environmental Division  
Water Division

FROM: Planning Division

SUBJECT: Conditional Use Permit (CUP) 13-009

APPLICANT: Mark Jaramillo

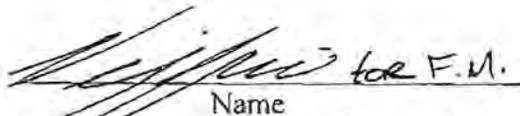
REQUEST: Proposed adult day care facility

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It is requested that all comments and requirements for the above project be submitted to the Planning Division no later than the date listed below. If responses can be made sooner, it would be greatly appreciated.

DUE NO LATER THAN: July 10, 2013

COMMENTS:

  
Name

6/24/2013  
Date

\*SEE ATTACHED COMMENTS



# CITY OF COVINA

## INTER-OFFICE MEMORANDUM

To: Planning Division  
From: Vijay Mepani, General Building Inspector I  
Subject: **Conditional Use Permit (CUP 13-009)**

After you have successfully completed the Planning Division's plan review process your plans should be ready for submitting to the Building Section for review of State and local Building Code requirements. These are general comments intended to prepare the applicant for a successful and expeditious plan review through the Building Section. Please be prepared to address the following checked items:

- Please submit 6 sets of complete plans including any proposed utilities and earthwork; two sets shall be "stamped approved" by the Covina Planning Division and include the Building Section's comments for consultant review. This project must comply with the 2010 California Building Standards and 2008 energy code.
- Two sets each of any structural and energy calculations shall be submitted with the above mentioned plans. All calculations must bear an original signature from the documented author.
- This project must comply with Federal and State Accessibility requirements to and throughout the building. Include compliance methods and structural details on the plans.
- Demolition and renovations activities require an asbestos containing materials (ACM) survey. (SCAQMD RULE 1403) The ACM report shall be prepared by an accredited testing laboratory in accordance with SCAQMD rules and regulations. Proof of notification to the South Coast Air Quality Management District (SCAQMD), Office of Operations, shall be submitted to the Building Division with your permit application for all renovations and demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has been approved by the SCAQMD, a formal demolition plan and permit must be obtained from the Building Division.  
**SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381**
- The Los Angeles County Fire Department needs to review your construction plans. to expedite this process you will need to contact one or more of their Regional plan check office(s): Appointments to discuss Fire Department requirements may be made between 7:30 a.m. and 10:30 a.m. The main office is located at 5823 Rickenbacker Road, Commerce, CA 90040-3027. Phone number is (323) 890-4125.

Regional plan check offices for the Los Angeles County Fire Department:

Glendora Office, Building Plan Review Only  
231 W. Mountain View Avenue  
Glendora, CA 91740  
(626) 963-0067

Commerce Office, Sprinkler & Alarm Plan Review  
5823 Rickenbacker Road  
Commerce, CA 90040-3027  
(323) 890-4125

Commerce Office, Land Development / Access  
5823 Rickenbacker Road  
Commerce, CA 90040-3027  
(323) 890-4243

Los Angeles County Environmental Health (LACEH) plan approval for "food establishments" is required before permit issuance. Contact the Los Angeles County Environmental Health at 626-430-5560 for more information on submittal and the plan check process. The Health Department must approve the location of a grease interceptor.

Please provide an additional digital copy (pdf preferred) of the building floor plan, elevations, and site plan to be submitted to the LA County Assessor. This copy should be in sufficient detail to allow the assessor to determine the square footage of the building and, in the case of residential buildings, the intended use of each room.

-For additional information, please contact the LA County Assessor's, Public Service Desk at 888-807-2111.

The City of Covina has formally adopted a public noticing program for residential construction projects to provide the public with an opportunity to verify the validity of construction within their neighborhoods. This program requires the property owner and/or contractor to place a sign 14" high x 22" wide using a minimum black 24 point font (Arial) on a white background. The noticing sign must be suitable for outdoor use and placed within the front yard where it is clearly visible from the public right-of-way. The following items must be included on the residential noticing sign:

- A) Address of construction project
- B) Type of construction project
- C) Name of contractor/owner
- D) Telephone number of contact person
- E) Contractor's license number
- F) Permit number with date of issuance
- G) City of Covina Building Division telephone number
- H) Construction activity prohibited Monday through Saturday from 8pm-7am and all day on Sundays or Holidays unless otherwise permitted.

A valid City wastewater permit and properly sized interceptor will be required at permit application unless otherwise approved.

School District application and approval including any related fees must be provided before permit issuance.

Construction activity within 500' of a residential zone is prohibited between the hours of 8:00pm and 7:00am and on Sundays and Holidays unless otherwise permitted by the City.

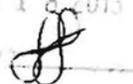
The Building Section plan check process may address additional concerns.

CITY OF COVINA  
INTEROFFICE MEMORANDUM

Received, Public Works

JUN 18 2013

Eng/Env



DATE: June 18, 2013

TO: \*Detective Bureau Lieutenant, Covina Police Department  
\*Lisa Brancheau, Assistant to the City Manager  
\*James Barnes, Inspector, Fire Department  
\*Flent McClain, Deputy Building Official  
\*Public Works Department:  
Engineering Division  
Environmental Division  
Water Division

FROM: Planning Division

SUBJECT: Conditional Use Permit (CUP) 13-009

APPLICANT: Mark Jaramillo

REQUEST: Proposed adult day care facility

ADDRESS: 545 S. Eremland Avenue

It is requested that all comments and requirements for the above project be submitted to the Planning Division no later than the date listed below. If responses can be made sooner, it would be greatly appreciated.

DUE NO LATER THAN: July 10, 2013

COMMENTS:

V. Castro

Name

7/3/13

Date

*Please see attached.*

*ERO-050-267*



**PLAN REVIEW COMMENTS**  
**ENVIRONMENTAL SERVICES SECTION**  
 626-384-5480

Project Address: 545 S Eremland Project #: CUP 13-009

Date  Rec'd /  Due: 7/10/13 Date Returned: 7/8/13 Reviewed By: Vivian Castro

Description: Proposed adult day care facility.

*After initial review of your project, it has been determined that that it must meet the prerequisites noted below. The project applicant must comply with the following City requirements, submit the following items and pay the estimated fees:*

**City Requirements**

- Event area(s) must be completely cleaned up and free of debris at conclusion of event.
- No trash/debris or wash water is to go into the public right-of-way (the sidewalk, street, gutter or stormdrain).
- Only Athens Services trash and recycling bins are authorized to service sites in the City of Covina, including all construction and demolition project sites. Contact Athens at 888-336-6100.

**Estimated Plan Review Costs** Total Estimated Environmental Review Fees \$ 40.00 *Call for details*

- Initial Plan Review by Environmental Services - \$40, now due.

**Required Documentation**

- OC 1

**Other**

I, the project applicant, agree to abide by the requirements noted above.  SIGNATURE NOT REQUIRED.

Project applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Applicant Name: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

CITY USE ONLY  
 Approval date \_\_\_\_\_ Payment amount \_\_\_\_\_ Notes \_\_\_\_\_  
 Approved by \_\_\_\_\_ Payment date \_\_\_\_\_

**ENVIRONMENTAL SERVICES FEES**

LOCATION: 545 S Eremland

Project# CUP 13-009

Fee Description	Fee	Account Number	Munis Code	✓
<b>NPDES</b>				
Hazardous Material/Illicit Discharge Response - Cleanup and Disposal Fee	Actual cost	6200555043160	ESSITE	
Hazardous Material/Illicit Discharge Response - Material Fee	Actual cost	6200555043160	ESSITE	
Hazardous Material/Illicit Discharge Response (per hour) 7:00am-6:00pm Monday - Thursday	\$ 75.00	6200555043160	ESSITE	
Hazardous Material/Illicit Discharge Response (per hour) 6:00pm-7:00am; Friday; Saturday; Sunday & Holidays	\$ 125.00	6200555043160	ESSITE	
NPDES Construction Site Inspection	\$ 75.00	6200555043262	ESMITA	
NPDES Construction Site Inspection - Violation follow-up (per incident)	\$ 125.00	6200555043262	ESMITA	
NPDES Site Specific Mitigation Review	\$ 600.00	6200555043262	ESMITA	
NPDES SUSMP and Site Specific Mitigation Review - 10 or more units, >1acre commercial/Industrial including automotive shops or restaurants, >2 acres of parking lot	\$ 1,200.00	6200555043262	ESMITA	
NPDES SUSMP Review - Hillside Residential	\$ 300.00	6200555043262	ESMITA	
NPDES SUSMP Review - Other Development	\$ 600.00	6200555043262	ESMITA	
Environmental Impact Report - Initial Study (per application)	\$ 610.00	6200555043290	ESEIR	
Environmental Impact Report - Review and Admin of EIR	\$ 610.00	6200555043290	ESEIR	
NPDES WDID and SWPPP verification (document review)	\$ 25.00	6200555043290	ESEIR	
Environmental Plan Review - Initial Study (3 reviews)	\$ 40.00	6200555043400	ESPLAN	✓
Environmental Plan Review - Additional Study (per review)	\$ 40.00	6200555043400	ESPLAN	
NPDES Permit Inspection - Commercial/Industrial (business License - annual)	\$ 85.00	6200555046385	ESNPDE	
NPDES Permit Inspection - Restaurants (business License annual)	\$ 50.00	6200555046385	ESNPDE	
NPDES - Environmental Compliance Fee (charged to all businesses with business license application)	\$ 15.00	6200555046387	ESENVF	
<b>INDUSTRIAL WASTE</b>				
Industrial Waste - Permit Application/Issuance Fee	\$ 15.00	6200557041190	ESIWAP	
Industrial Waste - Permit, Annual Inspection Fee	See IW Fee Sheet	6200557041990	ESIWP	
<b>MISCELLANEOUS</b>				
Promotion Supplies	Enter Amt.	6200555046390	ESPRMO	
<b>REFUSE</b>				
Refuse - large event and venue waste reduction & recycling plan review	\$ 50.00	6200558046390	ESLARG	
Illegal Recycling Container Impound Fee	\$ 500.00	6200558046395	ESIMP	

ES Staff Vivian Castro

Date 7/8/13

Revised 11-30-11

Take this invoice to the Covina Finance Department to make your payment. You will be provided a receipt that must be shown at the Building and Engineering counters as proof of payment prior to any permit being issued.



# OWNER'S CERTIFICATION

FORM  
**OC1**

## MINIMUM BMPs FOR ALL CONSTRUCTION SITES

Project Name _____ Project Location _____	BUILDING/GRADING PERMIT NUMBER _____
Owner Name _____ Address _____ Phone _____ FAX/Email _____	Contractor Name _____ Address _____ Phone _____ FAX/Email _____

The National Pollutant Discharge Elimination System (NPDES) is the portion of the Clean Water Act that applies to the protection of receiving waters. Under permits from the Los Angeles Regional Water Quality Control Board (RWQCB), certain activities are subject to RWQCB enforcement. To meet the requirements of the Los Angeles County Municipal Stormwater Permit (CAS004001), minimum requirements for sediment control, erosion control and construction activities must be implemented on each project site. Minimum requirements include:

- **SEDIMENT CONTROL:** Eroded sediments from areas disturbed by construction and from stockpiles of soil shall be retained on site to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking or wind.
- **WET WEATHER EROSION CONTROL PLAN (WWECP):** Is required for projects one acre or more that will have construction occur during the wet season (October 1<sup>st</sup> – April 15<sup>th</sup>)
- **HILLSIDE:** Construction upon slopes 25% or more requires the implementation of additional BMPs to protect slopes and prevent erosion and sediment runoff.
- **CONSTRUCTION MATERIALS CONTROL:** Construction related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities or adjoining properties by wind or runoff. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediment and pollutants.
- **NON-STORMWATER RUNOFF:** Non-stormwater runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- **EROSION:** Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs (as approved in Regional Board Resolution No. 99-03), such as the limiting of grading schedule during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.

*Minimum BMPs include:* (1) Soil piles must be covered with tarps or plastic, (2) leaking equipment must be repaired immediately, (3) refueling must be conducted away from catch basins, (4) catch basins must be protected when working nearby, (5) vacuum all concrete saw cutting, (6) never wash concrete wastes into the street, (7) keep the site clean, sweep the gutters at the end of each working day and keep a trash receptacle on site.

As the architect/engineer of record, I have selected appropriate BMPs to effectively minimize the negative impacts of this project's construction activities on storm water quality. The project owner and contractor are aware that the selected BMPs shall be installed, monitored, and maintained to ensure their effectiveness. The BMPs not selected for implementation are redundant or deemed not applicable to the proposed construction activity.

\_\_\_\_\_  
Architect/Engineer of Record Name  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Architect/Engineer of Record Signature  
\_\_\_\_\_  
Date

I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system or those person(s) directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that submitting false and/or inaccurate information, failing to update the BMPs or LSWPPP to reflect conditions, or failing to properly and/or adequately implement the BMPs may result in revocation of grading and/or other permits or other sanctions provided by law.

\_\_\_\_\_  
Landowner or Agent Name  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Landowner or Agent Signature  
\_\_\_\_\_  
Date

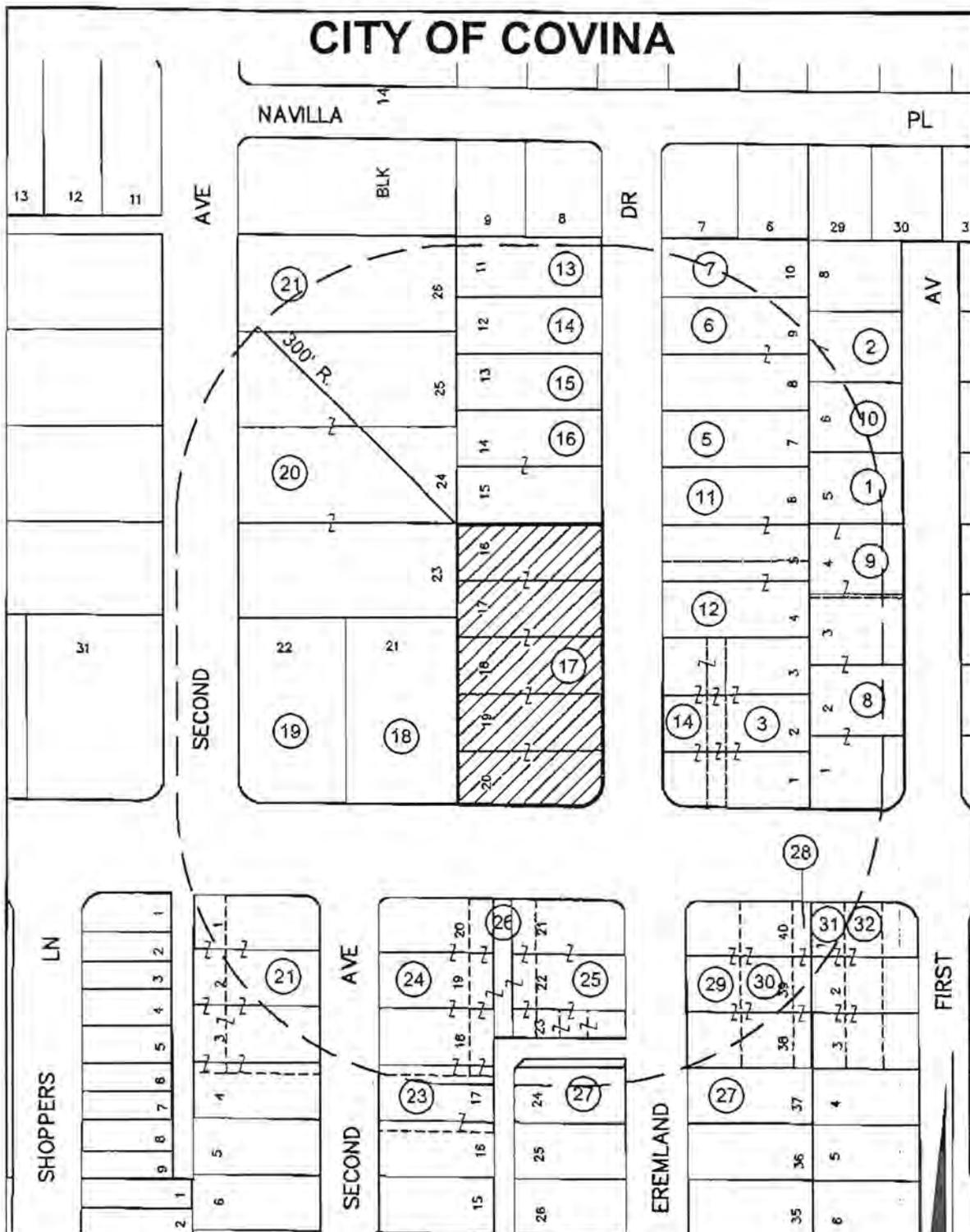
# BUSINESS PLAN

Total Life Care Day Program is a project of Total Life Care, Inc., an S-corp founded by corporate officers and business partners Jessica and Mark Jaramillo. TLCDP is a day program for developmentally disabled adults ages 18 through 59. These clients are living in the community and are served by San Gabriel Pomona Regional Center, who handles their case management and refers them to the Day Program. TLCDP's function is to provide services of skill development and vocational training for our clients. TLCDP's regular hours will be Monday through Friday 7:30am-3:30pm, excluding holidays and approximately 10 "closure" days as mandated by the Regional Center. TLCDP will have a staffing ratio of 1 staff to 3 clients. In addition to the Direct Care Staff, the facility will also have 1 receptionist, 4 case managers, a human resources manager, and a Program Director. Daily janitorial duties will be handled by the Direct Care Staff and their assigned clients as part of vocational training. Additional janitorial services will be handled by a maintenance technician who will be onsite after hours.

Programming for our clients will take place in 8 activity rooms. There 4 ADA compliant restrooms, 2 break rooms, 4 administrative offices, and a storage room. The adjoined lot has 34 parking spaces and 2 handicapped parking spaces. The adjacent lots are a shopping center on the corner of Eremland and Rowland. The clients will be transported to and from the facility by their assigned Direct Care Staff via personal vehicles.

Total Life Care Day Program's goal is to help our clients maximize their independent living skills and become contributing members of the community, as well as provide employment opportunities to local citizens.

# CITY OF COVINA



## 300' RADIUS MAP

545 EREMLAND DRIVE

### L.A. MAPPING SERVICE

71 DEER CREEK ROAD  
POMONA, CA 91766  
(909) 595-0903

### LEGEND

- 17 OWNERSHIP NO.
- Z OWNERSHIP HOOK

CASE NO.

DATE: 5-22-13

SCALE: 1" = 100'

B-1

EXHIBIT B

AREA MAP  
CITY OF COVINA  
NOTICE OF PUBLIC HEARING  
APPLICATION CUP 13-009, 545 SOUTH EREMLAND DRIVE

Subject Site



C-1

EXHIBIT C