

# **ATTACHMENT E**

**October 7, 2020 Staff Report & Resolution  
2020-029 PC W/ Conditions of Approval**



# CITY OF COVINA

## PLANNING COMMISSION AGENDA REPORT ITEM NUMBER PH 1 OCTOBER 27, 2020

**TO:** Chairman and Members of the Planning Commission

**FROM:** Brian K. Lee, AICP, Director of Community Development

**SUBJECT:** **Application for Conditional Use Permit (CUP) 20-015**, a request to convert an existing 4,500 square foot retail building into a convenience store and two retail tenant spaces. The applicant is requesting a Type 20 (Off-sale Beer and Wine) alcohol license for the proposed convenience store. In conjunction with the CUP, this is a request to issue a public convenience and necessity for the Type 20 alcohol license at 562 W. Arrow Highway, APN: 8408-020-015.

### SITE AND PROJECT DESCRIPTION

#### A. Project Information:

Request: Off-sale beer and wine (Type 20)  
 Applicant: Michael Pauls  
 Property Owner: Hollenbeck at Arrow Hwy, LLC  
 Location: 562 W. Arrow Hwy  
 Assessor Parcel  
 Map No: 8408-020-015

#### B. Site and Surrounding Land Uses-Table 1:

	General Plan	Zoning	Existing Uses
Site	General Commercial	C-2, Neighborhood Shopping Center	Vacant retail building
North	City of Azusa	City of Azusa	Fast-food restaurant and commercial properties
South	General Commercial	C-2, Neighborhood Shopping Center and C-P Administrative or Professional Offices	Commercial center and medical office
East	General Commercial	C-2, Neighborhood Shopping Center and C-3A, Regional or Community Shopping Center	Harbor Freight Tools and commercial center
West	General Commercial and Low Density Residential	C-2, Neighborhood Shopping Center and R-1-7,500, Single Family Residential	Commercial center and single-family homes

**C. Site Characteristics:**

The project site is small commercial lot at the southwest corner of West Arrow Highway and Hollenbeck Avenue. The lot is a total of 19,455 square feet and is developed with a 4,500-square foot commercial building and 24 off-street parking spaces. The site is surrounded by commercial uses on all sides with single-family houses to the far west and far south.

**ANALYSIS**

- A. **Background:** The applicant, Michael Pauls, proposes to sell beer and wine for off-site consumption for a proposed 7-Eleven convenience store. This commercial building was previously a retail store (Payless Shoe Store) and has been vacant for a couple of years. The conditional use permit is required for the sale of alcohol. A site plan review is also being requested in conjunction with the CUP to subdivide the existing building into three tenant spaces. The main tenant will be 7-Eleven, with 2,700 square feet, and the other two tenants will have 1,800 square feet together. An interior tenant improvement is proposed to accommodate for the 7-Eleven and the interior subdivision. The applicant submitted a request for a Site Plan Review and Conditional Use Permit for a Type 20, Off-Sale Beer and Wine on September 2, 2020.
- B. **Applicable Regulations:** Establishments proposing to sell beer and wine are allowed in the “C-2 Neighborhood Shopping Center,” subject to the Conditional Use Permit process and, in particular, the requirements under Section 17.62.026 of the Covina Municipal Code (CMC). In addition to applying for this CUP, the applicant has submitted a request with the State Department of Alcoholic Beverage Control (ABC) for a required “Type 20/Off-sale Beer and Wine” license. Due to an ABC-defined over-concentration of businesses in the immediate area selling any type of alcohol, ABC further requires the City to make a specific, State-defined determination that “public convenience or necessity” would be served by the alcoholic beverage sales in the establishment.
- C. **Site Plan Review (SPR):** The applicant filed a request for SPR 20-032 in conjunction with CUP 20-015. The SPR proposes modifications to subdivide the interior of the existing commercial building and accommodate the proposed convenience store. No additional square footage is proposed. The applicant proposed to remodel the exterior of the building to reflect the 7-Eleven branding. The proposed exterior changes will have a contemporary appearance and will provide a much needed enhancement to the site. The existing landscaping of the site is tired looking and void of ground cover and trees. Through the SPR staff will place conditions of approval to require enhancing the landscaping along the two street frontages. Upon approval of the CUP from the Planning Commission and issuance of the public convenience and necessity from the City Council, Staff will issue an approval letter with conditions of approval for the SPR.
- D. **Compatibility of Land Use:** The existing retail building is located on the Southwest corner of West Arrow Highway and Hollenbeck Avenue, surrounded by many other commercial properties, such as restaurants other retail and service businesses as well as single-family homes.

E. **Parking:** The total parking required for the restaurant is 23 parking stalls (at retail parking ratio, 1 space per 200 square feet of gross floor area). There are 24 off-street parking spaces provided on site.

F. **Facts of Findings for Conditional Use Permit:** In order to approve the Conditional Use Permit, the Planning Commission must make the following findings:

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

**Facts:** The beer and wine sales and the display area would constitute only 1.5% of the total sales floor area of the store, would not appear to be located in a potentially problematic area, and would not appear to be displayed in any type of questionable manner. In sum, the building and the overall site would be adequate in size and shape to accommodate the selling of beer and wine for off-site consumption.

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

**Facts:** The site is directly served by West Arrow Highway and Hollenbeck Avenue. Staff believes that the overall surrounding roadway system has sufficient capacity to accommodate any additional traffic impacts (which would likely be very minor or negligible) associated with “off-site” beer and wine sales at the grocery store.

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

**Facts:** The subject convenience store in which beer and wine sales would be allowed under this approval is sufficiently buffered from the closest residential properties (single-family homes) by the other commercial properties surrounding the site. In addition, the conditions of approval will provide the City and the Police Department, with adequate safeguards for preventing any potential negative impacts.

4. **That the conditions stated in the decision are deemed necessary to protect the public health, safety, and general welfare of the community. Such conditions may 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 proposed beer and wine sales or display area under this application would function as a relatively minor component of 7-Eleven’s overall business—or would occupy only 28 square feet out of a total store sales area of almost 1,887 square feet. In addition, no

public health- or safety-related impacts were identified during project review. The Development Review Committee, comprised of Building and Safety, Environmental Services, Los Angeles County Fire, Covina Police Department, Planning and Engineering, were 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 that would be consistent with the Covina Municipal Code and would not negatively affect the public health, safety and general welfare of the community.

**G. 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.3 of the Covina Municipal Code (CMC). The staff recommends that the Planning Commission make the following findings for the application:

1. 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: There are currently two existing businesses that sell alcoholic beverages for off-site consumption and that lie within 700 feet, measured as a pedestrian travel, of the proposed 7-Eleven convenience store. The sale of beer and wine 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 beer and wine 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 beer and wine would be displayed would be considerably below the maximum permitted display or sales area for alcohol-related products.

2. That the exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures 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.

Findings of Fact: Exterior design is an important consideration. The applicant proposed to modernize the exterior of the building reflecting the 7-Eleven branding. The interior and exterior improvements, and site upgrades together with the conditions of approval will enhance the site appearance and contribute to the character of the neighborhood.

3. The immediate neighborhood requires and needs such services.

Findings of Fact: There are two existing businesses that sell alcoholic beverages for off-site consumption that lie within 700 feet of the immediate neighborhood. The addition of the proposed off-sale Type 20 license within a convenience store with 28 square foot display area

will not create undue overconcentration. The determination of public convenience for the business will provide needed services to the immediate neighborhood. Furthermore, the repurposing of the existing vacant building will contribute to the City's economic development

### **PUBLIC HEARING NOTICE AND NOTIFICATION**

The applicant was given a copy of the staff report and all property owners within a radius of at least 300 feet from the overall project site were mailed notices of the Planning Commission public hearing on October 15, 2020 a minimum of ten (10) days before the hearing as required by law. In addition, the public hearing notice was published in the San Gabriel Examiner newspaper on October 15, 2020.

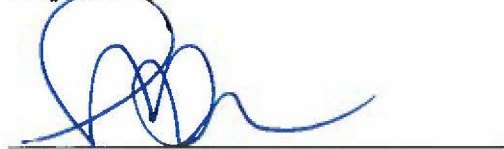
### **ENVIRONMENTAL DETERMINATION**

Community Development Department staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines. The project qualified as a Class 1 exemption under State CEQA Guidelines Section 15301(a), which covers the permitting and minor alterations of existing structures that involve negligible or no expansion of use beyond that existing at the time of the lead agency's original determination. The project would consist of beer and wine sales at a proposed convenience store in a tenant space of 2,700 square feet. Staff finds that there is no substantial evidence that the project will have a significant effect on the environment.

### **RECOMMENDATION**


Staff recommends that the Planning Commission approve Conditional Use Permit (CUP) 20-015 through the adoption of **Resolution No. 2020-029 PC** with conditions.

Prepared by:



Megan Wu  
Assistant Planner

Approved by:



Brian K. Lee, AICP  
Director of Community Development

### **EXHIBITS**

1. Area Map
2. Application
3. 300-foot Radius Map and Notification
4. Project Plans (reductions)
5. Resolution 2020-029 PC with Conditions of Approval
6. Draft Site Plan Review Planning Clearance Approval with Conditions

**RESOLUTION NO. 2020-029 PC**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, CUP 20-015, FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION AND RECOMMENDING TO THE CITY COUNCIL THAT PUBLIC CONVENIENCE AND/OR NECESSITY IS SERVED BY ISSUANCE OF SAID CONDITIONAL USE PERMIT AT 562 WEST ARROW HWY (PROPOSED 7-ELEVEN CONVENIENCE STORE).**

WHEREAS, on September 2, 2020, the City received an initial request from Michael Pauls, Applicant, seeking a conditional use permit, CUP 20-015 (CUP), in order to sell beer and wine for off-site consumption (off-sale liquor) at a proposed 7-Eleven convenience store located at 562 W. Arrow Highway, 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 20 "Off-Sale Beer and Wine" license to sell beer and wine 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 travels, 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 travels, 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 27, 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, to make the City PCN findings.

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

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

SECTION 2. Findings. The Covina Planning Commission finds and determines, based

upon the information made available at the October 27, 2020 public hearing, the staff report, and related documents submitted to the Planning Commission prior to and at the public hearing, the oral presentation of City staff, public testimony, and all other written and oral evidence presented to the Planning Commission at or prior to the public hearing, that:

A. Standard CUP Findings (CMC 17.62.120):

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

Fact: The beer and wine sales and the display area would constitute only 1.5% of the total sales floor area of the store, would not appear to be located in a potentially problematic area, and would not appear to be displayed in any type of questionable manner. In sum, the building and the overall site would be adequate in size and shape to accommodate the selling of beer and wine for off-site consumption.

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

Fact: The site is directly served by West Arrow Highway and Hollenbeck Avenue. Staff believes that the overall surrounding roadway system has sufficient capacity to accommodate any additional traffic impacts (which would likely be very minor or negligible) associated with “off-site” beer and wine sales at the grocery store.

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

Fact: The subject convenience store in which beer and wine sales would be allowed under this approval is sufficiently buffered from the closest residential properties (single-family homes) by the other commercial properties surrounding the site. In addition, the conditions of approval will provide the City and the Police Department, with adequate safeguards for preventing any potential negative impacts.

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

Fact: The proposed beer and wine sales or display area under this application would function as a relatively minor component of 7-Eleven’s overall business—or would occupy only 28 square feet out of a total store sales area of almost 1,887 square feet. In addition, no public health- or safety-related impacts were identified during project review. The Development Review Committee, comprised of Building and Safety, Environmental Services, Los Angeles County Fire, Covina Police Department, Planning and Engineering, were 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 that would be consistent with the Covina Municipal Code and would not negatively affect the public health, safety and general welfare of the community.

B. Findings of City Public Convenience and Necessity under Section 17.62.026.B.3 of the Covina Municipal Code (CMC):

1. 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;

Fact: There are currently two existing businesses that sell alcoholic beverages for off-site consumption and that lie within 700 feet, measured as a pedestrian travel, of the proposed 7-Eleven convenience store. The sale of beer and wine 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 beer and wine 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 beer and wine would be displayed would be considerably below the maximum permitted display or sales area for alcohol-related products.

2. That the exterior appearance of the structure of the proposed use will not be inconsistent with the exterior appearance of commercial structures 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: Exterior design is an important consideration. The applicant proposed to modernize the exterior of the building reflecting the 7-Eleven branding. The interior and exterior improvements, and site upgrades together with the conditions of approval will enhance the site appearance and contribute to the character of the neighborhood.

3. The immediate neighborhood requires and needs such services.

Fact: There are two existing businesses that sell alcoholic beverages for off-site consumption that lie within 700 feet of the immediate neighborhood. The addition of the proposed off-sale Type 20 license within a convenience store with 28 square foot display area will not create undue overconcentration. The determination of public convenience for the business will provide needed services to the immediate neighborhood. Furthermore, the repurposing of the existing vacant building will contribute to the City's economic development

**SECTION 3. Action.** In consideration of the findings stated above, the Covina Planning Commission hereby takes the following actions:

- A. The CUP is hereby approved, subject to the conditions of approval set forth in the written record before the Commission and attached hereto as Exhibit "A."
- B. The ABC License PCN endorsement is hereby recommended approval to the City Council to express the City of Covina's consent to ABC issuing a Type 20 License to the Applicant for the sale of beer and wine for off-site consumption.
- C. 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 4. CEQA. The City has determined that this Resolution is categorically exempt pursuant to State CEQA Guidelines Section 15301(a) (Existing Facilities) under the "Class 1" exemption, in that, this Resolution involves a CUP and a PCN determination for an existing facility with little or no expansion. The Planning Commission hereby authorizes and directs staff to file a Notice of Exemption with the Clerk of the County of Los Angeles, California, within five (5) working days following the date of adoption of this Resolution.

SECTION 5. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the members of the Planning Commission of the City of Covina at a regular meeting thereof held on the 27<sup>th</sup> day of October, 2020.



CHAIRMAN CHARLES HODAPP  
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 27<sup>th</sup> day of October, 2020, by the following vote of the Planning Commission:

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



COVINA PLANNING COMMISSION SECRETARY

**EXHIBIT A**  
**CONDITIONAL USE PERMIT (CUP) 20-015**  
**CONDITIONS OF APPROVAL**  
**AS APPROVED BY THE PLANNING COMMISSION**  
**ON OCTOBER 27, 2020**

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The Conditional Use Permit shall permit the sale of beer and wine for off-site consumption in conjunction with a proposed convenience store (7-Eleven) upon property located at 562 W. Arrow Highway – APN: 8408-020-015

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

**A. TIME LIMITS:**

1. **Conditional Use Permit (CUP) 20-015:** Approval of this application shall expire two years from the date of approval if building permits are not issued or the approved use has not commenced. The applicant may apply to extend the expiration date for a maximum period of two years upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration date. The request must be approved by the Planning Commission prior to expiration of the approved applications. The Commission may grant one extension of time, not to exceed one year from the time limit specified without public hearing.

**B. GENERAL REQUIREMENTS:**

1. 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.
2. The establishment shall maintain a valid California Alcohol and Beverage Control (ABC) license for off-site sale and consumption of beer and wine (Type 20) 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.
3. The project site is within an area of high concentration, as determined by Alcoholic Beverage Control (ABC) and a resolution for Public Convenience and Necessity (PCN) shall be presented to the City Council for their consideration.
4. 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.
5. The CUP application shall permit the sale of beer and wine 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.

6. 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.
7. 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.
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 by this application or any provision of the Covina Municipal Code must be paid by the applicant.
9. Approval of this request shall not waive compliance with all other sections of the Covina Municipal Code, the Covina Design Guidelines, and all other applicable plans and non-City laws and regulations that are in effect at the time of building permit issuance.
10. The site shall be developed and maintained in accordance with 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, and the Covina Design Guidelines. In addition, any future proposed changes or modifications in the design of any site component approved herein shall not proceed without City approval.

11. The project site must be clean and free of trash and construction debris, and all construction equipment must be removed from the site, prior to the issuance of the Certificate of Occupancy.
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. Applicant will coordinate with the Police Department regarding the lease of an ALPR camera.
2. When applicable, the owner or operator shall contract with a security company for security personnel or hire security personnel as employees.
3. 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.
4. Parking lot light fixtures and wall mounted light fixtures shall be of LED. Detailed plans to show compliance shall be submitted to Police Department and Planning Division for review and approval, prior to issuance of permit and prior to installation. The condition of approval shall be accomplished on or before opening.
5. Wayfinding signage shall be provided and submitted to Police Department and Planning Division for review and approval. Wayfinding signage shall have lighting as well. The condition of approval shall be accomplished on or before opening.
6. 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. Police Department to review signage. The condition of approval shall be accomplished on or before opening.
7. The owners, operators, managers and all employees shall adhere to and obey all State laws and City ordinances relating to the service, consumption and possession of alcoholic beverages. Any violations of State laws or City ordinance will be presented to the District Attorney's office for prosecution and will be grounds for revocation or modification of this permit.
8. 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 during business hours and until all activity at the premises has ceased and all patrons have cleared the establishment 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.

9. 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.
10. 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 ten (10) business days thereafter for the Covina Police Department's review in connection with a criminal or other investigation.
11. 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.
12. 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.
13. 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.
14. 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.
15. The owners, operators, or managers must comply with all City codes and ordinances relating to police response and abatement nuisance conditions.
16. 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.

**END OF CONDITIONS**

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