CITY OF WEST COVINA

PLANNING COMMISSION

TUESDAY, MARCH 11, 2025 - 7:00 PM
REGULAR MEETING

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

Sheena Heng, Chair
Livier Becerra, Commissioner
Nickolas Lewis, Commissioner
Dario Castellanos, 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 three minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at their 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

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.

CONSENT CALENDAR
All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Planning Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

PUBLIC HEARINGS

1. **ADMINISTRATIVE PERMIT NO. 24-44**
   CATEGORICAL EXEMPTION
   APPLICANT: Wine Selections
   LOCATION: 4141 S Nogales Street Unit #C103
   REQUEST: The applicant is requesting an Administrative Permit (AP) to allow the sale of wine for off-site consumption within an existing 1,031 square foot tenant space, located in the "Service Commercial Mixed-Used" (SMU) Zone.

NON-HEARING ITEMS

2. **BROWN ACT STUDY SESSION**

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.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

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. 1
DATE: 03/11/2025

PLANNING DEPARTMENT STAFF REPORT

SUBJECT
ADMINISTRATIVE PERMIT NO. 24-44
CATEGORICAL EXEMPTION
APPLICANT: Wine Selections
LOCATION: 4141 S Nogales Street Unit #C103
REQUEST: The applicant is requesting an Administrative Permit (AP) to allow the sale of wine for off-site consumption within an existing 1,031 square foot tenant space, located in the "Service Commercial Mixed-Used" (SMU) Zone.

BACKGROUND
The applicant is requesting the approval of an AP to allow the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The subject property is located within the Service Commercial Mixed-Use Zone, on the southwest corner of the East Valley Boulevard and South Nogales Street intersection.

ITEM	DESCRIPTION
Zoning & General Plan Designation	Zoning: Service Commercial Mixed-Use (SMU) General Plan: Commercial (C)
Surrounding Land Uses & Zoning	North: Multi-Family Residential (MF-20), Office Professional Mixed-Use (OPMU) East: Service Commercial Mixed-Use (SMU) South: City of Industry West: Service Commercial Mixed-Use (SMU), Multi-Family Residential (MF-15)
Current Development	Commercial Building
Legal Notice	The Planning Commission public meeting notification has been mailed to one hundred-three (103) owners of properties located within five hundred (500) feet of the subject property.

DISCUSSION
The applicant is requesting the approval of an AP, to allow the sale of wine for off-site consumption (Type 20) within an existing tenant space. The West Covina Municipal Code (WCMC) allows for the sale of beer and wine for off-site consumption with approval of an AP, as long as the location is not within an area of undue concentration.

Hearing Request
Staff sent out public notices to owners of properties located within a 500-foot radius of the project site with information regarding the request to allow the sale of wine for off-site consumption within an existing 1,031 square foot tenant space, as specified by the AP process. On January 20, 2025, staff received an email (**Attachment No. 3**) from a property owner residing in one of the single-family residential properties to the north of the project site. In this email, they requested a public hearing to oppose the sale of alcohol at this address. Based on this request, the AP is being forwarded to the Planning Commission. Additionally, we received an email from another neighbor with concerns about the possible crime in the area that could be as a result of the sale of alcohol.

BUSINESS OPERATION
The proposed use is the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The existing tenant space has a retail sales floor area of 418 square feet. The proposed use would occupy 127 square feet in total. Of that, 120 square feet will be storage area that will not be accessible to the public, and the remaining 7 square feet will be through three (3) display racks. Customers are able to enter the store during business hours. Alcohol sales will be limited between the aforementioned business hours of 11 a.m. to 6 p.m., Wednesday through Sunday, as shown in the operation plan (**Attachment No. 2**).

The retail store will have one (1) employee per shift, who will be trained in the ability to verify an individual/customer's age by using the individual/customer's government-issued identifications. The identification card reader is required to determine the authenticity of the identification that displays the age of the individual/customer.

CENSUS TRACT ANALYSIS
The subject property is located in Census Tract No. 4081.41 in Los Angeles County. Per the California Department of Alcoholic Beverage Control (ABC), based on the population ration within the County and the Census Tract, the project site is not considered an area of undue concentration for "off-sale" alcohol licenses. There are currently no alcohol licenses issued to the subject Census Tract, which allows for three (3) "off-sale" licenses. Additionally, the proposed use is not located within a high crime area.

REQUIRED FINDINGS
The findings necessary for the approval of an Administrative 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.

The proposed use is consistent with the Service Commercial Mixed-Use Zone. The Service Commercial Mixed-Use Zone is composed primarily of retail and service commercial, recreational business office and multi-family residential land uses which by their nature are of a relative high intensity; are unique in that their success depends upon direct motorist exposure and excellent access. The proposed use is the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The Wine Selections store would offer the same convenience for purchasing alcohol as other retailers, wine would be the business' only product.

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 proposed use is the sale of wine for off-site consumption within an existing 1,031 square foot tenant space. The business will be open Wednesday through Sunday from 11:00 a.m. to 6 p.m. The sale of alcohol will be limited between these hours. The site is not located within a high-crime area and is not located within an area of undue concentration of off-sale alcohol licenses. Therefore, there is no evidence that the use will be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

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 existing building and site are adequate in size and are properly designed to accommodate all existing uses. The long-standing facilities and uses have provided sufficient parking on site for a number of years. There is no evidence that the addition of alcohol sales within the existing tenant space will increase the current parking

demand.

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 located residential streets.

The subject property abuts East Valley Boulevard and South Nogales Street and can be accessed by either street. The existing subject property along with the adjacent tenant spaces are long-standing facilities and the previous use of the tenant space was office/retail, similar to the proposed use. There is no evidence that the addition of alcohol sales within the subject property will generate a substantial amount of vehicular traffic, nor alter the percent circulation pattern.

e. That the granting of such administrative permit will not adversely affect the General Plan of the City, or any other adopted plan of the City.

Granting the Administrative Permit for the proposed sale of wine for off-site consumption will not compromise the character of the surrounding neighborhood or be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan. The proposed use is consistent with Policy 2.1: Maintain and enhance the City's current tax base.

GENERAL PLAN CONSISTENCY
The proposed use is consistent with the following policy of the General Plan:

- Policy 2.1 Maintain and enhance the City's current tax base.

ENVIRONMENTAL DETERMINATION
Pursuant to California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15301 (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.

STAFF RECOMMENDATIONS
Planning Staff recommends that the Planning Commission adopt Resolution No. 25-6166 approving Administrative Permit No. 24-44.

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, 91790.

Submitted by: Melina Ramirez, Planning Intern

Attachments

Attachment No. 1 - Resolution of Approval
Attachment No. 2 - Business Operation Plan
Attachment No. 3 - Public Hearing Request

City of West Covina

Memorandum

AGENDA

ITEM NO. 2

TO: Planning Commission **DATE: 03/11/2025**

FROM: Planning Division

SUBJECT: **BROWN ACT STUDY SESSION**

DISCUSSION:

The Deputy City Attorney will be delivering a presentation and conducting a study session with the Planning Commission about the Brown Act.

Submitted by: Jo-Anne Burns, Deputy Community Development Director

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