

# **ATTACHMENT D**

**Resolution No. 2024-014 with Conditions of  
Approval**

## **RESOLUTION NO. 2024-014 PC**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 23-10 AND SITE PLAN REVIEW (SPR) 23-281, A REQUEST TO ADD A 4,830 SQ. FT OUTDOOR DINING AREA INCLUDING AN INSTALLMENT OF (4) FOUR FOOD TRAILERS WITHIN THE PROPERTY IN CONJUNCTION WITH ON-SITE ALCOHOL SALES WITHIN THE PREMISES. THE EXISTING BONA FIDE EATING ESTABLISHMENT IS ALSO OFFERING ON-SALE ALCOHOL. THE ABUTTING OFFICE SPACE WILL BE CONVERTED TO A BONA FIDE EATING ESTABLISHMENT IN CONJUNCTION WITH ON-SALE ALCOHOL, WITHIN THE TOWN CENTER SPECIFIC PLAN - CULTURAL CORE ZONE LOCATED AT 128 - 132 E. COLLEGE ST, COVINA, CA, 91723 (APN: 8445-009-040) AND MAKING A DETERMINATION OF EXEMPTION OF THE CALIFORNIA ENVIRONMENTAL ACT (CEQA) GUIDELINES**

WHEREAS, Dimitri Constantinou (Applicant and Property Owner), has filed a conditional use permit and a site plan review (Application) to operate two (2) bona-fide establishments in conjunction with on sale alcohol along with a 4,830 square feet outdoor dining area with four (4) food trailers in conjunction with on sale alcohol and live entertainment located at 128-132 E College St, Covina, CA, 91723 (APN: 8445-009-040) (Property); and

WHEREAS, pursuant to Table 3-2 of the Town Center Specific Plan, the following uses are listed as conditional uses subject to CMC Chapter 17.62 within the Cultural Core Zone: (i) Alcohol Sales, on-Site with or without Food Service and (iii) Outdoor Dining (with alcohol); and

WHEREAS, pursuant to CMC Chapter 17.62, the Planning Commission shall hold a public hearing on an application or a conditional use permit; and

WHEREAS, pursuant to Chapter 6 of the Town Center Specific Plan, projects within the Town Center Specific Plan are subject to the Site Plan review requirements of CMC Chapter 17.64 Site Plan. CMC Chapter 17.64 generally requires site plan review and approval for new development or redevelopment including specified new construction, remodeling, alteration, relocation, rebuilding, or expansion of any building. Pursuant to CMC Section 17.64.040. (B), when a site plan entitlement is processed with another entitlement, the reviewing body is the same as that other entitlement; and

WHEREAS, on September 10<sup>th</sup>, 2024 at the regular meeting the Planning Commission conducted a duly noticed public hearing at which time oral and written comments received prior to or at the meeting, together with a recommendation from the Planning Division, was presented to the Planning Commission. The Planning Commission concluded said hearing on that date.

WHEREAS, all legal prerequisites prior to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

**SECTION 2.** Based upon the entire record made available at the September 10<sup>th</sup>, 2024 meeting, the staff report, the oral presentation, and related documents submitted to the Planning Commission prior to and at the meeting, the Planning Commission hereby finds and determines as follows:

**A. Findings for Conditional Use Permit (CMC Section 17.62.026(C))**

Based on an analysis of the proposed project, the following findings for a Conditional Use Permit can be made:

**1. Subsection (B) of this Section 17.62.026 shall not apply to liquor on-sale in conjunction with a bona fide eating establishment.**

*Facts:* The Applicant is proposing a "bona-fide eating establishment," thereby exempting conditional use permit requirements under CMC Section 17.62.026(B)(1) with respect to liquor and on-sale establishments. **Therefore, as proposed, this criterion has been met.**

**B. Findings for Conditional Use Permit (CMC Section 17.62.120)**

**1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this title to adjust the use with land and uses in the neighborhood.**

*Facts:* The overall 4,080-square-foot building has existed on the subject site well over 50 years, with no known issues pertaining to appurtenant commercial activities. The space in which the proposed two (2) bona-fide eating establishments would operate appears to have sufficient physical dimensions to support the general restaurant business plus the entertainment related and onsite liquor service on both restaurants and outdoor food trailers. The proposed 4,830 square-foot outdoor dining area with 4 permanent food trailers will be completely within the property. In addition, as noted under project analysis, the adjoining public parking lots would accommodate the parking needs of the business. The subject site is located within the Covina Town Center Specific Plan (CTCSP) Cultural Core Zone and is identifiable by its mix of retail stores, services, restaurants, cultural and entertainment venues, and residential uses. On-street dining is encouraged to draw foot traffic to the area known to have a characteristic of the Historic "strollable" downtown. Compatible new development on vacant, underutilized sites that compliments and enhances the historic look and feel of the district attracts local and regional visitors to the area. The shared use of existing parking facilities supports the rejuvenation of older structures. **Therefore, as proposed, this criterion has been met.**

2. **That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.**

**Facts:** The site is located within an established downtown area, uses conform well to the surrounding neighborhood infrastructure, and support services with access to major streets, freeway system, and retail services. The proposed use involves two bona-fide eating establishment, on-site alcohol sales, outdoor dining, and live entertainment would generate a negligible increase in traffic. There are multiple parking facilities surrounding the site which can avoid congestion. The City/Traffic engineer has reviewed the proposal and determined that College Street has sufficient widths and capacities to accommodate the trips. **Therefore, as proposed, this criterion has been met.**

3. **The proposed use will have no adverse effects on the abutting properties or the permitted use thereof.**

**Facts:** As noted under the first finding, the appurtenant commercial building has existed for many years, and the scope of the current physical enhancements entail an interior tenant improvement to accommodate a new sit-down restaurant in conjunction with the on sale of alcohol, a 4,000 square feet outdoor dining area with (4) four permanent food trailers installed to offer a variety of food and the consumption of alcohol within the premises. Relative to the current building and supporting improvements on the project site, the changes would constitute a refinement of the building and its appurtenances, clearly visible from all surrounding views. The refurbished property would conform to the development intensity of the surroundings and meet the character of adjacent buildings in terms of architecture and style. In addition, the overall improvements would bring more people to the property, particularly during the evening and weekend periods, which would enhance social vitality. No potentially negative impacts relative to the on-site liquor service and the outdoor eating have been identified. In addition, the proposed sit-down restaurant and, the outdoor dining area in conjunction with on sale alcohol within the premises it would not become a nuisance for adjacent businesses and residences. The proposed (2) two "bona-fide eating establishment" conjunction with on-sale of alcohol is exempt from conditional use permit requirements under CMC Section 17.62.026(B)(1) with respect to liquor, on-sale establishments within 700 feet from a place used exclusively for religious worship, school, park, playground, residential or any similar sensitive use. The Applicant will be required to obtain an entertainment permit through the Covina Police Department. **Therefore, as proposed, this criterion has been met.**

4. **That the conditions stated in the decision are deemed necessary to protect public health, safety, and general welfare. Such conditions include regulation of use, regulation of signs, requiring maintenance of grounds, regulation of noise, vibrations, odors, etc., regulation of time for certain activities, duration of use, and any such other conditions as will make possible the development of the city in an orderly and efficient manner and conformity with the intent and purposes set forth in this title.**

**Facts:** The operation of two bona fide eating establishment with the on-sale of beer, wine, and distilled spirits for consumption is conditionally permitted within the CTCSP Cultural Core Zone. All activities associated with the business will be conducted in a manner that will

meet the provisions of Chapter 9.40 (Noise - which seeks to prevent unusual noises and vibrations). Approval of these applications will expire three years from the date of Project approval if building permits are not issued unless otherwise extended pursuant to applicable laws. Conditions of approval have been formulated to ensure that the proposed improvements for a bona-fide eating establishment with on-site alcohol sale will operate in a manner consistent with the Covina Municipal Code and will not negatively affect the public health, safety, and general welfare of the community. The proposed use would only involve beer, wine, and spirits sales associated with a (permitted by right) typical sit-down restaurant. Conditions of approval will ensure that the site maintains 50% of the gross floor area for the seating of patrons for the purpose of meals. The business would comply with the required Bona-Fide Eating Establishment criteria under Section 17.04.100 of the Covina Municipal Code. No major public health or safety-related impacts have been identified during the project review. The Development Review Committee, comprised of Building and Safety, Environmental Services, Los Angeles County Fire, Covina Police Department, and Planning and Engineering, was provided an opportunity to review and comment on the project application. In addition, the proposed use has been conditioned to ensure that no potential issues would arise during operations. The staff's comments confirm that the proposed use would operate in a manner consistent with the Covina Municipal Code and would not negatively affect the public health, safety, and general welfare of the community. **Therefore, as conditioned, this criterion has been met.**

### **C. Findings for Site Plan Review (CMC Section 17.64.070)**

In order to approve the Site Plan Review (SPR) application, the Planning Commission must make the findings as listed below:

#### **1. All provisions of Title of the CMC are complied with;**

**Facts:** As described in detail within the "Project Analysis," the proposed operation of two bona-fide eating establishment with on-sale of alcohol along with a 4,830 square feet outdoor dining area with 4 food trailers in conjunction with on sale alcohol within the Town Center Specific Plan, Cultural Core Zone. Conditions of approval will ensure that the site maintains 50% of the gross floor area for the seating of patrons for the purpose of meals. The businesses would comply with the required Bona-Fide Eating Establishment criteria under Section 17.04.100 of the Covina Municipal Code. The site is located within an established area characterized by existing streets, sidewalks, walls, existing structures, and uses that conform well to surrounding neighborhood infrastructure, circulation, and support services. The project would have no negative impacts on existing streets and sidewalks in that the proposed project is an outdoor dining area with a change of use request from an existing office structure to a Bona-Fide eating establishment with on-sale alcohol and a second existing a bona-fide eating establishment proposing to offer on-sale alcohol, with minimal impact on existing and surrounding traffic conditions with the proximity to public transit, and other forms of accessible transportation options (i.e., Uber, walking, cycling, etc.) With the proposed modifications, overall site improvements, and recommended conditions of approval, the proposed use will have no adverse effect on surrounding properties. **Therefore, as conditioned, this criterion has been met.**

**2. The design and layout of the proposed development are consistent with the general plan, zoning code, development standards of the applicable zoning district, specific plans, design guidelines and objective design standards;**

**Facts:** The proposed scope of work is consistent and conforms to the City of Covina's General Plan Goals No. , Objective No. 3, Policy No. 7, in that the proposed outdoor dining area in conjunction with on sale alcohol and two bona-fide eating establishment in conjunction with on sale alcohol use "facilitate development for community economic betterment, image enhancement, will not adversely affect the integrity of established commercial and/or industrial areas, encroach into residential neighborhoods, or impose undue burdens on local infrastructure or services." The site is located within an established downtown area, uses conform well to the surrounding neighborhood infrastructure, and supports services with access to major streets, freeway system, and retail services. Conditions of approval will ensure that the site maintains 50% of the gross floor area for the seating of patrons for the purpose of meals. The business would comply with the required Bona-Fide Eating Establishment criteria under Section 17.04.100 of the Covina Municipal Code. As such, the proposed scope of work satisfies all applicable guidelines to the project, as outlined under the Town Center Specific Plan Standards, the Covina Design Guidelines, and General Plan. **Therefore, as conditioned, this criterion has been met.**

**3. The design of the proposed development or the alterations to existing structures will not interfere with the use and enjoyment of existing neighborhood and future development, and will not create traffic or pedestrian hazards;**

**Facts:** As previously stated under "Project Analysis," the subject site is located within the CTCSP - Cultural Core Zone and is identified by its mix of retail stores, services, restaurants, cultural, entertainment venues, and residential land uses contribute to the vitality of the Covina Town Center through the attraction of local and regional visitor. Strong pedestrian connections to the Covina Metrolink station and nearby higher density residential uses will contribute to a vibrant activity center and destination for visitors, transit riders, and employees. Reduced development requirements and the encouragement of shared use of parking facilities will support the transition of land uses. The subject site is within an established area characterized by commercial and retail, connecting well to existing neighborhood infrastructure and support services. Proposed improvements to the site are aesthetically pleasing, functional, and visually compatible with neighboring structures and the area within which it is proposed to be located and follow the Town Center Specific Plan's Design Guidelines. **Therefore, this criterion has been met.**

**4. The proposed development has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA);**

**Facts:** The proposed Project is designed and in conformance with development standards consistent with the character, appearance, and features described within the CTCSP, thereby facilitating the desired sustainability and stability adequate for its environment, the neighborhood, and the community it will serve. The project involves interior improvements/upgrades to accommodate two restaurants and 4,830-square-foot out door dining area involving fences, planters, moveable outdoor furniture and four (4) permanent food trailers. No structural additions are proposed other than a 4,830-square-foot gated outdoor

seating area. Staff has determined that the project is exempt from the requirements of California Environmental Quality Act (CEQA) Guidelines under the Class 1 exemption under state CEQA Guidelines Section 15301, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. **Therefore, this criterion has been met.**

**5. The proposed development will not be detrimental to the public health, safety or welfare or materially injurious to the properties or improvements in the vicinity;**

**Facts:** Construction activities during the tenant and exterior improvements are not likely to cause serious public health problems. All potentially hazardous materials used during project construction will be disposed of in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would comply with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials, including but not limited to the Resource Conservation and Recovery Act, California Hazardous Waste Control Law, Federal and State Occupational Safety and Health Acts, SCAQMD rules, and permits and associated conditions issued by the Building and Safety Division. **Therefore, as conditioned, this criterion has been met.**

**6. The development complies with the provisions for dedications, public improvements and undergrounding utilities pursuant to CMC 17.64.140 and congestion management and transportation demand management requirements pursuant to CMC 17.64.150;**

**Facts:** All new utility service lines that are installed to serve the property shall be placed underground. The Applicant shall comply with any other utility and/or street improvements required by the Department of Public Works (Engineering, Traffic, and Environmental Services). **Therefore, as conditioned, this condition has been met.**

**SECTION 3.** The Planning Commission, based on its own independent judgment, has determined that the proposed project of the "Operating two (2) bona-fide establishments in conjunction with on sale alcohol along with a 4,830 square feet outdoor dining area with four (4) food trailers in conjunction with on sale alcohol" is deemed exempt from the California Environmental Quality Act (CEQA) under to specific categorical exemptions: Class 1. The project involves only minor alterations of an existing private structure involving negligible or no expansion of the existing or former use, and is located in an area where all public services and facilities are available. The project involves only exterior improvements/upgrades to accommodate multiple mobile food trailers and install new shade canopies. No structural additions are proposed other than a 4,830-square-foot outdoor seating area gated that's within private property. Approval of this project would not result in any significant effects relating to traffic, noise quality, or water quality. The site can be adequately served by all required utilities and public services. There is no substantial evidence that the project will have a significant effect on the environment.

The Planning Commission further finds that there is no substantial evidence that the Project will have a significant effect on the environment.

**SECTION 4.** Based upon findings and conclusion set forth in Sections 1, 2, and 3 above, the Planning Commission hereby approves the application:

- A. The Conditional Use Permit (CUP) 23-10 and Site Plan Review (SPR) 23-281 is hereby approved, subject to the conditions of approval set forth in the written record before the Commission incorporated here and attached hereto as Exhibit "A."
- B. The Secretary of the Planning Commission is directed to serve, by first-class mail, a written notice of this decision to the Applicant within five (5) days.

**SECTION 5.** This Resolution shall become effective immediately upon its adoption, subject to a 10 calendar-day appeal period

PASSED AND ADOPTED by the members of the Planning Commission of the City of Covina at a regular meeting thereof held on the 10<sup>th</sup> day of September 2024.

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ROSIE RICHARDSON, CHAIRPERSON  
CITY OF COVINA PLANNING COMMISSION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Planning Commission of the City of Covina at a regular meeting thereof held on the 10<sup>th</sup> of September, 2024, by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

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COVINA PLANNING COMMISSION SECRETARY



**EXHIBIT A**  
**CONDITIONAL USE PERMIT (CUP) 23-10**  
**APN: 8451-003-018**  
**CONDITIONS OF APPROVAL**

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The **Conditional Use Permit (CUP) 23-10** a request to add a 4,830 sq. ft outdoor dining area including an installment of (4) four food trailers within the property in conjunction with on-site alcohol sales within the premises. The existing bona fide eating establishment is also offering on-sale alcohol. The abutting office space will be converted to a bona fide eating establishment in conjunction with on-sale alcohol, within the Town Center Specific Plan - Cultural Core zone located at 128 -132 E. College St, Covina, CA, 91723 (APN: 8445-009-040) As set forth in the plans on file with the Community Development Department. These conditions are binding on the Property Owner and any subsequent property owners, heirs, or assign, collectively referred to herein as the Applicant or Applicant/Property Owner

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**ALL OF THE FOLLOWING CONDITIONS APPLY TO THE PROJECT**

**A. TIME LIMITS:**

1. **Conditional Use Permit (CUP) 23-10:** Approval of this application will expire two years from the date of Project approval if building permits are not issued unless otherwise extended pursuant to applicable laws. The Applicant may apply to extend the expiration date for a maximum period of one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to the expiration of the approved CUP applications.

**B. GENERAL REQUIREMENTS:**

1. This approval is to allow the operation of a 4,830 sq. ft outdoor dining area including an installment of (4) four food trailers within the property in conjunction with on-site alcohol sales within the premises. The existing bona fide eating establishment is also offering on-sale alcohol. The abutting office space will be converted to a bona fide eating establishment in conjunction with on-sale alcohol, within the Town Center Specific Plan - Cultural Core zone located at 128 -132 E. College St, Covina, CA, 91723 (APN: 8445-009-040).
2. This approval will not be effective for any purposes until the Applicant has filed with the Planning Division an affidavit stating that it is aware of and agrees to accept all of the conditions of this approval as set forth herein and within 10 days from the date of this approval.
3. Applicant shall, at its own expense and with counsel selected by City, fully defend, indemnify and hold harmless City, its officials, officers, employees, and agents ("Indemnified Parties"), from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorneys' fees, ("Liabilities"), arising in any way out of City's approval of the Applications or the Project. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul the City's approval of the Applications, and Liabilities premised on, related to or invoking CEQA, including those arising out of City's decisions related to the Project's CEQA documents. City shall promptly notify Applicant of any such claim, action or

proceeding, and shall cooperate fully in the defense of such claim, action, or proceeding. Applicant's indemnification obligations shall not be limited to the amount of insurance coverage that may be available to Applicant, and shall not otherwise be restricted or confined by the presence or absence of any policy of insurance held by City or Applicant.

4. Applicant's obligations, as set forth above, shall survive the completion or abandonment of the Project or the issuance of a certificate of occupancy with respect thereto. However, Applicant's obligations after the issuance of a certificate of compliance for the Project shall be limited to indemnifying and defending the Indemnified Parties from legal challenges filed to set aside any part of the Project or its related components. The provisions of this condition are intended by the Parties to be interpreted and construed to provide the fullest protection possible under the law to the City. Further, all obligations and Liabilities under this Condition are to be paid by the Applicant as they are incurred. Applicant's obligations to indemnify under this Condition shall include the obligation of the Applicant to defend City with legal counsel of City's own choosing.
5. Hours of operation for the outdoor dining area shall be Tuesday through Sunday 9:00 a. m. to 11:00 p. m. These hours will accommodate breakfast lunch and dinner services during peak operating hours during the week. Chisrosa Cafe will only operate 9:00 a. m. to 4:00 p. m. Wednesday through Sunday.
6. In the event the applicant requires approval of a Public Convenience of Necessity (PCN), The Planning Commission's approval of the requested entitlements also includes the endorsement of the Planning Commission recommending the City Council adopt a resolution affirming the determination.
7. The Project Site and all improvements thereon, including landscaping, must be maintained in a sound, healthy, and attractive condition reasonably free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Covina Municipal Code.
8. The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition or mitigation measure imposed hereunder or any provision of the Covina Municipal Code must be paid by the applicant.
9. Approval of the CUP and SPR applications shall not waive the applicant's obligation for compliance with all other applicable sections of the Covina Municipal Code, the Covina Design Guidelines, Town Center Specific Plan and all other applicable plans.
10. An easement agreement will be required if proposing an art mural abutting 138 E College.
11. As part of the scope of work the existing roll up doors will need to be aesthetically upgraded such as providing art decor, murals or architectural features that will blend with the surrounding uses.
12. There will be no easy pop up tents or tarps permanently placed on site.

#### **C. SITE DEVELOPMENT**

1. The Project Site shall be developed and maintained in accordance the approved plans on file with the Community Development Department, all representations of record made by the

Applicant(s), the conditions contained herein, the Covina Municipal Code, the Town Center Specific Plan and the Covina Design Guidelines.

2. Final plans incorporating all conditions of approval and any plan-related changes required in the approval process shall be submitted for the Director or his designee for review and approval, prior to submittal for Plan Check process.
3. Copies of the signed Resolution No. 2024-014 PC shall be included on the plans (full size) for submittal of plan check.
4. Window painting and posters shall not exceed 50 percent of the window area on the building face on which the painting or poster is located.
5. All site, precise grading landscape, and irrigation, and street improvement-plans shall be coordinated for consistency, prior to issuance of any building permits.
6. All ground mounted utility appurtenances such as transformers, AC condensers, etc. shall be adequately screened using a combination of concrete or masonry walls, and or landscaping to the reasonable satisfaction of the Director or his/her designee.
7. A complete exterior lighting plan, including photometric printout, shall be submitted for review and approval, prior to issuance of building permits for any production units. The plan shall illustrate light fixture features, locations, height, and the compliance with applicable City Code provisions on illumination, design, and lighting orientation/glare prevention and the minimum one-foot candle standard where applicable.
8. All building and site improvements shall be installed in accordance with approved plans and information on file with the Planning, Building, and Engineering Divisions, and the irrigation systems must be fully operational upon issuance of certificates of occupancy. Furthermore, during construction, all on-site landscaped areas must be maintained reasonably free of weeds and debris.
9. The Project Site must be clean and reasonably free of trash and construction debris, and all construction equipment must be removed from the Project Site prior to issuance of the last certificate of occupancy for the production units.

#### **D. BUILDING AND SAFETY**

##### PLANS:

1. Submit 4 (Four) sets of complete plans, (Electronic submittal maybe at the time of submittal) including any proposed utilities and earthwork/grading. The Project must comply with the 2022 California Building Code and Standards. Be sure to include 2 (Two) sets each, any structural calculations, soils reports, and energy calculations shall be submitted with the above-mentioned plans. All calculations must bear an original signature from the licensed professional engineer or architect documented author.
2. Two sets each of any structural and energy calculations shall be submitted with the above mentions plans. All calculations must bear an original signature from the document author.

3. This Project must comply with applicable Federal and State Accessibility requirements to and throughout the buildings. Include compliance methods and structural details on the plans. It is required that an independent CASp review of the project be performed although your new facility may have already been approved and permitted by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, such as placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can review your improvement plans and provide an access compliance evaluation of your facility's public accommodation areas that may not be part of the alteration.
4. Demolition 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 applicable 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 the relevant permit application for all demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has adhered to the applicable notification requirements to the SCAQMD, a formal demolition plan and permit must be obtained from the Building and Safety Division.
  - a. SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381.
5. 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 buildings 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.
6. The Applicant shall pay the applicable SB 50 development impact fees to the School District prior to issuance of the first building permit for production units.
7. Construction activity within 500' of a residential zone is prohibited between the hours of 6:00 pm and 7:00 am on Monday through Friday and between 5 pm and 8 am on Saturday and all day on Sunday and Holidays unless otherwise permitted

**E. COVINA POLICE DEPARTMENT**

1. Prior to offering any entertainment, live or non-live, an Entertainment Permit must be obtained through the Police Department. The establishment shall comply with the Covina Police Department in its Entertainment Permit process, specifically as it relates to any type of live or non-live entertainment taking place.
2. Additional security shall be required for any entertainment activities. The level of additional security shall be subjected to Police Department review and approval prior to commencing any entertainment.

3. Security shall be present when entertainment is taking place. Security shall have a Private Patrol Operator's Permit (PPO) obtained through the Police Department in addition to obtaining a Covina Business License, prior to commencing work.
4. When applicable, the owner or operator shall contract with a security company for security personnel or hire security personnel as employees.
5. If the owner or operator chooses to hire a security company, the security company must be licensed to operate in both the State of California and the City of Covina. Additionally, all employees who are assigned to work the premises must be licensed by the State of California as security guards and be in good standing throughout their time of employment.
6. In the event the owner or operator or manager 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 through their time of employment.
7. The Police Department may, after meeting with owners or managers of the establishment, increase the number of required security personnel or planned events or incidents where the police department determines that the number of on-duty security personnel is deficient.
8. At no time will any security personnel, whether employed by a private company or licensed by the City or employed by the establishment, be armed with any type of firearm.
9. 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 ordinance will be presented to the District Attorney's office for prosecution and will be grounds for revocation or modification of this permit.
10. No alcoholic beverages or their containers, such as bottles and glasses, will be present other than in the storage area after 2:00 a.m. every day.
11. Only on-duty employees will be allowed inside the establishment during non-operating hours.
12. The owners or operators will be responsible for ensuring they follow the restrictions, provisions and guidelines of their license from the State of California Alcoholic Beverage Control (ABC) Board, and including if required, the ratio of alcoholic beverage sales to food sales.
13. The permittee and the operator of any business at the premises shall install, use, and maintain in good working condition a video security system capable of viewing and recording events at the premises as approved by the Chief of Police. The video security system shall be on and operating at all times by common areas, development entrances and exits, and parking areas. The video security system shall be of such to provide

images of such a resolution as to clearly identify individuals for later identification. Security systems could deter and prevent public nuisances. Installation and approval shall occur prior to the release of the occupancy or approval of business license.

14. The permittee and the operator of any business at the premises shall ensure that at least one employee or other person is present on the premises during normal business hours with the necessary knowledge and skill to operate the video security system so that he or she is able to provide the Covina Police Department copies of video recordings immediately upon request.
15. The permittee and the operator of any business at the premises shall preserve the video security system's recorded information of each business day for a period of not less than thirty (30) business days thereafter for the Covina Police Department's review in connection with a criminal or other investigation.
16. The owners, operators, management staff, and employees shall allow for the inspection of the premises by members of the Covina Police Department at any time when there are employees present inside the location.
17. 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 to maintain the cleanliness of the parking lots, sidewalks, and the property of adjacent business owners.
18. The owners, operators, or managers shall, subject to approval of the Police Department, develop a plan to ensure that all exterior locations are adequately and safely illuminated during hours of darkness.
19. The owners, operators, or managers shall ensure that all occupancy levels mandated by the Los Angeles County Fire Department and the Covina Building Division are strictly enforced and adhered to. At any time that the occupancy is in question, the Police Department Watch Commander can contact the Los Angeles County Fire Department and/or the Covina Building Division in order to determine if the occupancy level is over the allowed number of occupants.
20. The owners, operators, or managers must comply with all City codes and ordinances relating to police response and abatement nuisance conditions.
21. All landscaping should follow the two-foot six foot rule. All landscaping should be ground cover, two feet or less and lower tree canopies should be at six feet. This increases natural surveillance and eliminates hiding areas within landscaping. Tree canopies should not interfere with or block the lighting along sidewalks or parking lots. This creates shadows and areas of concealment. Planters will use plant species with limited growth. This is to ensure that maintenance does not become an issue and surveillance from the building is maintained.

22. Rolling driveway gates, and any pedestrian gate, shall have a keypad installed with current access code provided to Police Dispatch at (626) 384-5808.

23. Any rolling gate, security gate, or fencing shall not be covered as to entirely reduce or eliminate visibility into the space. Intermittent viewpoints at eye level must be included to provide adequate visibility into the space.

**F. COUNTY OF LOS ANGELES FIRE DEPARTMENT**

1. Must submit plans to EPICLA for water and access approval.

**G. SPECIAL PROJECT / COMMUNITY DEVELOPMENT**

**DEVELOPMENT IMPACT FEES-NON-RESIDENTIAL PROJECTS**

4. Non-residential (commercial, office or industrial) development impact fees for the Project shall be paid, prior to the issuance of any permits for the Project. Development Impact Fees apply where new square footage is created in commercial and industrial developments. The Applicant shall contact the Director or his designee for calculation of the development impact fee, prior to issuance of any permits for the Project.

Land Use	Impact Fee		Square Feet Added or Created		Square Feet being demolished (credit)		Total Fee
Commercial Use	\$6.253 per building square foot (added or created)	x	4,830 sf	-	0	=	\$30,201.99

**H. ENVIRONMENTAL SERVICES / PUBLIC WORKS**

1. Public Works – Refuse & FOG: Please identify a plan for the disposal of refuse generated by 128-132 E College St. Also identify a plan for the proper disposal of fats/oil/grease (FOG) generated by the indoor and outdoor food facilities.

**I. WATER SERVICES / PUBLIC WORKS**

1. If the existing water service or meter is to be up-sized, or new water service or meter is to be added, developer must show call outs on Utility Plans showing detailed notes for all lines to be added, changed or abandoned