



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

**RECOMMENDED ACTION**

2. **PLN-21-00058 (Conditional Use Permit)** **Approval**

Location: 9514 Firestone Boulevard

Request: A request for a Conditional Use Permit to allow an Off-Sale Alcohol Establishment for an appointment/online sale only home bar consulting business on property zoned C-2 (General Commercial).

CEQA: Categorical Exemption – Section 15301 (Class 1, Existing Facilities)

Staff: Senior Planner Alfonso Hernandez

Contact: [ashernandez@downeyca.org](mailto:ashernandez@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 requests separate actions. Anyone wishing to comment on 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.
- IX. **OTHER BUSINESS:**
- X. **STAFF MEMBER COMMENTS:**



XI. **ADJOURNMENT:** To Wednesday, October 6, 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](http://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](mailto: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 9<sup>th</sup> day of September, 2021

Mary Cavanagh  
Mary Cavanagh  
Secretary, Planning Commission

**RESOLUTION NO. 21-3152**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY EXPRESSING ITS  
APPRECIATION AND COMMENDATION TO**

**Nolveris Frometa**

**FOR HIS SERVICES AS A MEMBER OF THE DOWNEY PLANNING COMMISSION**

**WHEREAS**, Nolveris Frometa was appointed to the Planning Commission from District No. 5 on March 27, 2018 and served until January 6, 2021; and

**WHEREAS**, Nolveris Frometa served in this capacity with dedication, giving freely of his time to continue to promote and assist in the orderly development of his community; and

**WHEREAS**, Nolveris Frometa has continued to support and encourage modern City Planning concepts for the betterment and welfare of our community.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF DOWNEY:**

The Planning Commission of the City of Downey extends its sincere gratitude to Nolveris Frometa for the service he performed as Planning Commissioner, and the contribution of his experience during his 2 years and 9 months of service to the community.

**INTRODUCED, READ, AND ADOPTED** by the Planning Commission of the City of Downey on the 15<sup>th</sup> day of September, 2021 by a unanimous vote in favor of this resolution.

\_\_\_\_\_  
Miguel Duarte, Chairman, District 1

\_\_\_\_\_  
Patrick Owens, Vice Chairman, District 2

\_\_\_\_\_  
Carmela Uva, District 4

\_\_\_\_\_  
Arturo Montoya, District 3

\_\_\_\_\_  
Horatio Ortiz Jr., District 5

**ATTEST:**

\_\_\_\_\_  
Mary Cavanagh, Secretary



**DATE:** SEPTEMBER 15, 2021

**TO:** PLANNING COMMISSION

**SUBMITTED BY:** ALDO E. SCHINDLER, DEPUTY CITY MANAGER/  
COMMUNITY DEVELOPMENT

**REVIEWED BY:** CRYSTAL LANDAVAZO, CITY PLANNER

**PREPARED BY:** ALFONSO HERNANDEZ, SENIOR PLANNER

**SUBJECT:** **PLN-21-00058 (CONDITIONAL USE PERMIT) – A REQUEST TO ALLOW AN OFF-SALE ALCOHOL ESTABLISHMENT FOR AN APPOINTMENT / ONLINE SALE ONLY HOME BAR CONSULTING BUSINESS.**

**LOCATION:** 9514 FIRESTONE BOULEVARD

**ZONING:** C-2 (GENERAL COMMERCIAL)

**REPORT SUMMARY**

This is a request for a Conditional Use Permit to allow for the off-site sale of alcohol under a California Department of Alcoholic Beverage Control (ABC) Type 21 license (Off-Sale General). A Type 21 alcohol license is typically provided to supermarkets and liquor stores because it permits the sale of beer, wine, and spirits for off-site consumption. The business will operate as a consultation and logistics office under the name “Allocated Liquor”, and plans to sell high end alcohol online or through consultation appointments only. An additional component offered by the business is home bar consulting services including design and layout. The property is located at 9514 Firestone Boulevard, within the C-2 (General Commercial zone).

Based on the analysis contained in this report, staff recommends that the Planning Commission adopt the following resolution:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING CONDITIONAL USE PERMIT (PLN-21-00058), THEREBY ALLOWING A CONSULTATION OFFICE TO OPERATE WITH A TYPE 21 (OFF-SALE GENERAL) ALCOHOLIC BEVERAGE CONTROL LICENSE TO OFFER ONLINE AND APPOINTMENT ONLY ALCOHOL SALES LOCATED AT 9514 FIRESTONE BOULEVARD AND ZONED C-2 (GENERAL COMMERCIAL)**

**BACKGROUND**

The subject site is comprised of two parcels that were developed to function as one commercial center. Currently there are two multi-tenant buildings with a total area of 19,343 square feet; one

building is 17,549 square feet and the other is 1,792 square feet. The applicant proposes to locate in the smaller of the two buildings within an 890 square foot tenant space. The tenant space is identified on the site as 9514 Firestone Boulevard and is one of twelve in the commercial center. The subject property was constructed in 1984, and no major renovations have occurred since that time.

The commercial center is 72,571 square feet in size and is located along Firestone Boulevard in between Woodruff Avenue and Stewart & Gray Road. The site is accessible by two driveways; the west end driveway that services eastbound traffic and the east end driveway which accommodates both west and eastbound bound traffic due to a turning arrow located directly in front of the driveway. The east end driveway can also accommodate southbound traffic via Pangborn Avenue.

The subject site is within the City's C-2 zone, and has a General Plan Land Use designation of "General Commercial". The properties to the north, across Firestone Boulevard, are zoned C-1 and developed with commercial uses, such as a Jack-in-the-box and McDonald's. The property directly east is also zoned C-2 and developed with a gasoline service station. The property directly west is also C-2, but developed with a multi-family use. The properties to the south are zoned R-3, and are developed with a wide range of medium to higher density multi-family structures.



*Southwest view of subject property*

On June 01, 2021, the applicant submitted an application for a Conditional Use Permit to operate under a Type 21 ABC license. Staff completed a review of the submitted materials on June 30, 2021 and deemed the application incomplete. After receiving all required information, the application was deemed complete on July 31, 2021. On September 2, 2021, staff mailed notice of the pending public hearing to all property owners within 500 feet of the subject site and the notice was also published in the *Downey Patriot*.

## **DISCUSSION**

The application is a request to establish a consultation and logistics office that offers online and appointment based alcohol sales for off-site consumption through a Type 21 ABC license. The applicant plans to provide home bar consulting services and sell high end liquor to compliment this service. Home bar consulting services are best described as designing private home bars for clients and stocking private home bars. The applicant has stated that he currently already provides professional services for designing home bars, but instead of selling the alcohol directly to clients he only provides recommendations. He is unable to sell alcohol directly to

clients without the appropriate licensing for the sale of alcohol. The California Department of Alcoholic Beverage Control (ABC) is the agency charged with regulating the sale of alcohol throughout the state. ABC has determined that the most appropriate license is a Type 21 (Off-sale General).

The applicant first received inquiries from clients seeking private bar designs from patrons that visited his restaurant bar, "Lock & Key Social Drinkery + Kitchen" located in Downtown Downey. The proposed business location shall function as an office showroom and distribution center, as opposed to a typical alcohol sales establishment. Patrons can only visit the site by scheduling a consultation appointment or by making a purchase online and selecting to pick up their order. All other sales will be made online and shipped directly to buyers. Individuals visiting the site by appointment will be guided by an employee to look over in-house inventory, consult with a sales rep regarding specific alcohol, discuss bar designs, and provided with information on types of alcohol they may be interested in.

The proposed hours of operation for the business are 9:00 a.m. – 5:00 p.m., Tuesday - Saturday. The applicant anticipates a maximum of four patrons at any given time. The business will be staffed with two employees at all times.

Pursuant to Code Section 9314.04, off-sale alcohol sales are permitted with the approval of a Conditional Use Permit in the C-2 zone. The applicant is seeking approval of a CUP, as required by the Downey Municipal Code 9314.04 to allow operation with a Type 21 Alcoholic Beverage Control (ABC) license. According to the California State Department of Alcoholic Beverage Control (ABC), a Type 21 license is classified by the following:

**"Off Sale General – (Package Store)** Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises."

The site has 101 parking spaces located throughout the commercial center. Three (3) parking spaces are required for the applicant's use, and 91 spaces are required in total for all uses in the center. Therefore, the site has an abundance of parking with a surplus of ten (10) spaces. The change of use from personal services to office does not require changes to parking demand. Therefore, staff does not anticipate impacts related to parking due to the approval of this application.

Lastly, although the property is adjacent to residentially developed parcels, no impacts or nuisances are anticipated outside of what is already present on site. The establishment will function like an office showroom and warehouse. As previously stated, the applicant's business model is to provide design consultation services for patrons wishing to develop their private home bars and offer the additional service of stocking the bars with high end options. Conditions of approval have been incorporated to limit visitors by appointment only and all other sales to be done online. Conditions will also limit the type of signage and prohibits the sale of non-alcohol related items, not related to the design consultation service. Prohibitions do not include bar accessories or non-alcoholic beer, wine, or spirits. These conditions are incorporated to reinforce the applicant's business model and detach the establishment as much as possible from resembling or operating as a conventional liquor store.

## **DEVELOPMENT REVIEW COMMITTEE**

The Development Review Committee (DRC) discussed and evaluated the project as it pertains to Planning, Police, Fire, Public Works, and Building and Safety matters. The Police Department provided conditions similar to those they have previously required for liquor stores. Although the use is not a liquor store, the police department still believes it is appropriate due to the proposed type of ABC license. No other department expressed concerns or opposition over the project, and issued standard conditions. Recommended conditions of approval have been included in the attached Resolution.

## **ENVIRONMENTAL ANALYSIS**

Staff has reviewed the proposed use for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, it has been determined that this request is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1, Existing Facilities). Categorical Exemptions are projects, which have been determined not to have a significant effect on the environment and have been exempted from the requirements of CEQA. Class 1 exemptions consist of projects that involve no/negligible expansion of the existing use. The proposed ABC Type 21 license for the offsite sale of alcohol will not have a significant effect on the environment.

## **FINDINGS**

Pursuant to the requirements of the Municipal Code Section 9824.06 (Conditional Use Permit), staff recommends that the Planning Commission make the following findings to approve the request:

- 1. The request Conditional Use Permit will not adversely affect the intent and purpose of this article or the City's General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof.***

The project is consistent with all applicable goals and policies specified in the City's General Plan, as well as policies stated in the Downey Municipal Code. The project will not cause a nuisance related to public convenience or general welfare to any nearby persons because the proposed use will only make sales by appointment and/or online only. In addition, the subject site is able to meet the parking demands of the proposed use, thus no parking impacts are expected. The project helps achieve long term goals within the City's General Plan by providing additional commercial services to the community. The following policies are promoted by the proposed CUP:

Policy 1.1.4 – Provide an appropriate amount of land use for people to acquire goods and services

The CUP promotes the above policy by introducing a unique business not currently found within the City. The proposed use of home bar consulting and high end liquor sales ultimately provides residents and nearby patrons with additional opportunities to acquire different goods and services.

**2. *The requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.***

The proposed use will be compatible with, and intends to compliment, other uses within the commercial zone. The use intends to resemble a professional office for home bar consulting and small distribution center for online sales. Adverse impacts are not anticipated as a result of approval specifically because the new use will only accommodate visitors by appointment. No added square footage or changes to parking are proposed. Conditions of approval have been incorporated to ensure that patrons are allowed by appointment only and all other sales occur online. This is done in an effort to distinguish this use from a liquor store or market. Conditions are also included to ensure compatibility with existing and future uses, as well as to mitigate any potential impacts. Lastly, on-site consumption of alcohol is prohibited.

**3. *The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.***

The request for the proposed scope of work does not include changes to the buildings square footage, and the sale of alcohol does not warrant a need for additional accommodations to the site. The proposed work does not create alterations that would restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. In addition, the project is in full compliance with the Downey Municipal Code. Therefore, the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.

**4. *The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.***

The change of use from, previously, personal services to, now, office with an accessory retail component does not require the tenant space to provide any additional parking spaces. The parking demand for personal services is equal to the demand for office. The parking demand for all uses in the center is able to be accommodated on site because the center has a surplus of ten (10) parking spaces. Therefore, the proposed request is not anticipated to generate significant traffic impacts. In addition, Firestone Boulevard is designed to accommodate substantially more traffic than what will be generated by this proposed use.

## **CORRESPONDENCE**

Staff had not received any correspondence as of the date this report was prepared.

## **CONCLUSION**

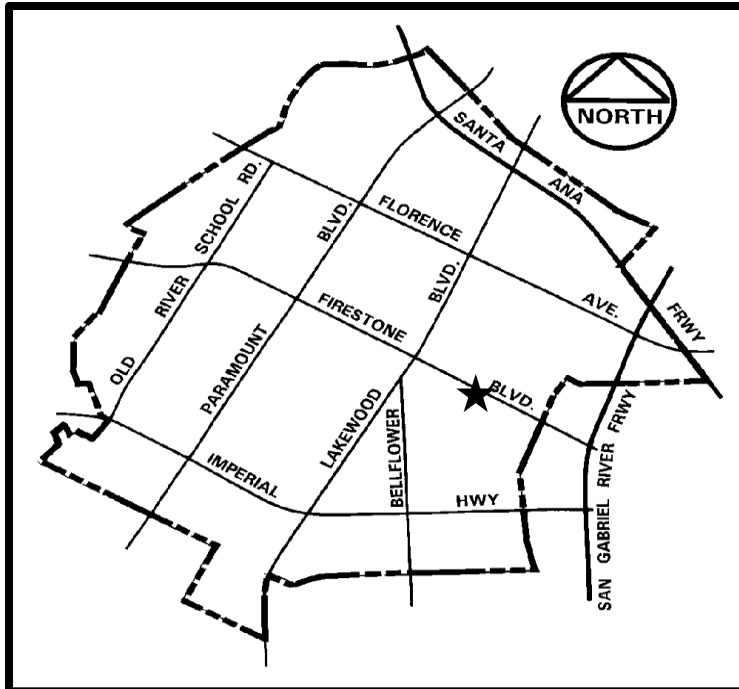
Based on the analysis contained within this report, staff is concluding that all findings required for approval can be made in a positive manner. As such, staff is recommending that the Planning Commission approve the Conditional Use Permit (PLN-21-00058), thereby allowing the off-sale of alcohol under a Type 21 ABC license.



**EXHIBITS**

- A. Maps
- B. Draft Resolution
- C. Project Plans

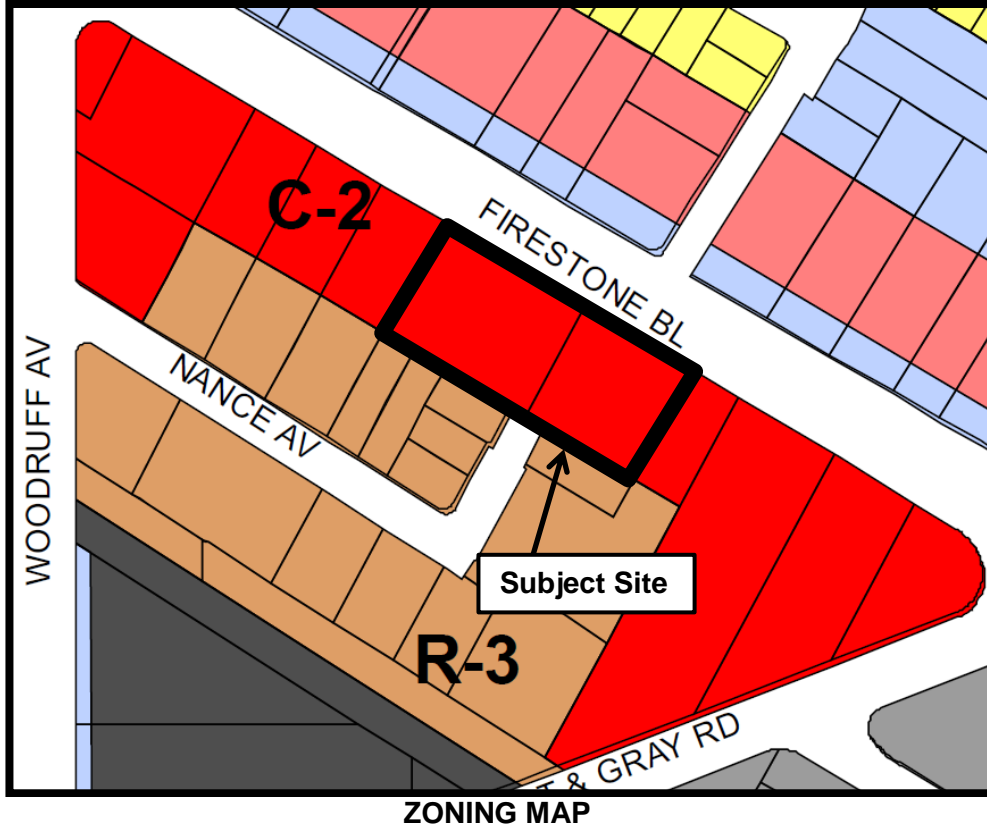
**EXHIBIT A**



**LOCATION MAP**



**AERIAL PHOTOGRAPH**



**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING CONDITIONAL USE PERMIT (PLN-21-00058), THEREBY ALLOWING A CONSULTATION OFFICE TO OPERATE WITH A TYPE 21 (OFF-SALE GENERAL) ALCOHOLIC BEVERAGE CONTROL LICENSE TO OFFER ONLINE AND APPOINTMENT ONLY ALCOHOL SALES LOCATED AT 9514 FIRESTONE BOULEVARD AND ZONED C-2 (GENERAL COMMERCIAL)**

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 June 1, 2021, an application was filed by Mark Shelton (Allocated Liquor), requesting approval of a Conditional Use Permit (PLN-21-00058), to allow an office to operate with a Type 21 ABC license, on the property located at 9514 Firestone Boulevard, and zoned C-2 (General Commercial); and,
- B. Staff deemed the application incomplete on June 30, 2021. The Applicant submitted the requested materials on July 31, 2021. Staff deemed the application complete on July 31, 2021; and,
- C. On September 2, 2021, notice of the pending public hearing was sent to all Downey property owners within 500 feet of the subject site and the notice was published in the Downey Patriot; and,
- D. The Planning Commission held a duly noticed public hearing on September 15, 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 the environmental impact of the proposed development has been reviewed and has been found to be in compliance with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1), Existing Facilities.

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

- A. The requested Conditional Use Permit will not adversely affect the intent and purpose of this article or the City's General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof. The project is consistent with all applicable goals and policies specified in the City's General Plan, as well as policies stated in the Downey Municipal Code. The project will not cause a nuisance related to public convenience or general welfare to any nearby persons because the proposed use will only make sales by appointment and/or online only. In addition, the subject site is able to meet the parking demands of the proposed use, thus no parking impacts are expected. The project helps achieve long term goals within the City's General Plan by providing additional commercial services to the community. The following policies are promoted by the proposed CUP:

Policy 1.1.4 – Provide an appropriate amount of land use for people to acquire goods and services

The CUP promotes the above policy by introducing a unique business not currently found within the City. The proposed use of home bar consulting and high end liquor sales ultimately provides residents and nearby patrons with additional opportunities to acquire different goods and services.

- B. The requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located. The proposed use will be compatible with, and intends to compliment, other uses within the commercial zone. The use intends to resemble a professional office for home bar consulting and small distribution center for online sales. Adverse impacts are not anticipated as a result of approval specifically because the new use will only accommodate visitors by appointment. No added square footage or changes to parking are proposed. Conditions of approval have been incorporated to ensure that patrons are allowed by appointment only and all other sales occur online. This is done in an effort to distinguish this use from a liquor store or market. Conditions are also included to ensure compatibility with existing and future uses, as well as to mitigate any potential impacts. Lastly, on-site consumption of alcohol is prohibited.
- C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area. The request for the proposed scope of work does not include changes to the buildings square footage, and the sale of alcohol does not warrant a need for additional accommodations to the site. The proposed work does not create alterations that would restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. In addition, the project is in full compliance with the Downey Municipal Code. Therefore, the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.
- D. That the traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The change of use from, previously, personal services to, now, office with an accessory retail component does not require the tenant space to provide any additional parking spaces. The parking demand for personal services is equal to the demand for office. The parking demand for all uses in the center is able to be accommodated on site because the center has a surplus of ten (10) parking spaces. Therefore, the proposed request is not anticipated to generate significant traffic impacts. In addition, Firestone Boulevard is designed to accommodate substantially more traffic than what will be generated by this proposed use.

**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 PLN-21-00058, subject to the Conditions of Approval attached hereto as Exhibit A – Conditions, 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.

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Downey Planning Commission

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

PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of September 2021.

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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 15<sup>th</sup> day of September 2021, by the following vote, to wit:

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

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Mary Cavanagh, Secretary  
City Planning Commission

**CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT (PLN-21-00058)**

**PLANNING**

- 1) The approval of Conditional Use Permit (PLN-21-00058) allows an office use to conduct sales of alcohol under a Type 21 (Off-sale General) ABC license through appointment or online sales only for Off-site consumption, on property located at 9514 Firestone Boulevard.
- 2) The office use will specifically provide home bar services described as the consultation, stocking, and design of private home bars.
- 3) No walk-in retail sales permitted as part of this business.
- 4) Merchandise sold by the business is limited to alcohol related products and accessories.
- 5) Sampling and/or tastings of merchandise is strictly prohibited.
- 6) Approval of this Conditional Use Permit 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.
- 7) All rules and regulations set forth by the California Department of Public Health and the Los Angeles County Department of Public Health shall be enforced and complied with. The applicant shall be subject to any and all applicable orders issued by these agencies to protect the public health, such as orders for social distancing and operational restrictions related to the COVID-19 coronavirus pandemic.
- 8) 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.
- 9) All conditions of approval set forth in this resolution shall be complied with before the Conditional Use Permit becomes valid.
- 10) 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.

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- 11) Prior to September 30, 2021 the applicant and the property owner shall sign and notarize an affidavit of Acceptance of Conditions, as provided by the City of Downey.
- 12) The permitted hours of operation shall be from 9:00 a.m. to 5:00 p.m., Tuesday through Saturday.
- 13) Customers shall not be within the business after the specified closing time.
- 14) Noise generated from the business shall comply with Municipal Code Section 4600 et. seq. In any case, noise shall not exceed 65 dBA, as measured at the property line.
- 15) The rear door shall only be accessible to employees (unless required for an emergency), and must remain shut when not in use.
- 16) Signage is limited to the business name and logo only and shall comply with the requirements set forth in the Downey Municipal Code. Signage shall require a separate permit.
- 17) No exterior signage, or signage directed towards the exterior including window signs, shall display alcohol related products, logos, or activities.

**Police**

- 18) The business shall have security video cameras operating during all hours that the business is open. All cameras must record onto a videotape or similar recording device. The recordings of the security video cameras shall be maintained for a minimum period of 30 days, and the recordings must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras shall be located at the gas pump and parking lot areas and all areas of the cash register/cashier and where cash is stored. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the manager/owner of the business must comply with the request within 7 days. The Chief of Police can also require the position of the video cameras to be changed if it is determined that the position of the camera does not meet security needs. The manager/owner of the business must comply with the request within 7 days. The picture quality of the video cameras and recording devices installed on the complex must meet the approval of the Chief of Police.
- 19) The business shall be equipped with a panic/hold up alarm system. Employees shall have access to panic button(s) that will notify an alarm monitoring company of a robbery or other emergency at the location and who will in turn notify the Downey Police Department of the emergency. The business manager/owner will obtain an alarm permit from the Downey Police Department.
- 20) The business shall be equipped with an alarm system that covers break-ins and robberies. The alarm must be monitored by an alarm monitoring company who will notify the Downey Police of any break-ins or robberies. Employees must have access to a hidden button that will trigger a silent alarm, notifying the alarm monitoring company that a robbery is taking place. The manager/owner will obtain an alarm permit from the Downey Police Department.
- 21) Windows and storefront must remain fully visible, and unobstructed from any tint and/or screening, in order to allow view into the tenant space.



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- 22) Prior to selling alcoholic beverages, the owner/applicant shall obtain any and all required Police Department permits for this Conditional Use Permit.
- 23) Signs shall be posted at all entrances to the premises and business identifying a zero-tolerance policy for nuisance behavior at the premises (including the parking lot). Signs shall be posted along the exterior and shall include verbiage prohibiting the possession and consumption of alcohol inside and/or outside the premises.
- 24) The owner/applicant shall not permit any loitering in front of the business.
- 25) A copy of this conditional use permit and any Police permit shall be prominently posted on the premises at all times. The applicant shall make available said copies upon request by any Police Officer or other City official charged with the enforcement of the City's laws, ordinances, or regulations.
- 26) The Licensee shall be responsible for monitoring the business to prevent anyone under the age of 21 from purchasing alcohol.
- 27) The owner/applicant shall comply with and strictly adhere to all conditions of any permit issued by the Alcohol Beverage Control ("ABC") to the applicant and any applicable regulations of ABC.
- 28) Upon the determination by the Chief of Police that the operation of the business requires on-site security, the applicant shall submit and obtain approval of a security plan to the Chief of Police. The number of security guards shall be determined by the Chief of Police and may be increased or decreased as the Chief of Police determines is necessary. The initial security plan shall be submitted to the Police Department within fourteen (14) days of being requested. Should the Police Department request any additional information or modifications, the business owner/permittee shall submit said revisions within forty-eight (48) hours of notification.

**BUILDING**

- 29) All construction shall comply with the most recent version of the California Building Code, as adopted by the City of Downey.
- 30) Prior to the commencement of any construction, the applicant shall obtain all required permits. Once permits are issued, the applicant shall obtain all necessary inspections and permit final prior to occupancy of the business.

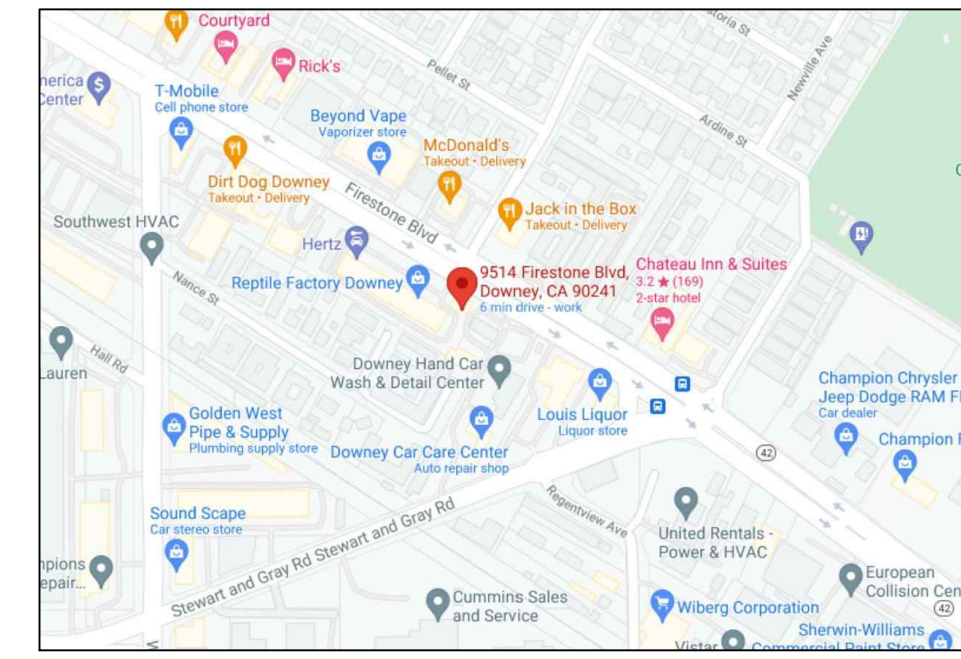
**FIRE**

- 31) 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.

Resolution No.  
Downey Planning Commission

- 32) Fire has no specific comments on the proposed project other than the proposed occupancy use (e.g. liquor sales) shall comply with code requirements for building's use as a Business Group B occupancy adhering to requirements for egress, egress sizing, occupant load, egress/emergency illumination, building addressing, Knox box installation, and any other code requirements for the occupancy type and use.

**END OF CONDITIONS**



vicinity map

site  
 GROSS LOT AREA 32,116 SQ FT  
 building specific  
 TOTAL BUILDING SQUARE FOOTAGE 1,794 SQ FT  
 PROPOSED UNITS:  
 TENANT IMPROVEMENT 890 SQ FT  
 OCCUPANCY:  
 B-BUSINESS  
 STORIES: 1 STORY  
 CONSTRUCTION TYPE: V-B  
 SPRINKLERED: NO  
 ZONE C2  
 scope of work / use  
 ONLINE SALES AND PICK UP OF PREPACKAGED DRINKS  
 (NO PUBLIC WALK IN SALES)

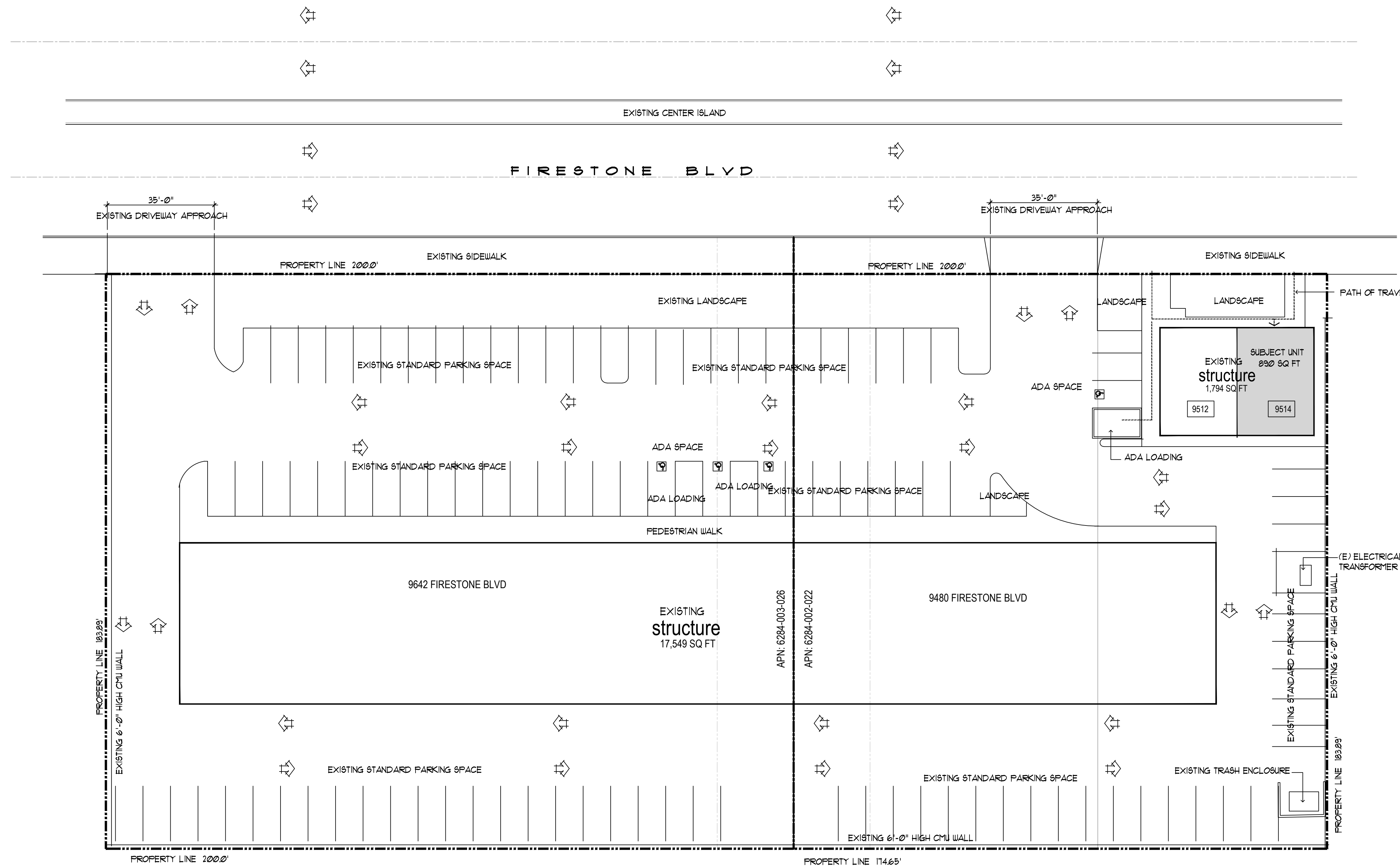
**FORM** STUDIO inc  
 10827 downey avenue, downey, ca 90421  
 p 562.861.3888  
 formstudio@gmail.com

consultant:

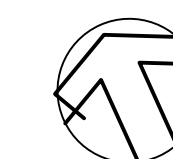
owner information:  
**ASSOCIATED LIQUOR**  
 MARC SHELTON  
 9514 FIRESTONE BLVD  
 DOWNEY, CA 90240

project location:  
 9514 FIRESTONE BLVD  
 DOWNEY, CA 90240

issue / date:



site plan  
 scale: 1"=20'-0"

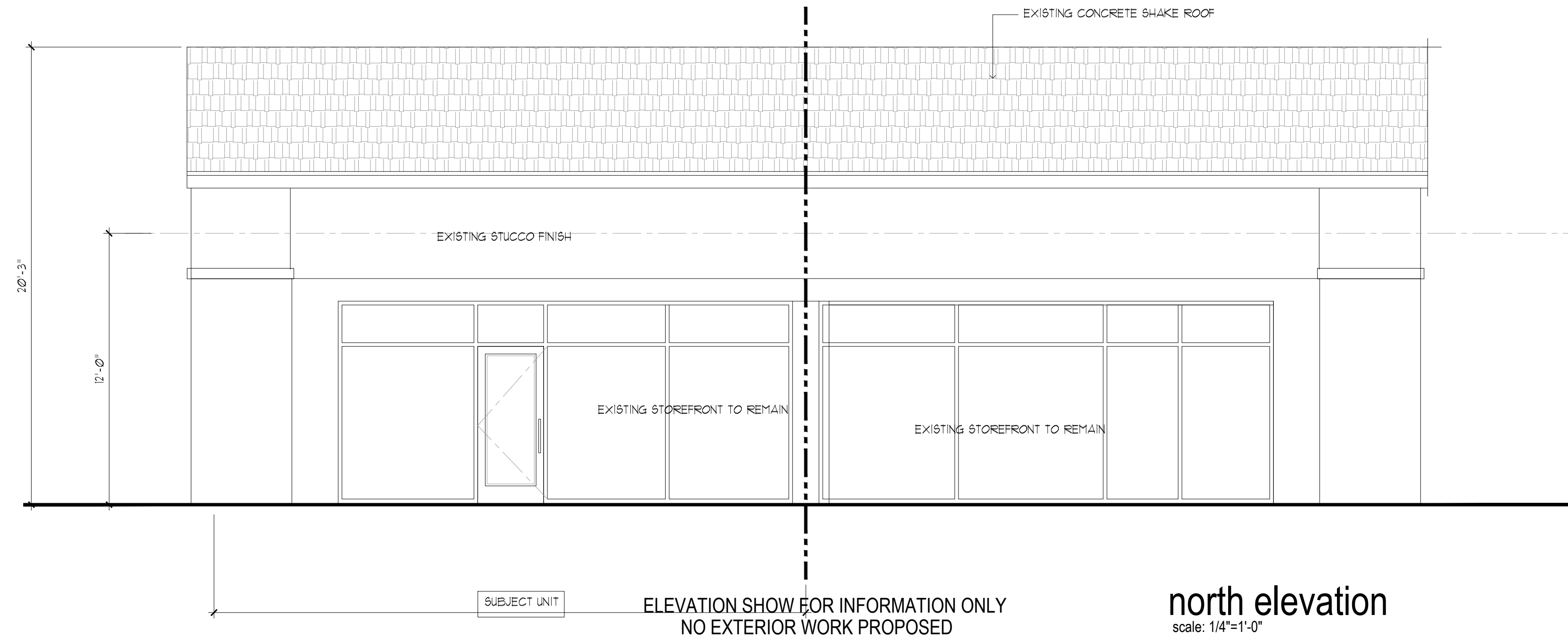


The above drawings and specifications and ideas, designs and arrangements represented thereby are and shall remain the property of the designer, and no part thereof shall be copied, disclosed to others or used in connection with any work or project other than the specified project for which they have been prepared and developed without the written consent of the designer. Visual contact with these plans or specifications shall constitute conclusive evidence of acceptance of these restrictions.  
 Written dimensions on these drawings shall have precedence over scaled dimensions. Contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variations from the dimensions and conditions shown in these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

project no: 2105059  
 phase:  
 date: 05/12/21  
 scale: SITE PLAN  
 drawn by:  
 sheet index:  
 SITE PLAN

sheet no.

1



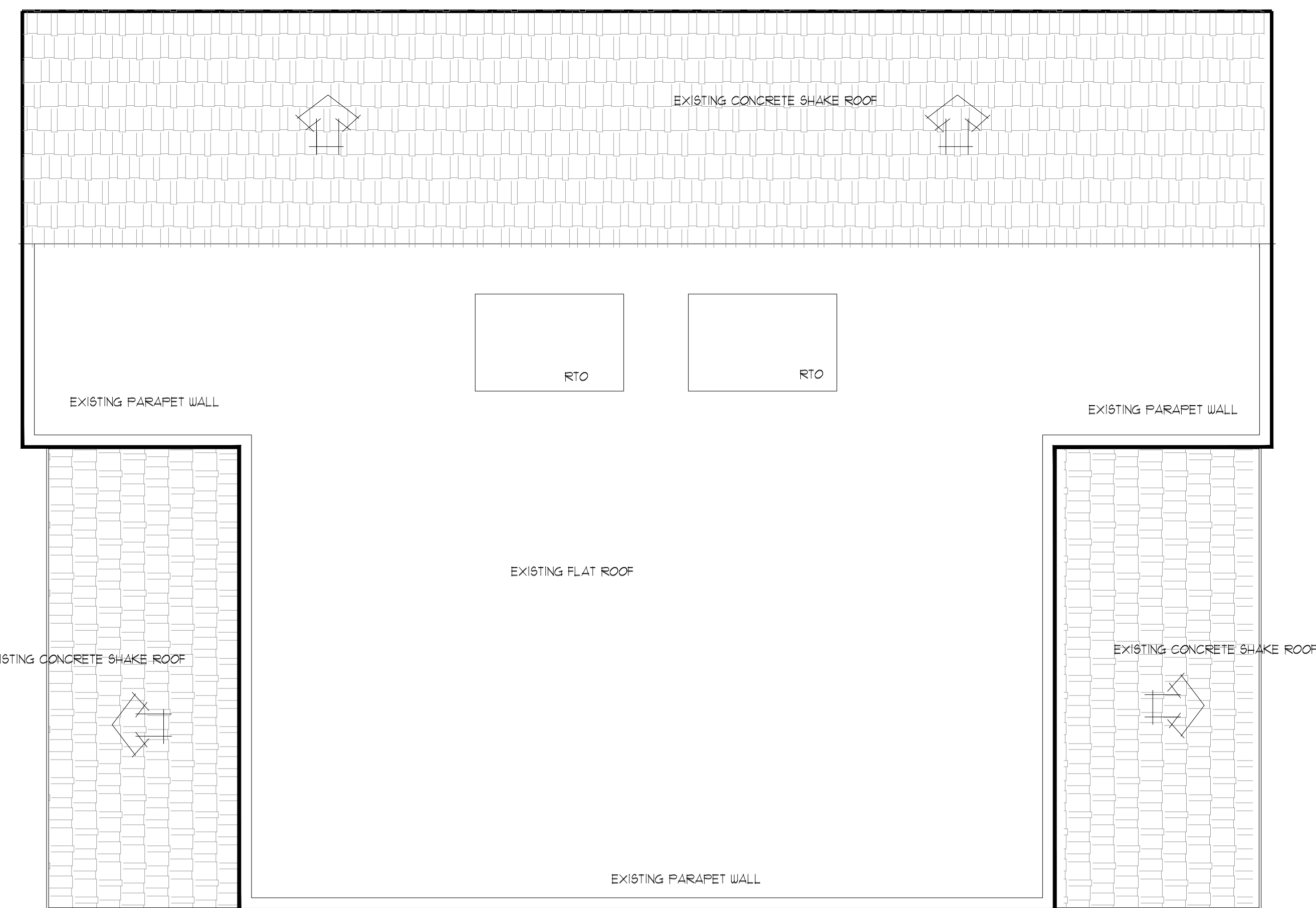
**north elevation**  
 scale: 1/4"=1'-0"

**WALL LEGEND**

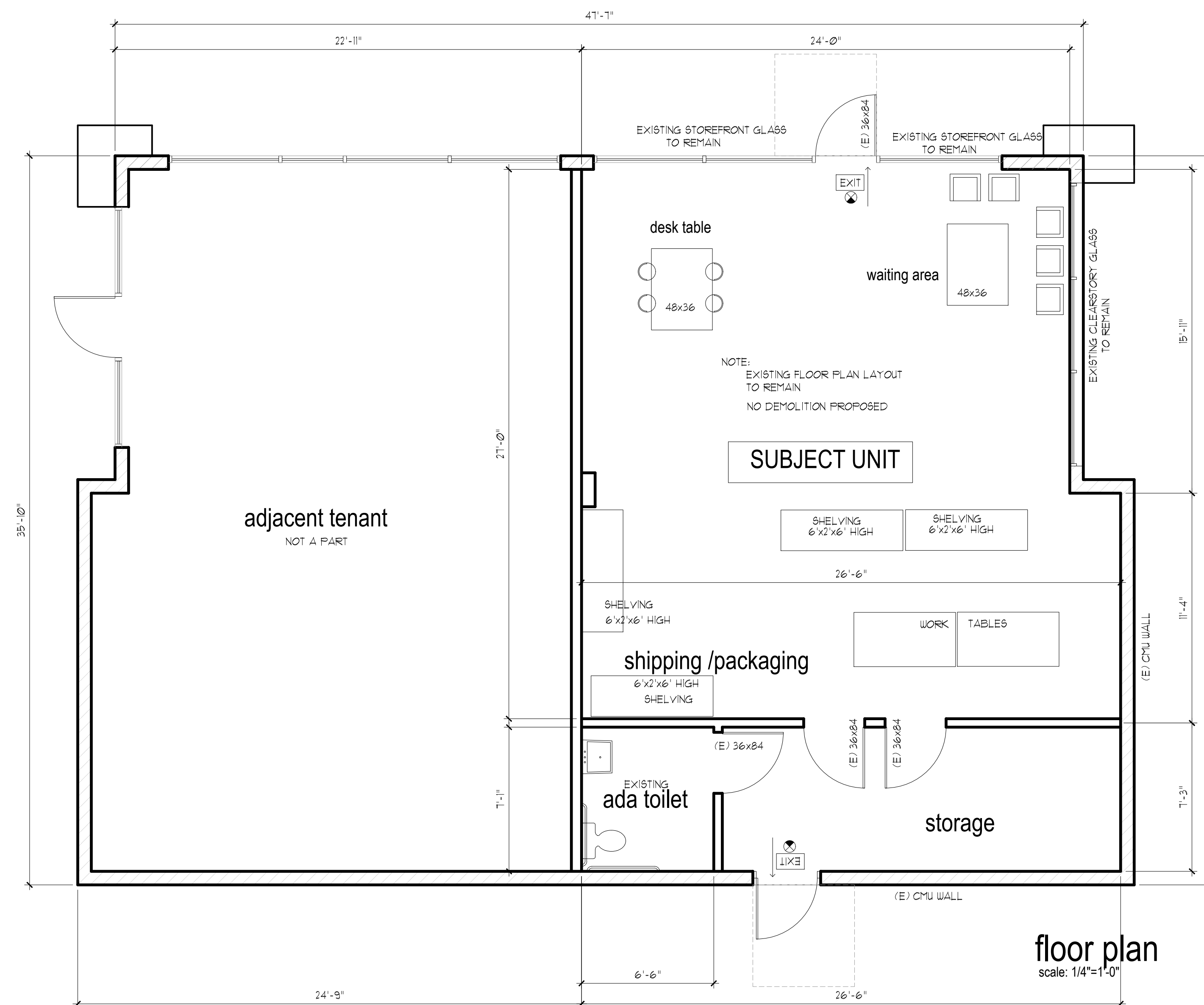
- EXISTING WALLS
- 2x4 WALLS STUDS @ 16" OC
- EXISTING WALLS
- 8" CMU WALL
- DIRECTIONAL EXIT SIGNAGE

**TENANT SPACE USE:**

- NO PUBLIC WALK UP SALES
- ONLINE SALES: PACKAGING, SHIPPING AND PICK-UP ONLY



**roof plan**  
 scale: 1/4"=1'-0"



**floor plan**  
 scale: 1/4"=1'-0"

consultant:

owner information:

**ASSOCIATED LIQUER**  
 MARC SHELTON  
 9514 FIRESTONE BLVD  
 DOWNEY, CA 90240

project location:

9514 FIRESTONE BLVD  
 DOWNEY, CA 90240

issue / date:

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project no: 2001098  
 phase:  
 date: 11/16/20  
 scale: NOTED  
 drawn by:  
 sheet index:  
**FLOOR PLAN**

sheet no.

**A2**