CITY OF WEST COVINA

PLANNING COMMISSION - REGULAR MEETING

TUESDAY, OCTOBER 22, 2024 - 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Shelby Williams, Chair
Sheena Heng, Vice-Chair
Livier Becerra, Commissioner
Nickolas Lewis, Commissioner
Brian Gutierrez, Commissioner

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT
The City complies with the Americans with Disabilities Act (ADA). If you need special assistance at Planning Commission meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Please call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Planning Commission meetings, please request no less than four working days prior to the meeting.

PUBLIC COMMENTS/ADDRESSING THE COMMISSION
Any person wishing to address the Planning Commission on any matter listed on the agenda or on any other matter within their jurisdiction is asked to complete a speaker card that is provided on the speaker podium and submit the card to a Planning Division staff member.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda item. Requests to speak on non-agenda items will be heard during "Oral Communications" before the Public Hearing section of the agenda. Generally, comments are limited to five minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at his or her discretion, further limit the time of each speaker in order to accommodate a large number of speakers and/or to ensure that the business of the Planning Commission is effectively conducted.***

Any testimony or comments regarding a matter set for Public Hearing will be heard during the public hearing for that item.

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular meeting, June 25, 2024Minutes 6.25.24.pdf
   Regular meeting, August 13, 2024Minutes 8.13.24.pdf

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes.

PUBLIC HEARINGS

2. **CONDITIONAL USE PERMIT NO. 24-07**
   CATEGORICAL EXEMPTION
   APPLICANT: Xuhe Yuan
   LOCATION: 112 Plaza Drive, Suite #639
   REQUEST: The applicant is requesting a conditional use permit to allow a massage parlor (Relax Station) to be located within an existing tenant space at the Plaza West Covina Mall in the "Urban Center" (UC) Zone of the Downtown Plan and Code.

NON-HEARING ITEMS

TEN-DAY APPEAL PERIOD: Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME. If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendize the matter for a future meeting.

3. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:**

4. **CITY COUNCIL ACTION:**

   This is an oral presentation of City Council matters and actions, which are in the Commission’s area of interest

ADJOURNMENT

AGENDA
ITEM NO. 2
DATE: October 22, 2024

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CONDITIONAL USE PERMIT NO. 24-07
CATEGORICAL EXEMPTION
APPLICANT: Xuhe Yuan
LOCATION: 112 Plaza Drive, Suite #639
REQUEST: The applicant is requesting a conditional use permit to allow a massage parlor (Relax Station) to be located within an existing tenant space at the Plaza West Covina Mall in the "Urban Center" (UC) Zone of the Downtown Plan and Code.

BACKGROUND

The project site is an existing tenant space located on the 2nd floor of the Plaza West Covina Mall.

The Plaza West Covina Shopping Center is approximately 71 acres and is comprised of several parcels of land located between West Covina Parkway, Sunset Avenue, the San Bernardino Freeway (I-10) and Vincent Avenue.

Item	Description
ZONING AND GENERAL PLAN	"Urban Center Zone" (UC) and "Commercial" (C)
SURROUNDING LAND USES AND ZONING	North: Urban Center Zone (Downtown Plan); Plaza West Covina Parking Lot East: Urban Center Zone (Downtown Plan); Macy's South: Urban Center Zone (Downtown Plan); JC Penney West: Urban Center Zone (Downtown Plan); Vacant Sears
CURRENT DEVELOPMENT	The Plaza West Covina Mall
LEGAL NOTICE	Legal notice was published in the San Gabriel Valley Tribune at least 10 days prior to the public meeting, and was mailed to 75 owners of the properties located within 500 feet of the subject site.

DISCUSSION

The applicant is proposing to operate a 1,147 square foot tenant space for massage use (Relax Station). The subject tenant space is located on the second floor of the Plaza West Covina Mall, near the food court. Relax Station is classified as a massage parlor. The Downtown Plan requires the approval of a conditional use permit for massage parlors.

Relax Station will be designed with an open floor plan with pony walls that are 4 feet, 3 inches (4'-3") high. Clients can choose to have either chair or table massage options. Specialized foot reflexology treatments will also be offered, focusing on pressure points in the feet to promote relaxation and overall

wellness. The business will accommodate both scheduled appointments and walk-in customers. The proposed massage services aim to cater to the wellness needs of the community, promoting health and relaxation in a convenient and accessible manner.

Relax Station will have three (3) employees at any given time. The proposed hours of operation are the mall hours : Monday - Thursday 11:00AM - 8:00 PM, Friday and Saturday 10:00 AM - 9:00 PM and Sunday 11:00 AM - 7:00 PM.

The following conditions of approval have been added to the resolution to ensure that the use would not have undesirable impacts:

- All employees and/or independent contractors providing massage services shall be certified by the California Massage Therapist Counsel (CAMTC). The business and each independent contractor shall have an active City of West Covina Business License.
- The business shall not operate outside of the Plaza West Covina's operating hours.
- Any changes to the approved floor plan, including but not limited to the construction of new walls, offices, massage rooms, storage rooms, etc. shall require Planning Commission review and amendment of the conditional use permit.

Parking
The mall provides 5,936 parking spaces and requires 5,539 parking spaces based on all uses onsite (397 parking space surplus). The use would utilize the parking calculation similar to office uses, which require 1 parking space for every 350 square feet of gross floor area. The proposed use requires 3 parking spaces. The proposed use will not have an effect on current parking calculations.

REQUIRED FINDINGS

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

The proposed massage services are designed to meet the community's wellness needs, offering a convenient and accessible way to promote health and relaxation.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The massage services will not, as conditioned, pose any harm to the health, safety, peace, or general welfare of individuals residing or working nearby, nor will they cause damage to property or improvements in the surrounding area. The business will be operating consistent with the mall hours and all massage therapists are required to have CAMTC certification.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The subject site is adequate in size and shape to accommodate the proposed use. The site provides parking spaces, no major exterior modifications are proposed, and the existing building is compliant with all development standards.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

Access to the site is ample, with four major street access points on Vincent Avenue, West Covina Parkway, Sunset Avenue, and W. Garvey Avenue South, and other internal streets. No effect on required infrastructure will result from the proposed use. The proposed use is not anticipated to increase the amount of traffic to an unreasonable level.

e. That the granting of such a conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The granting of the Conditional Use Permit to allow the operation of a massage use will not adversely affect the West Covina General Plan, since the proposed use does not conflict with the site's "Commercial" land use designation. The project is consistent with the following General Plan policies: Policy 2.1 Maintain and enhance the City's current tax base and Policy 2.4 Building on and grow West Covina's regional appeal.

GENERAL PLAN CONSISTENCY

The City's General Plan Land Use Element designates the subject property for Commercial uses. The project is consistent with the following General Plan policies:

- Policy 2.1 Maintain and enhance the City's current tax base.
- Policy 2.4 Build on and grow West Covina's regional appeal.

ENVIRONMENTAL DETERMINATION

The project is a Categorical Exemption, Class 1 (Section 15301: Existing Facilities) pursuant to the requirements of the California Environmental Quality Act of 1970 (CEQA) since the project site involves only interior tenant improvements with no change to the exterior of the building or expansion of the floor area.

STAFF RECOMMENDATIONS

Staff recommends adopting Resolution No. 24-6151, approving Conditional Use Permit No. 24-07.

LARGE ATTACHMENTS

Plans may be viewed at the West Covina City Hall Planning Division Counter at 1444 W. Garvey Avenue South, 2nd floor- Room 208, West Covina CA 91790.

Submitted by: Jerry Rivera, Assistant Planner

Attachments

Attachment No. 1 - Draft Approval Resolution

Attachment No. 2 - Business Operation Plan

P L A N N I N G C O M M I S S I O N

R E S O L U T I O N NO. 24-6151

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 24-07

CONDITIONAL USE PERMIT NO. 24-07

CATEGORICAL EXEMPTION

APPLICANT: Xuhe Yuan

LOCATION: 112 Plaza Drive, Suite #639

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Conditional Use Permit to:

Allow a massage parlor within an existing 1,147 square foot tenant space located in the Plaza West Covina Shopping Center on certain property described as follows:

Assessor Parcel No. 8474-007-037 as shown on the latest rolls of the Los Angeles County Tax Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 22nd day of October 2024, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting a Conditional Use Permit (CUP) to allow a massage parlor within an existing 1,147 square foot tenant space, known as Relax Station. The subject property is located within the "Urban Center" (UC) Zone.

2. Findings necessary for approval of a Conditional Use Permit are as follows:

   a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a Conditional Use Permit:

   a. The proposed massage services are designed to meet the community's wellness needs, offering a convenient and accessible way to promote health and relaxation.

   b. The massage services will not, as conditioned, pose any harm to the health, safety, peace, or general welfare of individuals residing or working nearby, nor will they cause damage to property or improvements in the surrounding area. The business will be operating consistent with the mall hours and all massage therapists are required to have CAMTC certification.

   c. The subject site is adequate in size and shape to accommodate the proposed use. The site provides parking spaces, no major exterior modifications are proposed, and the existing building is compliant with all development standards.

   d. Access to the site is ample, with four major street access points on Vincent Avenue, West Covina Parkway, Sunset Avenue, and W. Garvey Avenue South, and other internal streets. No effect on required infrastructure will result from the proposed use. The proposed use is not anticipated to increase the amount of traffic to an unreasonable level.

e. The granting of the Conditional Use Permit to allow the operation of a massage use will not adversely affect the West Covina General Plan, since the proposed use does not conflict with the site's "Commercial" land use designation. The project is consistent with the following General Plan policies: Policy 2.1 Maintain and enhance the City's current tax base and Policy 2.4 Building on and grow West Covina's regional appeal.

2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 24-07 is approved subject to the provisions of the West Covina Municipal Code provided that the physical development of the herein described property shall conform to said Conditional Use Permit and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director before the use or occupancy of the property is commenced and before a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said conditional use permit by the Planning Commission or City Council.

3. The Conditional Use Permit shall not be effective for any purpose until the owner of the property involved (or their duly authorized representative) has filed at the office of the Community Development Director an affidavit stating he/she is aware of, and accepts, all conditions of this Conditional Use Permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

4. The costs and expenses of any enforcement activities, including, but not limited to attorney's fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

5. That the approval of Conditional Use Permit No. 24-07 is subject to the following conditions:

   a. Comply with the plans reviewed by the Planning Commission on October 22, 2024.

   b. Comply with all applicable sections of the West Covina Municipal Code.

   c. Comply with all requirements of the "Urban Center" Zone.

   d. All employees and/or independent contractors providing massage services shall be certified by the California Massage Therapist Counsel (CAMTC). The business and each independent contractor shall have an active City of West Covina Business License.

e. The business shall not operate outside of the Plaza West Covina's operating hours.

f. Any changes to the approved floor plan, including but not limited to the construction of new walls, offices, massage rooms, storage rooms, etc. shall require Planning Commission review and amendment of the conditional use permit.

g. Any addition or modification of the use shall require the submittal of a new Conditional Use Permit.

h. Any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.

i. The operation of the facility complies with the West Covina Noise Ordinance.

j. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.

k. The Conditional Use Permit may be revoked, amended, and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal code.

l. **FIRE DEPARTMENT**

Based on the preliminary information received, the Fire Department requirements* for the above-noted project are:

1. NFPA 13D/13R/13 Fire Sprinkler System

2. NFPA 72- Fire Alarm/ Fire Sprinkler Monitoring System

3. NFPA 10- Portable Fire Extinguishers

4. Modifications to the existing fire sprinkler and/or fire alarm systems, in accord with the new partition layout, requires a permit and inspection by the Fire Department.

***NOTE: Additional Fire Department requirements may be set upon future review of a full set of architectural plans.**

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 22nd day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: October 22, 2024

_____
Shelby Williams, Chair
Planning Commission

_____
Jo-Anne Burns, Secretary
Planning Commission

Relax Station

Business Operations Plan

****3 Employees at all times****

Services:

Chair Massage

Table Massage

Foot Reflexology

Business Hours:

Monday – Thursday	11:00 AM – 8:00 PM
Friday – Saturday	10:00 AM – 9:00 PM
Sunday	11:00 AM - 7:00 PM