

CITY OF COVINA
PLANNING COMMISSION AGENDA
REGULAR MEETING, TUESDAY, APRIL 8, 2014
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.

1. Opening Matters
 - A. Pledge of Allegiance.
 - B. Roll Call of Commissioners: Connors, Hodapp, Manning, McMeekin and Patterson.
 - C. Amendments to the Agenda.
 - D. Minutes of the Regular Meeting of March 25, 2014
 - 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.

CONTINUED PUBLIC HEARINGS

2. Application GPA 14-001, an amendment to the Circulation Element of the Covina General Plan to change the required right of way width for the segment of West Puente Street between Third and Fourth Avenues from 80 feet to 73 feet by not requiring the dedication of 7 feet of right-of-way for street widening purposes along the southern side of this portion of West Puente Street to accommodate the relocation of and improvement to the existing abutting Covina Valley Unified School District "District Field" complex. **(Under this proposal, there would be no physical change in the existing configuration of West Puente Street in this area.)** A Negative Declaration of Environmental Impact will be considered with the aforementioned application.
 - Staff Report
 - Questions of staff from Commission

- Receive testimony in favor of and in opposition to the item
- Receive direction on item from Planning Commission
- Either adopt **Resolution No. 2014-002 PC** making certain findings required by California Government Code Section 65300 et seq. relating to application GPA 14-001 and recommend City Council approval of application GPA 14-001, or continue consideration of Resolution and application to a specified date.
- Roll Call Vote

PUBLIC HEARINGS

3. Application Conditional Use Permit (CUP) 14-007, a request to allow a new sit-down restaurant with full liquor service and live entertainment in a currently vacant commercial building at 147-151 East College Street.

- Staff Report
- Questions of staff from Commission
- Open the public hearing
- Receive testimony in favor and in opposition of the item
- Close the public hearing
- Roll Call Vote

4. Application Conditional Use Permit (CUP) 14-001, a request to allow a dance studio in a currently vacant tenant space, within a commercial building, at 668 Shoppers Lane.

- Staff Report
- Questions of staff from Commission
- Open the public hearing
- Receive testimony in favor and in opposition of the item
- Close the public hearing
- Roll Call Vote

GENERAL MATTERS

5. NONE

ADMINISTRATIVE ITEMS

6. INFORMATION

7. COMMISSION COMMENTS

8. ADJOURNMENT

Adjourn to the regular meeting of the Planning Commission on April 22, 2014 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 MARCH 25, 2014 REGULAR MEETING OF THE COVINA PLANNING COMMISSION HELD IN THE COVINA PUBLIC LIBRARY COMMUNITY ROOM, 234 N. SECOND AVENUE, COVINA, CA 91723 AT 7:30 P.M.

CALL TO ORDER

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

ROLL CALL

Commission Members Present: Connors, Hodapp, Manning, Patterson

Commission Members Absent: McMeekin

Staff Members Present: City Planner, Assistant City Attorney

PLEDGE OF ALLEGIANCE

Chairman Manning led the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA

None.

MINUTES OF THE REGULAR MEETING OF MARCH 11, 2014

A motion was made and seconded to approve the Minutes of the Regular Meeting of March 11, 2014.

The motion carried 4-0 as follows:

AYES: CONNORS, HODAPP, MANNING, PATTERSON

NOES: NONE

ABSTAIN: NONE

ABSENT: MCMEEKIN

PUBLIC COMMENT

None.

CONTINUED PUBLIC HEARINGS

ITEMS NO. 2 & 3

(Item 2) Continued Public Hearing to consider Application PCD 13-001, a request to establish a Planned Community Development (PCD) overlay zone on two currently industrial properties zoned "M-1/Light Manufacturing." at 1566-1600 West San Bernardino Road, a) to allow, as a permitted use, wineries; and b) to allow, under the Conditional Use Permit process, on-site wine tasting and on-site beer tasting with, respectively, a winery and a brewery; and

(Item 3) Continued Public Hearing to consider Application CUP 13-012, a request for a Conditional Use Permit to allow on-site wine tasting and on-site beer tasting with, respectively, a winery and a brewery at 1580 West San Bernardino Road, Suites H and I.

City Planner Alan Carter presented the report and answered the Commissioners' questions. Mr. Carter further requested that the public hearing be continued once again to the Planning Commission meeting of April 22, 2014, to provide the staff and project-related consultants with further time to consider and analyze certain recently-submitted additional information by the applicant.

Chairman Manning re-opened the public hearing.

Edward Romero, applicant, spoke in favor of the item and answered the Commissioners' questions.

A motion was made and seconded to continue the public hearing for Applications Planned Community Development (PCD) 13-001 and Conditional Use Permit (CUP) 13-012 to the Planning Commission meeting of April 22, 2014.

The motion carried 4 – 0 as follows:

AYES: CONNORS, HODAPP, MANNING, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: MCMEEKIN

PUBLIC HEARINGS

ITEM NO. 4

Application Tree Preservation Permit (TPP) 14-001, a request to remove an oak tree on a multiple family-zoned property (now consisting of a single house) on which another individual dwelling unit and associated improvements are proposed for development (reviewed administratively under a separate plan review process) at 237 East Center Street

City Planner Carter presented the report and answered the Commissioners' questions.

Chairman Manning opened the public hearing.

Linda Jumonville of Covina, applicant, spoke in favor of the application and answered the Commissioners' questions.

The public hearing was closed.

A motion was made and seconded to approve application Tree Preservation Permit (TPP) 14-001, a request to remove an oak tree on a multiple family-zoned property (now consisting of a single house) on which another individual dwelling unit and associated improvements are proposed for development (reviewed administratively under a separate plan review process) at 237 East Center Street, with an added condition of either (1) replanting of replacement trees of equivalent value and species, as determined by the City, the applicant and the project designer (though subject to final approval by the City), on the property at suitable locations, or (2) a payment of in-lieu mitigation fees to plant and/or preserve the subject tree(s) on property or sites where the City can assure the long-term viability of the subject trees.

The motion carried 4-0 as follows:

AYES: CONNORS, HODAPP MANNING, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: MCMEEKIN

ITEM NO. 5

Application ZOA 14-001, an amendment to various sections of Title 17 of the Covina Municipal Code (Zoning) regulating locations where smoke shops and tobacco stores may operate within the City of Covina.

City Planner Carter 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 approve application ZOA 14-001, and adopt Resolution No. 2014-003 PC recommending that the City Council adopt an Ordinance amending various sections of Title 17 of the Covina Municipal Code (Zoning) regulating locations where smoke shops and tobacco stores may operate within the City of Covina, with the addition of the following amendments to the proposed Ordinance:

- I. Under **Section 17.61.020** "Definitions" on page 3 of the Ordinance, add the following (bolded and underlined) language to the first sentence: "Tobacco Product" shall mean any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, "**or otherwise derived,**" which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means.

2. On page 4 under **Section 17.61.030** “Zoning and Land Use Standards for Smoke Shops and Tobacco Stores”, add the following (bolded and underlined) language to the end of the Paragraph C.1., after “or a hospital” “, **or other similar uses where children regularly gather.**”

The motion carried 4-0 as follows:

AYES: CONNORS, HODAPP MANNING, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: MCMEEKIN

ITEM NO. 6

Application GPA 14-001, an amendment to the Circulation Element of the Covina General Plan to change the required right of way width for the segment of West Puente Street between Third and Fourth Avenues from 80 feet to 73 feet by not requiring the dedication of 7 feet of right-of-way for street widening purposes along the southern side of this portion of West Puente Street to accommodate the relocation of and improvement to the existing abutting Covina Valley Unified School District “District Field” complex. **(Under this proposal, there would be no physical change in the existing configuration of West Puente Street in this area.)** A Negative Declaration of Environmental Impact will be considered with the aforementioned application.

City Planner Carter 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 continue application GPA 14-001 to the meeting of April 8, 2013 in order to give the City Planning Division an opportunity to meet with representatives of the Covina Valley Unified School District to discuss and determine if the associated District Field-related project proposal can be modified such that a 7-foot dedication of land on the south side of Puente Street, adjacent to the facility, can be accommodated to enable the street to be widened thereat.

The motion carried 4-0 as follows:

AYES: CONNORS, HODAPP MANNING, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: MCMEEKIN

ITEM NO. 7

GENERAL MATTERS

None.

ADMINISTRATIVE ITEMS

ITEM NO. 8

INFORMATION

City Planner Carter stated that a suggestion had been made to change the starting time of the Planning Commission meetings from 7:30 p.m. to 7:00 p.m. The Commissioners stated that 7:00 would work well for them. Mr. Carter will prepare a staff report to bring back to the Commission at the second meeting in April, with the intent to change the meeting time to 7:00 p.m. beginning with the May 13, 2014 meeting.

ITEM NO. 9

COMMISSION COMMENTS

Commissioner Hodapp noted that the Covina Outlet on San Bernardino Road between Barranca and Grand Avenues has a large fenced-in area that is currently being used for open storage. Mr. Carter stated that he will refer the matter to Code Enforcement.

ITEM NO. 10

ADJOURNMENT

At 9:28 p.m. Chairman Manning adjourned the Planning Commission meeting to a meeting to be held on April 8, 2014 at 7:30 p.m. in the Council Chamber of Covina City Hall, 125 East College Street, Covina.

Secretary



CITY OF COVINA

PLANNING COMMISSION MEMORANDUM

ITEM NO. 2

TO: PLANNING COMMISSION

FROM: LISA BRANCHEAU, ASSISTANT TO THE CITY MANAGER
ALAN CARTER, CITY PLANNER *a.c.*

DATE: APRIL 8, 2014

SUBJECT: APPLICATION GENERAL PLAN AMENDMENT (GPA) 14-001, AN AMENDMENT TO THE CIRCULATION ELEMENT OF THE COVINA GENERAL PLAN TO CHANGE THE REQUIRED RIGHT OF WAY WIDTH FOR THE SEGMENT OF WEST PUENTE STREET BETWEEN THIRD AND FOURTH AVENUES FROM 80 FEET TO 73 FEET BY NOT REQUIRING THE DEDICATION OF 7 FEET OF RIGHT-OF-WAY FOR STREET WIDENING PURPOSES ALONG THE SOUTHERN SIDE OF THIS PORTION OF WEST PUENTE STREET TO ACCOMMODATE THE RELOCATION OF AND IMPROVEMENT TO THE EXISTING ABUTTING COVINA VALLEY UNIFIED SCHOOL DISTRICT "DISTRICT FIELD" COMPLEX. *(UNDER THIS PROPOSAL, THERE WOULD BE NO PHYSICAL CHANGE IN THE EXISTING CONFIGURATION OF WEST PUENTE STREET IN THIS AREA.)* A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT WILL BE CONSIDERED WITH THE AFOREMENTIONED APPLICATION. (CONTINUED FROM MARCH 25, 2014 PLANNING COMMISSION MEETING)

APPLICANT:

City of Covina (on behalf of Covina Valley Unified School District)

LOCATION:

Portion of Puente Street, between Third and Fourth Avenues (South Side).

BACKGROUND:

The Planning Commission continued this application from the prior meeting after making the following comments and raising the below-listed questions (listed in no particular order):

1. Puente Street needs to be fully widened (on both sides of the street) in the vicinity of District Field due to peak period or heavy event-related traffic conditions on the street plus new and future development in the surrounding neighborhood.
2. What are the primary components of the District Field proposal, and could the proposal be scaled back at all and/or modified in a manner such that the new stadium could be relocated 75 feet or so to the south (thus allowing for the street to be widened, or the 7 foot land dedication to be made, in accordance with the current General Plan provisions)?
3. Does the current project proposal include the potential to expand the seating capacity of the reconstructed stadium in the future? If so, by how many seats?
4. On-site parking for the current District Field facility has been inadequate in the past (resulting in many people parking in neighborhoods, blocking driveways, causing disturbances, etc.) and may not be sufficient under the current proposal either. Will School District officials encourage facility-related users to park in the new on-site parking facility (as opposed to saying nothing and having many facility-related “guests” continue to park in the surrounding neighborhood)?
5. How many “highly attended” events (e.g., football games between high schools, graduations, etc.) does the CVUSD plan to have in a typical year when this project would be completed?
6. Does the District Field-related proposal mitigate existing lighting-related deficiencies along the street? If so, how?
7. There must be certainty that facility-related ingress and egress off of Puente street for both cars and buses would be sufficient to ensure that past identified problems involving a) vehicles that are precluded from entering the District Field site and backing up along the street, creating peak period-related roadblocks and congestion along the street, and b) buses on the site having difficulty exiting, and creating on-site circulation-related problems, would be avoided—or that all vehicles can enter the site in the quickest possible manner. And what would be the widths of the facility-related driveways?
8. How exactly will buses turn around and maneuver on the District Field site?
9. Would all utilities for the new facility be placed underground? (It was suggested that this occur.)

10. It is requested that a CVUSD representative(s) attend the next Planning Commission meeting to address the (above-noted) questions that have been raised and to provide the Commission with a general presentation on the District Field-related proposal.

Since the last Commission meeting, the Planning staff has referred the ten comments and questions to two Covina Valley Unified School District (CVUSD) representatives (the new Chief of Facilities and a contract project manager for the District Field proposal). In addition, the staff has requested to these officials that appropriate CVUSD-related representatives attend this Planning Commission meeting a) to provide a presentation of the key elements of the overall District Field project proposal (including the provision of adequate plans to the Commission for review); and b) to address each of the above comments and questions (particularly the ones directly or indirectly raising the issue as to whether the project could be redesigned to not warrant the elimination of the 7-foot dedication requirement (or, to not require this application) at the property frontage). The two officials have told the Planning staff that they and possibly other CVUSD-related representatives will come to the meeting to address the aforementioned two general areas of discussion.

ANALYSIS/RECOMMENDATION:

The staff recommends that the Planning Commission consider the statements and information presented by the representatives of the CVUSD and then take one of the following actions:

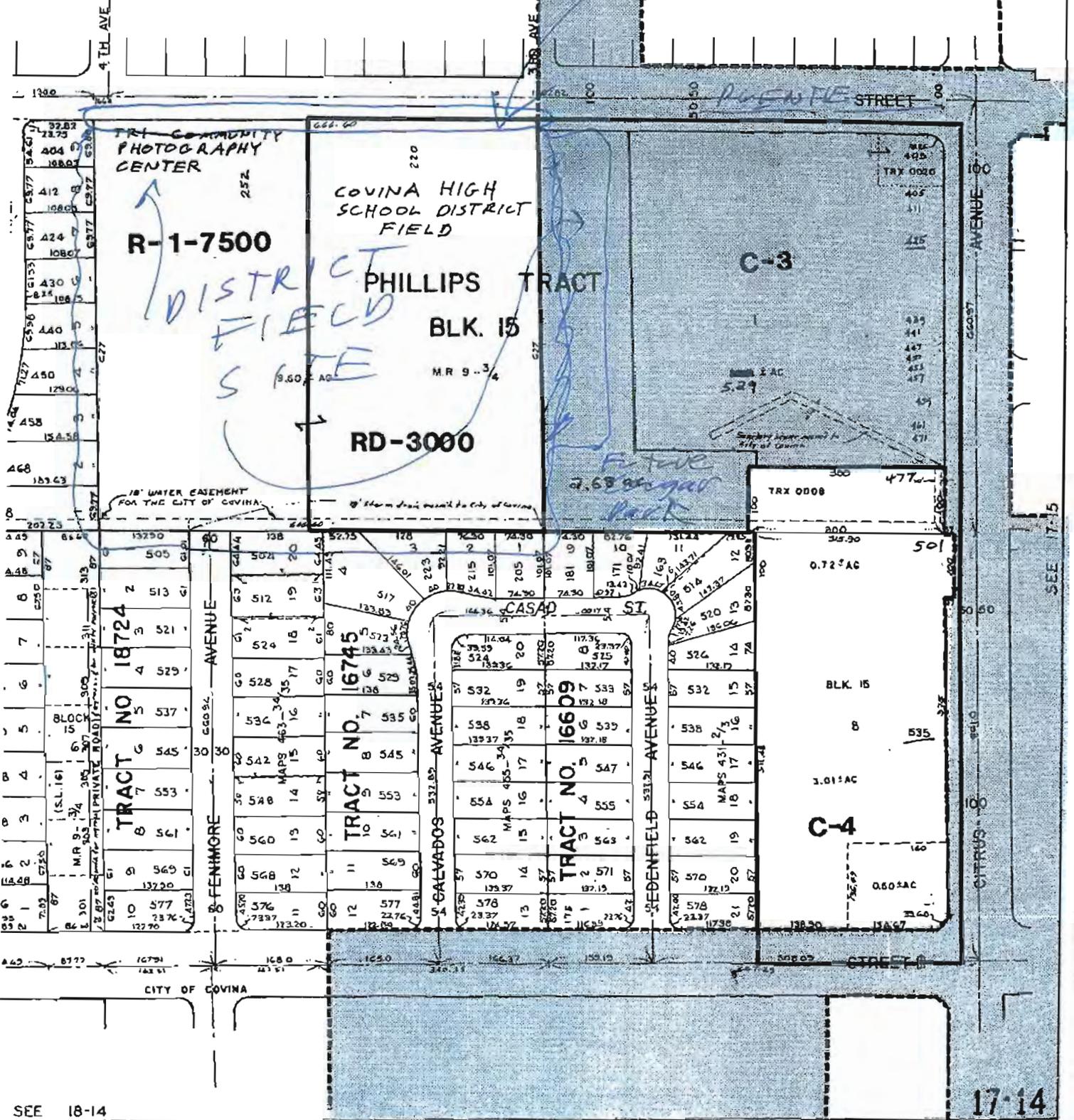
1. Recommend to the City Council approval of the subject GPA application and the Initial Study and Negative Declaration (IS and ND), as recommended at the prior meeting;
2. Continue both items to a subsequent meeting to allow further time for additional information to be submitted by the CVUSD representatives and then reviewed by the staff; or
3. Continue both items to a subsequent meeting for staff to change the application-related Resolutions to recommend to the City Council denial of the subject GPA application and the IS and ND.

EXHIBITS:

- A. Staff Report, Initial Study and Negative Declaration, and Planning Commission and City Council Resolutions (provided at prior Planning Commission meeting)
- B. General Description and Key Plans of District Field Project Proposal (provided electronically and in hard copy under separate cover)

street segment that will be focus of CPA

SEE 16-14



SEE 18-14

17-14

REVISED 10/10/10
REVISION 6/07

1. Introduction

1.3 PROJECT DESCRIPTION

1.3.1 Proposed Land Use

The Covina Valley Unified School District proposes to shift the current District Field northward by approximately 75 feet and improve the field with the following amenities. See Figure 4, *Site Plan*.

Artificial Turf: The current degraded natural turf would be replaced with artificial turf. Plans do not include construction of a track.

Bleachers: The existing bleachers, with a seating capacity of approximately 4,100 seats would be demolished and replaced with new bleachers with a seating capacity of approximately 4,000 seats. Approximately 2,500 seats would be erected on the western (home side) and 1,500 seats would be erected on the eastern (visitor side). The new bleachers would span a greater length of the field than the existing bleachers, but would be of a lesser height.

Lighting: Current field lighting consists of six poles, three on the eastern side of the field and three on the western side. Field lighting would be replaced with more efficient Musco lights, and the number of lighting poles would be reduced to four. Each pole would measure approximately 90 feet in height and would be constructed behind the bleachers. Because of the installation of a modern lighting system, spillover light levels should be reduced from the existing condition.

In addition to the turf, bleacher, and lighting improvements, the proposed project would also provide a new PA system and speakers. The new speakers would be placed on poles situated in front of the bleachers, facing the spectators. The existing field house would also be demolished and a new two-story field house would be constructed on the south side of the new field. The first floor of the field house would include ticket booths, concession stands, locker rooms, restrooms, and storage space. The second story would house a kitchen, restrooms, and a 320-seat multipurpose banquet room that would be available for multiple uses, including teacher training sessions. The banquet room may also function as a rental space for community activities.

Access Circulation and Parking

Current site plans indicate three existing access points along W. Puente Street and one new access point at the far northeast corner of the site, also on W. Puente Street. New parking lots would be constructed east, west, and south of the field, and existing parking lots would be reconfigured to improve the parking situation.

City Park

At the southeast corner of the site, the City of Covina plans to develop a public park featuring a community center, water splash feature, and playground, amongst other amenities. The City has an easement running through District property granting access to the park. It is understood that the park has been approved by the City and will proceed separately from the District's project.

1. Introduction

1.3.2 Project Phasing

The proposed project would occur according to the following two phases.

Phase 1

- a. Demolish the existing field house.
- b. Remove the bleachers and lighting.
- c. Strip the existing turf and remove the existing concrete lot due north of the field.
- d. Set new artificial turf approximately 75 feet northwards of the current field.
- e. Construct new bleachers and erect new lights and speakers.
- f. Develop new parking lots and reconfigure existing lots.

Phase 2

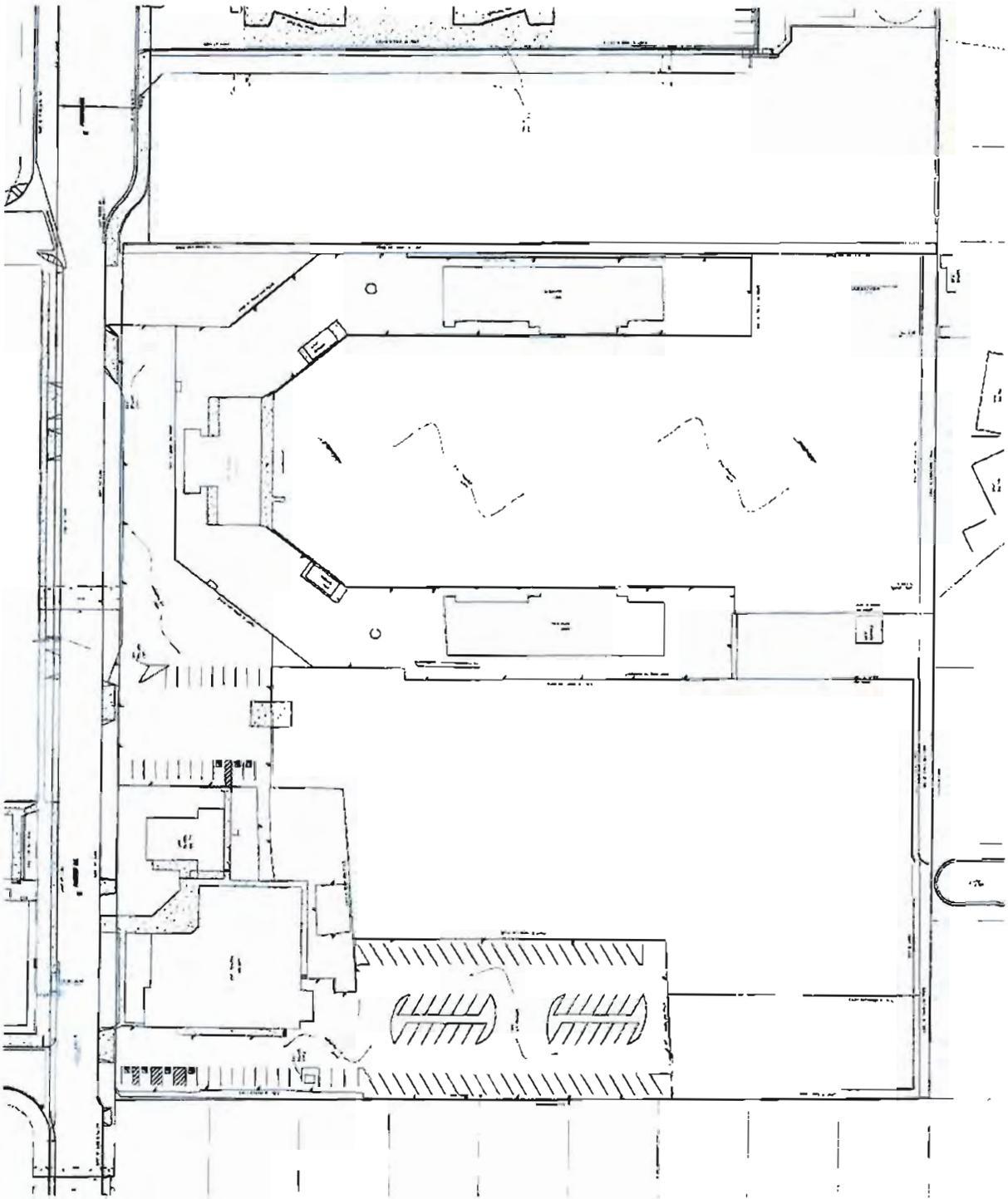
- a. Construct a new, two-story field house on the northern side of the field.

1.4 EXISTING ZONING AND GENERAL PLAN

The project site is designated as Public Facility by the City of Covina General Plan and zoned Multiple-Family (RD) by the zoning map. The areas denoted as new parking lots east and west of the field are zoned Central Business (C-3) and Single-Family Residential (R-1), respectively.

1.5 DISTRICT ACTION REQUESTED

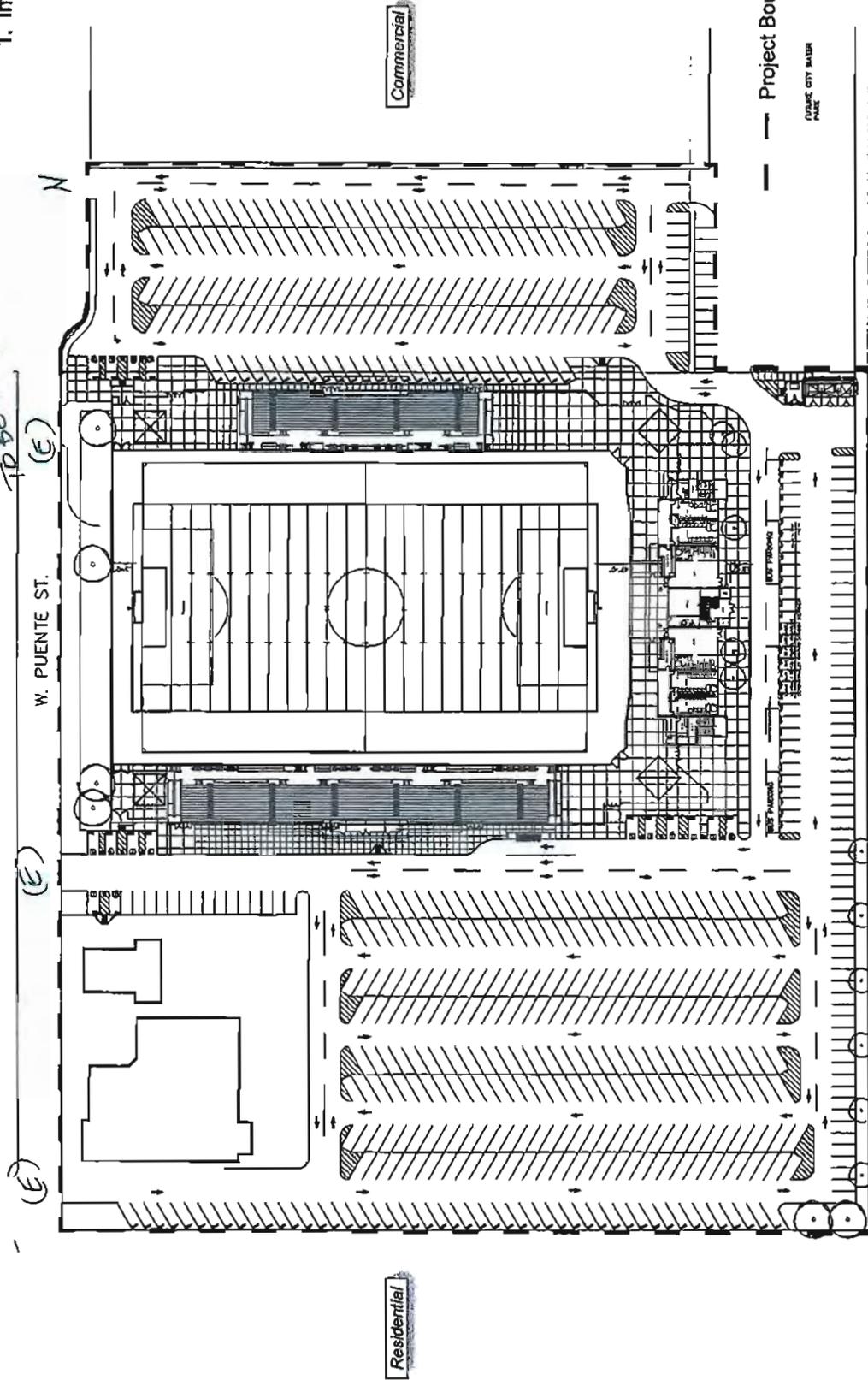
The District Board of Education will be requested to certify the EIR and approve development plans.



EXISTING SITE PLAN
DISTRICT SPORTS FIELD COMPLEX
Covina Valley Unified School District
SCALE: 1" = 30'-0" 1.20.2014

(E) 2N - DRIVEWAYS

Figure 4 Site Plan
1. Introduction





Unified School District
Covina Valley
166 W. Puente Street
Covina, California 91723

CONTRACT NO. _____
DATE _____
PROJECT _____
SHEET NO. _____ OF _____
SCALE _____



CONSTRUCTION
DATE _____
PROJECT _____
SHEET NO. _____ OF _____
SCALE _____

C- G002

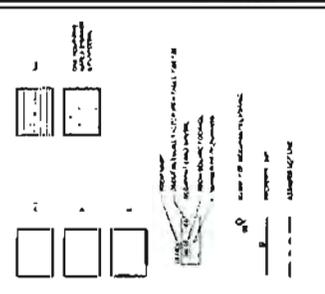
EXISTS CODES INCLUDE:

INTERNATIONAL RESIDENTIAL CODE BOOK	2018
INTERNATIONAL BUILDING CODE	2018
INTERNATIONAL MECHANICAL CODE	2018
INTERNATIONAL PLUMBING AND HEATING CODE	2018
INTERNATIONAL FIRE CODE	2018
INTERNATIONAL ELECTRICAL CODE	2017
INTERNATIONAL ENERGY CODE	2018
INTERNATIONAL SMOKE CONTROL CODE	2018
INTERNATIONAL SAFETY CODE	2018
INTERNATIONAL TRANSPORTATION CODE	2018
INTERNATIONAL WIND LOADS AND EFFECTS CODE	2018
INTERNATIONAL SEWER AND DRAINAGE CODE	2018
INTERNATIONAL WATER SUPPLY CODE	2018
INTERNATIONAL WOOD PRESERVATION CODE	2018
INTERNATIONAL YARDING AND CONSTRUCTION CODE	2018
INTERNATIONAL ZONING CODE	2018

CODE ANALYSIS

THE FOLLOWING CODES HAVE BEEN REVIEWED FOR THIS PROJECT:

- INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) 2018
- INTERNATIONAL BUILDING CODE (IBC) 2018
- INTERNATIONAL MECHANICAL CODE (IMC) 2018
- INTERNATIONAL PLUMBING AND HEATING CODE (IPHC) 2018
- INTERNATIONAL FIRE CODE (IFC) 2018
- INTERNATIONAL ELECTRICAL CODE (IEC) 2017
- INTERNATIONAL ENERGY CODE (IEC) 2018
- INTERNATIONAL SMOKE CONTROL CODE (ISCC) 2018
- INTERNATIONAL SAFETY CODE (ISC) 2018
- INTERNATIONAL TRANSPORTATION CODE (ITC) 2018
- INTERNATIONAL WIND LOADS AND EFFECTS CODE (IWLE) 2018
- INTERNATIONAL SEWER AND DRAINAGE CODE (ISDC) 2018
- INTERNATIONAL WATER SUPPLY CODE (IWSC) 2018
- INTERNATIONAL WOOD PRESERVATION CODE (IWPC) 2018
- INTERNATIONAL YARDING AND CONSTRUCTION CODE (IYCC) 2018
- INTERNATIONAL ZONING CODE (IZC) 2018



ACCESSIBLE PARKING SPACES

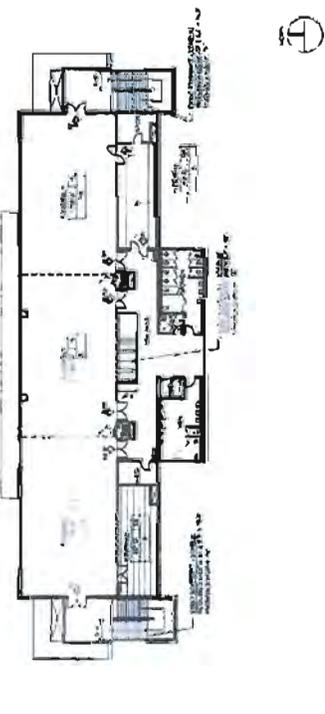
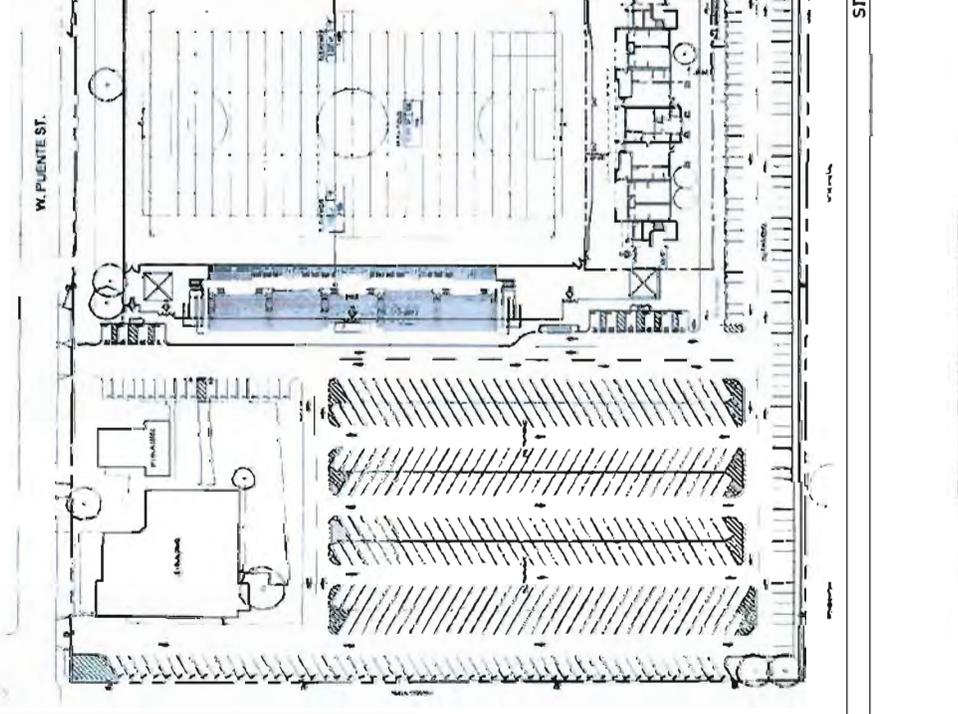
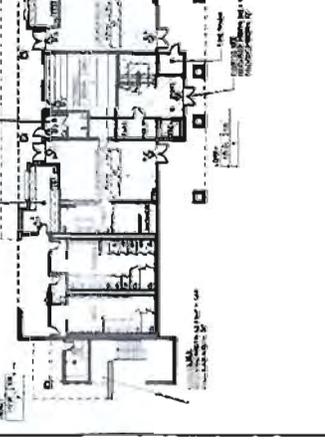
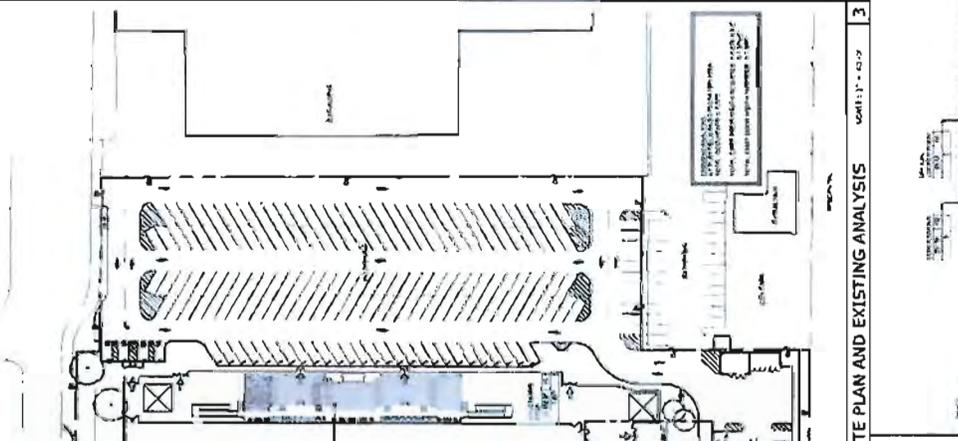
THE FOLLOWING ARE THE ACCESSIBLE PARKING SPACES:

- SPACES 1-10
- SPACES 11-20
- SPACES 21-30
- SPACES 31-40
- SPACES 41-50
- SPACES 51-60
- SPACES 61-70
- SPACES 71-80
- SPACES 81-90
- SPACES 91-100

ACCESSIBLE PARKING SPACES

THE FOLLOWING ARE THE ACCESSIBLE PARKING SPACES:

- SPACES 1-10
- SPACES 11-20
- SPACES 21-30
- SPACES 31-40
- SPACES 41-50
- SPACES 51-60
- SPACES 61-70
- SPACES 71-80
- SPACES 81-90
- SPACES 91-100



LEGEND

MEANS OF EGRESS COMPLIANCE ANALYSIS - FIRST LEVEL

MEANS OF EGRESS COMPLIANCE ANALYSIS - SECOND LEVEL

CITY OF COVINA

STAFF REPORT

APRIL 8, 2014

ITEM NUMBER 3

TO: PLANNING COMMISSION
FROM: LISA BRANCHEAU, ASSISTANT TO THE CITY MANAGER
COORDINATORS: VIDAL F. MÁRQUEZ, PLANNING TECHNICIAN
SUBJECT: APPLICATION CUP 14-007

APPLICANT:

Maria Mercy Moreno, Owner

REQUEST:

Application Conditional Use Permit (CUP) 14-007, a request to allow a new sit-down restaurant with full liquor service and live entertainment in a currently vacant commercial building

LOCATION:

147 East College Street

SURROUNDING LAND USES AND ZONING:

	EXISTING LAND USE	ZONING
Site	Commercial building (currently vacant)	TCSP-5 (Covina Town Center Specific Plan- Retail and Service Core Focused Activity Area)
North	Public Parking Lot (Municipal)	Same as Subject Site
South	Commercial Buildings	TCSP-4 (Covina Town Center Specific Plan- Mixed-Use Focused Activity Area)
East	Commercial Building (Claro's Italian Market)	Same as Subject Site
West	Covina City Hall	Same as Subject Site

GENERAL PLAN DESIGNATION:

Town Center 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 March 27, 2014.

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

Development Standard	Proposed
Site Area	8,750 square feet
Total Building Area	6,210 square feet (approximately), single story Building. 3,780 square feet restaurant area along with 741 square foot rearward outdoor patio
Percentages of Building Area Devoted to Customer Seating and Related Areas, Food Preparation and Storage and Cleaning, and Bar Seating/Counter and Associated Bar Area	Customer seating and related areas (50.2 percent); Food Preparation and Storage and Cleaning (25.0 percent); and Bar Seating/Counter and Associated Bar Area (8.4 percent) (all approximates)
Estimated Numbers of Employees (excluding security personnel) and Customers (seating capacity) in Eating Establishment at Peak Periods	10 employees; 90 customers (based on seating number and configuration shown on submitted plans; more customers may be allowed (for example, concerning rear patio dining) if number of customers would not exceed maximum occupancy limit(s) to be established by Fire Department)
Proposed Hours of Operation of Overall Eating Establishment	Sundays through Thursdays, 11:00 a.m. – 10:00 p.m.; and Fridays and Saturdays, 11:00 a.m. through 12:00 a.m.

Required and Provided Total Numbers of Parking Spaces for Food Service Use	38 total parking spaces are required for Food Service use—1 parking credit is available for the site under the Parking District 1; Under Section V(H)(2)(a) (“Parking”) of the Covina Town Center Specific Plan (TCSP) document, all remaining required parking for eating establishments would be provided a) on College Street, where 1 parking space, fronting directly on the appurtenant business, is available; and b) because it lies within 300 feet of the appurtenant property and would be continuously available to the general public, the ground-level municipal parking lot off of the northerly alley that also abuts the subject site.
----------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

BACKGROUND:

The applicant, Maria Mercy Moreno is the proprietor of “Casa Moreno” at 223 North Citrus Avenue. She recently purchased the commercial property at 147-151 East College Street in the downtown area and proposes to perform a complete exterior (front façade enhancements meeting the provisions of the Covina Design Guidelines) and interior remodel to accommodate a new sit-down food service establishment and a rearward covered patio for outdoor dining. The food service establishment would offer full liquor for on-site consumption inside the building and at the outside patio and would have live entertainment. For clarification on all facets of the overall project proposal, the Planning Commission should refer to the Project Data Table; to all Report-related Exhibits; and to the project plans.

COMMENT ON APPLICATION FROM POLICE DEPARTMENT TO PLANNING COMMISSION: *The Covina Police Department, while not wanting to deter business development in the downtown area, strongly encourages members of the Planning Commission to evaluate the impact that current and future restaurants and bars with high occupancy limits and live entertainment will have in regards to increased demand of police services.*

ANALYSIS AND FINDINGS:

Based upon an analysis of the proposed Conditional Use Permit request, the staff recommends that the Planning Commission make the following findings for the application:

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

Fact: As indicated in the Project Data Table and in the associated project plans, the property, which is flat, rectangular, and at street level, is large enough to accommodate the remodeled commercial building and the food service establishment with full liquor sales for on-site consumption and live entertainment. In addition, as further noted under the Project Data Table and project plans, the adjoining northerly public parking lot would accommodate the parking needs of the business. And under the Conditions of Approval, among other requirements, the establishment will be required to meet the occupancy limit(s) of the Los Angeles County Fire Department.

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

Fact: The Planning staff believes that the surrounding streets, notably Citrus Avenue and College Street, have sufficient widths and capacities to safely accommodate the relatively minor additional daily trips (relative to the former general retail business at the location) that the eating establishment would generate. And once more, these trips would be adequately handled in the adjacent public parking facilities. Moreover, the peak periods of the establishment would generally occur during the off-peak hours relative to many of the surrounding businesses.

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

Fact: Relative to the current building and related improvements on the project site, the overall project proposal would constitute a major aesthetic and functional enhancement to the property, which would reflect positively on adjacent downtown uses. Concerning the food service use and its associated full liquor sales and live entertainment, the Planning staff believes that the Conditions of Approval, notably those of the Police Department, would provide the City with adequate safeguards for ensuring overall project- and use-related compatibility with adjoining activities or that the proposed eating establishment with ancillary full liquor service and entertainment would not become a nuisance for adjacent businesses and residences.

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

Fact: Relative to the current building and related improvements on the project site, the overall project proposal would constitute a major aesthetic and functional enhancement to the property, which would reflect positively on the Downtown area and on the entire community. Concerning the food service use and its associated full liquor sales and live entertainment, the Planning staff believes that the Conditions of Approval, notably those of the Police Department, would provide the

City with adequate safeguards for ensuring overall project- and use-related compatibility with the surroundings or that the proposed eating establishment with ancillary full liquor service and entertainment would not become a nuisance for adjacent businesses and residences or for the overall City.

STAFF RECOMMENDATION:

The Planning staff recommends that the Planning Commission approve application CUP 14-007, subject to the attached conditions of approval.

EXHIBITS:

- A. Applicant Business Plan (including proposed menu)
- B. 300-Foot Radius Mailing Map
- C. Area Map
- D. Project Plans (under separate cover)

**CITY OF COVINA
APPLICATION CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT (CUP) 14-007
AS RECOMMENDED FOR APPROVAL TO THE PLANNING COMMISSION
ON APRIL 8, 2014**

The Conditional Use Permit (CUP) application shall authorize a new sit-down restaurant with full liquor service plus live entertainment and outside patio dining on a property at 147 East College Street.

1.0 TIME LIMITS:

- 1.1** The approval of the Conditional Use Permit (CUP) 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(s) has not commenced.

2.0 GENERAL REQUIREMENTS:

- 2.1** The Conditional Use Permit (CUP) application shall permit 1) the operation of a sit-down restaurant (not a bar, cocktail lounge, night club, or similar use) with full liquor sales for on-site, inside-of-the-building and outdoor patio dining consumption and with live entertainment; and 2) the patio addition to and the exterior and interior remodel of the building on the property to accommodate the food service establishment. The property shall be operated/used and remodeled/improved in accordance with all application-related information; all representations of record made by the applicant; the approved project plans and design details (including any necessary or required revisions thereto), as approved by the Planning Commission; the Conditions of Approval contained herein; and the Covina Municipal Code, the Covina Town Center Specific Plan, and the Covina Design Guidelines. Prior to the completion of the approved improvements, all Conditions of Approval shall be complied with to the satisfaction of the City Planner or his/her designee.
- 2.2** Minor modifications to this approval that are determined by the City Planner or his/her designee to be in substantial conformance with the approved project plans and that do not intensify or change the use or require any deviations from adopted standards may be approved by the City Planner upon submittal of an administrative application and required fee.
- 2.3** Failure to comply with any of the Conditions of Approval noted herein shall be deemed just cause for the revocation of the approval of the CUP by the Planning Commission.

APRIL 8, 2014

- 2.4** 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 also Condition 2.28 or applicable attachment). All final or construction plans and documents shall conform to the plans approved by the Planning Commission. The Conditions listed herein shall further be printed upon the face of and included as part of these plans.
- 2.5** Any previously existing zoning entitlements for the property shall remain in effect, except for the provisions thereof that have been expressly superseded by the Conditions of Approval and the associated approved project plans of this CUP application.
- 2.6** Under certain provisions of the California Environmental Quality Act (CEQA), the project proposal has been determined to be categorically exempt from environmental review. 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.
- 2.7** An administrative Outdoor Dining Permit shall be obtained from the Planning Division to allow for any food service establishment-related seating in the outside, rearward area. To grant this Permit, the associated administrative application and plan submittal requirements shall be met.
- 2.8** An Encroachment Permits from the Engineering Division shall be obtained for any new frontward awning on the building and for any other building or business-related elements that would project into any public right-of-way.
- 2.9** The business shall have access to a trash bin. This may occur under an enclosure on the subject property, meeting all applicable standards, or through an agreement with an adjacent property owner to use an existing trash bin on that site, subject to approval by the City.
- 2.10** Any construction-related grading and all drainage on and leaving the site shall conform to the applicable requirements of the Covina Public Works Department, Engineering Division.
- 2.11** Any new exterior ground-, wall-, or roof-mounted mechanical and/or utility equipment (and any communication-related facilities that are not exempt from local regulation) shall be screened from all views by building features, the elements of which must match the style and color of the building, and/or landscaping. The method of screening shall be identified on the construction

APRIL 8, 2014

plans and is subject to staff approval (see also Condition 2.28 or applicable attachment).

- 2.12** Any required site features for the disabled, 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 be reviewed by the Building Division (contact the Building Division for specific requirements).
- 2.13** In accordance with Chapter 11.36 of the Covina Municipal Code, no street trees adjacent to the property shall be cut or trimmed in any manner by any persons associated with management, operational, or maintenance activities on the site without first obtaining a permit from the Covina Public Works Department.
- 2.14** Any new exterior lighting associated with the building shall conform to the building architecture and shall be located and oriented in a manner that would not generate any glare onto any adjacent business or property or onto any surrounding public street or alley, while meeting the applicable foot-candle standards of the City to maintain safety and security.
- 2.15** The applicant or his associates shall perform any project- or use-related construction work that could be heard by any residents of the nearby residential properties only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Saturday (excluding legal holidays), unless a special permit is obtained from the City.
- 2.16** The approval of this request shall not waive compliance with all other applicable sections of the Covina Municipal Code, the Covina Design Guidelines, and all other associated plans and non-City laws and regulations that are in effect at the time of Building Permit issuance or the approval of this application.
- 2.17** The City shall have the reasonable right of entry to inspect the improvements on the property to verify compliance with the Conditions of Approval.
- 2.18** The 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 grant, 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.

APRIL 8, 2014

- 2.19 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.
- 2.20 If any provision of this grant is held or declared to be invalid, then the application approval shall be void and the privileges granted hereunder shall lapse.
- 2.21 The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by the applicant/property owner's violation of any Condition imposed by this approval or any provision of the Covina Municipal Code shall be paid by the applicant/property owner.
- 2.22 Any new and changing ordinances adopted prior to the final approval of the project may warrant new review.
- 2.23 All proposed permanent exterior signage for the property is subject to a separate, follow-up review and approval process, and all applicable codes and requirements shall be met. Also, sign permits must be obtained from the City prior to the installation of any new permanent or temporary signs. And all illuminated signage shall be prohibited from generating any glare or imposing any other negative impacts onto any adjacent properties or onto the adjoining sidewalks and streets.
- 2.24 Application SPR 14-004, the initial project-related application that, in accordance with administrative practice, was reviewed at the staff level, shall be considered to be granted in conjunction with this approval.
- 2.25 The installation of a new or the modification of any existing security system(s) in the appurtenant building, as addressed under Chapter 8.20 of the Covina Municipal Code, shall be coordinated with the Covina Police Department. Please determine at the earliest possible time whether a security system will be installed or altered, as failure to inform Police of security system installation plans may impact the commencement of the business and/or delay building permit issuance relating to the Plan Check process (see Condition 2.27).
- 2.26 The following item is required in order to comply with the Los Angeles County Fire Department code requirements as they pertain to this proposal: More detailed project plans shall be submitted to the Los Angeles County Fire Department in order for the Department to determine a) the occupancy limit(s) for the overall establishment; and a) whether fire sprinklers will be required. Please contact the Fire Department staff for any questions.

APRIL 8, 2014

- 2.26.1** All outside food preparation facilities or outside fire related elements shall meet all applicable standards of the City, Los Angeles County Fire Department and if applicable the Air Quality Management District (AQMD).
- 2.27** The following items are required in order to comply with the Police Department code requirements as they pertain to this proposal:
- 2.27.1** The hours of operation will be no earlier than 6:00 am and no later than 2:00 a.m.
- 2.27.2** All live entertainment will cease at 1:00 a.m. "Live entertainment" includes music provided by a live entertainer, and/or music played in combination with a disc-jockey or televised major sporting events.
- 2.27.3** All service of alcoholic beverages will cease at 1:30 a.m.
- 2.27.4** No alcoholic beverages or their containers, such as bottles and glasses will be present other than stored behind the bar or in the trash receptacles after 2:00 a.m.
- 2.27.5** Only on-duty employees will be allowed inside the restaurant between the hours of 2:00 a.m. and 6:00 a.m.
- 2.27.6** The rear or north facing doors shall be utilized only for emergency exits, deliveries and for employee arrival and departure from work.
- 2.27.7** The owners, operators, managers and all employees shall adhere to and obey all State laws and City ordinances relating to the service, consumption and possession of alcoholic beverages. Any violations of State laws or City ordinances will be presented to the District Attorney's office for prosecution and will be grounds for revocation or modification of this permit.
- 2.27.8** The owners or operators will be responsible for ensuring they are in compliance with the restrictions, provisions and guidelines of their license from the State of California Alcoholic Beverage Control Board in regards to the ratio of alcoholic beverages sales to food sales.
- 2.27.9** The owners, operators, management staff and employees shall allow inspection of the premises by members of the Covina Police Department at any time when there are employees present inside the location.
- 2.27.10** The owners, operators, managers or employees shall not permit any type of activity where persons are compensated, either by the business or by a

APRIL 8, 2014

customer, for dancing, conversation or anything other than bona-fide service consistent with a restaurant and bar.

- 2.27.11** The owner or operator shall contract with a security company for security personnel or hire security personnel as employees.
- 2.27.12** In the event the owner or operator provide their own security personnel, all personnel must be employed only as security personnel and not have other responsibilities while acting in that capacity. Additionally, all employees acting as security personnel must be licensed and in good standing with the State of California throughout their time of employment.
- 2.27.13** The restaurant and bar will have no less than two personnel assigned for security purposes, with valid guard cards issued by the State of California, on duty at all times when any type of entertainment is taking place or during televised sporting events.
- 2.27.14** The Police Department may, after meeting with the owners or managers of the restaurant and bar, increase the number of required security personnel for planned events or incidents where the police department determines that the number of on-duty security personnel is deficient.
- 2.27.15** At no time will any security personnel, whether employed by a private company or licensed by the City or employed by the restaurant, be armed with any type of firearm.
- 2.27.16** The owners, operators or managers of the location, subject to the approval of the Police Department, will develop a plan for staging customers outside the restaurant on the sidewalk (public right of way) who wish to enter the restaurant and bar and cannot be accommodated inside the location.
- 2.27.17** In the event patrons waiting to enter the location are lined up outside, the owners or operators will work in conjunction with the Police Department to ensure the waiting area is properly illuminated during hours of darkness.
- 2.27.18** In the event patrons waiting to enter the restaurant and bar are lined up outside the restaurant, the owner, operator or manager shall assign at least one security person to monitor the conduct of all customers waiting in line.
- 2.27.19** The owners, operators or managers of the location shall not conduct any type of valet parking unless they have received prior approval pursuant to City of Covina Municipal Code 10.64.040.

APRIL 8, 2014

- 2.27.20** The owners, operators or managers will, subject to approval of the Police Department, ensure that the location has, upon opening for business, a video security system that includes digital cameras and a quality recording system that covers all major interior and exterior areas of concern to the police department.
- 2.27.21** The owners, operators or managers shall cooperate with all police investigations regarding crimes that occur at the location or are as a result of conduct while at the location. This cooperation includes, but is not limited to, allowing access to view video images and providing recordings of video images of any activity deemed important by any officer of the department investigating a crime that is alleged to have occurred on the premises or as a result of conduct occurring at the premises.
- 2.27.22** The owners, operators or managers shall preserve the video security system's recorded information of each business day for a period of not less than ten (10) business days thereafter for the Police Department's review in connection with a criminal investigation.
- 2.27.23** The owners, operators or managers shall, subject to approval of the Police Department, develop a plan to monitor the area surrounding the location for trash and other discarded items that impact public health and the cleanliness of the parking lots, sidewalks and the property of adjacent business owners.
- 2.27.24** The owners, operators or managers shall, subject to approval of the Police Department, develop a plan to monitor adjacent parking areas for activity that is detrimental to public safety or public health.
- 2.27.25** The owners, operators or managers shall, subject to approval of the Police Department, develop a plan to ensure the front and back of the location are adequately and safely illuminated during hours of darkness.
- 2.27.26** The owners, operators or managers shall ensure that all occupancy levels are strictly adhered to. At any time, the Police Department Watch Commander can cease all operations of the business in order to determine if the occupancy level is over the allowed number of occupants. The Watch Commander, in addition to a representative from the Los Angeles County Fire Department, will also have the authority to close the business if he feels the occupancy levels are jeopardizing public safety.
- 2.27.27** PLEASE TAKE FURTHER NOTICE your business license is subject to revocation, amendment, modification or conditions pursuant to Section 5.04.035 B. of the Covina Municipal Code, if the City Council determines your establishment is being operated in a manner that is contrary to, or

APRIL 8, 2014

inimical to the preservation of the public peace, safety or welfare, or it is otherwise detrimental to other properties or businesses in the vicinity.

2.27.28 PLEASE TAKE FURTHER NOTICE a breach of any condition of this Permit constitutes a public nuisance pursuant to Chapter 8.40 of the Covina Municipal Code. Pertinent provisions in that chapter are as follows:

“8.40.030 Prohibited public nuisance conditions.

The city council finds and declares that, notwithstanding any other provision of the Covina Municipal Code, it is a public nuisance and unlawful for any person to allow, cause, create, maintain, or suffer, or permit others to cause, create, or maintain, the following:

G. Any building, structure, or use of real property that violates or fails to comply with (1) any applicable approval, permit, license, or entitlement or condition relating thereto, (2) any ordinance of the city, including, but not limited to, any provision of this code, or (3) any applicable county, state, or federal law or regulation.”

“8.40.040 Penalty.

A. Notwithstanding any other provision of the Covina Municipal Code to the contrary, any person who causes, permits, suffers, or maintains a public nuisance, or any person who violates any provision of this chapter, or who fails to comply with any obligation or requirement of this chapter, is guilty of a misdemeanor offense punishable in accordance with CMC 1.16.010(A). A criminal prosecution and/or civil litigation may be initiated without the commencement of the “nuisance abatement” procedures outlined in Article II of this chapter.

B. Each person shall be guilty of a separate offense for each and every day, or part thereof, during which a violation of this chapter, or of any law or regulation referenced herein, is allowed, committed, continued, maintained or permitted by such person, and shall be punishable accordingly.”

2.27.29 PLEASE TAKE FURTHER NOTICE that if a breach of a condition of this Permit (which is a public nuisance – see above) results in an imminent hazard to persons or property, the Police Chief or other authorized official

APRIL 8, 2014

may, if necessary to summarily abate the nuisance, require a cessation of your business operations or a closure of the Premises pursuant to Section 8.40.180 [Emergency Action to Abate an Imminent Hazard] of the Covina Municipal Code. That section states in part as follows:

A. "Notwithstanding any provision of the Covina Municipal Code to the contrary, the police chief, the fire chief, or the building official, or any of their designees, may cause a public nuisance to be summarily abated if it is determined that the nuisance creates an imminent hazard to a person or persons, or to other real or personal property."

- 2.28** The following items are required in order to comply with the Building Division code requirements as they pertain to this proposal: refer to applicable attachment.
- 2.29** The following items are required in order to comply with the Engineering Division code requirements as they pertain to this proposal: refer to applicable attachment.
- 2.30** The following items are required in order to comply with the Environmental Services Division code requirements as they pertain to this proposal: refer to applicable attachment.
- 3.0** **PRIOR TO THE GRANTING OF FINAL APPROVAL OF THE BUILDING IMPROVEMENTS OR THE CONDITIONAL USE OR THE COMMENCEMENT OF OPERATIONS OF THE APPROVED CONDITIONAL USE ON THE SITE:**
- 3.1** All site, building, and any 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.
- 3.2** The Conditional Use Permit (CUP) approval shall not be effective until such time as the applicant/owner of the property obtains an Inspection and Verification Permit (IVP) and the City Planner or his/her designee certifies on said Permit that the premises and uses comply with all of the Conditions of Approval.
- 3.3** This grant shall not be effective for any purposes until the applicant/owner of the property has filed with the Planning Division an affidavit stating that he is aware of, and agrees to accept, all of the Conditions of Approval.
- 3.4** The required trash bin enclosure (see Condition No. 2.9) shall be completely installed or otherwise addressed in a manner that is acceptable to the City.

APRIL 8, 2014

- 3.5 All exterior lighting fixtures on the property shall be installed in accordance with the approved plans on file with the Planning and Building Divisions and shall be fully operational.
 - 3.6 The applicant shall obtain all necessary approvals and permits from the State Department of Alcoholic Beverage Control regarding the sale of the full liquor in the food service establishment.
 - 3.7 The applicant shall obtain all necessary licenses and permits from the Finance Department (e.g., a general Business License) and the Police Department (e.g., an Entertainment Permit) concerning the business.
 - 3.8 The applicant shall obtain all necessary approvals from the Los Angeles County Fire Department for the establishment.
- 4.0 THE APPROVED CONDITIONAL USES AND THE OVERALL PROPERTY SHALL BE OPERATED IN ACCORDANCE WITH THE FOLLOWING:**
- 4.1 THE APPLICANT SHALL COMPLY WITH ALL OPERATIONAL REQUIREMENTS OF THE POLICE DEPARTMENT (SEE CONDITION 2.27).
 - 4.2 All business activities or uses on the property shall conform to the permitted uses of the underlying "TCSP-5/Town Center Specific Plan Retail and Service Core Focused Activity Area" zoning district (except for any previously-granted and the current "TSCP-5" conditional uses and any subsequently approved conditional activities).
 - 4.3 The operational and other Conditions of Approval that are listed herein shall apply to all periods that the entire food service establishment and approved ancillary functions are permitted to be open to the general public and are used by private groups that are invited by the applicant or an associate in conjunction with special events, including, but not limited to, receptions and parties. Not more than twenty-four (24) applicant-coordinated special events (**not open to the public**) shall be permitted in any one calendar year, and such special events shall not occur on more than thirty (30) total days in any one calendar year.
 - 4.4 All areas of the eating establishment that are components of the principal use and the ancillary uses (i.e., the dining, patio, entertainment, bar, hallway, and food preparation and storage areas) shall function in an integral manner, as illustrated on the approved project plans, and none of the areas or components of the eating establishment (or portions of the areas) shall operate on an independent basis or as a separate use/business.
 - 4.5 Any food service establishment-related activities, including those pertaining to live entertainment, and any legal or permitted special events occurring on the

APRIL 8, 2014

property shall be conducted in a manner that does not disturb adjacent businesses and residences, relative to excessive noise and vibrations, and that conforms to the provisions of Sections 9.40 (Noise) and 9.42 (Environmental Disturbances) of the Covina Municipal Code.

- 4.6 The full lunch and dinner menus shall be offered to all customers in all portions of the eating establishment during all hours that the establishment is open to the public.
- 4.7 The serving of full liquor shall be for on-site, inside-of-the-building and outdoor patio dining consumption only and may occur in all sections of the business where customers are seated for food service. In addition, the applicant shall continually comply with all requirements of the State Department of Alcoholic Beverage Control in providing this service.
- 4.8 The hours of operation of the various components of the food service establishment (i.e., general business hours, live entertainment, and full liquor) shall comply with the requirements of the Police Department (see Condition 2.27). (Activities pertaining to the general repair, servicing, or maintenance of legal or permitted improvements on the property or general business-related administrative functions may occur at any time, providing that the activities or functions conform to the provisions of the Chapter 9.40 (Noise Ordinance) and other applicable Chapters of the Covina Municipal Code.)
- 4.9 The proposed live entertainment consists of the following: a) live performances or bands; b) disc jockeys playing pre-recorded music; and c) public dancing. All live entertainment shall occur within the interior of the building only, and all restaurant-related doors (leading to the outside) and windows shall be kept closed at all times that the live entertainment is occurring. In addition, an Entertainment Permit from the Police Department shall be obtained and maintained in good standing.
- 4.10 No outside speakers pertaining to the business shall be permitted.
- 4.11 The maximum number of employees, entertainers, and customers that may be in the eating establishment at any one time shall conform to the occupancy limit(s) of the Los Angeles County Fire Department and the Building Division.
- 4.12 All portions of the food service establishment shall be continuously supervised by business management or employees. At least one supervisor that is at least 21 years of age shall be on duty at all times that the business is operating. This supervision shall further function to ensure a) that customers in any interior or outside areas of the overall business do not exhibit any behavior that disturbs either other establishment customers or passers-by on the sidewalk or in any other public or private area; b) that any customers that are awaiting to enter the food

APRIL 8, 2014

service use by standing on the public sidewalk are doing so in an orderly manner and not exhibiting any behavior that disturbs either other establishment customers, persons associated with other businesses, or passers-by on the sidewalk; and c) that any loitering either on the public sidewalk or in areas immediately around the business is prevented.

- 4.13** When lines of customers that seek to enter the eating establishment form on the outside of the appurtenant building, security and/or other personnel employed by the restaurant shall ensure that there is adequate, legally-sufficient room on all portions of the sidewalk where the customers are standing (including portions thereof that are not directly in front of the appurtenant building, if applicable) for non-customer-associated passers-by and the disabled to safely walk or maneuver by the lines (or, without having to go into the adjoining streets or feeling compelled to go into the adjoining streets to avoid the lines of persons). Also, whether or not the customer-related lines form, either at the close of business on the same day or prior to the opening of the restaurant on the following day, the security and/or other personnel employed by the restaurant shall inspect all portions of the sidewalk, notably areas where the customers were standing (including, if applicable, portions that do not directly front on the appurtenant building) and shall immediately and completely remove any and all litter, trash, and waste (including, but not limited to, food, drinks, cups, bottles, cans, papers, cigarette butts, gum, and bodily fluids (including, but not limited to, blood, vomit, and urine)) from the sidewalk, and, if necessary, the adjoining streets.
- 4.14** The applicant shall provide sufficient security for the entire business, conforming to the requirements of the Police Department (refer to Condition 2.27 or applicable attachment).
- 4.15** No pool tables are permitted in conjunction with the operations of any section of the business.
- 4.16** Not more than three video, mechanical, and/or other arcade games made be used in conjunction with the operations in any section of the food service establishment. If the applicant wishes to have more than three such games, then a new CUP shall be obtained and certain new requirements shall be met.
- 4.17** The business shall publicize to its customers through its internet page, social media, and/or other generally accepted methods the location of available parking in the downtown.
- 4.18** No valet parking of any type is permitted in conjunction with the operations of any section of the establishment unless the applicant obtains from the City all required Valet Parking Permits (under the provisions of the Covina Valet Parking Rules and Regulations). If the required Valet Parking Permits are obtained, the

APRIL 8, 2014

applicant shall further abide by all applicable requirements of the City concerning valet parking.

- 4.19** To avoid any potential on-street, on-alley, or circulation-related issues, any “take-out”-associated curbside service that is proposed for the food service establishment shall be reviewed and approved by the Engineering Division of the Public Works Department.
- 4.20** Any loading and unloading activities concerning any facet of the business shall occur at the northern-most door abutting the rearward alley only, shall occur between the hours of 7:00 a.m. and 10:00 a.m. on any day, and shall conform to the City of Covina Noise Ordinance (Chapter 9.40 of the Covina Municipal Code) and to any other applicable provisions of the Covina Municipal Code. In addition, the loading and unloading activities shall be conducted in a manner that does not interfere with the operations or any other on-site businesses or any surrounding property/uses and that minimizes vehicle access-related disruptions in the appurtenant alley.
- 4.21** No trash or discarded items shall be placed in the rearward alley, except if placed in a temporarily located refuse bin or other element that has been approved by and that meets the requirements of the Public Works Department.
- 4.22** The Covina Police Department reserves the right to modify the hours of operation, cease any type of entertainment, or close the business altogether at any time should, in the opinion of the on-duty Watch Commander or his designee, the operation of the business impact normal police operations to the extent that public safety has been jeopardized.
- 4.23** If, in the opinion of the Chief of Police or his designee, there is or may be a need to change or modify the Conditions of this Conditional Use Permit, the Chief of Police or his designee may initiate a public hearing before the Planning Commission. After due notice, which affords the applicant an opportunity to be heard, the Planning Commission may, but is not obligated to, change or modify the Conditions stated herein.
- 4.24** Any subsequent change(s) in the uses or improvements on the property or operational activities (including, but not limited to, the size or layout of the interior of the building; the building architecture and/or features; and/or the type and/or intensity of the permitted uses) beyond what is permitted under this CUP application shall not proceed without further City review and approval to ensure compliance with the applicable codes and requirements and, if necessary, the mitigation of any identified impacts (such as design, noise, traffic, and parking). A new zoning application(s) and possibly an impact-related study(ies) may be required for such future change(s) or improvements.

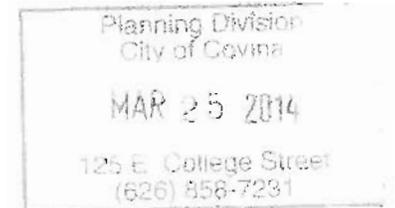
APRIL 8, 2014

- 4.25** Any outdoor storage pertaining to the business is prohibited.
- 4.26** The site, building, signage, and any landscape improvements 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/property owner pay the actual and reasonable cost for code compliance services needed to address any problem conditions.

CITY OF COVINA
INTEROFFICE MEMORANDUM

DATE: MARCH 17, 2014

TO: Detective Bureau, Covina Police Department
Lisa Brancheau, Community Development
James Barnes, Inspector, Fire Department
Public Works Department:
✓ Building and Safety Section
Engineering Section
Environmental Services Section
Water Division



FROM: Planning Division

SUBJECT: CUP 14-007

APPLICANT: MERCY MORENO

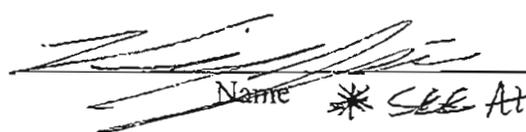
REQUEST: TENANT IMPROVEMENT, REAR OUTSIDE DINING PATIO (REVISED TO INCLUDE FIRE PITS) AND FAÇADE UPGRADE TO ESTABLISH A NEW RESTAURANT WITH ON-SITE CONSUMPTION OF GENERAL ALCOHOL WITH LIVE ENTERTAINMENT.

ADDRESS: 147-151 EAST COLLEGE STREET

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: MARCH 31, 2014

COMMENTS:


Name * SEE ATTACHED COMMENTS.
Date 3/25/2014



CITY OF COVINA

INTER-OFFICE MEMORANDUM

To: Planning Division
From: Vijay Mepani, General Building Inspector II

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 2013 California Building Standards and 2013 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

DATE: MARCH 17, 2014

TO: Detective Bureau, Covina Police Department
Lisa Brancheau, Community Development
James Barnes, Inspector, Fire Department
Public Works Department:
✓ Building and Safety Section
Engineering Section
Environmental Services Section
Water Division



Received, Public Works

MAR 18 2014

_____ IP _____

FROM: Planning Division

SUBJECT: CUP 14-007

APPLICANT: MERCY MORENO

REQUEST: TENANT IMPROVEMENT, REAR OUTSIDE DINING PATIO (REVISED TO INCLUDE FIRE PITS) AND FAÇADE UPGRADE TO ESTABLISH A NEW RESTAURANT WITH ON-SITE CONSUMPTION OF GENERAL ALCOHOL WITH LIVE ENTERTAINMENT.

ADDRESS: 147-151 EAST COLLEGE STREET

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: MARCH 31, 2014

PREVIOUS COMMENTS FROM SPB # 14-004 APPROV.

COMMENTS:

LAURA LAIZA

Name

3/25/14

Date

CITY OF COVINA
INTEROFFICE MEMORANDUM



DATE: January 22, 2014

TO: *Detective Bureau Lieutenant, Covina Police Department
*James Barnes, Inspector, Fire Department
*Amy Hall-McGrade, Parks & Recreation Director
*Lisa Brancheau, Community Development Department
**Public Works Department:
 ✓ Building and Safety Section
 ✓ Engineering Section
 Environmental Services Section
 Water Division
*Risk Management Division
*Administration

Received, Public Works
JAN 23 2014
Eng/Env LP

FROM: PLANNING DIVISION

SUBJECT: SPR 14-004

APPLICANT: MERCY MORENO

REQUEST: TENANT IMPROVEMENT AND FACADE MODIFICATION TO ACCOMMODATE A NEW SIT DOWN RESTAURANT (USE TO INCLUDE ONSITE LIQUOR SALE AND LIVE ENTERTAINMENT. SEE ATTACHMENT).

ADDRESS: 147-151 EAST COLLEGE STREET

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: FEBRUARY 3, 2014

COMMENTS: ANNINGS ENCROACHING IN PUBLIC RIGHT OF WAY WILL REQUIRE AN ANNUAL ENCROACHMENT PERMIT FROM THE

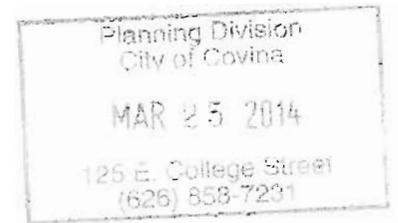
LAURA LARA
Name

1/28/14
Date

CITY OF COVINA
INTEROFFICE MEMORANDUM

DATE: MARCH 17, 2014

TO: Detective Bureau, Covina Police Department
Lisa Brancheau, Community Development
James Barnes, Inspector, Fire Department
Public Works Department:
Building and Safety Section
 Engineering Section
 Environmental Services Section
Water Division



FROM: Planning Division

SUBJECT: CUP 14-007

APPLICANT: MERCY MORENO

REQUEST: TENANT IMPROVEMENT, REAR OUTSIDE DINING PATIO
(REVISED TO INCLUDE FIRE PITS) AND FAÇADE UPGRADE TO
ESTABLISH A NEW RESTAURANT WITH ON-SITE
CONSUMPTION OF GENERAL ALCOHOL WITH LIVE
ENTERTAINMENT.

ADDRESS: 147-151 EAST COLLEGE STREET

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: MARCH 31, 2014

COMMENTS:

Comments entered into MUNIS.

Vlasto

Name

3/24/14

Date

**ENVIRONMENTAL SERVICES SECTION
PLAN REVIEW COMMENTS**

Project Address: 147-151 E College Project #: CUP 14-007

Date Due: Rec'd 3/24/14 Date Returned: 3/25/14 Reviewed By: Vivian Castro

Description: TI restaurant with rear outside dining patio with fire pits

After initial review of your project, it has been determined that that your project requires submission of the following items and estimated fees.

Required Documents

Three (3) reports of each of the items noted below, including plans, must be submitted to Environmental Services. All signatures and stamps must have wet-ink application.

- Storm Water Pollution Prevention Plan (SWPPP - The project area is 1 acre or greater. A SWPPP must be provided for this project as required by the State Water Resources Control Board.
- Standard Urban Stormwater Mitigation Measure (SUSMP) - The project meets the Los Angeles Regional Water Quality Control Board's criteria for a Priority Planning Project. A SUSMP must be provided for this project.
- Site-Specific SUSMP - The project falls into a category specified by the Los Angeles Regional Water Quality Control Board as requiring a Site-Specific Mitigation Review.

Required Forms

All signatures and stamps must have wet-ink application.

- Form OC1 (OC1-A) (must also attach copy onto field plans)
- Form PC
- Form LSWPPP (Local Stormwater Pollution Prevention Plan). If project area is acre or greater.
- Construction and Demolition Debris Recycling **MAY** WILL be required for this project. Please see forms and instructions.
- Form P1
- Form P2
- Maintenance Covenant. See template and instructions.

Estimated Plan Review Costs -- Total Estimated Environmental Review Fees \$ 40.00
May be more if SUSMP requires multiple reviews by Stormwater Consultant.

- Initial Plan Review by Environmental Services - \$40, now due.
- Review of subsequent submissions to Environmental Services - \$40 (per subsequent submission). Estimated ____ reviews
- SWPPP - \$600, plus fees for additional review or consultation with City stormwater consultant, if requested. If 1 acre or more.
- SUSMP - New development or redevelopment projects that meet redevelopment thresholds in the following project categories. Base cost, plus fees for additional review or consultation with City stormwater consultant, if requested.
 - o Single-family hillside home - \$300
 - o Ten or more unit homes - \$1,200. May be more if SUSMP requires multiple reviews by Stormwater Consultant.
 - o Industrial/Commercial development with 10,000 or more square feet of impervious surface area- \$1,200
 - o Automotive service facility- \$1,200
 - o Retail gasoline outlet - \$1,200
 - o Restaurant - \$1,200
 - o Parking lot (5,000 square feet or more surface area or 25 or more parking spaces) - \$1,200
 - o Other development - \$600
- Construction site stormwater compliance inspection and reinspection fees of \$75 - \$125 per inspection may apply. (Estimated ____ inspections/yr).
- Site Specific Mitigation Review - \$600 for projects with any of the following characteristics:
 - o Vehicle or equipment fueling areas
 - o Vehicle or equipment maintenance areas, including washing and repair
 - o Commercial or industrial waste handling or storage
 - o Outdoor handling or storage of hazardous materials
 - o Outdoor manufacturing areas
 - o Outdoor food handling or processing
 - o Outdoor animal care, confinement, or slaughter
 - o Outdoor horticultural activities

Additional Comments

Industrial Waste Permit may be required. Please check with Building Section.

Other _____

You are hereby advised that only Athens Services/Covina Disposal (888-336-6100), the City's exclusive franchise trash hauler, is allowed to provide bins and pick up and dispose of trash and recyclables, including all construction and demolition projects. The ONLY exception is that the project contractor, using his own equipment and staff, can take recyclables to a recycling facility.

ENVIRONMENTAL SERVICES FEES

LOCATION: 147-151 E College

Project# CUP 14-007

Fee Description	Fee	Account Number	Munis Code	✓
NPDES				
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, =/>10,000 sf commercial/industrial; automotive shops or restaurants, =/>5,000 sf or 25 spaces 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	
INDUSTRIAL WASTE				
Industrial Waste - Permit Application/Issuance Fee	\$ 15.00	6200557041190	ESIWAP	
Industrial Waste - Permit, Annual Inspection Fee	See IW Fee Sheet	6200557041990	ESIWP	
MISCELLANEOUS				
Promotion Supplies	Enter Amt.	6200555046390	ESPRMO	
REFUSE				
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 3/25/14

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.

BUSINESS PLAN

January 14, 2014

Covina City Hall
125 E. College Street
Covina, CA 91723

To whom it may concern:

This letter is regarding the upcoming and new restaurant called City Grill located at 147 East -151 College Avenue in Covina, CA. This will be the second restaurant that I open in the Historic and beautiful Downtown Covina. The class of food that will be served is that which they call California Cuisine, which includes a little bit of everything. To give you a better idea you could compare the menu to BJ's Brewery or The Cheesecake Factory. The main attraction on the menu will be some unique recipes created exclusively for City Grill. The prices will be very reasonable and will include lunch/dinner specials as well as happy hour prices. The restaurant will be casual all the while very attractive and contemporary. It is my intention to obtain a liquor license and serve a full bar. On weekends we will bring in a variety of live music to enhance the dinner ambiance. My concept in general is to create a family friendly atmosphere as well as a fun and safe one for young adults. The restaurant will feature an inviting fenced in patio; currently I am in the process of incorporating gas fire pits and a water feature to the design. The approximate capacity of the restaurant is 125 persons. The hours of operation will be as follows: Monday-Thursday 11 am-10 pm, Friday-Saturday 11 am-12 am, Sunday 11 am-9 pm. Note: The adjacent location (151 East College Avenue in Covina, CA) will be rented out for commercial use and will also include tenant improvement.

In closing I would like to mention that I am very excited about this project. I expect that with hard work and dedication this will be a prosperous venture not only for myself but also for the further development and growth of the City of Covina.

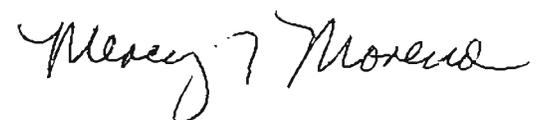
If you have any further questions please feel free to contact me at: [REDACTED]

A-1

EXHIBIT A

Thank you for your time.

Respectfully,

A handwritten signature in black ink that reads "Mercy Moreno". The signature is written in a cursive style with a large, looped initial 'M'.

Mercy Moreno

Menu for City Grill

Planting Division
City of Covina

MAR 10 2014

125 E. College Street
(626) 859-7331

SOUPS

Tortilla soup
Wild Mushroom Soup
Tomato Basil Soup
French Onion Soup
Potato Leek Soup

cup = 4.95

Bowl = 6.95

APPETIZERS

Fried Calamari

Mixed with Cajun-Spiced Vegetables and our Spicy Tomato Sauce

9.95

Hummus With Pita Bread

Chickpea puree with tahini, lemon juice, cumin, paprika, California extra virgin olive oil

7.95

Crab Cakes

Served with Cholula Tartar Sauce

8.95

Steamed Mussels

Garlic, tomato, chili, lemon

9.95

Grilled Albacore Tuna Sliders

Wasabi aioli, daikon, avocado, and cucumber

9.95

Pork Belly Slider

Crispy pork belly, pickled onions, chili

8.95

Sampler Platter (Serves Two People)

Side Dishes

Truffle Fries

4.95

Sweet Potato Fries

4.95

Potato Puree

Kale And Quinoa

SALADS

Organic California Baby Mix

With Pecans, Pears Prepared in a Raspberry Vinaigrette

8.95

Spinach Salad

Baby Spinach, crumbled feta, strawberries, candied pecans, and balsamic vinaigrette,

8.95

Arugula Salad

7.95

A-3

Turkey Burger
Chipotle mayo and homemade French fries 8.95

Grilled Chicken Wrap
Spinach, roasted peppers, tomato, pesto and mozzarella cheese in a spinach wrap 8.95

ENTREES

Mediterranean Jumbo Shrimp
Prepared with Sun Dried Tomatoes, Fresh Tomatoes, Capers, Garlic, Fresh Basil & Virgin Olive Oil 18.00

Mediterranean Sea Bass
Olive oil, sea salt, preserved lemon, baby vegetables 22.00

Hawaiian Blackened Island Ahi
Spicy Soy Mustard Butter 18.00

Grilled Salmon on Cedar Wood
Smoked Spicy with Fruit Salsa & Cilantro 18.00

Angel Hair Picante
Sun Dried and Roma Tomatoes prepared in a Basil Virgin Olive Oil with Chicken. 16.00

Lobster Ravioli
Spinach and saffron cream sauce 16.00

Pesto Orriquette with Chicken Apple Sausage
Sweet English peas, haricot verts, fresh tomato, cream sauce and parmesan cheese 14.00

Lemon Chicken Beurre Blanc
Boneless Chicken Breast prepared in a fresh lemon juice and herbs. 16.00

Chicken Penne
Roma tomatoes Feta, spinach, roasted peppers, and oregano served with grilled chicken over penne 14.00

Pasta Linguine with Prosciutto
Sun dried tomatoes, mushrooms, capers, garlic, and parmesan cheese 14.00

Grilled Chicken Paillard
Arugula, tomato, red onion, lemon 16.00

New York Cut Steak 19.95

A-4

Charbroiled Steak topped with Goat Cheese Black Pepper Sauce

Filet Mignon
with Peppercorn Mushroom Sauce

19.50

Braised Short Ribs

Tender braised Short ribs served over mashed potatoes with vegetables

18.00

Roasted Rack of Lamb Provencal

Served with Ground Black Pepper, Dijon Mustard and Provencal Herbs.

19.95

From the Pizza Oven

Design your own pizza w/ 2 toppings

Cheese pizza

Mushrooms

Peppers

Red onions

Pesto

Chicken

Kalamata Olives

Blue Cheese

Pepperoni

12.95

DESSERTS

Blue Berry Cream Brule

French Apple Tart & Cinnamon Strudel

Warm Chocolate Fondant (w/ vanilla ice cream)

Ice Cream/Sorbet Selection

6.95

6.95

5.95

3.95

A-5

Fresh arugula, dried cranberries, candied pecans, manchego cheese and balsamic vinaigrette

Mediterranean Chopped Salad

Cucumber, Olive, tomato, quinoa, feta, on a bed of baby mix lettuce, served with at lemon 8.95
vinaigrette

Kale Salad

Served with dried currants, balsamic vinegar, honey, extra virgin olive oil, pine nuts and 8.95
grated parmesan cheese

Micro Green Ahi Tuna

Medium Rare Tuna prepared with Black Sesame and Wasabi Vinaigrette 9.95

Classic Caesar Salad

Crisp Romaine Lettuce, Croutons and Parmesan Cheese prepared in a Cesar Style Dressing 8.95
With Chicken

California Cobb

chopped romaine lettuce, grated egg, tomatoes, avocado, grilled chicken, smoked bacon 9.95
crumbled California bleu cheese, ranch dressing

Tomato and Mozzarella

Heirloom tomatoes, fresh mozzarella, sundried tomatoes, basil and olive oil vinaigrette 8.95

SANDWICHES

California Club

Piled High with Turkey, Crisp Bacon, Lettuce and Tomato and avocado served with Crisp 9.95
Fries

Grilled Chicken Sandwich

Oven roasted tomatoes, swiss cheese, spinach, pesto, aioli, brioche bun 9.95

Tuna Melt

Tuna salad, with avocado, tomato, mozzarella and chipotle mayonnaise 8.95

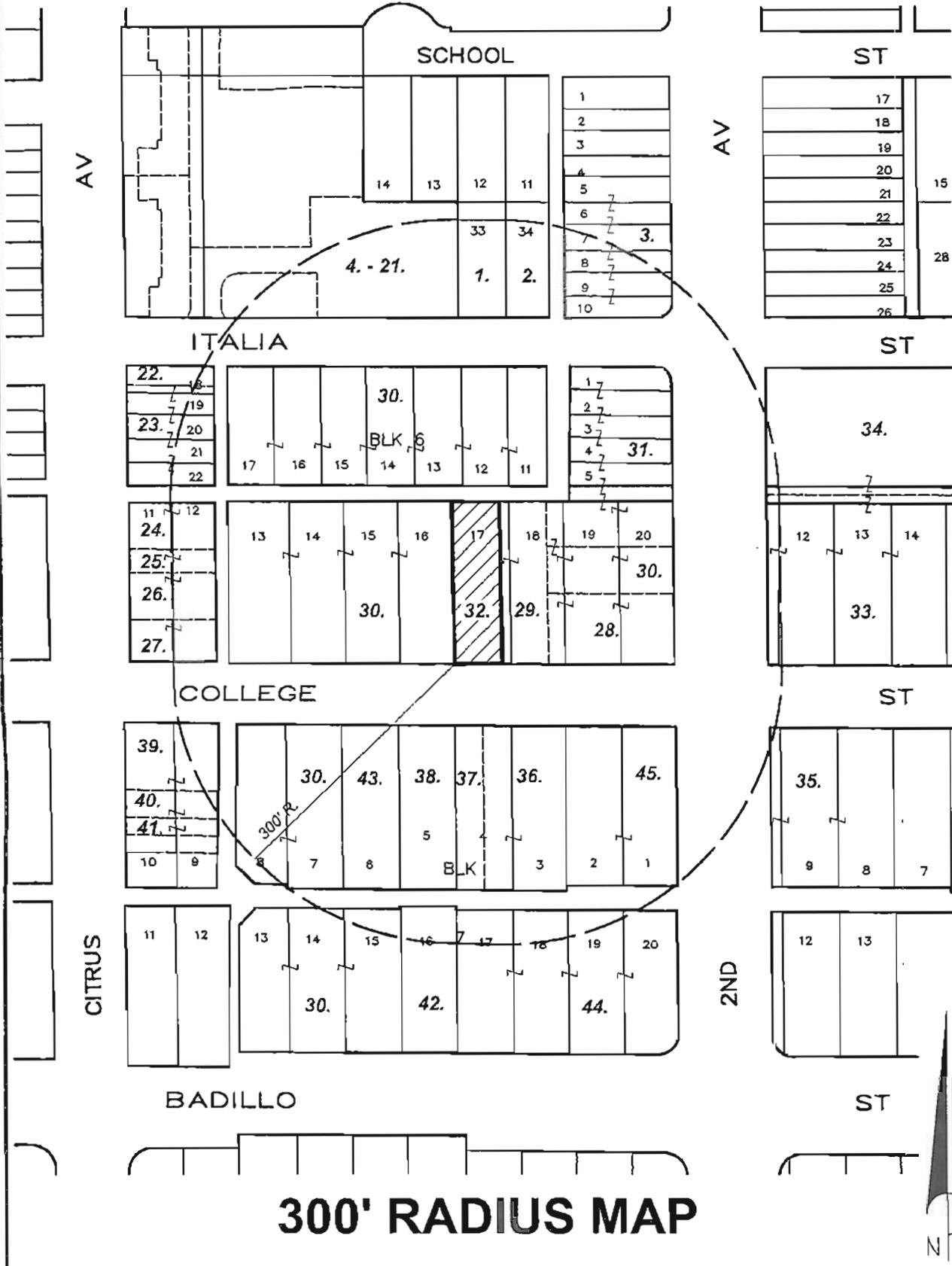
Panfried Salmon Flatbread Sandwich

Marinated tomatoes, grilled zucchini, baby carrots, arugula, tomato sauce 9.95
honey citron dressing

Burger

Garnished with Lettuce, Tomato, Onion, Pickle and served with Crisp Fries 8.95
With Bacon and Cheddar Cheese

300-FOOT RADIUS MAILING MAP



300' RADIUS MAP

L.A. MAPPING SERVICE

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

LEGEND

- 32. OWNERSHIP NO.
- Z OWNERSHIP HOOK

B-1

CASE NO.

DATE: 2-24-14

SCALE: 1" = 100'

EXHIBIT B

AREA MAP

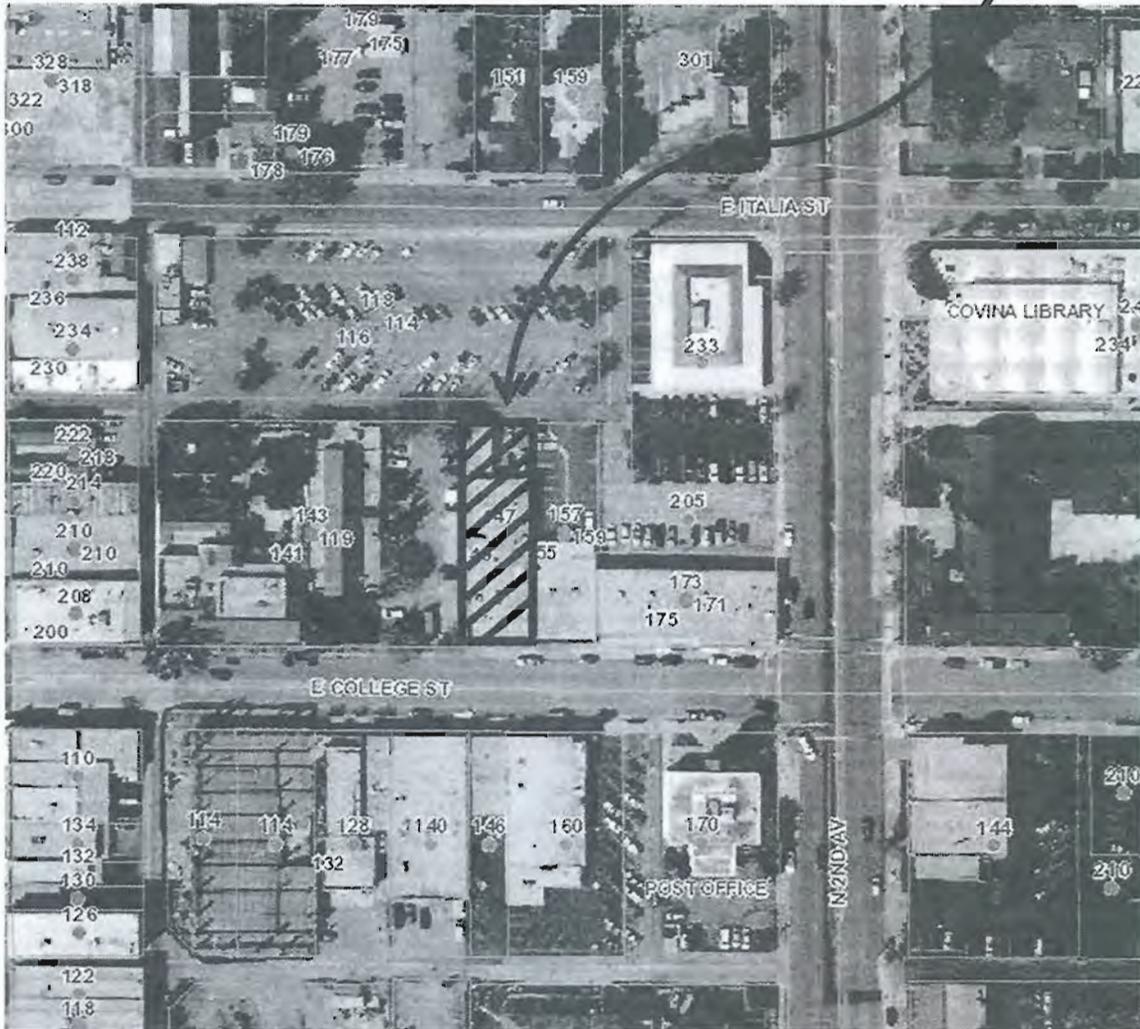
CITY OF COVINA

NOTICE OF PUBLIC HEARING

147-151 EAST COLLEGE STREET

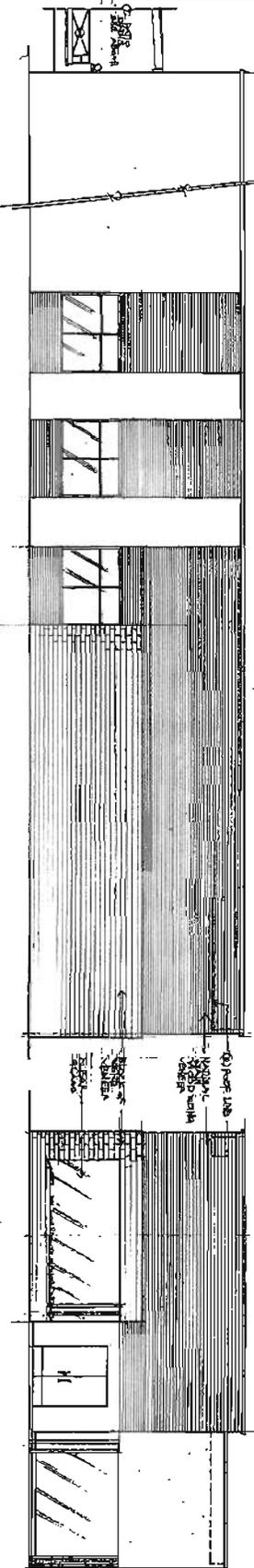
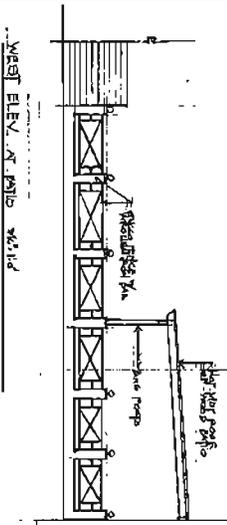
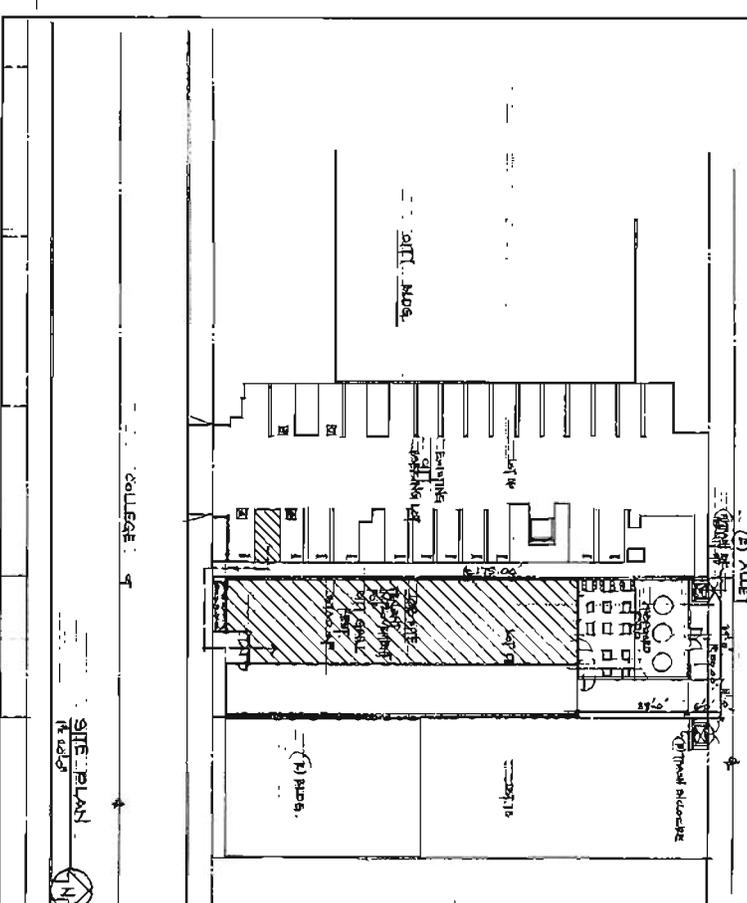
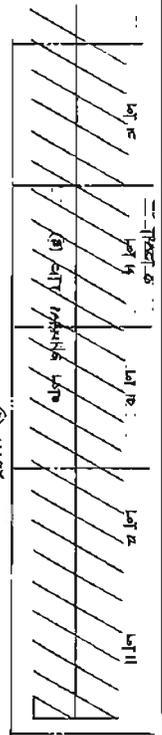
CUP 14-007

Subject Site



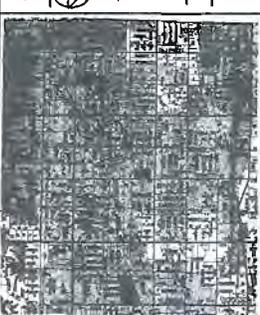
C-1

EXHIBIT C



BLOCK DATA

1. Lot: 12
 2. Area: 10,000 sq ft
 3. Zoning: R-1
 4. Height: 25 ft
 5. Setbacks: 10 ft front, 5 ft side, 5 ft rear



WEST ELEV.

FRONT (SOUTH) ELEV.

SITE PLAN



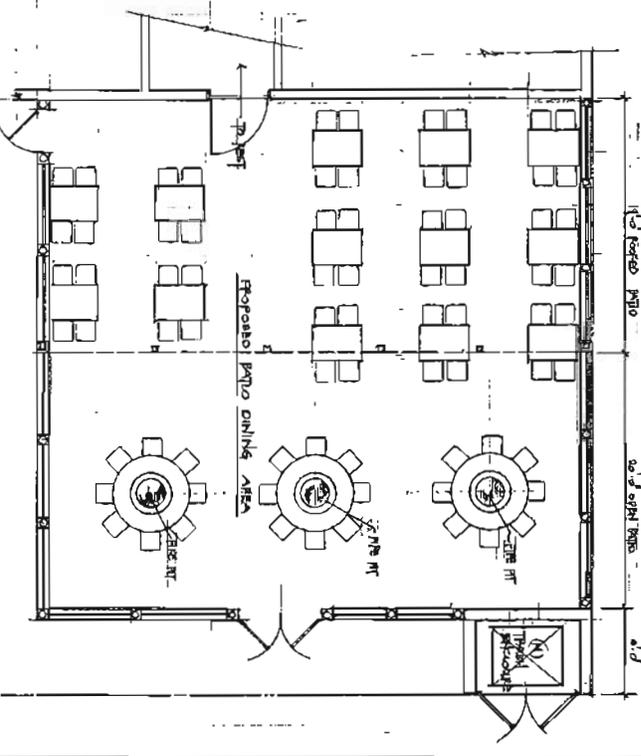
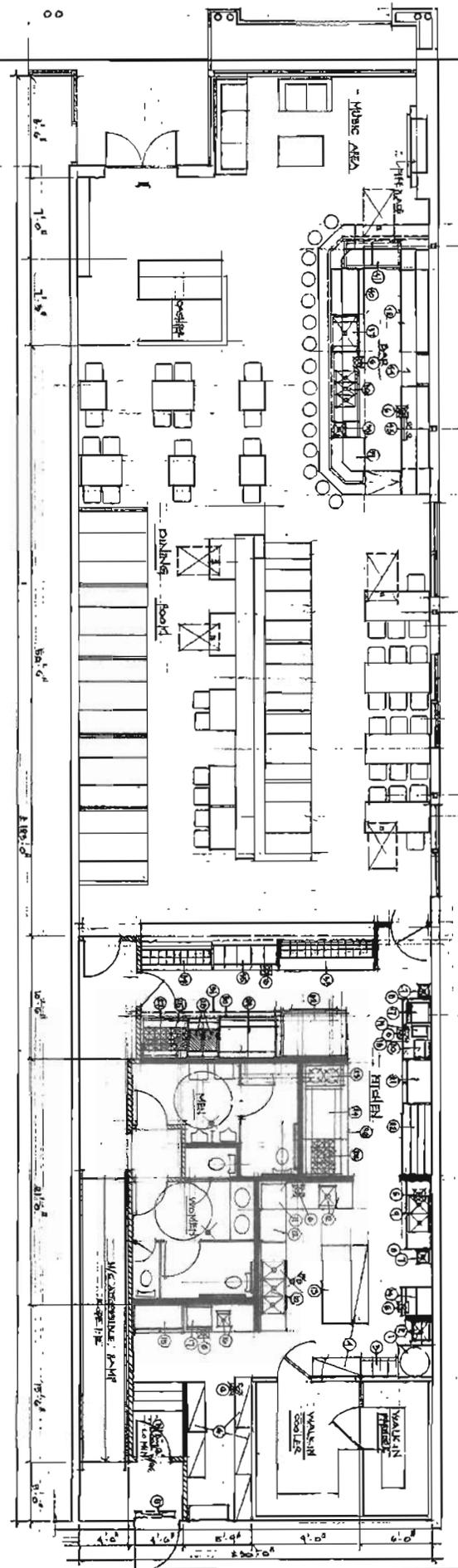
EQUIPMENT SCHEDULE

- 1. 100 gallon water tank, 14000 BTU/hr
- 2. 1/2" dia. 100' long water line
- 3. 1/2" dia. 100' long water line
- 4. 1/2" dia. 100' long water line
- 5. 1/2" dia. 100' long water line
- 6. 1/2" dia. 100' long water line
- 7. 1/2" dia. 100' long water line
- 8. 1/2" dia. 100' long water line
- 9. 1/2" dia. 100' long water line
- 10. 1/2" dia. 100' long water line
- 11. 1/2" dia. 100' long water line
- 12. 1/2" dia. 100' long water line
- 13. 1/2" dia. 100' long water line
- 14. 1/2" dia. 100' long water line
- 15. 1/2" dia. 100' long water line
- 16. 1/2" dia. 100' long water line
- 17. 1/2" dia. 100' long water line
- 18. 1/2" dia. 100' long water line
- 19. 1/2" dia. 100' long water line
- 20. 1/2" dia. 100' long water line
- 21. 1/2" dia. 100' long water line
- 22. 1/2" dia. 100' long water line
- 23. 1/2" dia. 100' long water line
- 24. 1/2" dia. 100' long water line
- 25. 1/2" dia. 100' long water line
- 26. 1/2" dia. 100' long water line
- 27. 1/2" dia. 100' long water line
- 28. 1/2" dia. 100' long water line
- 29. 1/2" dia. 100' long water line
- 30. 1/2" dia. 100' long water line
- 31. 1/2" dia. 100' long water line
- 32. 1/2" dia. 100' long water line
- 33. 1/2" dia. 100' long water line
- 34. 1/2" dia. 100' long water line
- 35. 1/2" dia. 100' long water line
- 36. 1/2" dia. 100' long water line
- 37. 1/2" dia. 100' long water line
- 38. 1/2" dia. 100' long water line
- 39. 1/2" dia. 100' long water line
- 40. 1/2" dia. 100' long water line
- 41. 1/2" dia. 100' long water line
- 42. 1/2" dia. 100' long water line
- 43. 1/2" dia. 100' long water line
- 44. 1/2" dia. 100' long water line
- 45. 1/2" dia. 100' long water line
- 46. 1/2" dia. 100' long water line
- 47. 1/2" dia. 100' long water line
- 48. 1/2" dia. 100' long water line
- 49. 1/2" dia. 100' long water line
- 50. 1/2" dia. 100' long water line

FINISH SCHEDULE

ITEM NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
2	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
3	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
4	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
5	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
6	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
7	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
8	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
9	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
10	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
11	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
12	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
13	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
14	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
15	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
16	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
17	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
18	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
19	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
20	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
21	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
22	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
23	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
24	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
25	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
26	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
27	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
28	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
29	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
30	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
31	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
32	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
33	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
34	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
35	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
36	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
37	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
38	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
39	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
40	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
41	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
42	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
43	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
44	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
45	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
46	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
47	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
48	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
49	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00
50	1/2" dia. 100' long water line	LINEAL FT.	100	1.00	100.00

FLOOR PLAN



PROJECT:
CITY GRILL RESTAURANT
151 R COLLEGE ST
BOVING, CA 91760

Frank Nguyen & Associates
1711 S. GARDEN ST.
WEST GARDEN, CA 91793
TEL: 952-4151, (952) 443-1821
FAX: (952) 443-0843
CELL: 952-258-9396

NO.	DATE	DESCRIPTION
1	1/10/01	REVISED
2	1/10/01	REVISED

REVISIONS

CITY OF COVINA

STAFF REPORT

APRIL 8, 2014

ITEM NUMBER 4

TO: PLANNING COMMISSION

FROM: LISA BRANCHEAU, ASSISTANT TO THE CITY MANAGER
a.c.

COORDINATOR: ALAN CARTER, CITY PLANNER

SUBJECT: APPLICATION CUP 14-001

APPLICANT:

Phillip Mendoza

REQUEST:

A Conditional Use Permit to allow a dance studio in a currently vacant tenant space within a commercial building

LOCATION:

668 Shoppers Lane (at knuckle or corner area in Shoppers Lane district)

SURROUNDING LAND USES AND ZONING:

	EXISTING LAND USE	ZONING
Site	Vacant commercial space (within multiple tenant commercial building)	C-3A PCD (Regional or Community Shopping Center with a Planned Community Development overlay)
North	Commercial Business	C-3A PCD (Regional or Community Shopping Center with a Planned Community Development overlay)
South	Commercial Business	C-3A PCD (Regional or Community Shopping Center with a Planned Community Development overlay)
East	Commercial Businesses	C-3A PCD (Regional or Community Shopping Center with a Planned Community Development overlay)
West	Public Parking Lot	C-3A PCD (Regional or Community Shopping Center with a Planned Community Development overlay)

GENERAL PLAN DESIGNATION:

General Commercial

NOTIFICATION OF APPLICANT AND ADJACENT PROPERTY OWNERS:

The applicant and the property owner have 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 March 27, 2014.

ENVIRONMENTAL DETERMINATION:

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

BACKGROUND:

The applicant proposes to operate a small-scale dance studio in a 1,250-square foot tenant space within an 8,650-square foot commercial building in the Shoppers Lane district. The business would offer principally instruction in various types of ballroom dancing to typically persons 18 years of age and older during weekday evenings and weekend days. The applicant would perform minor interior improvement work to accommodate the activity, which, if building permits are required, would be reviewed administratively. In addition, of the 7 parking spaces that are required for this use under the provisions of the Covina Municipal Code (CMC), as allowed under Section 17.72.115 of the CMC, 2 of the parking spaces would be provided in the frontward on-street parking area, and the remaining 5 spaces, based on a below-noted finding, would be provided in the 120-space Shoppers Lane focused public parking facility across the street. For clarification on certain key components of the property and on the proposed facility, the Commission should refer to Exhibit A (applicant-submitted Business Plan) and to the associated project plans.

ANALYSIS AND FINDINGS:

The Conditional Use Permit (CUP) application, as addressed above, pertains to the operation of a dance studio. 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 roughly one-half-acre property and the 8,650-square foot building area or tenant space in which the dance studio-related business would operate appear to be large enough to accommodate the proposed business/use, which would operate within the aforementioned building area and would be subject to various conditions of approval. In addition, the property is flat and rectangular in shape, and, relative to the prevailing

character of the improvements in the Shoppers Lane area, is situated in generally a conventional fashion, notably concerning the relation of the appurtenant tenant space to the street and to the adjacent on-site parking. 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 business offering dance instruction would operate is served directly by Shoppers Lane and indirectly by Citrus Avenue and Rowland Street. The staff believes that the overall surrounding roadway system has sufficient widths and capacities to accommodate the additional, 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 in which the dance studio would function is sufficiently buffered from the closest residential properties, which would be on the southern (houses) and eastern (apartments) sides by the building, by features of the appurtenant and surrounding structures and by the setback and location of the surrounding buildings. There are also five- to six-foot high block walls along the southern and eastern boundaries of the subject property. The appurtenant building in which the dancing-related business would be located is further surrounded by commercial activities on all four sides, and the building and adjoining on- and off-street parking appear to be well-sited/located to accommodate this 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 illicit activities, 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: The proposed use under the submitted CUP application would operate as a small-scale dance studio 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, subject to the business operators complying with all of the associated conditions of approval. Moreover, 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 existing businesses in a longstanding and now-improving commercial area.

5. ADDITIONAL FINDING REQUIRED UNDER SUB-SECTION 17.72.115.B OF THE CMC (BECAUSE DANCE STUDIO TRIGGERS HIGHER PARKING REQUIREMENT THAN PRIOR USE ON PREMISES): THE PLANNING COMMISSION FINDS THAT THERE EXIST SUFFICIENT PUBLIC PARKING SPACES AT THE 120-SPACE PUBLIC PARKING FACILITY IN SHOPPERS LANE TO SATISFY THE OFF-STREET PARKING REQUIREMENTS IMPOSED BY THIS CHAPTER UPON THE USE UNDER CONSIDERATION.

Fact: The dance studio would need only 5 parking spaces in this public parking facility (in addition to, as noted above, 2 on-street parking spaces in front of the business). Based on observations and other anecdotal evidence, the Planning staff believes that the public parking facility can accommodate this relatively minor additional parking demand. Moreover, as mentioned in the Staff Report and as addressed under the Conditions of Approval, the business would be operating (weekday evenings and weekend days) during off-peak periods relative to most activities occurring in the Shoppers Lane district, thus further minimizing the potential for any parking-related conflicts in this lot.

STAFF RECOMMENDATION:

The staff recommends that the Planning Commission approve application CUP 14-001, 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
CONDITIONS OF APPROVAL
APPLICATION CONDITIONAL USE PERMIT (CUP) 14-001
AS RECOMMENDED FOR APPROVAL TO THE PLANNING COMMISSION
ON APRIL 8, 2014**

The Conditional Use Permit (CUP) shall authorize the operation of a dance studio at 668 Shoppers Lane.

1.0 TIME LIMIT:

- 1.1 The approval of the CUP 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 The use shall be improved 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). Prior to completion of the improvements that have been granted and the opening of the business to the public, all conditions of approval shall be complied with to the satisfaction of the City Planner or his/her designee.
- 2.4 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 (Refer to Condition 2.22). 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.

- 2.5 Minor modifications to this approval that are determined by the City Planner or his/her designee to be in substantial conformance with the approved project plans and that do not intensify or change the use or require any deviations from adopted standards may be approved by the City Planner upon submittal of an administrative application and the required fee.
- 2.6 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 for specific requirements and refer to Condition 2.22).
- 2.7 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.
- 2.8 Relative to the approved project plans, no parking stalls or drive aisles shall be modified or removed under this application (except where possibly necessary to conform to applicable Building Division and/or related requirements).
- 2.9 To address its refuse disposal needs, the business shall either obtain written permission to utilize one of the trash bins kept within or outside of an existing trash bin enclosure on the subject or an adjacent property or identify a location to construct a joint-use enclosure, which shall conform to all applicable requirements of the City, the Los Angeles County Fire Department, and the local refuse disposal company. The applicant and the appurtenant property owner shall work with surrounding property owners and the City on this effort. Until a trash bin enclosure is identified and/or built and granted final approval by the City and any other applicable agencies, the applicant shall, as noted above, utilize a trash bin on the subject or an adjacent site, and, if not within an enclosure, the trash bin shall be located in an area that does not impede parking or traffic. The shared enclosure or new enclosure must be available prior to issuance of the final Certificate of Occupancy.
- 2.10 The exterior of the property, notably the northeasterly corridor and the rearward parking and driveway area, shall maintain fully functional lighting for public safety purposes. At all times when the outside, on-site lighting operates, the lighting shall meet the design and minimum foot-candle standards of the City to sustain public safety (or, 1.0 foot-candle of illumination). If necessary, additional

exterior lighting on the property shall be installed, prior to the opening of the business, to meet this requirement. In addition, no exterior lighting on the site shall generate any glare onto adjacent properties or public right-of-ways.

- 2.11** All drainage on the site shall meet the applicable requirements of the Public Works Department.
- 2.12** Any new exterior wall-, ground-, and/or roof-mounted mechanical and utility equipment associated with the approved use 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.
- 2.13** 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.
- 2.14** 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 processes, whereby all applicable requirements shall be met and all necessary permits shall be obtained.
- 2.15** 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.
- 2.16** 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.
- 2.17** The applicant 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 applicant 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 applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

- 2.18 The applicant 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 applicant 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 applicant of any obligation under this condition.
 - 2.19 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.
 - 2.20 The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's 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.
 - 2.21 Any construction work that could be heard by any resident of the northerly condominium complex 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).
 - 2.22 The following items are 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.
 - 2.23 The following items are required in order to comply with the Public Works Department, Environmental Services Section 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 All project-related building, structural, parking, lighting, and 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.
 - 3.2 Any project-related damages to any improvement(s) on the site shall be repaired or replaced, conforming to existing conditions.

- 3.3 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.
 - 3.4 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.
 - 3.5 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.
 - 3.6 The business-required refuse disposal stipulation, as addressed under Condition 2.9 above, shall be met.
 - 3.7 All exterior lighting on the property shall be fully operable in accordance with the requirements listed under Condition 2.10. Any additional lighting determined to be necessary under the Building-related Plan Check or other process shall be installed prior to occupancy.
 - 3.8 The business shall obtain and maintain 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 business/use that has been approved under this Conditional Use Permit application shall be limited to a dance studio, offering dance instruction and closely associated activities on an appointment basis and operating in a manner conforming to the representations of record submitted with the application. (A walk-up dance hall or similar activity is prohibited from operating on the property.)
 - 4.2 Any new future business types proposed, tenant improvements, building or interior business expansions, and/or site improvement modifications shall first be reviewed and approved by the City staff for conformance with this Conditional Use Permit, the Covina Municipal Code and the Covina Design Guidelines, 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.

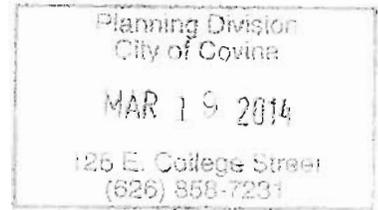
- 4.3 The management of the dance studio shall ensure that all business-related activities occur fully within the appurtenant building on the property, in a manner whereby all business-related patrons entering or leaving the building would do so by using the doors on the frontward/western side of the commercial space only, and in a manner whereby all doors and any windows would be kept completely closed.
- 4.4 All activities associated with the business shall be conducted in a manner that meets the provisions of Chapters 9.40 (Noise—which seeks to prevent unusual noises and vibrations on the surroundings) and 9.42 (Environmental Disturbances—which seeks to prevent issues such as odors, fumes, smoke, dust, temperature change, and electrical interference on the surroundings) of the Covina Municipal Code.
- 4.5 The hours of all activities associated with the business shall be limited from 5:00 p.m. to 11:00 p.m., Mondays through Fridays, and from 10:00 a.m. to 6:00 p.m., Saturdays and Sundays. Administrative, cleaning, maintenance, and repair activities may occur during all other periods.
- 4.6 The maximum number of business-related employees, patrons, 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 and the Covina Building Division.
- 4.7 Concerning the students and prospective students of the dance studio and any other persons associated with the facility (e.g., staff and administrative or maintenance personnel), the management of the business shall at all times take reasonable steps a) to prevent any outside loitering and b) to encourage all individuals to be courteous with neighboring businesses and residences.
- 4.8 The management of the business shall at all times ensure that all students, prospective students, staff, and others associated with the business that drive to the facility park only in the appurtenant two on-street parking spaces or in the associated public parking lot and do so by fully pulling into legal, designated parking spaces; in other legal on-street parking spaces and in a manner obeying all

applicable traffic laws; or under an alternate arrangement that does not violate any laws of the City or of any other governmental or quasi-governmental entity.

- 4.9** The management of the business shall ensure that all persons dropping off and picking up patrons around the facility property do so only in legal, designated parking spaces (or, not by idling in the frontward street or in any other area).
- 4.10** Any loading or unloading activities pertaining to the business on the property shall be conducted on the appurtenant site only and via any door on the building 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.
- 4.11** The outside storage of any business-related items shall be prohibited, unless all applicable standards of the Planning Division concerning location, screening, enclosure materials, and related items are met.
- 4.12** 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.

- END OF CONDITIONS -

CITY OF COVINA
INTEROFFICE MEMORANDUM



DATE: March 19, 2014

TO: *Detective Bureau Lieutenant, Covina Police Department
*James Barnes, Inspector, Fire Department
*Amy Hall-McGrade, Parks & Recreation Director
*Lisa Brancheau, Community Development Department
**Public Works Department:
 Building and Safety Section
 Engineering Section
 Environmental Services Section
 Water Division
*Risk Management Division
*Administration
*Dilu De Alwis, Finance Director, Finance Department
*Nuala Gasser, Housing and CDBG Manager, Housing & CDBG

FROM: PLANNING DIVISION

SUBJECT: CUP 14-001

APPLICANT: PHILLIP MENDOZA

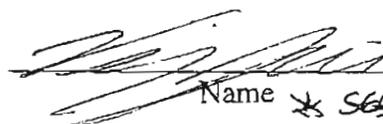
REQUEST: PROPOSED SMALL SCALE DANCE STUDIO IN A CURRENTLY VACANT TENANT SPACE AT BELOW NOTED ADDRESS.

ADDRESS: 668 SHOPPERS LANE

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: MARCH 26, 2014

COMMENTS:


Name * SEE ATTACHED COMMENTS

3/19/2014
Date



CITY OF COVINA

INTER-OFFICE MEMORANDUM

Date: 03/19/2014
To: Planning Division
From: Vijay Mepani, Building Inspector II
Subject: CUP 14-001
Applicant: Phillip Mendoza

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 2013 California Building Standards and 2013 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

- 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.

- 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

DATE: March 19, 2014

TO: *Detective Bureau Lieutenant, Covina Police Department
*James Barnes, Inspector, Fire Department
*Amy Hall-McGrade, Parks & Recreation Director
*Lisa Brancheau, Community Development Department
**Public Works Department:
 Building and Safety Section
 Engineering Section
 ✓ Environmental Services Section
 Water Division
*Risk Management Division
*Administration
*Dilu De Alwis, Finance Director, Finance Department
*Nuala Gasser, Housing and CDBG Manager, Housing & CDBG

Received, Public works
MAR 19 2014
ang/hns 19

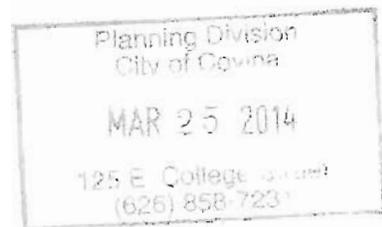
FROM: PLANNING DIVISION

SUBJECT: CUP 14-001

APPLICANT: PHILLIP MENDOZA

REQUEST: PROPOSED SMALL SCALE DANCE STUDIO IN A CURRENTLY VACANT TENANT SPACE AT BELOW NOTED ADDRESS.

ADDRESS: 668 SHOPPERS LANE



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: MARCH 26, 2014

COMMENTS: *Please see attached.*

Vcastro

Name

3/24/14

Date

**ENVIRONMENTAL SERVICES SECTION
PLAN REVIEW COMMENTS**

Project Address: 668 Shoppers Lane Project #: CUP 14-001
Date Due: Rec'd 3/19/14 Date Returned: 3/25/14 Reviewed By: Vivian Castro
Description: small dance studio in currently vacant property

After Initial review of your project, it has been determined that that your project requires submission of the following items and estimated fees.

Required Documents

Three (3) reports of each of the items noted below, including plans, must be submitted to Environmental Services. All signatures and stamps must have wet-ink application.

- Storm Water Pollution Prevention Plan (SWPPP - The project area is 1 acre or greater. A SWPPP must be provided for this project as required by the State Water Resources Control Board.
- Standard Urban Stormwater Mitigation Measure (SUSMP) - The project meets the Los Angeles Regional Water Quality Control Board's criteria for a Priority Planning Project. A SUSMP must be provided for this project.
- Site-Specific SUSMP - The project falls into a category specified by the Los Angeles Regional Water Quality Control Board as requiring a Site-Specific Mitigation Review.

Required Forms

All signatures and stamps must have wet-ink application.

- Form OC1 / OC1-A (must also attach copy onto field plans) Form P1
- Form PC Form P2
- Form LSWPPP (Local Stormwater Pollution Prevention Plan). If project area is acre or greater. Maintenance Covenant. See template and instructions.
- Construction and Demolition Debris Recycling MAY / WILL be required for this project. Please see forms and instructions.

Estimated Plan Review Costs – Total Estimated Environmental Review Fees \$ 40.00
May be more if SUSMP requires multiple reviews by Stormwater Consultant.

- Initial Plan Review by Environmental Services - \$40, now due.
- Review of subsequent submissions to Environmental Services - \$40 (per subsequent submission). Estimated ____ reviews
- SWPPP - \$600, plus fees for additional review or consultation with City stormwater consultant, if requested. If 1 acre or more.
- SUSMP - New development or redevelopment projects that meet redevelopment thresholds in the following project categories. Base cost, plus fees for additional review or consultation with City stormwater consultant, if requested.
 - o Single-family hillside home - \$300
 - o Ten or more unit homes - \$1,200. May be more if SUSMP requires multiple reviews by Stormwater Consultant.
 - o Industrial/Commercial development with 10,000 or more square feet of impervious surface area- \$1,200
 - o Automotive service facility- \$1,200
 - o Retail gasoline outlet - \$1,200
 - o Restaurant - \$1,200
 - o Parking lot (5,000 square feet or more surface area or 25 or more parking spaces) - \$1,200
 - o Other development - \$600
- Construction site stormwater compliance inspection and reinspection fees of \$75 - \$125 per inspection may apply. (Estimated ____ inspections/yr).
- Site Specific Mitigation Review - \$600 for projects with any of the following characteristics:
 - o Vehicle or equipment fueling areas
 - o Vehicle or equipment maintenance areas, including washing and repair
 - o Commercial or industrial waste handling or storage
 - o Outdoor handling or storage of hazardous materials
 - o Outdoor manufacturing areas
 - o Outdoor food handling or processing
 - o Outdoor animal care, confinement, or slaughter
 - o Outdoor horticultural activities

Additional Comments

Industrial Waste Permit may be required. Please check with Building Section.

Other _____

You are hereby advised that only Athens Services/Covina Disposal (888-336-6100), the City's exclusive franchise trash hauler, is allowed to provide bins and pick up and dispose of trash and recyclables, including all construction and demolition projects. The ONLY exception is that the project contractor, using his own equipment and staff, can take recyclables to a recycling facility.

ENVIRONMENTAL SERVICES FEES

LOCATION: 668 Shoppers Lane

Project# CUP 14-001

Fee Description	Fee	Account Number	Munis Code	v
NPDES				
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, =>10,000 sf commercial/industrial; automotive shops or restaurants, =>5,000 sf or 25 spaces 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	
INDUSTRIAL WASTE				
Industrial Waste - Permit Application/Issuance Fee	\$ 15.00	6200557041190	ESIWAP	
Industrial Waste - Permit, Annual Inspection Fee	See IW Fee Sheet	6200557041990	ESIWP	
MISCELLANEOUS				
Promotion Supplies	Enter Amt.	6200555046390	ESPRMO	
REFUSE				
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 3/25/14

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.

BUSINESS PLAN

Evening dance studio

668 S Shoppers Lane

Business Description

The specific types of ballroom dancing to be performed include Foxtrot, Waltz, Salsa, Tango, Cha Cha; Swing; Rumba; Bachata; Wedding dance.

Ages of the Students: Adult Instruction. Occasional (very rare 1 to 2 per year) instruction of 16 year old students in preparation of prom dances.

Dance- Related background of applicant – Phillip Mendoza has been dancing for over 25 years in numerous dances and is a certified teacher in ballroom. He has worked for numerous franchise chains and has been involved in all parts of the dance business. He has taught individuals, couples, and small to large groups. Phillip enjoys working with people and helping them achieve their goals with a dedication and commitment to dance.

Maximum number of instructors that would be in the facility at any one time: One to two instructors, but the majority (90%) of the time there will only be one instructor on site. No administrative or office staff.

Ballroom Dance Studio

Number of students: 2 at a time

Number of instructors: 1

Administrative or office staff: 0

Hours of operation: M-F 5:00 pm to 10:30 pm

Saturday 10:00 am to 6:00 pm

Sunday Closed

Parking Requirements

-Dance studio, Private 1/100 Square feet of floor area parking allowance.
Dance floor and seating area is 440 square feet = 4 parking stalls required

-Office and common areas 1/300 Square feet of floor area parking allowance.
Office and common areas is 810 square feet = 3 parking stalls required.

Total parking spaces required = 7

Total designated parking stalls provided on property = 20 marked stalls + 4 on street parking @ front.

Studio floor area

Instructors office = 350 square feet

Break room = 160 square feet

Bathroom = 50 square feet

Common areas = 250 square feet

Seating area = 40 square feet

Dance floor = 400 square feet

Total square footage = 1,250 square feet.

Chris Hedrick
626-890-4523

A-1

EXHIBIT A

300-FOOT RADIUS
MAILING MAP

Radius Map - 300'

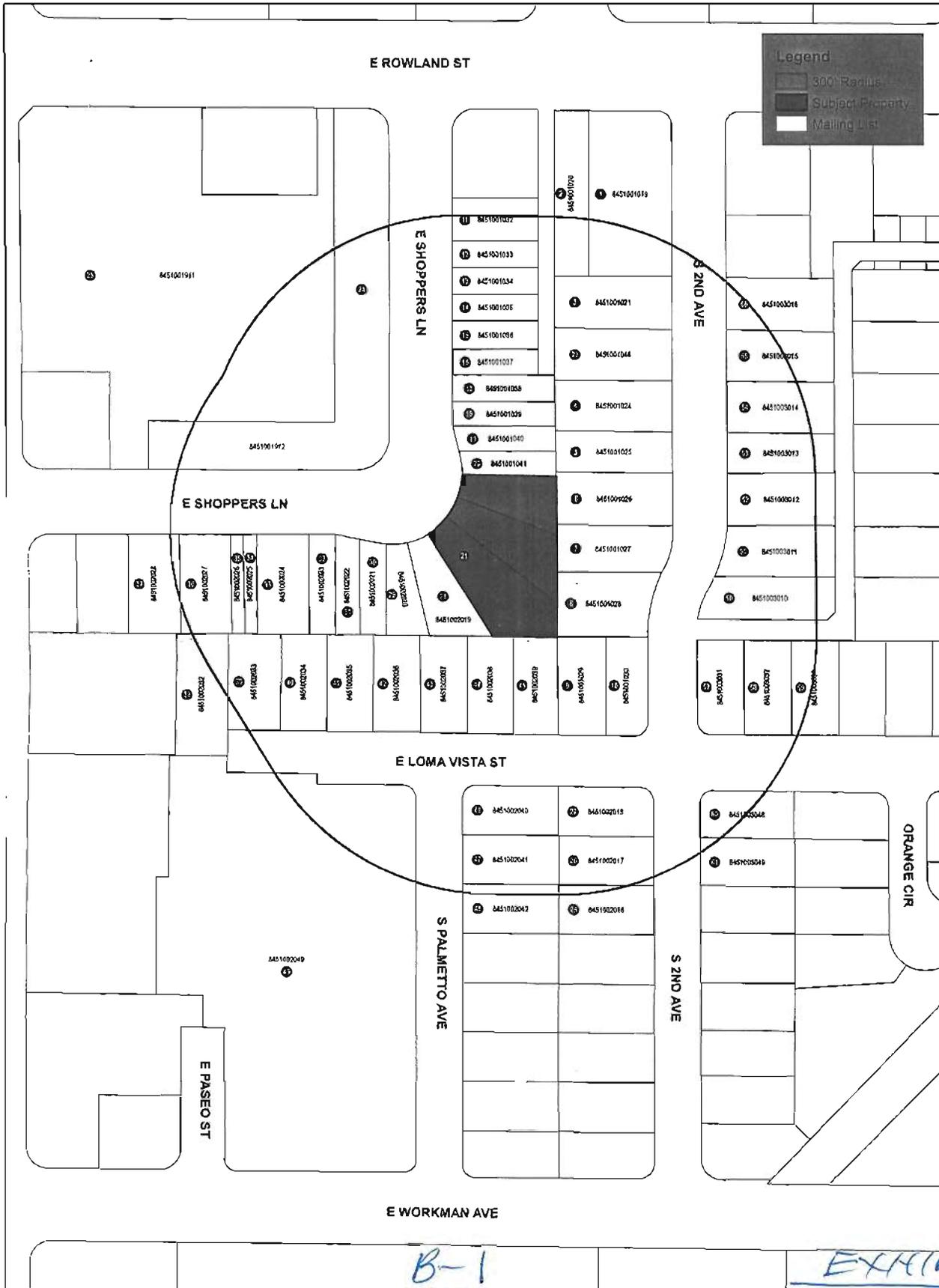
Map Date: 12/20/2013

SUBJECT PROPERTY

ADDRESS: 668 SHOPPERS LN COVINA CA 91723-3536
 APN: (LAC) 8451-001-042
 LEGAL DESCRIPTION: TRACT NO 19651 LOTS 5.6 AND LOT 7

Data Source:

Los Angeles County Geographic Information System
 Base Parcel Database
 December Extraction Date
 City of Covina



Notes:
 Latest equalized assessment rolls obtained from the Los Angeles County Assessor's Office through ParcelQuest, a vendor service.
 Extraction Date: 12/20/2013
 Map created with ArcGIS 10



B-1

EXHIBIT B

AREA MAP

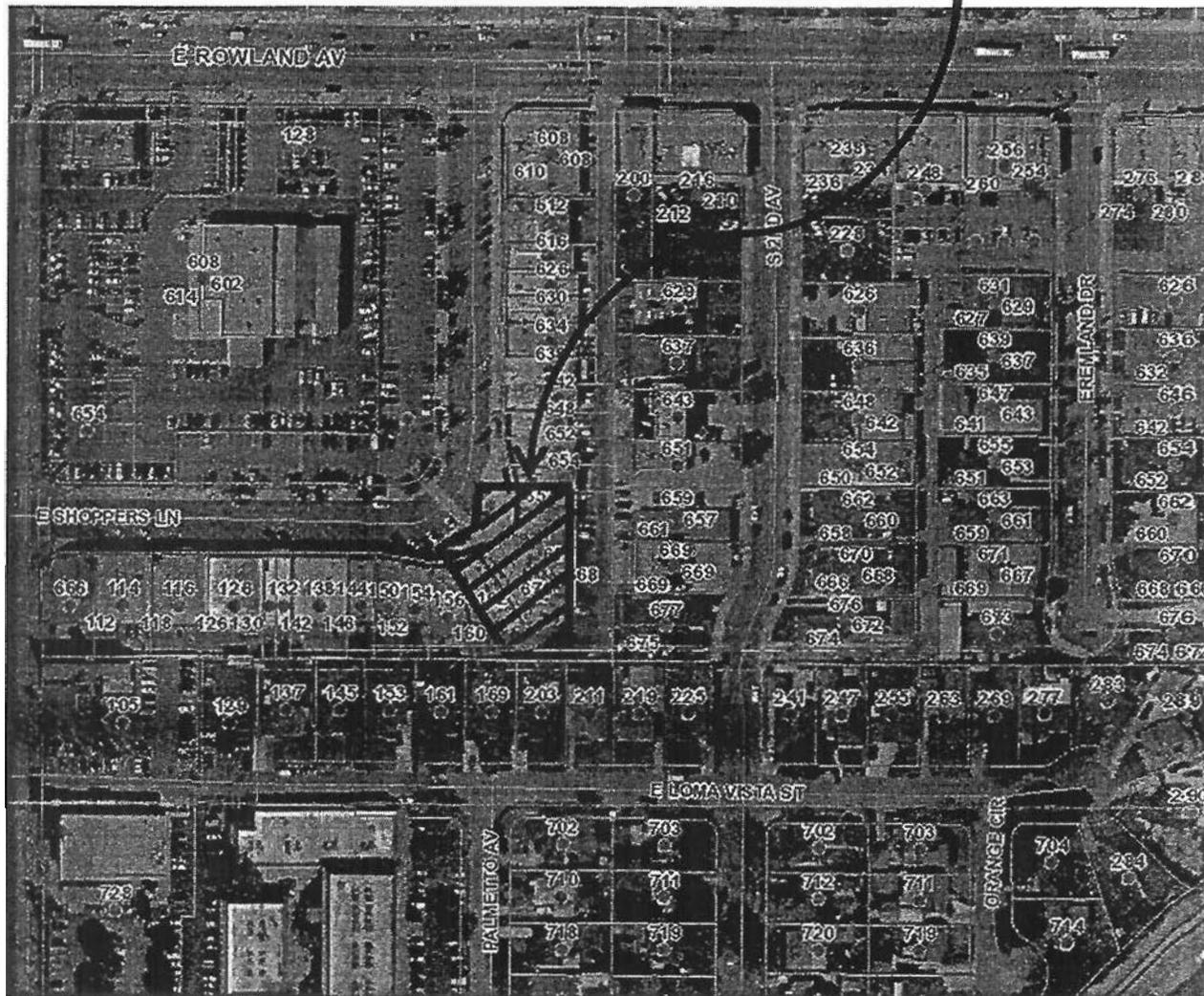
CITY OF COVINA

NOTICE OF PUBLIC HEARING

668 SHOPPERS LANE

CUP 14-001

Subject Site

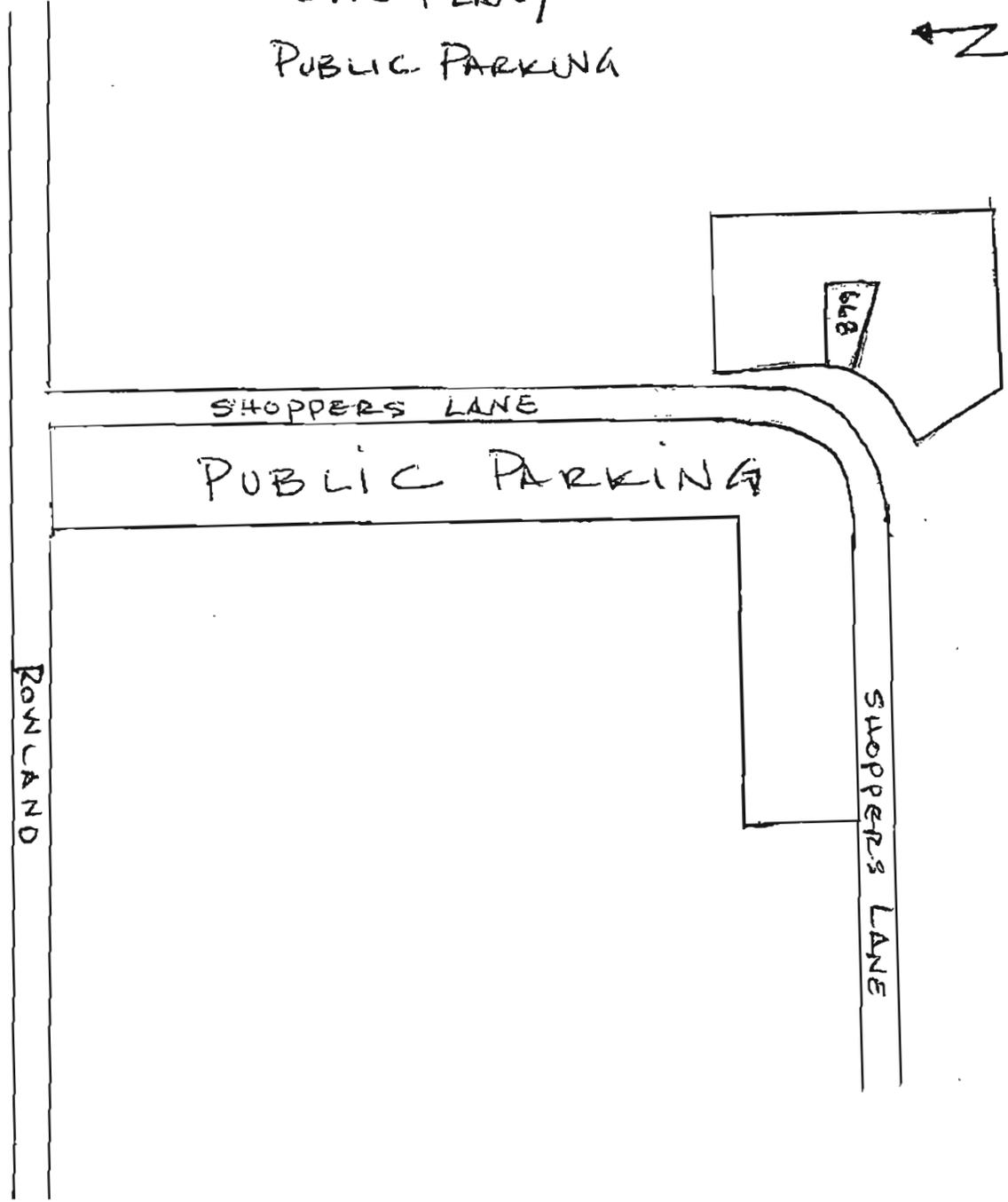


C-1

EXHIBIT C

668 SHOPPERS LN.

SITE PLAN/
PUBLIC PARKING



PLOT / SITE PLAN

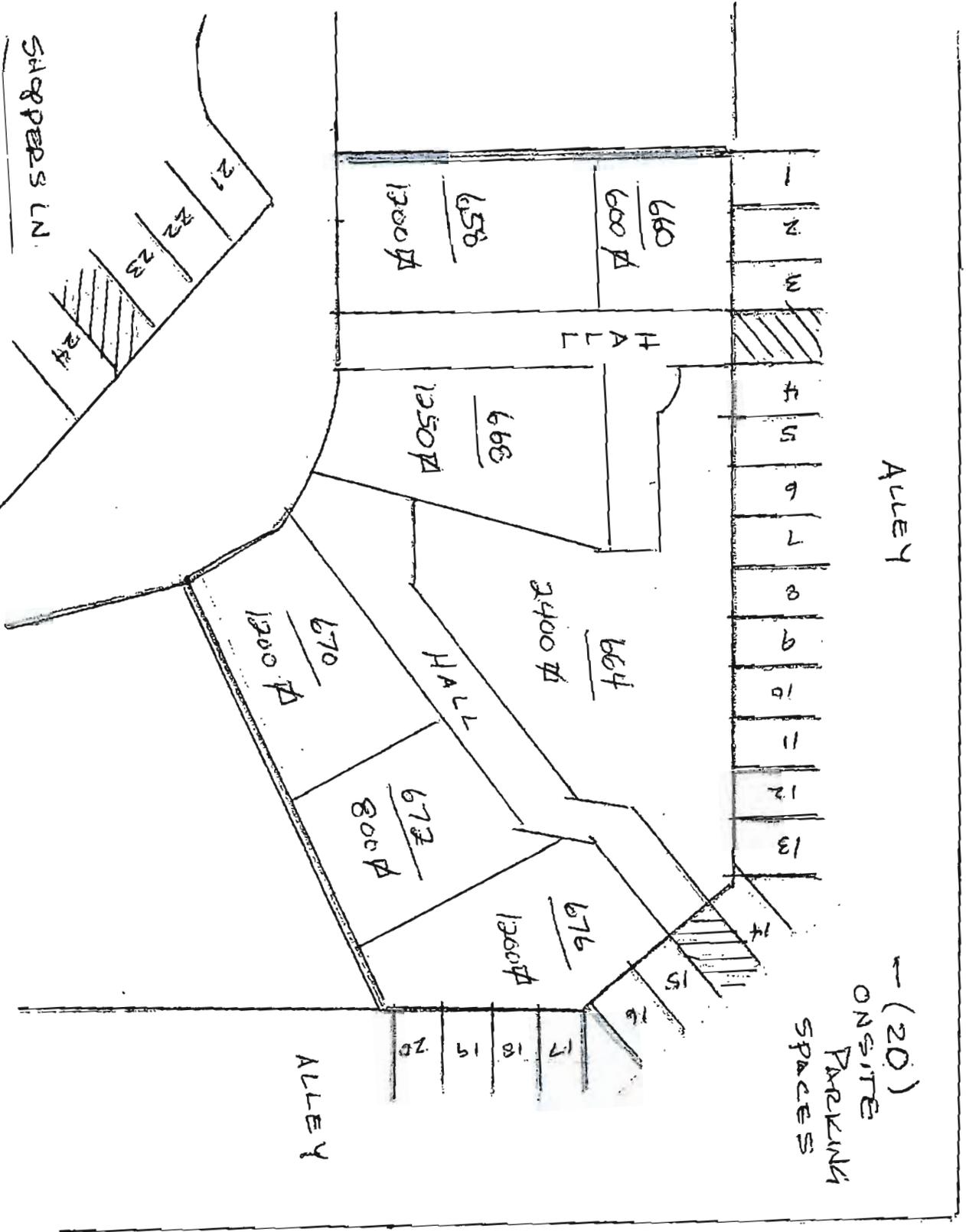
668 SHOPPERS LN

8,650 ∇ OFFICE SPACE

42

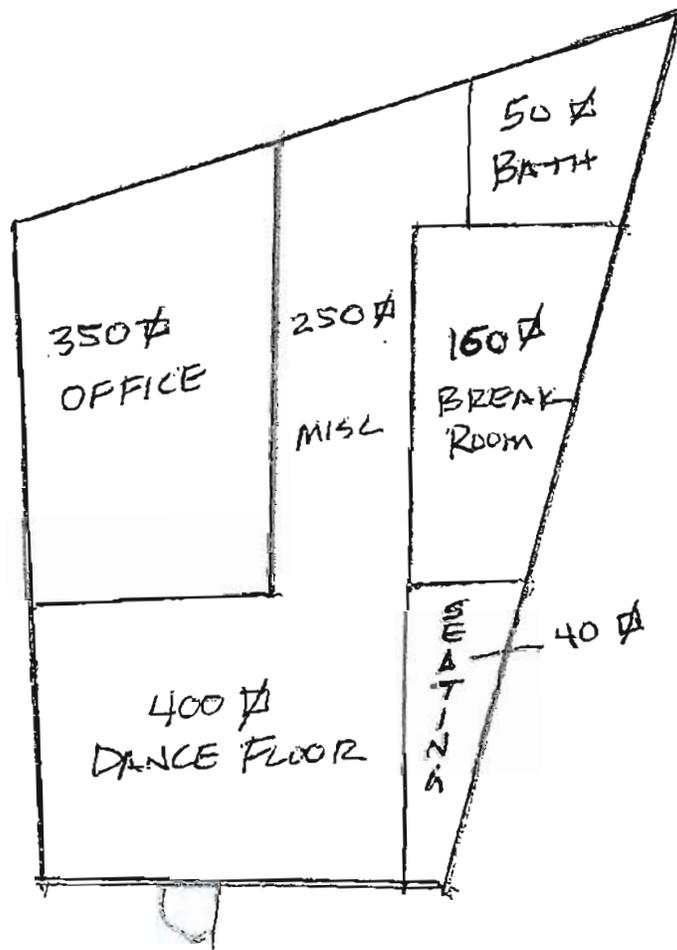
ALLEY

← (20)
ONSITE
PARKING
SPACES



668 SHOPPERS LANE

FLOOR PLAN



1,250 sq ft TOTAL