

ORDINANCE NO. 95-1789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA ESTABLISHING AN AMENDMENT TO AN EXISTING PLANNED COMMUNITY DEVELOPMENT ZONE CLASSIFICATION TO CONSTRUCT A 4,000 SQUARE FOOT OFFICE BUILDING AT 576 - 598 SOUTH GRAND AVENUE, COVINA, PCD 95-001.

THE CITY COUNCIL OF THE CITY OF COVINA DOES ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to public hearing and processing in the manner set forth by State law and local ordinance, the property classification set forth in Section 2 is made for the reasons of public interest, convenience and necessity.

SECTION 2. After giving full consideration to all evidence presented at said HEARING, both oral and documentary, and after being fully informed, said City Council does hereby find and decide:

- 1. That the site for the use is adequate in size and shape to accommodate the proposed use.  
Fact: The new building will comply with the C-P commercial zone regulations, including setbacks, parking and City design standards.
- 2. That the site for the proposed use relates to streets and highways adjacent in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.  
Fact: The site will be served by Grand Avenue by means of an easement. Grand Avenue is 100 feet wide and should be able to carry any traffic generated by the proposal.
- 3. That the proposed use is not detrimental to surrounding properties or uses permitted in the general area.  
Fact: The subject building will abut other commercial offices and single family homes. The building's exterior is to match the architectural style of the existing building.
- 4. That the requested PCD overlay zone is compatible with the General Plan.  
Fact: The General Plan currently identifies the site as commercial and the proposal will be consistent.
- 5. That the proposal will not have significant adverse effects or impacts on the environment.  
Fact: The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA). Further, no sensitive or endangered species of plants or animals or other unique environmental resources have been identified on the site.

SECTION 3. The application for a Major Amendment to a Planned Community Development Overlay Zone is hereby granted subject to the following conditions deemed necessary to protect the public health, safety and general welfare of the Community:

1. A residential roof element shall be provided on the south and east sides of the building, subject to staff approval.
2. The new building shall be maintained as a single story structure.
3. The applicant shall provide proof that the access agreement will allow for a landscape area between the wall and roadway proposed on the east side of the subject property.
4. The proposed office building may be used for general office but not for dental and medical uses because the parking is to be provided at 1/300 ratio, which is not sufficient for medical types of uses.
5. The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA). If a Notice of Exemption is filed with the City, then the period during which legal challenges can be filed based upon violations of CEQA is reduced from 180 days to 30 days. To file the Notice of Exemption, please provide the Planning Division with a check in the amount of \$25.00 payable to the Los Angeles County Clerk.
6. The applicant shall take all reasonable efforts including temporary fencing during grading and construction to protect the existing oak tree on the site. The project shall comply with Chapter 17.83 of the Covina Municipal Code.
7. All new roof, wall and ground-mounted utility equipment shall be screened to staff approval. This includes mechanical equipment and utility meters. The method of screening shall be shown in the construction plans.
8. Landscape and irrigation plans identifying all plants with complete irrigation system must be approved prior to issuance of building permits. Please submit these plans along with the appropriate plan check and inspection fee to the Planning Division.
9. This permit shall not be effective until such time as the applicant obtains an inspection and verification permit and the chief planning official certifies on said permit that the premises and use comply with all of the terms and conditions of this grant of approval.
10. This grant shall not be effective for any purposes until the permittee and the owner of the property (if other than the permittee) have filed at the office of the Department of Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
11. Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65907. The City shall promptly notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
12. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

13. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
14. The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition imposed by this Conditional Use Permit or any provision of Covina's Municipal Code shall be paid by the applicant.
15. Provisions of Chapter 24 of the State Code relating to handicapped persons shall apply to this development.
16. The placement of post box receptacles must be coordinated with the Covina Post Office. The Planning Division will review the proposal.
17. All site plans not acted upon within one (1) year after date of letter of final approval, will be considered void. The applicant may request a single one year extension of approval prior to that date.
18. Sign permits must be obtained from the City prior to installation of any signs.
19. Ordinance requirements not herein listed are still applicable.
20. Please submit three (3) sets of revised plans to the Planning Division for review of the corrections needed to comply with this approval.
21. All construction shall conform with City noise ordinances restricting construction prior to 7:00 a.m. and on Sundays and Holidays.
22. All of the conditions of approval listed herein shall be printed upon the face of and included as part of the final plans and specifications that are submitted during the plan checking functions for which a building permit is issued.
23. The site, landscaping and all improvements shall be maintained in a sound, healthy and attractive condition free of weeds, visible deterioration, graffiti or other conditions which violate the Municipal Code.
24. The City shall have the right of entry to inspect the premises to verify compliance with the conditions of approval and the Covina Municipal Code.
25. The following requirements from the Fire Department are applicable:
  - a. The project will be subject to a \$70.00 new construction plan check fee.
  - b. The required fire flow per UFC Table A-III-A-1 is 1,750 GPM for 2 hours.
  - c. Hydrant spacing to conform with UFC Table A-III-B-1.
  - d. Hydrant is to be located in planter between stalls 1 & 27 on plan dated 2/3/95.
  - e. Provide one (1) 6' wide double leaf access gate on the north end of the building and either an approved dry standpipe or a 6' double leaf pedestrian gate on the south of the new building as specified by Fire Department.
26. The following requirements from the Building Department are applicable:
  - a. Five (5) complete sets of Architectural, Structural and Grading plans with calculations are required for plan check submittal. Grading plan and soils report shall be prepared and wet stamped by a Registered Civil Engineer.

- b. Architect or Engineers stamp and original signature required on all pages of plans and calculations.
- c. Submit complete Electrical, Plumbing, Mechanical and Sewer plans at time of plan check submittal.
- d. Submit two (2) sets of Title 24 Energy Calculations at time of plan check submittal.
- e. Building, Electrical, Plumbing, Mechanical, Sewer and Grading permits are required for this project.
- f. Indicate "Path of Travel" on site plan.


SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published according to law.

APPROVED AND PASSED this 5th day of July, 1995.




Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

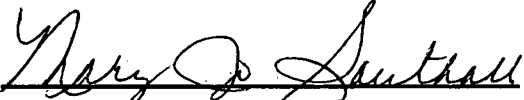
I, MARY JO SOUTHALL, City Clerk, Covina, California, hereby CERTIFY that Ordinance No. 95-1789 was regularly introduced and placed upon its first reading at a regular meeting of the Covina City Council held June 20, 1995, and that thereafter said Ordinance was duly adopted at a regular meeting of the City Council held July 5, 1995, and passed by the following vote:

AYES: Christiansen, Sarver, O'Leary

NOES: None

ABSENT: Falls

ABSTAIN: Wilcox

  
City Clerk