

CITY OF COVINA
PLANNING COMMISSION AGENDA
REGULAR MEETING, TUESDAY, SEPTEMBER 27, 2011
COUNCIL CHAMBER, CITY HALL, 125 EAST COLLEGE STREET
7:30 P.M.

PLEASE NOTE: THOSE WHO WISH TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM ARE REQUESTED TO FILL OUT A SPEAKER'S CARD AND LEAVE IT WITH A MEMBER OF THE STAFF PRIOR TO THE ITEM BEING CALLED. THE PURPOSE OF THIS IS TO ENSURE THAT YOUR NAME AND ADDRESS ARE CORRECTLY IDENTIFIED IN THE MINUTES OF THE PLANNING COMMISSION.

1. Opening Matters

- A. Pledge of Allegiance.
- B. Roll Call of Commissioners: Connors, Hodapp, Manning, McMeekin, and Patterson.
- C. Amendments to the Agenda.
- D. Election of Chairman and Vice Chairman.
- E. Public Comment:

Citizens wishing to address the Commission on any matter **not** on the agenda may do so at this time. Citizens wishing to be heard on any matter on the agenda, please wait until that point on the agenda. **Please keep your comments to five minutes or less and try not to be repetitive.**

Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting.

PUBLIC HEARINGS

2. Public Hearing of application Conditional Use Permit 11-006 to allow the operation of a restaurant with outside sidewalk dining with alcohol and entertainment located upon property at 211 North Citrus Avenue, Covina
JP United LLC, applicant

- Staff Report
- Questions of staff from Commission
- Open the public hearing; receive testimony in favor and in opposition of the application
- Close public hearing
- Comment from Commission
- Roll Call Vote
- Ten day waiting period

CITY OF COVINA
STAFF REPORT

SEPTEMBER 27, 2011

ITEM NUMBER 2

TO: PLANNING COMMISSION

FROM: ROBERT NEIUBER, COMMUNITY DEVELOPMENT DIRECTOR

COORDINATOR: SHELBY WILLIAMS, CITY PLANNER

SUBJECT: APPLICATION CONDITIONAL USE PERMIT 11-006

APPLICANT:

JP United LLC

REQUEST:

A conditional use permit to allow the operation of a restaurant with outside sidewalk dining with alcohol and entertainment from an existing commercial building

LOCATION:

211 North Citrus Avenue

SURROUNDING LAND USES AND ZONING:

	EXISTING LAND USE	ZONING
Site	Proposed Restaurant	TCSP-5 (Retail and Service Core)
North	Up Town Images	TCSP-5(Retail and Service Core)
South	3 Vinos	TCSP-5 (Retail and Service Core)
East	Citrus Avenue/Commercial	TCSP-5 (Retail and Service Core)
West	Public alley and public parking lot	TCSP-5 (Retail and Service Core)

GENERAL PLAN DESIGNATION:

Town Center Commercial

NOTIFICATION OF APPLICANT AND ADJACENT PROPERTY OWNERS:

The applicant has been mailed a copy of the staff report. All property owners within a radius of 300 feet were mailed notices of the public hearing on September 15, 2011.

ENVIRONMENTAL DETERMINATION:

This proposal is categorically exempt pursuant to Class 1, Section 15301 of the California Environmental Quality Act (CEQA) guidelines.

PROJECT DATA:

PROJECT DATA TABLE

DATA ITEM	CORRESPONDING FACT
Site Area:	7,725 square feet
Number of Buildings:	One building, two (2) stories in height
Total Building floor area:	14,450 square feet, year built 1906/1915
Provided Parking :	Five (5) stalls located at the front of the subject building, and several existing public parking lots (with approximately 356 available stalls), plus the Civic Center parking structure (with a minimum of 118 parking spaces) all located within 300 feet of the subject building. The previous mentioned parking lots and parking structure will used in conjunction with the other existing commercial businesses in the downtown.
Required Parking:	A minimum of 134 parking spaces are required to support the proposed restaurant and other existing uses in the applicant's building. The subject building benefits from its location in that there are exceptions provided by the Town Center Specific Plan and Parking District No. 1.
Proposal:	The applicant has submitted plans calling for various interior improvements (totaling 7,004 square feet), including new outdoor dining areas (totaling 792 square

	feet). The interior improvements will include the construction of a new bar with seating for 31 persons, a lounge area, a dance floor, stage, an elevated disc jockey booth, kitchen and restrooms. The applicant also intends to serve alcoholic beverages and food in the new outdoor dining areas.
Applicant's business description:	Please review the applicant's intent letter, which describes the type of establishment, proposed. The proposed restaurant design and theme will be upscale retro, providing food, drinks and entertainment to families and at night mature patrons will enjoy an array of California Cuisine style entrees and a full line of alcoholic beverages, including cocktails, fine wines and beers.
Proposed Menu:	Please see the applicant's menu which includes the following: Appetizers, soups/salads, main course dinners, burgers and cold sandwiches, children menu, non-alcoholic drinks and a full bar.
Proposed Outdoor Seating :	Three (3) separate outdoor dining areas will be provided, consisting of tables and a total of 40 chairs.
Number of Employees:	Approximately 20-50 employees, depending on the time of day and scheduled entertainment.
Hours of Operation:	The projected hours of operations: Monday, 12 noon to 10:00 p.m.; Tuesday 12 noon to 12:00 a.m. (Dining/Entertainment after 9:00 p.m.) Thursday through Saturday from 11:00 a.m. until 2:00 a.m. (Dining /Entertainment after 9:00 p.m. and Sunday from 11:00 a.m. until 11:00 p.m.

BACKGROUND:

The applicant will be the owner and operator of the proposed restaurant. The company named JP United LLC is requesting a conditional use permit to allow the operation of a new restaurant with outdoor dining including the serving of alcoholic beverages and entertainment. The new restaurant and bar will occupy the first floor of an existing commercial building located 211 North Citrus Avenue. The applicant recently submitted a site plan review application (SPR 11-018) to construct several new outdoor dining areas, and a new bar and restaurant area inside of the existing commercial building. For clarification on certain key aspects of the prospective

operation, the Commission may refer to the above project data section and to the applicant's accompanying drawings.

STAFF ANALYSIS:

Staff analysis is divided into two sections that relate to the zoning applications required for the applicant's project; they are listed as follows:

Conditional Use Permit 11-006:

The applicant is required to file and obtain approval for Conditional Use Permit 11-006 to construct and maintain the proposed outdoor dining areas in conjunction with the new restaurant/bar. According to Covina's Town Center Specific Plan, an approved conditional use permit must be obtained to allow outdoor eating or sales, which include the sale or consumption of alcohol, that occur within a public right-of-way... The City Council adopted the Covina Town Center Specific Plan on November 16, 2004 and Resolution No. 09-6766 Amending certain sections of the Town Center Specific Plan in June 2009 during their regular meeting. As the Commission may recall, the overall goal of the Specific Plan is to facilitate revitalization of the Covina downtown by increasing the number and variety of retail and other commercial establishments in the downtown area.

Site Plan Review 11-018:

The applicant recently submitted a site plan review application (SPR11-018) calling for tenant improvements including a new restaurant/bar, new trash enclosure, new grease interceptor and sidewalk dining with alcohol. The improvements will occur on the first floor of the existing two-story commercial building. These improvements will take a current shell space and create a new vibrant restaurant/bar.

Per Section 17.64.020(B) of the Covina Municipal Code, site plan review and approval shall be required in all zoned districts prior to construction, remodeling or expansion of any building, dwelling, parking or storage lot, or developing any areas of the City except for minor work which shall comply with the provisions of Section 17.64.065 of this Code, and which is deemed to be the following:

- B. Minor renovations, alterations and remodeling of commercial buildings costing in excess of \$20,000 dollars except for Covina Redevelopment agency approved Façade Improvements under the Storefront Improvement Rebate Agreement;

The Commission may recall the prior owner submitted to the City application Site Plan Review 08-036 which was a request at the time for the exterior remodel of two (2) existing commercial buildings located at 211-219 North Citrus Avenue. The Planning Commission and Historic Preservation Board approved the applicant's façade improvements. Later, in November 2008 the City Council granted approval and awarded monies under the Façade Rebate Program Funds which were used by the building(s) owner to make façade improvements that to date have been completed in compliance with the program. Furthermore, the applicant's building(s) have been

identified as potential contributors to Covina's potential Downtown Historic District (Covina Town Center Historic Resource Survey, 9-4-2007).

If the Planning Commission is able to make all the required conditional use permit findings, then the applicant's request may be approved.

FINDINGS:

Based upon an analysis of the proposed conditional use permit request, staff recommends that the Planning Commission make the following findings for the application:

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

Fact: The subject property totals 7,725 square feet in land area and is presently developed with a 14, 450 square foot commercial building dating back to 1906/1915. Staff believes based upon the plans submitted by the applicant that the proposed restaurant/bar can be adequately supported on the site. Staff has also provided conditions later in this report that will further encourage compliance with City Codes.

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

Fact: Presently two (2) streets, Citrus Avenue and College Street, provide access to the applicants' business. Both streets should be sufficient to handle traffic generated by the proposal. Existing 2010 Intersection LOS Results for the intersection of Citrus Avenue and College Street indicated the AM Peak Hour, Midday Peak Hour and PM Peak Hour, Level of Service as "A" (Excellent. No vehicle wait is longer than one red light, and no approach phase is fully used).

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

Fact: Staff believes the applicant's new restaurant /bar will be compatible with the surrounding businesses. Additionally, since the mailing of the public notice on September 15, 2011 our office has shown the applicant's plan to a few persons, wanting to see the restaurant's layout and parking. Please see the attached "Downtown Covina Parking Study" –Executive Summary prepared by ADVANTEC Consulting Engineers. The study concluded that a comparison of existing parking occupancy to existing parking supply shows that the study area and each of the subarea has significant excess parking supply.

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

Fact: Based upon the applicant's plans and letter of intent, staff does not expect there to be any public health or other conditions which may negatively impact the community. Later in this report, conditions have been provided from the Covina Police Department, to ensure proper safe guards are in place for the proposed restaurant/bar.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission opening the public hearing for Conditional Use Permit 11-006 take public comment(s) and continue the matter to your next regular meeting to be held on October 11, 2011. The Covina Police Department, at this time is in the process of preparing conditions for this request.

Attachments:

- Site Map
- Project Plans
- Applicant's business description and menu
- *Comments from the other City agencies*

GENERAL MATTERS

NONE

ADMINISTRATIVE ITEMS

3. INFORMATION
4. COMMISSION COMMENTS
5. ADJOURNMENT

Additional information on any agenda item can be obtained by contacting the Planning Division at 125 East College Street, Covina, or by telephoning (626) 384-5450.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Planning Division office at (626) 384-5450 or the California Relay Service. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.