



**SEE ATTACHED SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION AND
ACCESSIBILITY FOR THIS PLANNING COMMISSION MEETING**

- I. **CALL TO ORDER: A REGULAR PLANNING COMMISSION MEETING - 6:30 P.M.**
- II. **ROLL CALL:** Commissioners Spathopoulos, Ortiz, Montoya, Vice Chair Owens and Chair Duarte
- III. **PLANNING COMMISSIONER ANNOUNCEMENTS; REQUEST FOR FUTURE AGENDA ITEMS; AND CONFERENCE/MEETING REPORTS:**
- IV. **PRESENTATIONS:**
- V. **REPORT ON CITY COUNCIL ACTION:**
- VI. **PUBLIC HEARINGS:**

**RECOMMENDED
ACTION**

1. (PLN-20-00101) Site Plan Review

Approval

Location: 10224 La Reina Avenue

Request: A request to construct a 3-unit multi-family development on property zoned R-3 (Multi-Family Residential)

CEQA: Categorical Exemption – Section 15303 (Class 3 – New construction or conversion of small structures)

Staff: Madalyn Welch, Assistant Planner

Contact mwelch@downeyca.org
562-904-7154

VII. **NON-AGENDA PUBLIC COMMENTS:** This portion of the agenda provides an opportunity for the public to address the Planning Commission on items within the jurisdiction of the Planning Commission and not listed on the agenda. It is requested, but not required, that you state your name, address and subject matter upon which you wish to speak. Please limit your comments to no more than three (3) minutes. Pursuant to the Brown Act, no discussion or action, other than a brief response, referral to the City Planning staff or schedule for a subsequent agenda, shall be taken by the Planning Commission on any issue brought forth under this section.

VIII. **CONSENT CALENDAR ITEMS:** Items in this section will be voted on in one motion unless a Commissioner or citizen requests separate actions. Anyone wishing to discuss a Consent Calendar item should be recognized by the chairman, state name, address and agenda item number. Further, any Consent Calendar items removed from the agenda will be considered by the commission following the public hearing items.

2. October 21, 2020 Minutes



- IX. **OTHER BUSINESS:**
- X. **STAFF MEMBER COMMENTS:**
- XI. **ADJOURNMENT:** To Wednesday, March 17, 2021 at 6:30 pm, at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. 90241.

NOTICE: SECTION 9806 – APPEALS

Any person aggrieved or affected by any final determinations of the Commission concerning an application for action of an administrative nature, including a variance or a permit, or any condition or requirement thereon, or upon the failure of the Commission to make its findings and determinations within thirty (30) days after the closure of the hearing thereon, no later than fifteen (15) calendar days, (Exception: subdivisions. no later than ten (10) calendar days) after the date of the decision or of the Commission's failure to make a determination, may file with the City Planner a written notice of appeal there from to the Council. Such appeal shall set forth specifically wherein it is claimed the Commission's findings were in error, and wherein the decision of the Commission is not supported by the evidence in the matter, and wherein the public necessity, convenience, and welfare require the Commission's decision to be reversed or modified

Supporting documents are available at: www.downeyca.org; City Hall-Planning Division, 11111 Brookshire Avenue, Monday – Friday, 7:30 a.m. – 5:30 p.m. Video streaming of the meeting is available on the City's website. In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in this meeting, complete the City's Title II ADA Reasonable Accommodation Form located on the City's website and at City Hall - Planning Division, 11111 Brookshire Avenue, Monday – Friday, 7:30 a.m. – 5:30 p.m., and submit to the Planning Division or contact the Planning Division office at (562) 904-7154 or the California Relay Service at 7-1-1. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting

The City of Downey prohibits discrimination on the basis of disability in any of its program and services. For questions, concerns, complaints, or for additional information regarding the ADA, contact the City's ADA/Section 504 Coordinator at ADACoordinator@downeyca.org; Phone: (562) 299-6619; or TTY at 7-1-1.

In compliance with Title VI of the Civil Rights Act, the City of Downey prohibits discrimination of any person in any of its program and services. If written language translation of City agendas or minutes, or for oral language interpretation at a City meeting is needed, contact (562) 299-6619, 48 business hours prior to the meeting.

En cumplimiento con el Título VI de la Ley de Derechos Civiles, la Ciudad de Downey prohíbe la discriminación de cualquier persona en todos sus programas y servicios. En caso de necesitar una traducción escrita de los órdenes del día o las actas de las reuniones de la ciudad, o para solicitar un intérprete oral para una reunion de la ciudad, comuníquese con el (562) 299-6619 en el horario de atención comercial, 48 horas hábiles antes de la reunión.

Supporting data for items included in this agenda is available for public review and inspection in the office of the Planning Division during regular workday hours between 8:00 a.m. and 5:00 p.m., and in the City Library during regular hours and on the City's website at <http://www.downeyca.org>.



I Mary Cavanagh, Secretary to the Planning Commission, City of Downey, do hereby certify, under penalty of perjury under the laws of the State of California that the foregoing notice was posted pursuant to Government Code Section 54950 Et. Seq. and City of Downey Ordinance at the following locations: Downey City Hall, Downey City Library, and Barbara J. Riley Senior Center.

Dated this 25th day of February, 2021

Mary Cavanagh

Mary Cavanagh
Secretary, Planning Commission



SPECIAL NOTICE

Public Participation and Accessibility for March 3, 2021 Downey Special and Regular Planning Commission Meetings

Pursuant to Paragraph 3 of Executive Order N-29-20 executed by the Governor of California on March 17, 2020, the County of Los Angeles Department of Public Health Officer Order Revised December 6, 2020 – Temporary Targeted Safer at Home Health Officer Order for Control of COVID-19: Tier 1 Substantial Surge Response, and the State of California Regional Stay at Home Order Triggered by ICU Capacity, the Special and Regular Planning Commission Meetings scheduled for Wednesday, March 3, 2021 at 6:30 p.m. will allow members of the public to participate and address the Planning Commission during the public comment portion of the meetings via teleconference.

Below are the ways to participate in the Regular Meeting at 6:30 p.m.

1. View the Planning Commission meeting live stream at:

YouTube Channel: <https://www.youtube.com/channel/UCHJOzNYcnaDRUSax0sC0L9Q/live>

2. Planning Commission meeting Conference phone (audio only):

Call Toll-Free: (888) 788-0099 or (877) 853-5247

Enter Meeting ID: **958 1564 2909**

Enter Password: **833383** and press the # (pound) key

Members of the public wishing to address the Planning Commission, during public comments or for a specific agenda item, or both, may do so by the following methods:

3. E-mail: pcpubliccomment@downeyca.org

In order to effectively accommodate public participation, participants are asked to provide their public comments via e-mail by 4:00 p.m. on the day of the meeting.

Participants addressing the Planning Commission by email are encouraged to provide the following information:

- a) Full Name;
- b) City of Residence;
- c) Public Comment or Agenda Item No;
- d) Subject;
- e) Written Comments.

4. Teleconference phone number: (562) 299-6622

Calls will be placed on hold in queue and participants will provide their public comments via speaker phone. Persons speaking are limited to a maximum of three (3) minutes. Please be mindful that the teleconference call will be recorded as any other person is recorded when appearing before the Planning Commission, and all other rules of procedure and decorum will apply when addressing the Planning Commission by teleconference.

Participants addressing the Planning Commission by teleconference are encouraged to provide the following information:

- a) Full Name;
- b) City of Residence;
- c) Public Comment or Agenda Item No;
- d) Comments.

For any questions contact the Planning Division's Office at (562) 904-7154.



DATE: MARCH 3, 2021
TO: PLANNING COMMISSION
SUBMITTED BY: ALDO E. SCHINDLER, DIRECTOR OF COMMUNITY DEVELOPMENT

REVIEWED BY: CRYSTAL LANDAVAZO, CITY PLANNER *cf*

PREPARED BY: MADALYN WELCH, ASSISTANT PLANNER *mw*

SUBJECT: **PLN-20-00101 (SITE PLAN REVIEW) – A REQUEST TO CONSTRUCT A 3-UNIT MULTI-FAMILY DEVELOPMENT ON PROPERTY ZONED R-3 (MULTIPLE-FAMILY RESIDENTIAL) LOCATED AT 10224 LA REINA AVENUE**

LOCATION: 10224 LA REINA AVENUE

ZONING: R-3 (MULTIPLE-FAMILY RESIDENTIAL)

REPORT SUMMARY

This is a request for a Site Plan Review (SPR) to construct a three unit multifamily development. The applicant proposes to construct two-story residences, with the front building comprising of two attached residential units, each with a 2-car garage and the rear building consisting of one residential unit with a 2-car garage. The units vary in size with the smallest dwelling at 1,191 square feet and the largest at 1,457 square feet. The development is intended for rental use by a single owner so there is no parcel map associated with this request.

Based on the analysis contained in this report, staff is recommending the Planning Commission adopt the following titled resolutions:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A SITE PLAN REVIEW (PLN-20-00101), THEREBY ALLOWING THE CONSTRUCTION OF A MULTI-FAMILY DEVELOPMENT CONSISTING OF THREE RESIDENTIAL UNITS AND THREE TWO-CAR GARAGES LOCATED AT 10224 LA REINA AVENUE

BACKGROUND

The subject site is currently developed with a single family dwelling, a detached 2-car garage, accessory storage unit, and swimming pool. All existing development is proposed to be demolished as a part of this project.

The subject site is 7,853 square feet, located within the R-3 zone (Multiple-Family Residential), and has a General Plan land use designation of Medium Density Residential. A majority of the surrounding neighborhood is developed as multi-family residential, however, the subject site

and its' directly adjacent properties are developed as single-family residential to the north, south, east, and west.

On September 18, 2020, the applicant filed a request for a Site Plan Review. Subsequently, the applicant was issued an incomplete letter on October 14, 2020. A complete letter was issued on February 12, 2021. On February 18, 2021, notice of the pending public hearing was published in the *Downey Patriot* and mailed to all property owners within 500 feet of the subject property.



Existing Front Elevation from La Reina Avenue

DISCUSSION

The Site Plan Review process requires evaluations to the proposed site changes, landscaping, architecture, and compliance with the Downey Municipal Code. The proposed development includes demolition of the existing buildings onsite and the construction of two buildings proposed as residential rental units. There will be a total of three dwelling units, each with a two-car garage and private open space area of at least 224 square feet. The proposed development will reflect a Spanish style of architecture and the units will be located within two separate two-story buildings. In addition to the three two-car garages, to serve the residences, the site will accommodate two guest parking spaces as required per the Downey Municipal Code. The driveway on site is designed with concrete and will have pavers within the front setback and then added throughout the driveway every 17 feet to break-up the monotony of the concrete.

The proposed three unit development will comply with all applicable development standards. As a point of reference, some major development standards for this project are as follows:

Standard	Zoning Code Standards	Proposed
Lot Coverage	50%	38.03%
Building Height	35 ft. / 3 stories	25'-10" / 2 stories
Setbacks: Front	15 ft. Min.	15 ft.
Rear (2 story building abutting an R-3)	15 ft. Min.	15 ft.
Side	5 ft. Min.	5 ft.
Parking	8 Spaces (6 covered, 2 guest parking)	8 spaces (6 covered, 2 guest parking)

All elements of the proposed Site Plan Review are in compliance, or are conditioned to comply, with the Downey Municipal Code.

Architecture

The proposed design for all buildings is most closely associated with Spanish style architecture. All buildings on the site are designed nearly identical in terms of material, colors and architectural elements, but some deviation does exist within the interior layouts. Staff worked with the applicant to ensure that massing and scale of the development will be consistent with the neighborhood and maintain a residential neighborhood appearance. This is achieved by orienting the front unit to face La Reina Avenue and include a walkway to the front unit. The other two units are oriented to the interior of the lot. To break up the massing of the structures, a front entry porch was incorporated to the entrances of the units as well as pop-outs on the second stories to add dimension.

The primary wall façade finish will be white smooth stucco. The colors and materials used for this project are commonly found throughout Spanish style architecture. The buildings will incorporate accent features such as clay tube vents to match the roof, wooden shutters, exposed rafter tails between the second and first floor, iron speakeasy window coverings, recessed windows, and wood header accents above and below the windows. Bougainvillea will be added on the façade, framing the garages, to further enhance a Spanish architectural style on the buildings and integrate modulation.

Landscape

The project will include 2,387 square feet of landscape area consisting mostly of drought tolerant landscape. Staff worked with the applicant to ensure that the landscaping would be colorful, full, and accent the design theme of the overall site. Landscaping will incorporate a tiered system consisting of grass, shrubs, and trees. The landscaping will include (5) five pacific madrone trees, flowering bougainvillea vines along some of the facades of the building, purple sage, hummingbird sage, purple trailing lantana, dwarf kangaroo paw, and dwarf bottlebrush.



Proposed Elevation from La Reina Avenue

DEVELOPMENT REVIEW COMMITTEE

On September 21, 2020, the Development Review Committee (DRC) evaluated the project as it pertains to Planning, Police, Fire, Public Works, and Building and Safety matters and provided staff with comments and conditions. The Fire Department requires that the site install a fire hydrant with approved water supply capable of supplying the required fire flow for fire protection. No other departments expressed concerns or opposition over the project, and issued standard conditions. Recommended conditions of approval have been included in the attached Resolution to address potential impacts.

ENVIRONMENTAL ANALYSIS

Staff has reviewed the proposed Site Plan Review for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, staff has determined that this request is categorically exempt from CEQA, pursuant to Guideline Section No. 15303 (Class 3 – New Construction or Conversion of small structures). Class 3 exemptions consist of projects up to 3 units in place of 1 single family residence.

FINDINGS

Pursuant to Municipal Code Section 9820.08, there are seven (7) findings that must be adopted prior to approving a Site Plan Review. The findings are as follows:

- 1. The site plan is consistent with the goals and polices embodied in the General Plan and other applicable plans and policies adopted by the Council;**

The project's objective to revitalize the site helps achieve various long-term goals. Specifically, the following policies are promoted by the Site Plan Review:

Policy 2.2. – Encourage infill development and recycling of land to provide adequate residential sites.

Policy 8.1.1 – Promote architectural design of the highest quality.

Policy 8.2.2 – Promote the upgrading of properties.

The proposed architecture uses quality materials that provide different elements to achieve Spanish style architecture. The site is compatible in that the surrounding properties consist of a variety of architectural styles, however this development will be newer than most developments within its proximity. In efforts to maintain a neighborhood feel, the front unit is developed facing La Reina Avenue to conserve the neighborhood impression of that street. The redevelopment of this site has the potential of serving as an example of higher quality architecture for future developments within the city. The site is also compatible with the zoning designation and the General Plan Land Use designation which both encourage multi-family residential. Additionally, the majority of the surrounding properties are also multi-family residential. This development will achieve a long-term goal of recycling land to providing more housing units as this development consists of two additional units than what currently exists on the site.

2. The proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located;

The purpose of the R-3 (Multiple-Family Residential) zone, as stated in the Downey Municipal Code, "is intended to provide for the development of multiple-family residential living areas compatible with the neighborhood environment and outdoor recreation potential of the community. Such areas are envisioned as being located and designed to be complementary to adjacent uses and at the same time provide suitable space for multiple-family living quarters." The proposed application is in full conformance with the objectives stated above and the properties to the south and west of the subject site are also developed as multiple-family residential.

3. The proposed development's site plan and its design features, including architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the City;

The proposed design of the project will integrate harmoniously with this area by providing aesthetically pleasing architecture and landscaping. The proposed development will enhance the character of the subject site by achieving a Spanish architectural style with compatible landscaping to that style. In addition, the streetscape will be enhanced as well as the transition from the street onto the site through the proposed landscaping, pedestrian access, and upgraded driveway and driveway approach.

4. The site plan and location of the buildings, parking areas, signs, landscaping, luminaries, and other site features indicate that proper consideration has been given to both the functional aspects of the site development, such as automobile and pedestrian circulation, and the visual effects of the development from the view of the public streets;

The site design and overall integration of the landscaping, building orientation, and driveway access was well-envisioned by the applicant. The landscaping around the front building façades creates a nice transitional buffer between the residences, the public right of way, and La Reina Avenue. The added walkway from the sidewalk to the front unit will maintain an inviting appearance to the site and enhance the residential character along that street. Exterior light lamps are carefully placed near the front porch entrances to ensure both vehicles and pedestrians are able to move around the site in a

safe manner. This project also incorporates a decorative paved driveway entrance to the subject site, thus preventing a long barren driveway with no visual appeal.

5. The proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities;

The proposed project reflects true Spanish style architecture, and reflects a high quality of architectural design. In addition, the proposed architectural style is neither dissimilar nor monotonous from other buildings in the area and this project will upgrade the overall appearance of the site and, in turn, improve the community appearance. The other developments along La Reina Avenue consist of a variety of architectural styles from California ranch, craftsman, Dutch colonial, and mid-century modern. Lastly, this proposed development will be keeping with the quality of design recently approved projects within the city, but will not mimic those improvements.

6. The site plan and design considerations shall tend to upgrade property in the immediate neighborhood and surrounding areas with an accompanying betterment of conditions affecting the public health, safety, comfort, and welfare;

The proposed architecture is a significant upgrade to the immediate neighborhood and surrounding areas, in terms of use and density although it will be newer than most developments within its proximity. In addition, the redevelopment of this site has the potential of serving as an example for higher quality architecture for future developments within the City of Downey. Lastly, the operational procedures of the proposed development are also conditioned in an effort to ensure that any potential effects will not negatively harm or impact the surrounding sites and accompany the public health, safety, comfort and general welfare as much as possible.

7. The proposed development's site plan and its design features will include graffiti-resistant features and materials in accordance with the requirements of Section 4960 of Chapter 10 of Article IV of this Code;

The project has been conditioned to meet the requirements specified in Section 4960 of the Downey Municipal Code. Section 4960 discusses the installation of anti-graffiti materials and the appropriate allotted time limit for the removal of graffiti.

CORRESPONDENCE

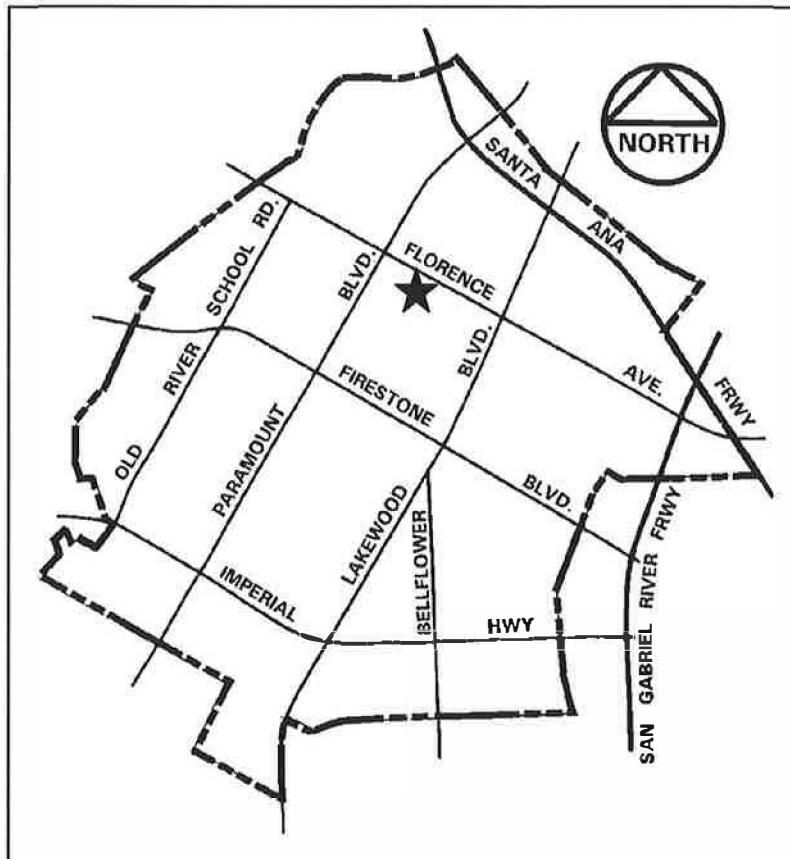
As of the date that this report was printed, staff has not received any correspondence regarding this application.

CONCLUSION

Based on the analysis contained within this report, staff is concluding that all findings required for approval can be made in a positive manner. As such, staff is recommending that the Planning Commission approve the application (PLN-20-00101), thereby approving a three-unit multifamily development.

EXHIBITS

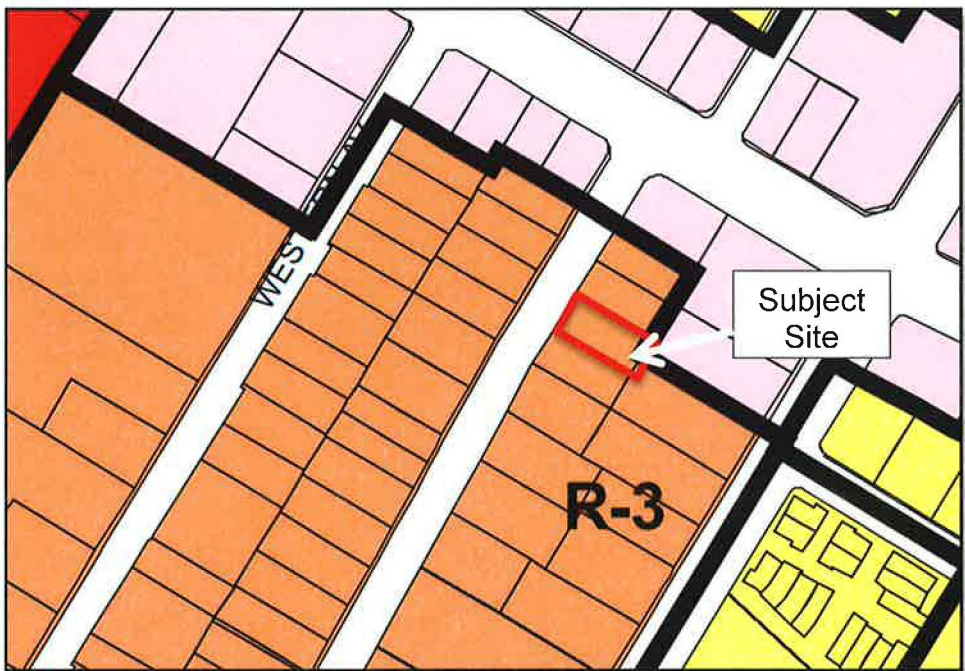
- A. Maps
- B. Draft Resolution
- C. Attachment 'A' Storm Water Pollution Control Statement
- D. Project Plans



Location



Aerial Photograph



Zoning Map

RESOLUTION NO. 21-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A SITE PLAN REVIEW (PLN-20-00101), THEREBY ALLOWING THE CONSTRUCTION OF THREE MULTI-FAMILY RESIDENTIAL UNITS LOCATED AT 10224 LA REINA AVENUE

THE PLANNING COMMISSION OF THE CITY OF DOWNEY DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Downey does hereby find, determine and declare that:

- A. On September 18, 2020, the applicant filed a request for Site Plan Review (PLN-20-00101) to construct three new dwelling units; and,
- B. On October 14, 2020, the applicant was issued a letter deeming the application incomplete; and,
- C. On February 12, 2021, the application was deemed complete after all required documents were submitted and reviewed; and,
- D. On February 18, 2021, a notice of the public hearing was sent to all property owners within 500' of the subject site and the notice was published in Downey Patriot; and,
- E. The Planning Commission held a duly noticed public hearing on March 3, 2021, and after fully considering all oral and written testimony, facts, and opinions offered at the aforesaid public hearing adopted this resolution.

SECTION 2. The Planning Commission further finds, determines and declares that the proposed project was reviewed for compliance with the California Environmental Quality Act (CEQA), and is categorially exempt from CEQA, pursuant to Guideline Section 15303 (Class 3, New Construction or Conversion of small structures). Class 3 consists of projects up to 3 residential units in place of 1 single family residential unit.

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings regarding the Site Plan Review, the Planning Commission further finds, determines and declares that:

- A. The site plan is consistent with the goals and polices embodied in the General Plan and other applicable plans and policies adopted by the Council. The project's objective to revitalize the site helps achieve various long-term goals. Specifically, the following policies are promoted by the Site Plan Review: *Policy 2.2. – Encourage infill development and recycling of land to provide adequate residential sites, Policy 8.1.1 – Promote architectural design of the highest quality, Policy 8.2.2 – Promote the upgrading of properties.* The proposed architecture uses quality materials that provide different elements to achieve Spanish style architecture. The site is compatible in that the surrounding properties consist of a variety of architectural styles, however this development will be newer than most developments within its proximity. In efforts to maintain a neighborhood feel, the front unit is developed

facing La Reina Avenue to conserve the neighborhood impression of that street. The redevelopment of this site has the potential of serving as an example of higher quality architecture for future developments within the city. The site is also compatible with the zoning designation and the General Plan Land Use designation which both encourage multi-family residential. Additionally, the majority of the surrounding properties are also multi-family residential. This development will achieve a long-term goal of recycling land to providing more housing units as this development consists of two additional units than what currently exists on the site.

- B. The proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located. The purpose of the R-3 (Multiple-Family Residential) zone, as stated in the Downey Municipal Code, "is intended to provide for the development of multiple-family residential living areas compatible with the neighborhood environment and outdoor recreation potential of the community. Such areas are envisioned as being located and designed to be complementary to adjacent uses and at the same time provide suitable space for multiple-family living quarters." The proposed application is in full conformance with the objectives stated above and the properties to the south and west of the subject site are also developed as multiple-family residential.
- C. The proposed development's site plan and its design features, including architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the City. The proposed design of the project will integrate harmoniously with this area by providing aesthetically pleasing architecture and landscaping. The proposed development will enhance the character of the subject site by achieving a Spanish architectural style with compatible landscaping to that style. In addition, the streetscape will be enhanced as well as the transition from the street onto the site through the proposed landscaping, pedestrian access, and upgraded driveway and driveway approach.
- D. The site plan and location of the buildings, parking areas, signs, landscaping, luminaries, and other site features indicate that proper consideration has been given to both the functional aspects of the site development, such as automobile and pedestrian circulation, and the visual effects of the development from the view of the public streets. The site design and overall integration of the landscaping, building orientation, and driveway access was well-envisioned by the applicant. The landscaping around the front building façades creates a nice transitional buffer between the residences, the public right of way, and La Reina Avenue. The added walkway from the sidewalk to the front unit will maintain an inviting appearance to the site and enhance the residential character along that street. Exterior light lamps are carefully placed near the front porch entrances to ensure both vehicles and pedestrians are able to move around the site in a safe manner. This project also incorporates a decorative paved driveway entrance to the subject site, thus preventing a long barren driveway with no visual appeal.
- E. The proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities. The proposed project reflects true Spanish style architecture, and reflects a high quality of architectural design. In addition, that the proposed architectural style is neither dissimilar nor monotonous from other buildings in the area and this project will upgrade the overall appearance of the site and, in turn, improve the community

appearance. The other developments along La Reina Avenue consist of a variety of architectural styles from California ranch, craftsman, Dutch colonial, and mid-century modern. Lastly, this proposed development will be keeping with the quality of design recently approved projects within the city, but will not mimic those improvements.

- F. The site plan and design considerations shall tend to upgrade property in the immediate neighborhood and surrounding areas with an accompanying betterment of conditions affecting the public health, safety, comfort, and welfare. The proposed architecture is a significant upgrade to the immediate neighborhood and surrounding areas, in terms of use and density although it will be newer than most developments within its proximity. In addition, the redevelopment of this site has the potential of serving as an example for higher quality architecture for future developments within the City of Downey. Lastly, the operational procedures of the proposed development are also conditioned in an effort to ensure that any potential effects will not negatively harm or impact the surrounding sites and accompany the public health, safety, comfort and general welfare as much as possible.
- G. The proposed development's site plan and its design features will include graffiti-resistant features and materials in accordance with the requirements of Section 4960 of Chapter 10 of Article IV of this Code. Section 4960 discusses the installation of anti-graffiti materials and the appropriate allotted time limit for the removal of graffiti.

SECTION 4. Based upon the findings set forth in Sections 1 through 3 of this Resolution, the Planning Commission of the City of Downey hereby approves a Site Plan Review (PLN-20-00101), subject to conditions of approval attached hereto as Exhibit 'A', which are necessary to preserve the health, safety and general welfare of the community and enable the Planning Commission to make the findings set forth in the previous sections. The conditions are fair and reasonable for the accomplishment of these purposes.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March 2021.

Miguel Duarte, Chairman
City Planning Commission

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof held on the 3rd day of March 2021, by the following vote, to wit:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Mary Cavanagh, Secretary
City Planning Commission

**PLN-20-00101
(SITE PLAN REVIEW)
EXHIBIT A - CONDITIONS**

PLANNING

1. The approval of this Site Plan Review (PLN-20-00101) allows for the construction of three two-story residential dwelling units, each designed with an attached 2-car garage located at 10224 La Reina Avenue.
2. No later than March 18, 2021, the applicant and the property owner shall sign and return an affidavit of Acceptance of Conditions, as provided by the City of Downey.
3. The site shall remain in substantial conformance with this request and the approved set of plans.
4. Approval of the Site Plan Review (PLN-20-00101) shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Downey Municipal Code shall apply.
5. The Owner/Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the approval of this resolution, to challenge the determination made by City under the California Environmental Quality Act or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition.
6. The City Planner is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
7. All buildings and walls must be finished with graffiti resistant materials pursuant to Downey Municipal Code Section 4960.
8. Any graffiti applied to the site shall be removed within 48 hours.
9. The approved Spanish architectural style, finish material, and colors shall remain in strict conformance with the approved elevations and materials board reflecting smooth stucco, tile roofing, wood accents, and all other finishes. Changes to the facades and/or colors shall be subject to the review and approval of the City Planner. At his/her discretion, the City Planner may refer changes to the facades and/or colors to the Planning Commission for consideration.

10. The applicant shall comply with the art in public places requirements set forth in Downey Municipal Code 8950 et seq. This shall include payment of all required fees prior to the issuance of building permits. Should the applicant exercise their right to install public art on site, the public art application (including payment of all deposits) shall be submitted prior to the issuance of building permits.
11. The Applicant shall incorporate a copy of this Exhibit A - Conditions of Approval, into the approved set of building plans.
12. All driveway approaches shall be improved with radius returns.
13. Driveways and driveway approaches shall be improved with concrete and pavers throughout, as approved on the project plans. Any changes or modification to the approved driveway must be approved by the City Planner.
14. All landscaping must remain in compliance with the Downey Municipal Code, be composed of drought tolerant plants, and strictly conform to the approved set of plans. Any revisions to the proposed landscape plans will first require approval from the City Planner.
15. Open space requirements must comply with the provisions set forth in section 9312.08(b)(10)(iv) of the Downey Municipal Code. The private open space patio areas for each unit shall have no dimension less than ten (10) feet with a minimum area of two hundred (200) square feet.
16. Prior to the final of building permits, all landscaping and irrigation shall be installed. The type, size and number of landscaping shall be as noted on the final approved landscape plan. All landscape shall be installed and permanently maintained.
17. Prior to the final of building permits, all installed landscaping shall be certified by a licensed Landscape Architect. The licensed Landscape Architect shall be on-site during the delivery of all trees to certify that all trees and plants are the right species and size.
18. Project must be completed within one year of approval date.
19. All exterior lights on the property shall be LED and shall be directed, positioned, and/or shielded such that they do not illuminate surrounding properties and the public right-of-way.
20. All above grade back-flow preventers, check valves, shall be screened from view from the public right-of-way by a decorative metal-cut-out screen subject to approval of the City Planner.
21. Any above ground transformer or utility equipment that is visible from street view shall be screened with decorative metal screen as well as live landscaping subject to approval of the City Planner.

BUILDING

22. All construction shall comply with the most recent adopted City and State building codes:
 - a) 2019 California Building Code

- b) 2019 California Residential Code
 - c) 2019 California Electrical Code
 - d) 2019 California Mechanical Code
 - e) 2019 California Plumbing Code
 - f) 2019 California Fire Code
 - g) 2019 California Green Code
23. Special Inspections – As indicated by California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.
24. The Title Sheet of the plans shall include:
- a) Occupancy Group
 - b) Occupant Load
 - c) Description of use
 - d) Type of Construction
 - e) Height of Building
 - f) Floor area of building(s) and/or occupancy group(s)
25. School impact fees shall be paid prior to permit issuance.
26. Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
27. All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
28. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.
29. A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.

FIRE

The following comments pertain to a limited fire review of a design review plan submittal. The comments contained herein shall not be construed as complete or encompassing all fire-life safety code requirements set forth in local, State, and/or National local codes.

30. Premises shall be appropriately addressed. An approved address identification shall be provided that is legible and placed in a position that is visible from the street/road. Sizing shall be approved and at a minimum meet requirement of CA Fire Code [CA Fire Code §505.1]
31. Deferred automatic fire sprinkler plan submittal required for new Residential Group R occupancy. Automatic fire sprinkler system design, installation, and testing shall be per

NFPA 13D or 13R based on the building construction type, height, fire separation, etc.
[CFC § 903.2.8]

32. An approved street side fire hydrant shall be installed that meets the current requirements of the City of Downey Public Works – Utilities Division (e.g. Jones 3700-R or Jones 3775-R) [DMC 3610]. An approved water supply capable of supplying the required fire flow for fire protection and fire hydrant shall be provided [CA Fire Code §507.1; 507.5.1]
33. An approved fire lane designation and stripping shall adhere to sign requirements set forth in Fire Code and Downey Municipal Code [CA Fire Code D103.6; DMC 3327]. Designation of NO PARKING (e.g. red curb) at street side hydrant shall be provided.
34. Smoke alarms shall be installed in Residential Group R occupancies on the ceiling or wall or each separate sleeping areas, rooms used for sleeping, in each story within the dwelling [CA Fire Code §907.2.11.2]
35. Project construction shall comply with requirements set forth in the CA Building and Residential Codes for egress, construction type and height, etc.

PUBLIC WORKS

36. All public utilities shall be installed underground.
37. Proposed public improvements shall comply with the latest edition of Standard Plans and Specifications for Public Works Construction, City of Downey standards and the Americans with Disabilities Act (ADA).
38. Obtain permits from the Public Works Department for all improvements within the public right of way at least two weeks prior to commencing work. Contact Brian Aleman, Assistant Civil Engineer I, at (562) 904-7110 for information.
39. Remove and replace damaged, uneven or sub-standard curb, gutter, sidewalk, driveway, disabled ramps, and pavement to the satisfaction of the Public Works Department. Contact the Public Works Inspector at (562) 904-7110 to identify the limits of the areas to be removed and replaced at least 48 hours prior to commencing work.
40. Submit public improvement plan(s) for review and approval by Public Works Department.
41. Construct (1) parkway tree. 24-inch box street trees at the parkway on La Reina Avenue frontage. The species of any new street trees to be planted shall be in accordance with the City's Tree Master Plan (contact City arborist for tree species).
42. Remove all Underground Service Alert (USA) temporary pavement markings immediately following the completion of the work / Final permit inspection.
43. Paint property address numbers (4" height) on the curb face in front of the proposed development to the City's satisfaction.

44. Drive approaches shall match driveway width as specified in City Standard Drawing No. 19.
45. The owner/applicant shall furnish and install separate water service lines, meters, and boxes for each tenant space. Connect new separate water service lines to existing 6-inch main located on La Reina Avenue.
46. The owner/applicant shall provide a fire sprinkler system(s) in accordance with Fire Department and Building and Safety standards. Should such fire sprinkler system(s) require the installation of dedicated fire service lateral(s), such lateral(s) shall be constructed in accordance with the latest Department of Public Works and Fire Department standards including backflow devices, fire department connections and other appurtenances as required. New fire service lateral(s) shall be connected to existing 6-inch main located on La Reina Avenue and shall be dedicated for fire service only.
47. If required, the owner/applicant shall furnish and install irrigation, domestic, and fire water backflow devices in accordance with City of Downey standards and as required by State and LA County Department of Public Health. Backflow devices shall be located on private property, readily accessible for emergency and inspection purposes, and screened from view by providing sufficient landscaping.
48. Backflow devices shall be certified in the field by a licensed LA County Department of Public Health certified tester prior to placing into service and such certification provided to City.
49. Owner or tenant must establish accounts with the City Cashier prior to the City activating and the tenant using any fire and potable water service and meter.
50. The owner/applicant shall provide separate off-site water improvement plan sets for review and approval from Public Works. The plan shall consist of the following:
 - a. Potable Water Improvement Plans (all City-owned potable water and fire service lateral improvements). Improvement plans for potable water main improvements shall be plan and profile.

Final City approved potable water main improvement plans shall be submitted on mylars and shall be signed and stamped by a State of California licensed Civil Engineer.
51. The owner/applicant shall provide and record utility easement(s) for access to, and inspection and maintenance of, public water lines, meters, and appurtenances.
52. The owner/applicant shall furnish and install a new 6 - inch sewer lateral(s) (from the 8" sewer main on La Reina Avenue to the front property line) for each house in the lot. New sewer laterals shall be constructed with Vitrified Clay Pipe (VCP). The existing sewer lateral can be used for one of the house. The design and improvements of sewers shall be in accordance with the latest standards of the Department of Public Works. Septic systems shall not be allowed.
53. Utility plans for proposed new sewer lateral(s) shall be submitted to and approved by the Department of Public Works prior to the issuance of the grading plan permit.

54. Submit a copy of the sewer plans to the City and to the Sanitation Districts of Los Angeles County for review and approval. Approval must be assured prior to the start of construction. Contact Los Angeles County Sanitation District for their requirement.
55. The lot shall be served by adequately sized water supply facilities, which shall include fire hydrants of the size, type and location approved by the Fire Chief.
56. The owner/applicant shall retrofit any existing fire hydrant(s) within the property frontage in accordance to latest Fire Department and Department of Public Works standards including but not limited to furnishing and installation of a new riser, fire hydrant head, and associated fittings.
57. Any deviation from the city standards in constructing the water and sewer lines shall be approved by the Los Angeles County Health Department.
58. Submit an engineered grading plan and/or hydraulic calculations and site drainage plan for the site (prepared and sealed by a registered civil engineer in the State of California) accompanied by a soil and geology report for approval by the Engineering Division and Building and Safety Division. Lot(s) shall not have less than one (1%) percent gradient on any asphalt or non-paved surface, or less than one quarter (1/4%) percent gradient on any concrete surface. Provide the following information on plans: topographic site information, including all building pad and other elevations, dimensions/location of existing/proposed public improvements adjacent to project (i.e. street, sidewalk, parkway and driveway widths, catch basins, pedestrian ramps); the width and location of all existing and proposed easements, the dimensions and location of proposed dedications; (for alley dedications, show elevations of the four corners of the dedication and centerline of alley, existing and proposed underground utility connections); the location, depth and dimensions of potable water, reclaimed water and sanitary sewer lines; chemical and hazardous material storage, if any, including containment provisions; and the type of existing use, including the gross square footage of the building and its disposition; construction details of drainage devices and details of Low Impact Development (LID) plan.
59. Include any other applicable site-specific conditions.
60. The drainage plan must provide for each lot having an independent drainage system to the public street, to a public drainage facility, or by means of an approved drainage easement.
61. The owner/applicant shall comply with the National Pollutant Discharge Elimination System (NPDES); Ordinance 1142 of the Downey Municipal Code (DMC); and the Low Impact Development (LID) Plan. Furthermore, the applicant shall be required to Certify and append Public Works standard "Attachment A" to all construction and grading plans as required by the LACoDPW Stormwater Quality Management Plan (SQMP).
62. If any hazardous material is encountered on the site that has the potential to reach the ground water supply, the owner/applicant shall secure a permit for the State Regional Water Quality Control Board.
63. If any hazardous material is encountered on the site, the owner/applicant shall secure an

ID number from the EPA.

64. The owner/applicant shall deploy Best Management Practices during and after construction.
65. The owner/applicant hereby consents to the annexation of the property into the Downey City Lighting Maintenance District in accordance with Division 15 of the Streets and Highways Code, and to incorporation or annexation into a new or existing Benefit Assessment or Municipal Improvement District in accordance with Division 10 and Division 12 of the Streets and Highways Code and/or Division 2 of the Government Code of the State of California.
66. Complete a construction & demolition (C&D) waste management plan per Article V, Chapter 8 of the Downey Municipal Code.
67. Remove all construction-related Underground Service Alert (USA) temporary pavement markings created as part of this project within the public-right-of-way in a timely manner.
68. The owner/applicant must comply with all applicable Federal, State and local rules and regulations, American Disabilities Act (ADA), including compliance with South Coast Air Quality Management District (SCAQMD) regulations.

[End of Conditions]

**DRAFT MINUTES
DOWNEY CITY PLANNING COMMISSION
WEDNESDAY, OCTOBER 21, 2020
CITY COUNCIL CHAMBERS, 11111 BROOKSHIRE AVENUE
DOWNEY, CALIFORNIA
6:30 P.M.**

Vice Chair Frometa called the October 21, 2020, Regular Meeting of the Planning Commission to order at 6:30 p.m., at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. After the flag salute, Secretary Cavanagh called roll.

COMMISSIONERS PRESENT: Patrick Owens, District 2
Dimitrios Spathopoulos, District 4
Nolveris Frometa, District 5, Vice Chair

COMMISSIONERS ABSENT: Miguel Duarte, District 1, Chair
Steven Dominguez, District 3

OTHERS PRESENT: Aldo E. Schindler, Director of Community Development
Yvette Abich Garcia, City Attorney
Crystal Landavazo, City Planner
Alfonso Hernandez, Senior Planner
Madalyn Welch, Assistant Planner
Mary Cavanagh, Secretary

PLANNING COMMISSIONER ANNOUNCEMENTS; REQUEST FOR FUTURE AGENDA ITEMS; AND CONFERENCE/MEETING REPORTS: None.

PRESENTATIONS: None.

REPORT ON CITY COUNCIL ACTION: Director of Community Development Aldo Schindler reported, during the October 13, 2020 meeting, the City Council approved 1) a Code Amendment to bring electric vehicle charging stations in line with State directive; 2) an upgrade to the Grading section of the Downey Municipal Code; 3) the reopening of Downey Avenue to assist the businesses that were affected by the street closures. The parklets for (3) three businesses that extended into the street for outdoor dining were relocating onto the parking spaces in front of their businesses so the street would be clear for reopening. Additionally, the City has implemented a Grant program that provides \$10,000 to assist businesses with the construction of parklets. The Commissioners asked if there were other parts of the City that were considered to utilize parklets. Director Schindler stated, there is more of an expansion of outdoor dining in private parking lots, not as much for parklets placed on city streets.

PUBLIC HEARINGS:

1. **PLN-20-00104 (Planned Sign Program)**: Vice Chair Frometa opened the public hearing for PLN-20-00104 and Ms. Cavanagh affirmed proof of publication.

Senior Planner Alfonso Hernandez presented a request for a Planned Sign Program, to approve the size, number, location and appearance of signs for a multi-tenant commercial building and drive-thru restaurant, located at 8900 Imperial Highway and 12623 Lakewood Boulevard. The application for a Planned Sign Program is proposed as part of a larger redevelopment project to construct a new 4,000 square foot drive-thru Chick-fil-a restaurant and renovate a 10,000 square foot retail building located at

the Southwest corner of Imperial Highway and Lakewood Boulevard. The subject site is zoned C-2 (General Commercial) and is surrounded by residential properties zoned R-3-0 (Medium Density Multi-family-Ownership) to the rear of the site, and C-2 (General Commercial) to the north, east and west. The request proposes installation of a maximum of eleven (11) wall signs, a monument sign, and a freestanding sign for the commercial center and Chick-fil-A restaurant. Senior Planner Hernandez presented the proposed size, location and design of the signs. The exterior color scheme of both structures will be designed with browns, beiges, and brick to compliment the architecture throughout the rest of the center. The brick material will match the materials used on the Chick-fil-A building, while the remaining colors, materials, and features also compliment the multi-tenant commercial building. This application was presented to the Development Review Committee (DRC); there were no expressed concerns or opposition over the project and standard conditions of approval were provided.

Applicant Scott Silberberg thanked the Commission and stated the commercial building is currently being developed and construction of the Chick-fil-A Restaurant will begin in two weeks. He expressed the importance of the signs to be aesthetically pleasing as it is critical for the tenants' success.

Public Comments: None.

Vice Chair Frometa closed the public hearing.

The Commissioners spoke in favor of the design and thanked the applicant for investing in Downey and beautifying the area.

It was moved by Commissioner Spathopoulos, seconded by Commissioner Owens, and passed by a 3-0-2 vote, with Vice Chair Duarte and Commissioner Dominguez absent, to adopt Resolution No. 20-3129, thereby approving the request for a Planned Sign Program (PLN-20-00104).

NON-AGENDA PUBLIC COMMENTS: None.

CONSENT CALENDAR ITEMS:

2. Approval of the Minutes from August 19, 2020

It was moved by Commissioner Owens, seconded by Commissioner Spathopoulos, and passed by a 3-0-2 vote, with Chair Duarte and Commissioner Dominguez absent, to approve the Consent Calendar.

OTHER BUSINESS: None.

STAFF MEMBER COMMENTS:

ADJOURNMENT: Chair Duarte adjourned the meeting at 6:59 p.m., to Wednesday, November 4, 2020, at 6:30p.m., at Downey City Hall, 11111 Brookshire Ave.

APPROVED AND ADOPTED this this 3rd day of March, 2021.

Miguel Duarte, Chair
City Planning Commission

I HEREBY CERTIFY that the foregoing Minutes were duly approved at a Regular meeting of the Planning Commission held on this 3rd day of March, 2021, by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Mary Cavanagh, Secretary
City Planning Commission