

ATTACHMENT D

Resolution 2026-004 PC

RESOLUTION NO. 2026-004 PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, A REQUEST TO MODIFY THE EXISTING (CUP) 00-015 TO UPGRADE FROM A TYPE 20 ABC LICENSE (OFF-SALE, BEER AND WINE) TO A TYPE 21 ABC LICENSE (OFF-SALE, FULL-LINE) TO AN EXISTING CONVENIENCE STORE WITHIN THE MUOD (MIXED-USE OVERLAY DISTRICT) AND C-2 (NEIGHBORHOOD SHOPPING CENTER) ZONE LOCATED AT 1481 NORTH HOLLENBECK AVENUE, COVINA, CALIFORNIA, 91722 APN: 8408-020-015)

WHEREAS, on March 9th, 2026 the City received an initial request from James Willis, Applicant, seeking to modify the existing (CUP) 00-015 to upgrade from a Type 20 ABC license (off-sale, beer and wine) to a Type 21 ABC License (off-sale, full line) at an existing convenience store within the MUOD (Mixed-Use Overlay District) and C-2 (Neighborhood Shopping Center) zone conditional use permit, CUP 26-002 (CUP), in order to sell beer, wine and liquor for off-site consumption (off-sale liquor) to an existing 7-Eleven convenience store located at 1481 N Hollenbeck Avenue, Covina, California 91722; and

WHEREAS, concurrently with this CUP application, the Applicant has requested the California Department of Alcoholic Beverage and Control (ABC) to issue a Type 21 "Off-Sale Full Line" license to sell beer, wine and liquor for off-site consumption at the Property; and

WHEREAS, Covina Municipal Code, Section 17.62.120 requires that the Planning Commission make four specific findings prior to approving a CUP for any conditional use within the City (findings discussed in more detail below); and

WHEREAS, the Property falls within seven hundred (700) feet, measured as a pedestrian travel, from a place used exclusively for school use and for residential purposes; and

WHEREAS, the Property also falls within seven hundred (700) feet, measured as a pedestrian travel, from the property lines of two other existing off-sale liquor uses; and

WHEREAS, where a proposed new off-sale liquor use falls within the "700-foot rule" identified above, Covina Municipal Code, Section 17,62.026(B)(3) requires that the Planning Commission make four additional findings of local "public convenience and necessity" (City PCN), demonstrating that the proposed off-sale liquor use will serve the community, will be limited in scope, and will not adversely affect the community; and

WHEREAS, on October 7, 2020, the Planning Commission conducted a duly noticed public hearing at which time 'the parties were afforded the opportunity to present oral and written evidence to the Planning Commission and rebut the oral and written evidence presented. At this meeting, the Planning Commission voted to approve the CUP, and to make the City PCN findings.

WHEREAS, on November 17th, 2020, City Council conducted a duly noticed public hearing at which time City Council passed and approved the PCN endorsement. City Council passed the PCN endorsement due to there only being two existing business that sell alcoholic beverages for off-site consumption that lie within 700 feet of the immediate neighborhood.

WHEREAS, all legal prerequisite 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 April 28th, 2026 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 (B)(2))** - Public Convenience and Necessity Findings: In addition to the standard Conditional Use Permit (CUP) findings, for this application, the Planning Commission must also make findings under Section 17.62.026.B.2 of the Covina Municipal Code (CMC). The staff recommends that the Planning Commission make the following findings for the application:

1. **That the requested use does not fall within 700 feet, measured as a pedestrian travel, from a place used exclusively for religious worship, school, park, playground, residential or any similar sensitive use, subject to subsection (B)(2)(a)(i) of this section: (i) That the planning commission may find that the public convenience and necessity for the proposed use outweigh the distance restrictions of subsection (B)(2)(a) of this section, upon additional findings that: (i)(A) The immediate neighborhood requires and needs such services; and (i)(B) Not greater than five percent of the sales floor area or 1,000 square feet, whichever is less, shall be used for the display or sale of alcoholic beverages; Facts: On November 17th, 2020, City Council passed and approved the PCN endorsement. City Council passed the PCN endorsement due to falling within seven hundred (700) feet, measured as pedestrian travels, from a place used exclusive for school use and for residential purposes. Staff believes many of 7-Eleven's customers would reside in the immediate neighborhood and essentially need the availability of full liquor at the store to save time (relative to avoiding having to patronize other businesses) and considering that the total sales area of the 7-Eleven would be 1,887 square feet, the 28-square foot area in which the alcohol would be displayed would be considerably below the maximum permitted display or sales area for alcohol-related products. Therefore, this criterion has been met.**
2. **That the requested use does fall within 700 feet, measured as a pedestrian travel, from the proposed use to the property line of an existing liquor, off-sale use, subject to the subsection (B)(2)(b)(i) of this section: (i) That the planning commission may find that the public convenience and necessity for the proposed use outweigh the distance restrictions of subsection (B)(2)(b) of this section, upon additional findings that (A) The immediate neighborhood requires and needs such services; and (B) Not greater than five percent of the sales floor area or 1,000 square feet, whichever is less, shall be used for the display or sale of alcoholic beverages;**

Facts: On November 17th, 2020, City Council passed and approved the PCN endorsement. City Council passed the PCN endorsement due to there only being two existing business that sell alcoholic beverages for off-site consumption that lie within 700 feet of the immediate neighborhood. There are currently two existing businesses that sell alcoholic beverages for off-site consumption that lie within 700 feet, measured as a pedestrian travel, of the existing 7-Eleven convenience store. The sale of full liquor line would be a reasonable component of 7-Eleven business. Further, Staff believes many of 7-Eleven's customers would reside in the immediate neighborhood and essentially need the availability of full liquor at the store to save time (relative to avoiding having to patronize other businesses) and considering that the total sales area of the 7-Eleven would be 1,887 square feet, the 28-square foot area in which the alcohol would be displayed would be considerably below the maximum permitted display or sales area for alcohol-related products. **Therefore, this criterion has been met.**

- 3. That the request use at the proposed location will not adversely affect the economic welfare of the nearby community; and**

Fact: The existing convenience store has been operating since early 2021 and the City has not received any complaints from residing business or community regarding the establishment affecting the surrounding areas economically. The existing convenience store does not affect the surrounding business as each business in the area provides different services allowing for variety of services and goods in the City of Covina. **Therefore, this criterion has been met.**

- 4. That the exterior appearances of the structure of the proposed use will not be inconsistent with the exterior appearances of commercial structure already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration, or substantially diminish or impair the property values within the neighborhood:**

Fact: On October 17th, 2020 Planning Commission has approved the proposal of a new convenience store (7-Eleven) to be located at this site along with exterior modifications to the existing building. The exterior changes added a contemporary appearance that have provided a much-needed enhancement to the site. **Therefore, this criterion has been met.**

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

- 1. That 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: As described in detail within the 'Business Operation' and illustrated on the attached documents dated March 9th, 2026 (Attachment C), the proposed project complies with all required development standards (i.e. size, shape, setbacks, walls, fences, parking, loading, landscaping) as it is an existing convenience store establishment with off-site alcohol sales. The subject site is located within the MUOD (Mixed-Use Overlay District) and C-2 (Neighborhood Shopping Center) zone with a blend of commercial uses such as a automobile service station and commercial centers. The project site is consistent with the Covina Municipal Code, Design Guidelines and General Plan. The project site is approximately 19,461 square feet

(0.45 acres) in land area and developed with a 4,500 square foot existing building, holding two tenant spaces. A convenience store (7-Eleven), and a vacant tenant space. **Therefore, 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 subject site is an established development, with two access points from Hollenbeck Ave and Arrow Hwy. The overall site provides adequate ingress and egress to the subject site with multiple options for path of travel to the establishment, facilitating adequate vehicle maneuvering on site and minimize traffic. The site is located within an established area characterized by mostly commercial. **Therefore, this criterion has been met.**

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

Facts: The existing use is located within an established area characterized by mostly commercial uses that conform well to surrounding neighborhood infrastructure and support services. **Therefore, this criterion has been met.**

4. **That the conditions stated in the decision are deemed necessary to protect the public health, safety and general welfare. Such conditions include the following:**

Facts: The operation of the convenience store with off-sale full line are conditionally permitted within the MUOD (Mixed-Use Overlay District) zone and C-2 (Neighborhood Shopping Center) 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). Conditions of approval have been formulated to ensure that the establishment use 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. **Therefore, this criterion has been met.**

SECTION 3. The Planning Commission, based on its own independent judgement, has determined that this Project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), City staff has analyzed the proposed project and determined that the activity in question will not have the potential of causing a significant effect on the environment. It has been determined that the proposed project would be exempt in accordance with Sections 15301 "Existing Facilities" of the CEQA Guidelines. The project involves upgrading the business' alcohol license from Type 20 (off-sale beer and wine) to Type 21 (off-sale full line) no alterations or improvements are proposed

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) 26-002 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 "D."
- 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 28th day of April, 2026.

BRYAN RODRIGUEZ, CHAIR
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 28th day of April, 2026, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

COVINA PLANNING COMMISSION SECRETARY

EXHIBIT D
CONDITIONAL USE PERMIT (CUP) 26-002
APN: 8408-020-015
CONDITIONS OF APPROVAL

The **Conditional Use Permit (CUP) 26-002**, a request to modify the existing (CUP) 00-015 to upgrade from a Type 20 ABC license (off-sale, beer and wine) to a Type 21 ABC License (off-sale, full-line) to an existing convenience store within the MUOD (Mixed-Use Overlay District) and C-2 (Neighborhood Shopping Center) zone, located at 1481 N Hollenbeck Ave, Covina, CA, 91722 APN: 8408-020-015.

ALL OF THE FOLLOWING CONDITIONS APPLY TO THE PROJECT

A. TIME LIMITS:

1. **Conditional Use Permit (CUP) 26-002:** 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 expiration of the approved CUP and SPR applications.

B. GENERAL REQUIREMENTS:

1. This approval is to modify their existing CUP to upgrade from a Type 20 ABC license (off-sale, beer and wine) to a Type 21 ABC License (off-sale, full line) to an existing convenience store within the MUOD (Mixed-Use Overlay District) and C-2 (Neighborhood Shopping Center) zone, located at 1481 N Hollenbeck Ave, Covina, CA, 91722 APN: 8408-020-015. 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.
2. The use and 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.
3. Failure to comply with any conditions of approval noted herein shall be deemed just cause for revocation of the general alcohol sales use approval by the Planning Commission.
4. The establishment shall maintain a valid California Alcohol and Beverage Control (ABC) license for off-sale full line (Type 21) license at all times. Any action taken by 'the ABC that would render the establishment unable to serve alcohol shall cause to be null and void any entitlements approved herein.
5. 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 within 10 days from the date of this approval.

6. The CUP application shall permit the sale of alcohol full line) for off-site consumption, as an ancillary use to the main convenience store use. The property shall be operated/used in accordance with all application-related information; all representatives 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 and the Covina Design Guidelines.
7. 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.
8. 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.
9. 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 by this application or any provision of the Covina Municipal Code must be paid by the applicant.
10. 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.

11. Any proposed changes in the permitted use and/or (where City approval is warranted) property improvements shall first be reviewed and approved by the Planning Division and, if necessary, other City departments and the Los Angeles County Fire Department.
12. All graffiti shall be removed within 72 hours.
13. The City has the right of entry to inspect the premises to verify compliance with the conditions of approval and the Covina Municipal Code at any time.
14. 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,

C. COVINA POLICE DEPARTMENT

1. Signage stating vehicle code is enforceable must be posted at all entrances so that guests/visitors are aware of what will be enforced on the property. The condition of approval shall be accomplished on or before opening.
2. 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 (ABC) Board, and including if required, the ratio of alcoholic beverage sales to food sales.
3. 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.
4. 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.
5. 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.
6. The owners, operators, or managers shall, subject to the 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.

7. The owners, operators, or managers shall develop a plan, subject to the approval of the Police Department, to ensure that all exterior locations are adequately and safely illuminated during hours of darkness.
8. The owners, operators, or managers must comply with all City codes and ordinances relating to police response and abatement nuisance conditions.

END OF CONDITIONS
