



- I. **CALL TO ORDER: A REGULAR PLANNING COMMISSION MEETING - 6:30 P.M.**
- II. **ROLL CALL:** Commissioners Uva, Ortiz, Duarte, and Chair Owens
- 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-21-00177 (Conditional Use Permit)** **Approve**
continued from April 20, 2022

Location: 9516 Lakewood Boulevard

Request: A request to allow a new 1,420 sq. ft. outdoor dining expansion at a commercial plaza (The Commons at Gallatin Road), on property zoned C-2 (General Commercial) and P-B (Parking Buffer).

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

Staff: Principal Planner, Guillermo Arreola

Contact: garreola@downeyca.org
562-904-7154

2. **PLN-22-00015 (Site Plan Review)** **Approve**
continued from April 20, 2022

Location: 9432 Telegraph Road

Request: A request to construct a new 5,378 sq. ft. medical building, on property zoned C-2 (General Commercial).

CEQA: Categorical Exemption – Section 15332 (Class 32, In-fill Developments)

Staff: Senior Planner, Alfonso Hernandez

Contact: ashernandez@downeyca.org
562-904-7154



3. **PLN-22-00040 (Special Event Permit)** **Approve**

Location: 10441 Downey Avenue

Request: A request to hold a three-day carnival from May 13, 2022 to May 15, 2022 at Our Lady of Perpetual Help, on property zoned R-3 (Medium Density Multi-Family Residential).

CEQA: Categorical Exemption – Section 15304 (Class 4, Minor Alterations to Land)

Staff: Senior Planner, Alfonso Hernandez

Contact: 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 non-agenda, consent and other business 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 for non-agenda items to no more than four (4) 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 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.

4. **February 17, 2021 Minutes**

IX. **OTHER BUSINESS:** Election of Officers
1. Vice Chair

X. **STAFF MEMBER COMMENTS:**

XI. **ADJOURNMENT:** To Wednesday, May 18, 2022 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 therefrom 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 28th day of April, 2022

Mary Cavanagh

Mary Cavanagh
Secretary, Planning Commission



DATE: MAY 4, 2022

TO: PLANNING COMMISSION

**SUBMITTED/
REVIEWED BY:** CRYSTAL LANDVAZO, INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT DIRECTOR

PREPARED BY: GUILLERMO ARREOLA, PRINCIPAL PLANNER

SUBJECT: **PLN-21-00177 (CONDITIONAL USE PERMIT) – A REQUEST TO ALLOW A PERMANENT 1,420 SQUARE FOOT OUTDOOR DINING EXPANSION AT A COMMERCIAL PLAZA (THE COMMONS AT GALLATIN ROAD).**

LOCATION: 9516 LAKEWOOD BOULEVARD

ZONING: C-2 (GENERAL COMMERCIAL) AND P-B (PARKING BUFFER)

REPORT SUMMARY

The applicant is seeking to add a secondary outdoor dining plaza at 9516 Lakewood Boulevard by converting space currently occupied by (7) parking stalls. The proposed area will be 1,420 square feet and will serve as outdoor dining for three adjacent tenants. The site will continue to operate under Resolution No. 15-2922 and the proposed resolution that is more specific to the outdoor dining area. This item was originally scheduled for consideration on April 6, 2022 but, the applicant requested to continue the item to April 20, 2022. The Resolution has since been revised to allow the existing resolution approving the original development and Mitigated Negative Declaration to remain effective and new conditions were added to address concerns raised by neighboring residents regarding activity within the center. The April 20, 2022 Planning Commission meeting was cancelled due to a lack of quorum and all items on the agenda were continued to the May 4, 2022 Commission meeting.

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 CONDITIONAL USE PERMIT (PLN-21-00177), THEREBY RECINDING RESOLUTION NO. 15-2922, AND ALLOWING A 1,420 SQUARE FOOT OUTDOOR DINING AREA AT A COMMERCIAL PLAZA (THE COMMONS AT GALLATIN ROAD).

BACKGROUND

The subject site is located on the southeast corner of Lakewood Blvd and Gallatin Road. The site is currently developed with two buildings. One is a 12,144 sq. ft. building occupied by a single tenant restaurant. The other is a 6,000 sq. ft. multi-tenant building occupied by two

restaurants and a coffee shop. The proposed outdoor dining will serve the multi-tenant building. The property has a General Plan Land Use Designation of General Commercial. The parcel is zoned C-2 (General Commercial) and P-B (Parking Buffer).

On December 15, 2021, the applicant filed a request for a Conditional Use Permit. Subsequently, the applicant was issued an incomplete letter on January 12, 2022. A complete letter was issued on March 2, 2022. On March 24, 2022, 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.

On April 6th, the applicant submitted a request to continue this item to the April 20th, 2022 Planning Commission meeting. The April 20th Planning Commission meeting was cancelled due to a lack of quorum, and all items on that agenda were continued to the May 4, 2022 Commission meeting.

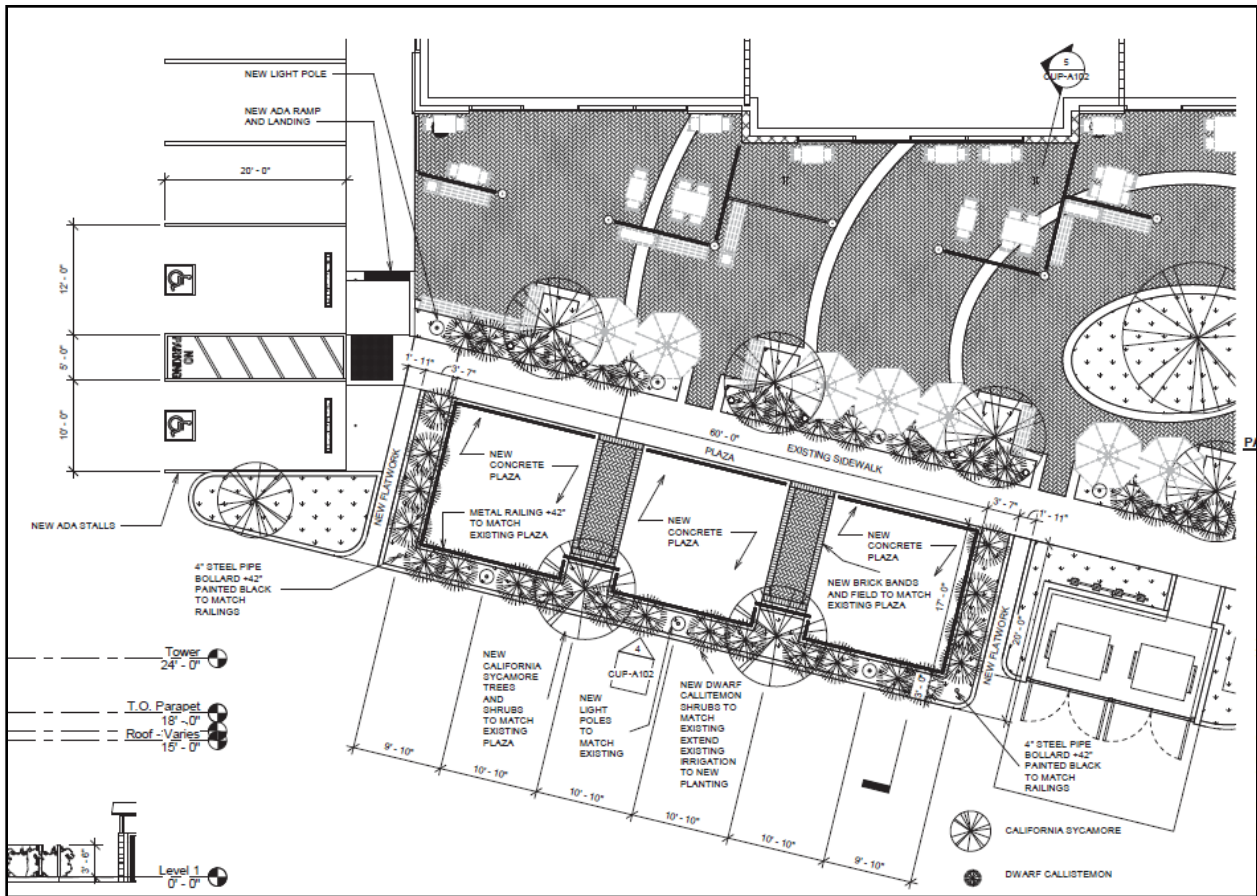


Existing North Elevation from Gallatin Rd.

DISCUSSION

A temporary outdoor dining permit was issued for the center on July 29, 2020 as part of the City's response to state mandated closures due to the COVID-19 pandemic. The temporary structure occupies five (5) parking spaces and consists of a wood plank deck with trees that buffer it from the drive aisle. The property owner is now requesting to remove the temporary structure and replace it with a permanent dining area by removing seven (7) parking stalls. The new dining area will install new hardscape, landscape, site lighting, and bollards to match features from the existing outdoor dining plaza.

The proposed project will consist of a 1,420 square feet of outdoor dining area surrounded by a 3 ft. 7 in. landscape planter along its perimeter. The new dining area will be enclosed with a 42" tall metal railing fence, to match the existing railing within the center. The new landscaping will consist of drought tolerant plants, shrubs, and trees. The asphalt in the area will be removed and replaced with concrete and decorative pavers to identify the new outdoor dining area. Two of the seven parking spaces removed for this project are ADA compliant spaces that will be relocated to the parking area immediately south of the new outdoor dining area. Though there is a reduction of parking, the site continues to have a surplus of 42 stalls.



Proposed Site Plan

DEVELOPMENT REVIEW COMMITTEE

On January 6, 2022, 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. No department 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

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 consists of projects that involve a negligible expansion of the existing use.

FINDINGS

Pursuant to Municipal Code Section 9824.06, there are four (4) findings that must be adopted prior to approving a Conditional Use Permit. The findings are as follows:

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 subject site is developed with a commercial center that consists of a coffee shop and restaurants with outdoor dining areas. The commercial was previously found to be, and remains, consistent with the General Plan in that it provides goods and services to the neighborhood and surrounding community. The proposed secondary dining area will provide the community with an additional amenity to utilize the services provided by the center. The new outdoor dining area is located approximately 210 feet away from residentially developed properties at the east side of the site. The new outdoor dining area is separated from the nearest residential uses by three drive aisles and rows of parking so it is not expected to cause a nuisance to nearby businesses or residences. The project aims to diversify the services available to residents and patrons of city businesses. The following General Plan policy is promoted by the proposed CUP:

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

The Conditional Use Permit promotes the above policy by diversifying the amenities and environment provided by the adjacent businesses. This will not only continue to provide, but also expand, the type and amount of goods and services available to its patrons and general public. The commercial center will continue to operate under existing conditions of approval issued upon its original development which have allowed it to operate without causing impacts to the surrounding area.

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 outdoor dining area is intended to complement the existing uses on the subject site as a supplementary/ancillary component. The project will match the existing features of the existing outdoor dining area and will provide additional landscaping to complement the new amenity. The subject site has operated as commercial center without causing adverse impacts to the surrounding area. The proposed project will add an additional amenity to complement the existing on the subject site without intensifying the original operations of the center. The subject site will continue to operate with a surplus of parking stalls that exceeds the City’s minimum standards. As such, the request is not anticipated to adversely affect the adjacent commercial businesses, nor hinder the area’s potential for future growth and development.

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 subject site has operated as a commercial center and the request for an additional outdoor dining area does not include a proposal to alter any of the existing buildings’ floorplans or square footage. The proposed new outdoor dining area is intended to complement the uses already operating on the subject site, not serve as a new primary use that would generate additional impacts. The center, and the new dining area, will continue to operate under the existing conditions of approval that regulate the center to ensure that the subject site does not cause a detriment to the area. The proposed dining area will not restrict future permitted uses from occupying the site or require an existing use to alter their operations. The site will continue to operate with an abundance of parking and will continue to be self-sustaining without impacting the surrounding area.

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

The subject site has operated as a commercial center with a coffee shop and three restaurants. Additionally, the location of the proposed new permanent outdoor dining area was occupied by a temporary dining area deck since July 2020 without causing an undue burden upon the streets and highways in the area. The proposed outdoor dining area will serve as a complement to the existing uses on the subject not as a separate primary use that will generate new traffic to the subject site. Traffic and vehicular activity to the site is not expected to increase due to the new outdoor dining area. The center is expected to operate in a similar fashion, and will continue to be regulated by the existing conditions of approval that have allowed it to operate without causing a burden to the area. Lakewood Boulevard is a major arterial that was determined to be able to manage the activity generated by the center prior to its original development. The existing transportation infrastructure and surplus on-site parking are adequate to support the type and quantity of traffic generated.

CORRESPONDENCE

Staff received one letter of correspondence in support of this application. Staff received three phone calls from area residents regarding the operation of the shopping center. Their concerns ranged from the time of deliveries, parking lot sweeper, and deep cleaning of outdoor patio areas during late night and early morning hours, customers parking in adjacent residential neighborhood, trash and leaves accumulating on adjacent property, vehicles doing “donuts” on the parking lot, and loud music from vehicles charging at the Tesla charging stations.

Staff spoke to the property owner and relayed the neighbors’ concerns. In order to address the neighbors’ concerns, Staff has incorporated the following conditions of approval

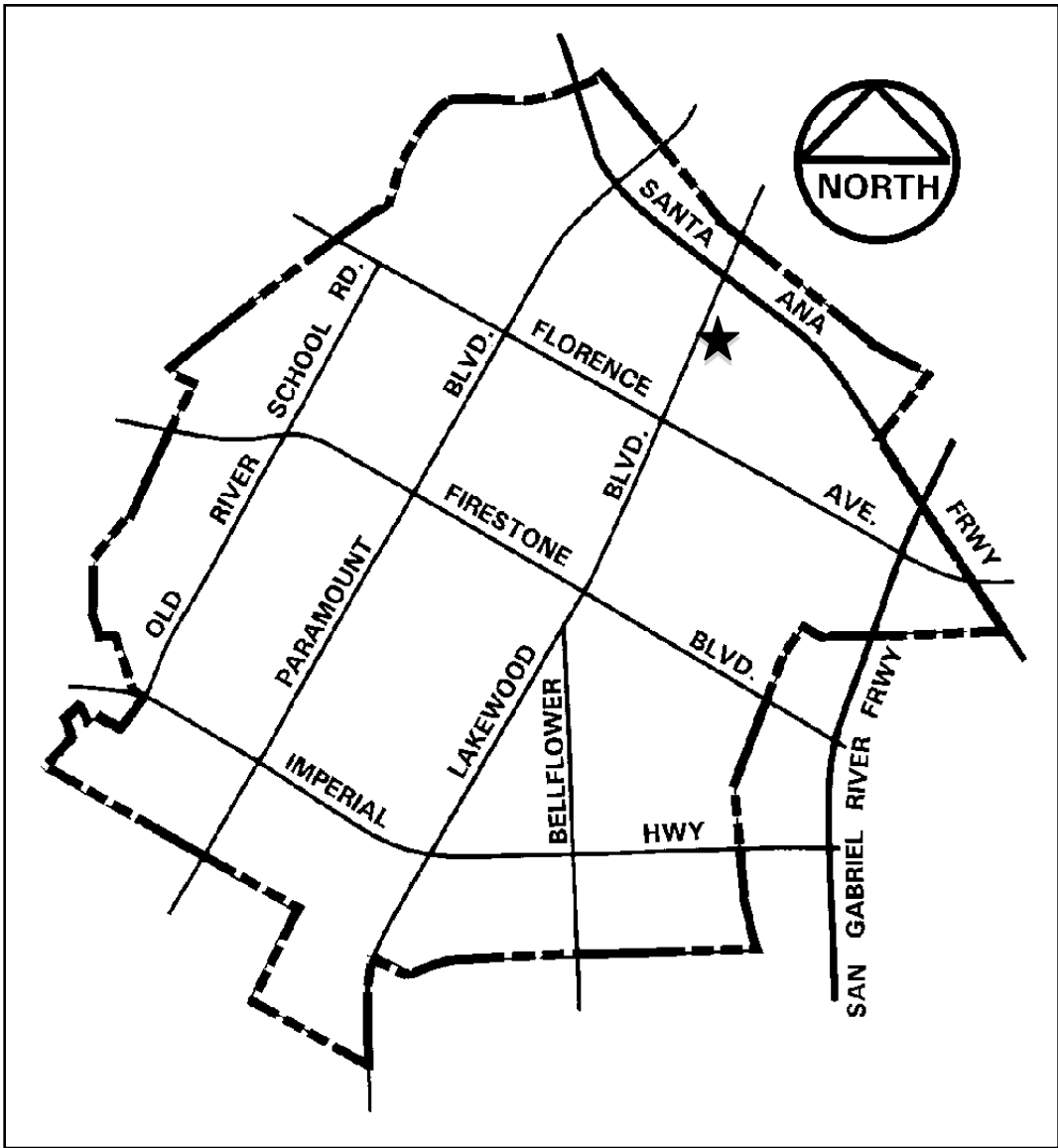
- Permanent signs at the driveway exits stating that parking in the adjacent residential neighborhood is discouraged.
- Landscape maintenance, parking lot sweeping, and outdoor patio cleaning is prohibited between the hours of 10:00 pm and 7:00 am, Monday through Friday, and 10:00 pm and 8:00 am, Saturday and Sunday.
- The subject property and surrounding area must be maintained free of trash, litter, and debris at all times.
- Permanent signs reminding patrons to be courteous to the neighbors and to keep noise low shall be evenly distributed throughout the parking lot and along the east parking lot landscape planter.
- There shall be no outdoor sound/music system/speakers installed in the 1,420 square foot outdoor dining area.

CONCLUSION

Based on the analysis contained within this report, all findings required for approval can be made in a positive manner. As such, it is recommended that the Planning Commission approve PLN-21-00177, thereby approving a permanent 1,420 square foot outdoor dining area within a commercial plaza.

EXHIBITS

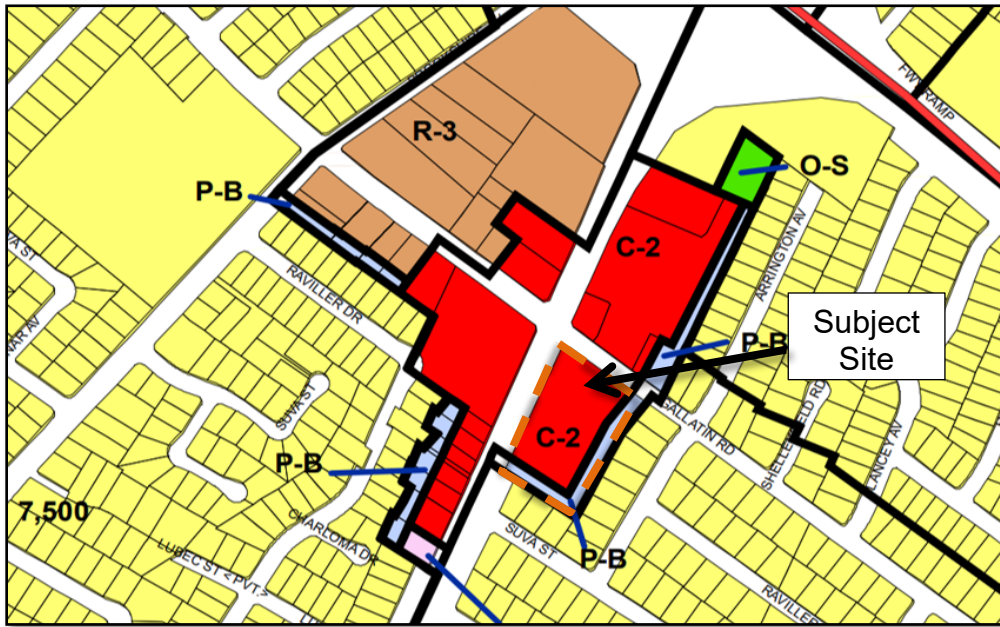
- A. Maps
- B. Draft Resolution
- C. Project Plans
- D. Resolution No. 15-2922



Location



Aerial Photograph



Zoning Map

RESOLUTION NO. 22-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING CONDITIONAL USE PERMIT PLN-21-00177 TO ALLOW A 1,420 SQUARE FOOT OUTDOOR DINING AREA AT A COMMERCIAL PLAZA KNOWN AS THE COMMONS AT GALLATIN ROAD AND INCORPORATING ALL CONDITIONS OF RESOLUTION NO. 15-2922

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 May 20, 2015, the Planning Commission held a duly noticed public hearing, and after fully considering all oral and written testimony and facts and opinions offered at the aforesaid public hearing, adopted Resolution No. 15-2922, adopting a mitigated negative declaration and approving a site plan review and conditional use permit allowing The Commons at Gallatin Road project, a 18,144 square foot commercial development; and
- B. On December 15, 2021, the applicant submitted a request for the Conditional Use Permit to allow the 1,420 expansion of existing outdoor dining plaza. Due to missing information on the project plans, staff deemed the application incomplete; and,
- C. The application was deemed incomplete due to missing information on January 12, 2022. The applicant resubmitted additional information and the application was deemed complete for further processing on March 2, 2022; and
- D. On March 24, 2022, notice of the pending application published in the Downey Patriot and mailed to all property owners within 500' of the subject site; and,
- E. On April 6, 2022, the applicant submitted a request to continue this item to the April 20, 2022 Planning Commission meeting to allow the applicant to work with staff regarding the proposed conditions of approval, and;
- F. On April 14, 2022, the April 20th, 2022 Planning Commission was cancelled due to a lack of a quorum, and all items on the agenda were continued to the May 4, 2022 Planning Commission meeting, and;
- G. On May 4, 2022, the Planning Commission held a duly noticed public hearing, and after fully considering all oral and written testimony and 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 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 consists of projects that involve a negligible expansion of the existing use.

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings regarding the Conditional Use Permit, 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 subject site is developed with a commercial center that consists of a coffee shop and restaurants with outdoor dining areas. The commercial was previously found to be, and remains, consistent with the General Plan in that it provides goods and services to the neighborhood and surrounding community. The proposed secondary dining area will provide the community with an additional amenity to utilize the services provided by the center. The new outdoor dining area is located approximately 210 feet away from residentially developed properties at the east side of the site. The new outdoor dining area is separated from the nearest residential uses by three drive aisles and rows of parking so it is not expected to cause a nuisance to nearby businesses or residences. The project aims to diversify the services available to residents and patrons of city businesses. The following General Plan policy is promoted by the proposed CUP:

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

The Conditional Use Permit promotes the above policy by diversifying the amenities and environment provided by the adjacent businesses. This will not only continue to provide, but also expand, the type and amount of goods and services available to its patrons and general public. The commercial center will continue to operate under existing conditions of approval issued upon its original development which have allowed it to operate without causing impacts to the surrounding area.

- 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 outdoor dining area is intended to complement the existing uses on the subject site as a supplementary/ancillary component. The project will match the existing features of the existing outdoor dining area and will provide additional landscaping to complement the new amenity. The subject site has operated as commercial center without causing adverse impacts to the surrounding area. The proposed project will add an additional amenity to complement the existing on the subject site without intensifying the original operations of the center. The subject site will continue to operate with a surplus of parking stalls that exceeds the City's minimum standards. As such, the request is not anticipated to adversely affect the adjacent commercial businesses, nor hinder the area's potential for future growth and development.
- 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 subject site has operated as a commercial center and the request for an additional outdoor dining area does not include a proposal to alter any of the existing buildings' floorplans or square footage. The proposed new outdoor dining area is intended to complement the uses already operating on the subject site, not serve as a new primary use that would generate additional impacts. The center, and the new dining area, will continue to operate under the existing conditions of approval that regulate the center to ensure that the subject site does not cause a detriment to the area. The proposed dining

area will not restrict future permitted uses from occupying the site or require an existing use to alter their operations. The site will continue to operate with an abundance of parking and will continue to be self-sustaining without impacting the surrounding area.

- D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The subject site has operated as a commercial center with a coffee shop and three restaurants. Additionally, the location of the proposed new permanent outdoor dining area was occupied by a temporary dining area deck since July 2020 without causing an undue burden upon the streets and highways in the area. The proposed outdoor dining area will serve as a complement to the existing uses on the subject not as a separate primary use that will generate new traffic to the subject site. Traffic and vehicular activity to the site is not expected to increase due to the new outdoor dining area. The center is expected to operate in a similar fashion, and will continue to be regulated by the existing conditions of approval that have allowed it to operate without causing a burden to the area. Lakewood Boulevard is a major arterial that was determined to be able to manage the activity generated by the center prior to its original development. The existing transportation infrastructure and surplus on-site parking are adequate to support the type and quantity of traffic generated.

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 the Conditional Use Permit, 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.

SECTION 6. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 4th day of May, 2022.

Patrick Owens, 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 4th day of May, 2022, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

PLN-21-00177
CONDITIONAL USE PERMIT

EXHIBIT A - CONDITIONS

PLANNING

- 1) The approval of Conditional Use Permit PLN-21-00177 allows for a secondary permanent outdoor dining area of 1,420 square feet at the Commons at Gallatin Road.
- 2) All conditions of approval listed under Resolution No. 15-2922 shall remain in effect.
- 3) The Planning Commission reserves the right to revoke or modify this CUP if harm or operational problems such as criminal or anti-social behavior occur. Examples of harmful or operation behaviors include, but not limited to, violence, public drunkenness, vandalism, solicitation and/or litter.
- 4) The secondary outdoor dining area is subject to permanent and current temporary outdoor Department of Alcoholic Beverage Control (ABC) licensing restrictions, as such, alcoholic beverages are presently permitted in this area. Alcoholic beverages are also restricted to the enclosed dining areas adjacent to the tenant spaces that hold an ABC license. The service of alcoholic beverages shall be prohibited should ABC prohibit the service of alcoholic beverages in the 1,420 square foot permanent outdoor dining area.
- 5) The businesses shall comply with the City of Downey's noise ordinance, but in any case, noises shall not exceed greater than 65 dBA as measured at the property line.
- 6) There shall be no outdoor sound system/speakers installed in the 1,420 square foot outdoor dining area.
- 7) The subject property and surrounding area must be maintained free of trash, litter, and debris at all times.
- 8) The owner/applicant shall not permit any loitering on the subject site.
- 9) The applicant shall install permanent signs at each driveway exit along Gallatin Road stating that customers are discouraged from parking in the adjacent residential neighborhood.
- 10) Landscape maintenance, parking lot sweeping, and outdoor patio cleaning is prohibited between the hours of 10:00 pm and 7:00 am, Monday through Friday, and 10:00 pm and 8:00 am, Saturday and Sunday.
- 11) Permanent signs reminding patrons to be courteous to the neighbors and to keep noise low shall be evenly distributed throughout the parking lot and along the east parking lot landscape planter, subject to approval of the City Planner.

BUILDING

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

- 2019 California Electrical Code
- 2019 California Mechanical Code
- 2019 California Plumbing Code
- 2019 California Fire Code
- 2019 California Green Code

- 13) The Title Sheet of the plans shall include:
- Occupancy Group
 - Occupant Load
 - Description of use
 - Type of Construction
 - Height of Building
 - Floor area of building(s) and/or occupancy group(s)
 - Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
- 14) All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
- 15) 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.
- 16) A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code.
- 17) Site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

FIRE DEPARTMENT

- 18) Designation of NO PARKING (e.g. red curb) in parking lot at proposed outdoor dining area shall be provided. 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].
- 19) Project construction shall comply with requirements set forth in the CA Building and Fire Codes for egress from proposed dining area.

PUBLIC WORKS

- 20) Owner/applicant shall comply with the Low Impact Development requirements for small scale LID Category. The owner/applicant shall incorporate one of the two options (Vegetated Bio swale or Cultec System) in the site plan with detail.

Resolution No. 22-
Downey Planning Commission

a. The applicant to include the following statement on the plan:

“As the designer/architect of the project, I have designed the LID System in accordance with the design criteria of the City of Downey’s LID Technical Guidance Manual for Small Site Developments.”

END OF CONDITIONS

RESOLUTION NO. 15-2922

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING A SITE PLAN REVIEW AND CONDITIONAL USE PERMIT (PLN-14-00239), THEREBY ALLOWING THE COMMONS AT GALLATIN ROAD PROJECT, A NEW 18,144 SQUARE FOOT COMMERCIAL DEVELOPMENT ON PROPERTY LOCATED AT 9516 LAKEWOOD BLVD, ZONED C-2 (GENERAL COMMERCIAL) AND P-B (PARKING BUFFER)

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 November 24, 2014, the applicant submitted a request for the Site Plan Review and Conditional Use Permit to allow the construction of a new commercial development on a former new vehicle dealership site. Due to missing information on the project plans, staff deemed the application incomplete; and,
- B. On April 16, 2015, the applicant submitted the remaining information needed to complete the application. Accordingly, staff deemed the application complete on April 23, 2015; and,
- C. In accordance with the requirements of the California Environmental Quality Act, a notice of the intent to adopt the Mitigated Negative Declaration was posted at the Los Angeles County Recorder's Office on April 28, 2015; and,
- D. On April 30, 2015, notice of the pending application published in the Downey Patriot and mailed to all property owners within 500' of the subject site; and,
- E. The Planning Commission held a duly noticed public hearing on May 20, 2015, and after fully considering all oral and written testimony and facts and opinions offered at the aforesaid public hearing adopted this resolution.

SECTION 2. The Planning Commission further finds, determines and declares that after preparing an Initial Study in compliance with the requirements of the California Environmental Quality Act, which found that unless mitigated the project could have a significant environmental impact. As such the Initial Study/Mitigated Negative Declaration was circulated for public review from April 30, 2015 to May 20, 2015. Based on its own independent judgment that the facts stated in the initial study are true, the Planning Commission hereby adopts a Mitigated Negative Declaration of Environmental Impacts. Mitigation measures have been included in the conditions of approval of this resolution.

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:

- 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 subject site has a General Plan Land Use Designation of General Commercial and all uses are within the

C-2 (General Commercial) zone. The intent of the land use designation and zoning to provide commercial and service uses in the City that serves the broadest community and regional needs. The proposed restaurants will meet these needs by providing additional eating establishments for those who live and work in the area. Furthermore, General Plan Policy 1.1.4 states "*Provide an appropriate amount of land area for people to acquire goods and services.*" This approval will provide additional eating opportunities to those who live and work in the area. These restaurants will be complementary to the other retail/commercial uses that are located in the vicinity of the project site. It is also a policy of the General Plan (Policy 8.2.2) to "Promote the upgrading of properties." The proposed improvements will not only upgrade the subject site by removing the buildings that have fallen into disrepair, but will serve to upgrade all the surrounding properties, by enhancing the streetscape.

2. The proposed development is in accordance with the purposes and objectives of Article IX and the zone in which the site is located. One of the purposes of the Zoning Code is to allow development of properties, while avoiding impacts of the adjoining area. The majority of the subject site is within the C-2 (General Commercial) zone, which intends to provide commercial and service uses in the City in order to serve the broadest community and regional needs. The proposed project meets both of these goals by providing restaurants that have been designed in a manner that will enhance the streetscape and provide food service to those who live, work, and travel through the area. The remainder of the site is within the P-B (Parking Buffer) zone, which was intended to separate commercial land uses from adjoining residential use by limiting the zone to parking spaces and landscaping. The applicant has only provided parking and landscape in the P-B portions of the site.
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 site is currently improved with a vacated car dealership, whose buildings have fallen into disrepair. There is little landscaping currently provided on the site. The applicant's proposal includes the construction of new buildings using a traditional architectural style, with contemporary design elements. Furthermore, the applicant is proposing to utilize a variety of landscaping that will give the site a pleasant visual appearance. The combination of the landscaping and architectural style will serve to enhance the site and the entire area. The proposed architecture will integrate with the existing architecture of other buildings in the area.
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 proposed project will allow two buildings at the subject site, one of which will have a drive-thru lane. This drive-thru lane has been located in a manner such that pedestrians will not need to traverse it to get to the building. Furthermore, the proposal exceeds all requirements for parking and on-site landscaping, which has been designed to facilitate movement on the site and minimize points of conflict. Finally, the applicant is proposing sufficient parking lot illumination to ensure a hazard does not occur at night. Based on this, the applicant has taken into consideration proper pedestrian and vehicle circulation in designing the site. Consequently the use of landscaping along the front setback will give a proper visual effect of the site from the street.

5. The proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities. In the City of Downey, there are a virtual plethora of architectural styles, particularly for the commercial developments in this area. The proposed architecture is a traditional architectural style, with some contemporary elements incorporated. An outdoor plaza creates a pedestrian friendly urban commons space that promotes both an intimate and quiet ambiance. Combined with a lush and colorful landscape, the project provides a warm and inviting space for those who live and work in the area. The proposed architecture will allow the buildings to blend nicely with the architectural styles of the other buildings in the area; all while avoiding a monotonous streetscape. This project will upgrade the overall appearance of the site and, in turn, improve the community appearance.
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 site is currently improved with a vacated car dealership, whose buildings have fallen into disrepair. There is little landscaping currently provided on the site. The proposed landscape plan utilizes trees on the south and east side of the project that will reach a mature height in excess of 30' with canopies that reach 25' wide. The use of large canopy trees in conjunction with the increased setbacks for the buildings will provide proper screening for the adjoining uses. As noted in previous finding, the project will serve to enhance the property and the streetscape. When this is considered with the proposed landscape plan the project will promote the public health, safety, and welfare of those who work or reside in the area.
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. As part of this approval, several conditions of approval, which include the use of graffiti resistant materials in the construction of the building, have been included. Should any graffiti appear on the site, an additional condition of approval that requires the applicant have it removed within 48 hours of application. With these conditions, the design features will include be in accordance with Section 4960 of the Municipal Code.

SECTION 4. Having considered all of the oral and written evidence presented to it at said public hearings regarding the Conditional Use Permit, the Planning Commission further finds, determines and declares that:

1. The requested Conditional Use Permit will not adversely affect the purpose and intent of the zoning code or the City's General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof. The subject site has a General Plan Land Use Designation of General Commercial and all uses are within the C-2 (General Commercial) zone. The intent of the land use designation and zoning to provide commercial and service uses in the City that serves the broadest community and regional needs. The proposed restaurants will meet these needs by providing additional eating establishments for those who live and work in the area. Furthermore, General Plan Policy 1.1.4 states "*Provide an appropriate amount of land area for people to acquire goods and services.*" This approval will provide additional eating opportunities to those who live and work in the area. These restaurants will be complementary to the other retail/commercial uses that are located in the vicinity of the project site. It is also a policy of the General Plan (Policy 8.2.2) to "Promote the upgrading of properties." The

proposed improvements will not only upgrade the subject site by removing the buildings that have fallen into disrepair, but will serve to upgrade all the surrounding properties, by enhancing the streetscape.

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 subject site is within a fully developed area of the City, with little to no vacant properties in the immediate area. More specifically, the surrounding properties are improved with either residential or commercial developments. The proposed development is designed in a manner that will not impact the ability of the surrounding properties to grow and/or develop. This is achieved by exceeding all requirements for setbacks, parking, and landscaping. Notwithstanding this, several conditions of approval have been included that will serve to mitigate any potential impacts on the neighboring properties.
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 subject site is an approximate 3.53-acre lot that is currently improved with a vacated car dealership. The proposed project will demolish all buildings on site to accommodate the new buildings, a drive-thru lane, and an outdoor eating area. The proposed project exceeds all development standards for the zone. The proposed site layout allows for proper vehicle and pedestrian movement, while allowing for larger setbacks and more landscaping than the code requires. This demonstrates that the site has adequate size and shape 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 subject site can be accessed via Lakewood Blvd or Gallatin Rd. A traffic impact analysis was prepared, which studied the level of service at seven intersections in the City. The result of the analysis was that the project would not create additional delay or worsen the level of service at the studied intersections. Accordingly, there will be no undue burden on the streets or highways in the area.

SECTION 5. Based upon the findings set forth in Sections 1 through 4 of this resolution, the Planning Commission of the City of Downey hereby adopts a Mitigated Negative Declaration and approves the Site Plan Review and Conditional Use Permit (PLN-14-00239), 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 6. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 20th day of May, 2015.



Hector Lujan, 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 20th day of May, 2015, by the following vote, to wit:

AYES: COMMISSIONERS: Lujan, Flores, Morales, Rodriguez and Owens
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None



Mary Cavanagh, Secretary
City Planning Commission

**MITIGATED NEGATIVE DECLARATION, SITE PLAN REVIEW,
AND CONDITIONAL USE PERMIT
(PLN-14-00239)**

EXHIBIT A - CONDITIONS

PLANNING

- 1) The approval of this Mitigated Negative Declaration, Site Plan Review, and Conditional Use Permit (PLN-14-00239) allows for the construction of the Commons at Gallatin Road project. Specifically, the approval includes a 12,144 square foot commercial building near the center of the site and a 6,000 square foot commercial building near the northwest corner of the site. This approval also allows a drive-thru lane and 4,000 s.f. plaza (outdoor dining area) to serve the 6,000 square foot building.
- 2) Approval of this Mitigated Negative Declaration, Site Plan Review, and Conditional Use Permit (PLN-14-00239) 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.
- 3) 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.
- 4) 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.
- 5) All exterior lights 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. Parking lot light poles shall be round and have a decorative base. The style and size of the decorative base shall be approved by the City Planner prior to building permit final.
- 6) The approved architectural style, finish material, and colors shall be traditional with contemporary elements, as noted in the approved plans. 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.
- 7) All roof mounted equipment shall be screened from view as seen from adjoining properties and the public right-of-way.

- 8) Prior to the issuance of any permits for signs on the property, the applicant shall obtain approval of a Planned Sign Program.
- 9) All buildings and walls shall be finished with graffiti resistant materials. Prior to the issuance of building permits, the applicant shall demonstrate to the satisfaction of the City Planner, that the finished materials will comply with this requirement.
- 10) Any graffiti applied to the site shall be removed within 48 hours.
- 11) The development standards for the site shall be as follows:

Standard	Requirement	Site	'Building A'	'Building B'
Lot				
Area	10,000 s.f.	± 150,400 s.f.	-	-
Width	100'	± 160'	-	-
Depth	100'	± 489'	-	-
FAR	1.4	0.12	-	-
Lot Coverage	50%	12%	-	-
Height	45'	-	27'-6"	24'
Setbacks				
Front (Gallatin)	15'	-	229'	24'-6"
Street Side (Lakewood)	15'	-	133'	28'-3"
Rear (south)	46'	-	61'-7"	348'
Side (east)	46'	-	72'	236'
Building Separation	20'	142'	-	-
Parking (includes parking for plaza)	221	242	-	-
Drive-thru Queue	8 vehicles	-	-	11 vehicles
Landscaping	15,040 s.f.	22,108 s.f.	-	-

- 12) 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.
- 13) 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 approved landscape plan. All landscape shall be installed and permanently maintained. Irrigation of the landscape areas shall be with recycled water only.
- 14) All above grade back-flow preventers, check valves, and transformers shall be painted green and screened from view from the public right-of-way.
- 15) The outdoor dining areas shall be limited to the east side of the 6,000 s.f. building, as noted in the approved set of plans. There shall be at least one trash can provided per tenant that utilizes the outdoor dining area.
- 16) Any bollards on the site shall be decorative in nature and shall be approved by the City Planner.

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- 17) Prior to the final of building permits, the applicant shall provide stamped, colored concrete or pavers across the driveways. The stamped, colored concrete or pavers shall be as approved by the City Planner.
- 18) Bicycle racks shall be provided on-site.
- 19) The order menu/speaker shall be on the north side of the building (facing Gallatin Rd). There shall be no canopy or cover over the menu/speaker.
- 20) The applicant shall comply with all mitigation measures, as established by the Mitigated Negative Declaration, shall be complied with at all times. This shall include:
 - a) Construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday; and 8:00 a.m. to 5:00 p.m., Saturdays. There shall be no construction activity on Sundays.
 - b) Trucks making deliveries shall turn off all engines and not be allowed to idle on the site. A sign shall be posted in the loading area requiring all trucks to turn off engines.
 - c) Signs shall be posted in the parking lot to remind patrons to be courteous to neighbors and keep noise down.
 - d) All landscape areas on site shall be irrigated with recycled water.
 - e) The applicant shall comply with all mitigation measures contained in the City of Downey General Plan (Vision 2025) regarding air quality impacts, which includes:
 - i) Future development projects shall adhere to the requirements of SCAQMD Rule 1403 (Asbestos Emissions for Demolition / Renovation Activities) for projects where demolition is anticipated.
 - ii) Water all active construction areas at least twice daily.
 - iii) Cover all haul trucks or maintain at least two feet of freeboard.
 - iv) Pave or apply water four times daily to all unpaved parking or staging areas.
 - v) Sweep or wash any site access points within 30 minutes of any visible dirt deposition on any public roadway.
 - vi) Cover or water twice daily any on-site stockpiles of debris, dirt or other dusty material.
 - vii) Suspend all operations on any unpaved surface if winds exceed 25 mph.
 - viii) Hydroseed or otherwise stabilize any cleared area which is to remain inactive for more than 96 hours after clearing is completed.
 - ix) Require 90-day low-NOX tune-ups for off-road equipment.
 - x) Limit allowable idling to 10 minutes for trucks and heavy equipment.
 - xi) Limit individual construction sites to less than 10 acres for extended, continuous construction.
 - xii) Encourage carpooling for construction workers.
 - xiii) Wet down or cover dirt hauled off-site.
 - xiv) Encourage receipt of materials during non-peak traffic hours.
 - f) During construction, the applicant shall comply with all BMP's contained in SCAQMD's Rule 403 for fugitive dust control.
- 21) A metal awning shall be provided above the drive-thru pick-up window.
- 22) A stop sign and limit line shall be provided at the exit of the drive-thru lane.

BUILDING

- 23) All construction shall comply with the most recent version of the California Building Code, as adopted by the City of Downey, and Title 24 of the California Energy Code.
- 24) Prior to the commencement of construction, the applicant shall obtain all required permits. Additionally, the applicant shall obtain all necessary inspections and permit final prior to beginning operation of the site.

FIRE DEPARTMENT

- 25) Plans to be submitted through Building and Safety and shall comply with the most recent version of the California Fire Code, as adopted by the City of Downey; current Downey Municipal Code Ordinances and any other pertinent requirements to be determined at time of plan submission and review.
- 26) A fire sprinkler system and a fire alarm system shall be installed. Approval of the sprinkler and alarm systems shall be done through a "Deferred Submittal" in which additional requirements to meet the code may be added.
- 27) All fire lanes shall be clearly identified including the use of red curbs and signs. All fire access shall require turn around area for fire apparatus, as approved by the Fire Chief.

PUBLIC WORKS

- 28) Prior to the issuance of building permits, the owner shall record an irrevocable offer to dedicate eight (8') feet for right of way purposes along the entire Lakewood Blvd frontage and a corner cut-off right-of-way at the intersection of Lakewood and Gallatin. Prior to recording, the Director of Public Works shall review and approve the irrevocable offer to dedicate.
- 29) Prior to building permit final, the owner/applicant shall install three city standard streetlights with LED street light fixtures along Gallatin Road frontage to match the other Gallatin Rd street light improvements.
- 30) 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.
- 31) All new onsite utilities shall be installed underground.
- 32) The facility design must provide for recycling facilities, i.e., storage and handling areas for recycling facilities.
- 33) The owner/applicant shall furnish and install a new (min. 1-inch) dedicated potable water service line, meter, and meter box for each tenant space. Should the owner/applicant need to install additional water meters, they shall be connected to the water main on Gallatin Rd.
- 34) The owner/applicant shall be required to complete a construction & demolition (C&D) waste management plan per Article V, Chapter 8 of the Downey Municipal Code.

- 35) The owner/applicant shall 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) for approval by the Engineering Division and Building and Safety Division. All 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 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; 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.
- 36) The owner/applicant shall install pavement, which consists of a minimum section of 4" thick aggregate base, and a minimum 2-1/2" thick asphalt concrete pavement.
- 37) All areas within the scope of work of this project shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements of the Federal Clean Water Act; the General Construction Activities Stormwater Permit (GCASP) of the State, the Stormwater Quality Management Plan (SQMP) of the Los Angeles County Department of Public Works, and Ordinance 1142 of the Downey Municipal Code. Furthermore, the owner/applicant shall provide a design that conveys all onsite drainage over a vegetative swale a minimum distance of 20 feet and retain the first 0.75 inches of drainage onsite using either surface detention basins or below grade facilities with flow in excess of the first 0.75 inches allowed to overflow by underground drains to an existing Los Angeles County Public Works storm drain.
- 38) The owner/applicant shall provide that all construction graffiti created as part of this project in the public right of way to be removed.
- 39) The owner/applicant shall furnish and install backflow device(s) in accordance with the Department of Public Works and the State and County Department of Health Services requirements.
- 40) The owner/applicant shall confirm availability of adequate fire flow and pressure in accordance with the Department of Public Works and Downey Fire Department requirements.
- 41) The owner/applicant shall furnish and install fire hydrant(s) and dedicated fire protection lateral(s) including backflow devices, fire department connections and other appurtenances as required by the Department of Public Works and the Downey Fire Department. Such improvements may include removal and/or replacement of existing fire hydrants, laterals, backflow devices, and associated facilities with new facilities to current Downey standards and materials. Backflow devices, fire department connections, and associated appurtenances are to be located on private property and shall be readily accessible for emergency and inspection purposes. Backflow devices shall be screened from street view by providing sufficient landscaping to hide it.
- 42) The owner/applicant shall provide and record utility easement(s) for access to, and

inspection and maintenance of, public water lines, meters and appurtenances, and backflow devices.

- 43) The owner/applicant shall furnish and install sanitary sewer lateral(s) and associated facilities within the public right of way in accordance with the requirements of the Department of Public Works.
- 44) The owner/applicant shall identify the point(s) of connection for the sanitary sewer lateral(s) and confirm that sufficient capacity exists in the publicly owned facilities in conformance with the requirements of the Department of Public Works and the County Sanitation Districts of Los Angeles County (CSDLAC).
- 45) The owner/applicant shall furnish and install the public sanitary sewer improvements, including extension and/or replacement of existing mains and associated facilities, necessary to provide adequate capacity for the site as approved by the Department of Public Works and CSDLAC.
- 46) The owner/applicant is responsible for coordinating with and payment to the City and CSDLAC for all sanitary sewer connection and capacity charges.
- 47) The owner/applicant shall provide improvement plan mylars, record drawing mylars, and record drawing digital (AutoCAD – latest edition) files in accordance with the requirements of the Department of Public Works that have been signed by a civil engineer licensed in the State of California. Final approval of new utilities shall be dependent upon submittal and approval of record drawing mylars and scanned, uncompressed TIFF images of record drawings on a CD/DVD-ROM media per City's GIS Requirements.



DATE: MAY 4, 2022

TO: PLANNING COMMISSION

**SUBMITTED/
REVIEWED BY:** CRYSTAL LANDAVAZO, INTERIM COMMUNITY DEVELOPMENT DIRECTOR

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER

SUBJECT: **PLN-22-00015 (SITE PLAN REVIEW) – A REQUEST TO CONSTRUCT A NEW 5,378 SQUARE-FOOT MEDICAL OFFICE BUILDING**

LOCATION: 9432 TELEGRAPH ROAD

ZONING: C-2 (GENERAL COMMERCIAL)

REPORT SUMMARY

This application is a request for approval of a Site Plan Review to allow for the construction of a new 5,378 square foot medical building. Site improvements proposed as part of this application include new landscaping and parking circulation. A Site Plan Review Application was previously approved by the Planning Commission on May 20, 2020 for a two-story medical building. The applicant has chosen to not move forward with the prior proposal and a new site plan is presented for the consideration. The new proposal has been scaled down to one-story, which is consistent with other development in the area.

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING SITE PLAN REVIEW (PLN-22-00015), THEREBY ALLOWING THE CONSTRUCTION OF A 5,378 SQUARE-FOOT MEDICAL BUILDING ON PROPERTY LOCATED AT 9432 TELEGRAPH ROAD

BACKGROUND

The subject site is located on the south side of Telegraph Road, between Parsons Boulevard and Hasty Ave and has an area of 21,866 square feet. The site is currently a vacant lot, but was previously developed with three structures ranging in uses from residential to used auto sales. The structures were demolished and the site was left vacant in 2019. Also in 2019, a lot line adjustment was processed combining addresses 9432 and 9438 Telegraph Road creating one lot as it exists today.

In 2020, the applicant applied, and was approved, for two different resolutions by the Planning Commission. One of the items was for a zone change to eliminate a P-B (Parking-Buffer) zoning designation located on a small portion of the parcel and converting the entire parcel into a C-2

zone. No modifications are being made to that resolution and therefore that approval will remain valid. The second part of the application, under a separate resolution, was the approval of a two-story 7,788 square-foot medical office building. That approval will be rescinded upon adoption of the proposed resolution, if the Planning Commission approves this application.



Property Frontage

The subject site is located in the C-2 zone, and has a General Plan land use designation of Neighborhood Commercial. Directly to the rear are single-family residences zoned R-1. The abutting properties to the east and west are zoned C-2 and P-B, and developed with commercial uses. The property to the west has a residential unit to the rear. The properties to the north are across Telegraph Road developed with commercial uses within the City of Pico Rivera.

The application was deemed complete on March 20, 2022. On April 7, 2022, 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. Due to lack of quorum, the application was continued to be heard at the Planning Commission hearing of May 4, 2022.

DISCUSSION

The Site Plan Review is intended to evaluate the proposed building changes, parking, landscaping, and thorough compliance with the Downey Municipal Code. The proposed project consists of the complete renovation of the site including new construction, parking area improvements, lighting, trash enclosure, and landscaping throughout.

Description

The applicant is proposing to construct a one-story 5,378 square-foot medical office building. The building is made up of three tenant spaces ranging from 1,358 square feet to 2,620 square feet. All tenant spaces are proposed as exclusively for medical office. The site is accessible from Telegraph Road, through one, 25-foot wide driveway. A total of 27 parking spaces are required and provided. Of the 27 parking spaces two are ADA complaint and two are for electric vehicles (EV) only. One of the designated EV spaces will accommodate a future charging station. There will also be 8 bicycle parking spaces located west of the entrance to the site. The trash enclosure will be located in the southwest corner of the property in the parking lot. Brand new landscaping will also be incorporated throughout the site.

Major development standards for this project are as follows:

Standard	Requirement	Proposed
Lot Coverage	50% max	26%
Floor Area Ratio	1.4	.26
Building Height	45 ft. / 3 stories	19 ft. / one story
Landscape Area	10% of lot min.	13.5%
Setbacks:		
Front	15'	15'
Rear	46'	74'4"
Side		
• Interior (North)	NR	55'6"
• Interior (South)	NR	0'
Parking (Medical Office)	1 per 200 square feet of gross floor area Total: 27 spaces	27 spaces

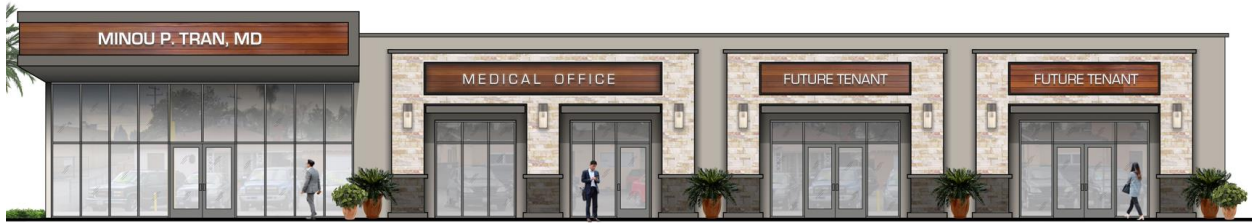
Architecture

The proposed project features a Modern architectural design. The design includes various elements in horizontal and vertical features, all helping to create a linear inspired design common in Modern architecture.

The building façade will include varying architectural features as well as contrasting colors and materials. The building was designed to be at the front setback, closer to the street line, to enhance the commercial aesthetic along Telegraph Road. The materials for the new building will be a stacked stone in “Del Sol Quartzite” along the east portion of the front elevation and along the primary entrances to the tenant spaces. Above the front tenant space, within the primary architectural feature, will be wood plank siding on both the north and west elevation. The rest of the building materials will be made of stucco in a gray color, called out on the set of plans as “flintstone.” The bottoms of each column along the tenant spaces toward the rear of the building will incorporate dark gray slate stone veneer. Lastly, heavy glazing is incorporated for the majority of the front tenant space.



North Elevation (Building Street Frontage)



West Elevation

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. No departments expressed major 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 and Conditional Use Permit 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. 15332 (Class 32 – In-Fill Development Projects). Class 32 exemptions consist of projects: consistent with the city’s general plan and municipal code, on a site no greater than five (5) acres and surrounded by urban uses, with no value as a habitat for threatened species, in which an approval would not result in any significant impacts, and the site can be adequately served by all required utilities.

FINDINGS

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

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 within the City’s General Plan. Specifically, the following policies are promoted by the Site Plan Review:

Policy 8.1.1 – Promote architectural design of the highest quality.

Policy 8.2.2 – Promote the upgrading of properties.

Program 9.1.1.5 – Continue the revitalization of commercial and industrial corridors.

The proposed architecture is a significant upgrade to the existing and previous site conditions. The new building is also compatible, in terms of height and density, with surrounding properties although it will be newer than most developments within its proximity. The site remained relatively the same since 1987, prior to becoming vacant. More importantly, since becoming vacant the site has experience significant degradation. The new structure, site layout, and landscaping not only upgrade the subject property but the surrounding area as well.

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

Pursuant to Article IX, Section 9314.02, the intent and purpose of the Commercial Zone regulations is to ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area in which they are located.

Specifically, the C-2 Zone is intended to provide for and encourage orderly development of general commercial uses, with a variety of goods and services, for the residents of the entire City, with provisions designed to ensure that such commerce will be efficient, functionally related, and compatible with adjacent noncommercial development. The proposed medical office building will consist of three medical offices. As such, this will provide a service for Downey residents and visitors to Downey. This development is in accordance with the purposes and objectives of the C-2 Zone.

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 medical building is designed in such a way as to have a positive visual impact to the area. The building is one-story in height, as opposed to the allowable three stories making it more proportional to the adjacent and surrounding commercial development in the area. The new development will serve as a significant upgrade to an area that has not seen many recent upgrades. This includes modern architecture and curb appeal with drought-tolerant landscape within the front setback. Additionally, the focus on scale will prevent the development from appearing dominant and out of place.

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 relationship of the building to the street creates a welcoming entrance into the building and is appropriately scaled for the area. The location of the parking spaces throughout the development gives consideration to the patients who will be using these facilities. The convenient entry locations into the building were designed to achieve functionality for visitors to the site. The site plan as proposed complies with all development standards and does not present potential conflicts in use.

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 contemporary style architecture and keeps with the same building height as the other commercial developments directly across Telegraph Road as well as the commercial building adjacent to the west. The proposed project will enhance the existing commercial uses in the area. The vacant site will be replaced with a new style of architecture with quality materials, design, and variation in colors. This proposed development will bring quality and improve the overall appearance of the area.

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 development includes a new medical office building that will replace a vacant site which previously operated as a non-conforming single family residence as well as a used automobile dealership. The proposed building is upgrading the property with an aesthetic building with unique architecture that will create enhancements to the site and create a positive impact to the surrounding areas. This new building will provide tenant space for three medical offices. The traffic generated from this use will be primarily from patients and employees of this building. The Public Works department has reviewed the site plan and determined the design will not create any negative impacts to Telegraph Road beyond a typical extent.

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;

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.

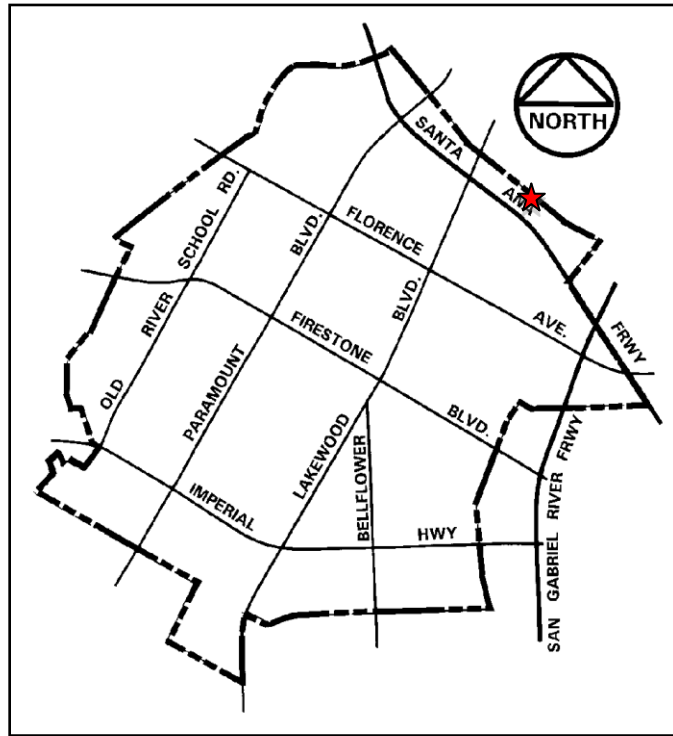
CONCLUSION

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-22-00015), thereby approving the construction of a 5,378 square foot medical building.

EXHIBITS

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

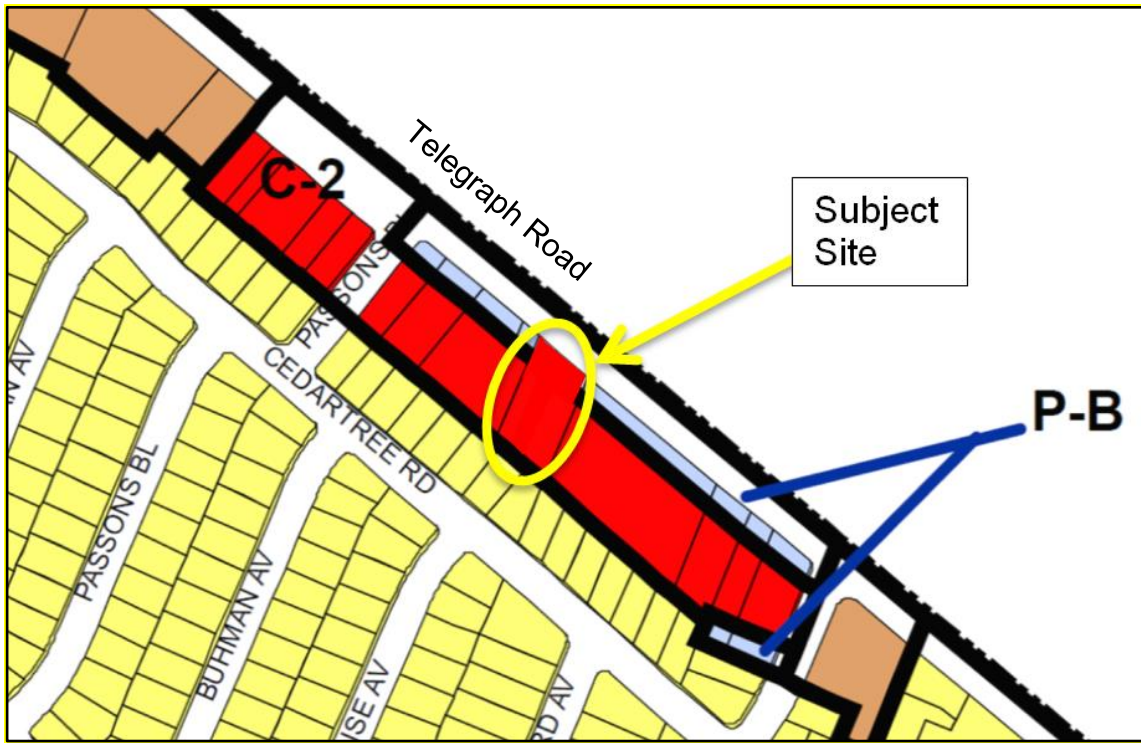
EXHIBIT A



Location



Aerial Photograph



Zoning

RESOLUTION NO. 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING SITE PLAN REVIEW (PLN-22-00015), THEREBY ALLOWING THE CONSTRUCTION OF A 5,378 SQUARE-FOOT MEDICAL BUILDING ON PROPERTY LOCATED AT 9432 TELEGRAPH ROAD

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 May 20, 2020, Site Plan Review for PLN-19-00167 was approved by the Planning Commission for the construction of a two-story 7,788 square foot medical building; and,
- B. On January 26, 2022, the applicant stated they will not move forward with PLN-19-00162 and submitted a request for a Site Plan Review to allow the construction of a 5,378 square-foot medical office building; and,
- C. On March 21, 2022, staff deemed the application complete; and,
- D. On April 7, 2022, notice of the pending application published in the *Downey Patriot* and mailed to all property owners within 500' of the subject site; and,
- E. On April 20, 2022, the application was continued to the May 4, 2022 Planning Commission Public Hearing; and,
- F. The Planning Commission held a duly noticed public hearing on May 4, 2022 and, after fully considering all oral and written testimony and facts and opinions offered at the aforesaid public hearing, adopted this resolution thereby approving Site Plan Review for PLN-22-00015 and rescind Resolution No. 20-3119 for PLN-19-00162.

SECTION 2. The Planning Commission further finds, determines and declares the environmental impact of the proposed project 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 15332 (In-fill Development).

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 policies 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 within the City's General Plan. Specifically, the following policies are promoted by the Site Plan Review:

Policy 8.1.1 – Promote architectural design of the highest quality.

Policy 8.2.2 – Promote the upgrading of properties.

Program 9.1.1.5 – Continue the revitalization of commercial and industrial corridors.

The proposed architecture is a significant upgrade to the existing and previous site conditions. The new building is also compatible, in terms of height and density, with surrounding properties although it will be newer than most developments within its proximity. The site remained relatively the same since 1987, prior to becoming vacant. More importantly, since becoming vacant the site has experienced significant degradation. The new structure, site layout, and landscaping not only upgrade the subject property but the surrounding area as well.

- B. The proposed development is in accordance with the purposes and objectives of Article IX and the zone in which the site is located. Pursuant to Article IX, Section 9314.02, the intent and purpose of the Commercial Zone regulations is to ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area in which they are located. Specifically, the C-2 Zone is intended to provide for and encourage orderly development of general commercial uses, with a variety of goods and services, for the residents of the entire City, with provisions designed to ensure that such commerce will be efficient, functionally related, and compatible with adjacent noncommercial development. The proposed medical office building will consist of three medical offices. As such, this will provide a service for Downey residents and visitors to Downey. This development is in accordance with the purposes and objectives of the C-2 Zone.
- 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 medical building is designed in such a way as to have a positive visual impact to the area. The building is one-story in height, as opposed to the allowable three stories making it more proportional to the adjacent and surrounding commercial development in the area. The new development will serve as a significant upgrade to an area that has not seen many recent upgrades. This includes modern architecture and curb appeal with drought-tolerant landscape within the front setback. Additionally, the focus on scale will prevent the development from appearing dominant and out of place.
- 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 relationship of the building to the street creates a welcoming entrance into the building and is appropriately scaled for the area. The location of the parking spaces throughout the development gives consideration to the patients who will be using these facilities. The convenient entry locations into the building were designed to achieve functionality for visitors to the site. The site plan as proposed complies with all development standards and does not present potential conflicts in use.
- 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 contemporary style architecture and keeps with the same building height as the other commercial developments directly across Telegraph Road as well as the commercial building adjacent to the west. The

proposed project will enhance the existing commercial uses in the area. The vacant site will be replaced with a new style of architecture with quality materials, design, and variation in colors. This proposed development will bring quality and improve the overall appearance of the area.

- 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 development includes a new medical office building that will replace a vacant site which previously operated as a non-conforming single family residence as well as a used automobile dealership. The proposed building is upgrading the property with an aesthetic building with unique architecture that will create enhancements to the site and create a positive impact to the surrounding areas. This new building will provide tenant space for three medical offices. The traffic generated from this use will be primarily from patients and employees of this building. The Public Works department has reviewed the site plan and determined the design will not create any negative impacts to Telegraph Road beyond a typical extent.
- 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. 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.

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 Site Plan Review (PLN-22-00015) 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 4th day of May, 2022

Patrick Owens, 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 4th day of May 2022, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

**SITE PLAN REVIEW (PLN-22-00015)
EXHIBIT A - CONDITIONS**

PLANNING

- 1) The approval of this Site Plan Review (PLN-22-00015) allows for the construction of a one-story, 5,378 square-foot medical office building inclusive of all parking and landscaping as shown in the plans stamped with the date January 26, 2022.
- 2) Resolution No. 20-3119 which approved Site Plan Review PLN-19-00162 is hereby rescinded and considered null and void.
- 3) The uses permitted to operate at this site shall only be medical office uses as defined in the City of Downey Municipal Code.
- 4) This Site Plan Review (PLN-22-00015) 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 use approved herein must be executed within one year of approval or shall be subject to revocation where this approval will be deemed null and void.
- 6) The Planning Commission reserves the right to revoke or modify this approval if the proposed use becomes a public nuisance, finds the permit was obtained by fraud, the approved use is not being exercised, the approved use is operated in violation of the terms and conditions contained herein, or the approved use ceased or was suspended for one year or more.
- 7) 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.
- 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) Prior to the installation of any exterior signs, the property owner must obtain approval of a Planned Sign Program for the site.

Resolution No. 22-_____
Downey Planning Commission

- 10) 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.
- 11) Lighting in all parking areas shall have illumination as shown in the Photometric Plan date stamped January 26, 2022.
- 12) The approved architectural elements shall be as noted in the approved plans. Modifications to the facades and/or colors shall be subject to the review and approval of the City Planner if such modifications achieve substantially the same result as would strict compliance with said plans.
- 13) All buildings and walls shall be finished with graffiti resistant materials. Prior to the issuance of building permits, the applicant shall demonstrate to the satisfaction of the City Planner, that the finished materials will comply with this requirement.
- 14) Graffiti resistant products must be used in the construction of the building. Any graffiti applied to the site shall be removed within 48 hours.
- 15) 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.
- 16) Drought tolerant landscaping shall be used in all landscape areas of the site, as approved by the Planning Commission. All landscape shall be installed and permanently maintained and not encroach into adjacent properties.
- 17) Applicant shall install radial curbs at the driveway approach for both ingress and egress.
- 18) All exterior mechanical, plumbing, fire and unfinished electrical equipment and materials (including but not limited to wiring and pipes) must be screened from the public's view. All screening materials must be approved by the City Planner.
- 19) The applicant must provide stamped color concrete or pavers across the driveways. The stamped color concrete or pavers shall be as approved by the City Planner.
- 20) Roof-mounted equipment shall be screened at all times by a material to be approved by the City Planner.
- 21) Deliveries made to all businesses on site shall occur between the hours of 7:00 a.m. and 9:00 p.m.
- 22) The Applicant must incorporate a copy of this Exhibit A, Conditions of Approval, into the approved set of building plans.

BUILDING

- 23) All construction must comply with the most recent adopted City and State building codes:
 - a) 2019 California Building Code.
 - b) 2019 California Electrical Code.
 - c) 2019 California Mechanical Code.
 - d) 2019 California Plumbing Code.
 - e) 2019 California Fire Code.
 - f) 2019 California Green Code.

- 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) All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.

- 26) 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.

- 27) A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.

- 28) Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. Site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

- 29) Construction hours shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m., Saturdays. There shall be no construction on the site outside of these hours.

- 30) Prior to the commencement of construction, the applicant shall obtain all required permits. Additionally, the applicant shall obtain all necessary inspections and permit final prior to occupancy of the units.

POLICE

- 31) Address must be highly visible.

FIRE

- 32) The following comments pertain to a fire review of a limited design 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.
- 33) Submit a separate fire access plan providing detail on fire access roadway width and on-site turnaround dimensions, fire lanes identification, etc. Fire access plan to include detail on the distance of property to street, driveway approach width, location of street and yard hydrants, red curb/no parking at locations, etc.
- 34) 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]
- 35) Deferred automatic fire sprinkler plan submittal required if building valuation increases by greater than 50% as determined by the Building Official. 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; DMC 3317]
- 36) Provide a locking key box (ie. Knox Box or similar) for use by fire department personnel when entry is required outside of business hours.
- 37) Project construction shall comply with requirements set forth in the CA Building and Residential Codes for egress, construction type and height, etc.

PUBLIC WORKS

- 38) All public utilities shall be installed underground.
- 39) 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).
- 40) 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, at (562) 904-7110 for information.
- 41) Remove and replace damaged, uneven or sub-standard curb, gutter, sidewalk, driveway approaches, 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.
- 42) Owner/Applicant shall reconstruct the existing driveway approach per Standard Plans of Public Works Construction (SPPWC) No. 110-2 Type C. Driveway width bottom of X to

bottom of X shall be a minimum of 26 feet in order accommodate for large vehicles. The new widen driveways shall be at least five (5) feet away from any above-ground obstructions (including storm drains) in the public right-of-way to the top of the driveway "X." Otherwise, the obstruction shall be relocated at the applicant's expense. Ensure that each driveway provides proper pedestrian access across, in compliance with ADA standards. The final layout and site driveway approach design shall be subject to the review and approval by the Public Works Department.

- 43) All unused driveway approaches shall be removed and constructed with full-height curb gutter, and sidewalk to match existing improvements.
- 44) Submit public improvement plan for review and approval by Public Works Department prior to the start of construction and the issuance of any encroachment permit for improvements within the public right of way.
- 45) Remove all Underground Service Alert (USA) temporary pavement markings immediately following the completion of the work / Final permit inspection.
- 46) Paint property address numbers (4" height) on the curb face in front of the proposed development to the City's satisfaction.
- 47) Any utilities that are in conflict with the development shall be relocated at the owner/applicant's expense.
- 48) Complete a construction & demolition (C&D) waste management plan per Article V, Chapter 8 of the Downey Municipal Code.
- 49) Construct onsite pavement, consisting of a minimum section of 4" thick aggregate base, and a minimum 2-1/2" thick asphalt concrete pavement. Construct Pavement on-site parking and circulation areas as required by a pavement engineering or geotechnical report prepared by a Registered Civil Engineer, subject to the review and approval of the Public Works and Community Development Departments.
- 50) 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.
- 51) The owner/applicant must coordinate with the County Sanitation District of Los Angeles to assure that the current Industrial Waste Discharge permit is closed and an exempt letter is used by the county notifying that an Industrial Waste Discharge permit is not need anymore. Please provide copies to the City of Downey's Public Works Department.
- 52) Since Telegraph Road is on pavement moratorium until 2025, owner/applicant shall remove and replace the asphalt street pavement to the centerline with (or other specified limits) from the edge of the gutter (gutter lip) along Telegraph Road if any utility cuts are required in order to service the proposed development. Restore pavement markings as needed. Owner/applicant shall contact the Public Works department at 562-904-7110 to go over asphalt design mix and restoration limits
- 53) Connection of any new water service lines must be to the existing 8-inch main located on Telegraph Road.

- 54) The owner/applicant shall furnish and install public potable water improvements including installation of a new main on Telegraph Road if it is determined that proposed fire service(s) require a larger than the current 8 inch main located on Telegraph Road.
- 55) 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.
- 56) 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 8-inch main located on Telegraph Road and shall be dedicated for fire service only.
- 57) 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.
- 58) 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.
- 59) Existing potable, irrigation and fire water service lines and associated appurtenances must be removed and abandoned from existing water main.
- 60) Owner or tenant must establish accounts with the City Cashier prior to the City activating and the tenant using any fire, potable, or recycled water service and meter.
- 61) The owner/applicant shall provide separate water improvement plan sets for review and approval consisting of the following:
 - a) Potable Water Improvement Plans (all City-owned potable water and fire service lateral improvements)
 - b) Final City approved potable water improvement plans shall be submitted on mylars and shall be signed and stamped by a State of California licensed civil engineer.
 - c) Improvement plans for potable main improvement shall be both plan and profile.
- 62) Upon completion of water improvements, owner/applicant shall submit red-lined construction plans to City noting all changes to the plan and profile of all water improvements installed. Such changes shall be incorporated into a final record drawing mylar which shall be signed and stamped by the original engineer and/or architect of record and submitted to the City along with digital files (AutoCAD – latest edition).

- 63) The owner/applicant shall provide and record utility easement(s) for access to, and inspection and maintenance of, public water lines, meters, and appurtenances.
- 64) The owner/applicant shall consult the Department of Public Works to determine the sewer location and design requirements.
- 65) Site 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.
- 66) The water mains shall be of sufficient size to accommodate the total domestic and fire flow required for the subdivision. The domestic/fire water flows required are to be checked and approved by the Dept. of Public Works or the water provider for size and velocity. Fire flows required are to be determined by the Fire Chief.
- 67) Any deviation from the city standards in constructing the water and sewer lines shall be approved by the Los Angeles County Health Department.
- 68) 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.
- 69) Include any other applicable site-specific conditions.
- 70) The drainage plan must provide for the site having an independent drainage system to the public street, to a public drainage facility, or by means of an approved drainage easement.
- 71) Surface water generated from the site shall not drain over the sidewalk or driveway into the gutter on Woodruff Avenue. A parkway drain(s) is required for sites.
- 72) 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).

- 73) Owner/applicant shall comply with the Low Impact Development requirements. The owner/applicant shall provide separate Low Impact Development plan and report for review and approval from the City of Downey Engineering Division. Low Impact Development design shall comply with Attachment H of the City of Downey's MS4 Permit per the design criteria set by the County Regional Board
- 74) 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.
- 75) If any hazardous material is encountered on the site, the owner/applicant shall secure an ID number from the EPA.
- 76) The owner/applicant shall deploy Best Management Practices during and after construction.
- 77) 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.

END OF CONDITIONS

TELEGRAPH MEDICAL CENTER

9432 TELEGRAPH RD.

DOWNEY, CA 90240



14542 HARPER ST
MIDWAY CITY, CA 92655

TEL: (714) 330-0096
FAX: (888) 601-3001
EMAIL: VTC@VTCC.COM

ABBREVIATIONS

ACOUS. ADDL. ALUM. APPROX.	ACOUSTICAL ADJUSTABLE ALUMINUM APPROXIMATE	MAX. MECH. MET. MFR. MIN M.O. MTD. MUL.	MAXIMUM MECHANICAL METAL MANUFACTURER MINIMUM MASONRY OPENING MOUNTED MULLION
BD. BLDG. BLK. BLKG. BM. BOT.	BOARD BUILDING BLOCK BLOCKING BOTTOM	N.I.C. NO. N.T.S.	NOT IN CONTRACT NUMBER NOT TO SCALE
CAB. CEM. CER. C.I. CLR. COL. CONC. CONN. CONT. C.T. CTS.K.	CABINET CEMENT CERAMIC CAST IRON CLEAR COLUMN CONCRETE CONNECTION CONTINUOUS CERAMIC TILE COUNTERSUNK	O.A. OBS. O.C. O.D.	OWNER FURNISHED / CONTRACTOR INSTALLED OFFICE OPENING OPPOSITE
DECOR. DET. D.F. DIA. DIM. DN. D.S. D.W.G.	DECORATIVE DETAIL DOUGLAS FIR DIAMETER DIMENSION DOWN DOWNSPOUT DRAWING	PL. PLAS. PLYWD. PR. PRCST. P.T.D.F. PTN. Q.T.	PLATE PLASTER PLYWOOD PAIR PRECAST PRESSURE-TREATED DOUGLAS FIR PARTITION QUARRY TILE
EA. EL. ELEC. EQ. EXH. EXP. EXT. EXST.	EACH ELEVATION ELECTRICAL EQUAL EXHAUST EXPANSION EXTENSION EXISTING	R. RAD. REINF. REQ. RM. R.O. RWD. R.W.L.	RISER RADIUS REINFORCE REQUIRED ROOM ROUGH OPENING REDWOOD RAIN WATER LEADER
F.A.U. F.D. F.H.C. FIN. FL. FLASH. FLUOR. F.O.C. F.O.F. F.O.M. F.O.S. F.S. FT. FTG.	FORCED AIR UNIT FLOOR DRAIN FIRE HOSE CABINET FINISH FLOOR FLASHING FLUORESCENT FACE OF CONCRETE FACE OF FINISH FACE OF MASONRY FACE OF STUD FLOOR SINK FOOT/FEET FOOTING	S.C. SCHED. SHT. SIM. SQ. SST. STL. STOR. STRUCT. SUSP. SYM. T. T.C. TEL. T&G. THK. T.O.C. T.O.FR. T.O.L. T.O.P. T.O.PL. TYP.	SOLID CORE SCHEDULE SHEET SIMILAR SQUARE STAINLESS STEEL STEEL STORAGE STRUCTURAL SUSPENDED SYMMETRICAL TREAD TOP OF CURB TELEPHONE TONGUE & GROOVE THICK TOP OF CHIMNEY TOP OF FRAMING TOP OF LEDGER TOP OF PARAPET TOP OF PLATE TYPICAL
GA. GALV. GL. GR. GYP.	Gauge GALVANIZED GLASS GRADE GYPSUM	U.O.N.	UNLESS OTHERWISE NOTED
H.B. H.C. HDWD. HDWE. HGT. HM. HORIZ.	HOSE BIBB HOLLOW CORE HARDWOOD HARDWARE HEIGHT HOLLOW METAL HORIZONTAL	VERT. VEST. V.G.D.F.	VERTICAL VESTIBULE VERTICAL GRAIN DOUGLASS FIR
I.D. INCAND. INSUL. INT.	INSIDE DIAMETER INCANDESCENT INSULATION INTERIOR	W/ W/O W.C. W.D. W.D.W. W.H. W.SCT. WT.	WITH WITHOUT WATER CLOSET WOOD WINDOW WATER HEATER WAINSCOT WEIGHT
JAN. JT.	JANITOR JOINT		
LAM. LAV. LOC.	LAMINATE LAVATORY LOCATION		

COLOR ELEVATIONS



CODE COMPLIANCE DATA

APPLICABLE CODES:
LEGAL JURISDICTION: CITY OF DOWNEY, LA COUNTY, CALIFORNIA
 2019 CALIFORNIA BUILDING CODE (TITLE 24)
 2019 CALIFORNIA MECHANICAL CODE
 2019 CALIFORNIA PLUMBING CODE
 2019 CALIFORNIA FIRE CODE
 2019 CALIFORNIA ELECTRICAL CODE
 2019 CALIFORNIA ENERGY CODE, TITLE 24
 2019 CALIFORNIA GREEN BUILDING STANDARDS (CALGREEN) CODE

CONSULTANTS

DEVELOPER / OWNER:
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 9432 TELEGRAPH RD.,
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 EMAIL: ANH_PHAMTUONG@YAHOO.COM

ARCHITECT:
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ELECTRICAL:
NORMAN NGUYEN P.E.
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LANDSCAPE ARCHITECT:
TWO TREES DESIGN, INC.
 1832 SAN DIEGO ST.
 WEST COVINA, CA 91790
 CONTACT: CAMILLE PERNG
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 EMAIL: PRUNUS@GMAIL.COM

SHEET INDEX

TS	TITLE SHEET
ARCHITECTURAL:	
A - 1	SITE PLAN
A - 2	PROPOSED FLOOR PLAN
A - 3	PROPOSED ROOF PLAN
A - 4	ELEVATIONS
ELECTRICAL:	
EP - 1	SITE PHOTOMETRIC PLAN
LANDSCAPE:	
L - 1	LANDSCAPE PLANTING PLAN

SYMBOLS

DETAIL REFERENCE		DETAIL REFERENCE
ELEVATION REFERENCE		ELEVATION NUMBER SHEET NUMBER
SECTION REFERENCE		SECTION NUMBER SHEET NUMBER
ROOM NUMBER AND INTERIOR ELEVATION REFERENCE		ROOM NUMBER WALL NUMBER INTERIOR ELEVATION SHEET NUMBER
ROOM REFERENCE		ROOM NUMBER
DOOR REFERENCE		DOOR NUMBER
WINDOW REFERENCE		WINDOW NUMBER
NOTE REFERENCE		REFERENCE NOTE NUMBER
COLOR FINISH REFERENCE		SEE COLOR FINISH NOTES ON SCHEDULE SHEET
REVISION REFERENCE		REVISION NUMBER

LEGAL DESCRIPTION

THE SOUTHEASTERLY 109.89', MEASURED ALONG THE NORTHEASTERLY LINE OF THAT PORTION OF THE RANCHO SANTA GERTRUDES, BEING A PORTION OF THE EASTERLY 10 ACRES OF THAT CERTAIN 43 ACRE TRACT CONVEYED BY JOHN G. DOWNEY, ET AL TO DEWIN R. WYLIE, BY DEED RECORDED IN BOOK 69 PAGE 177 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER.

PROJECT DATA

ZONING: DOC4-P
 APN: 6388-015-015
 LOT AREA: 20,809 FT
 OCCUPANCY: B
 CONSTRUCTION TYPE: V-B
 SPRINKLERED: YES
 NUMBER OF STORY: 1

DESIGN CRITERIA:
 TOTAL USEABLE AREA 5,276 SF
 TOTAL STORAGE AREA 102 SF
TOTAL BUILDING AREA 5,378 SF

USEABLE AREA BREAKDOWN
 UNIT 1 2,518 SF
 UNIT 2 1,358 SF
 UNIT 3 1,400 SF
TOTAL USEABLE AREA 5,276 SF

STORAGE AREA BREAKDOWN
 ELECTRICAL ROOM 45 SF
 RISER ROOM 57 SF
TOTAL 102 SF

LANDSCAPE AREA CALCULATION
 LOT SIZE 20,809 SF
 LANDSCAPE AREA PROVIDED 2,890 SF(14% OF LOT AREA)

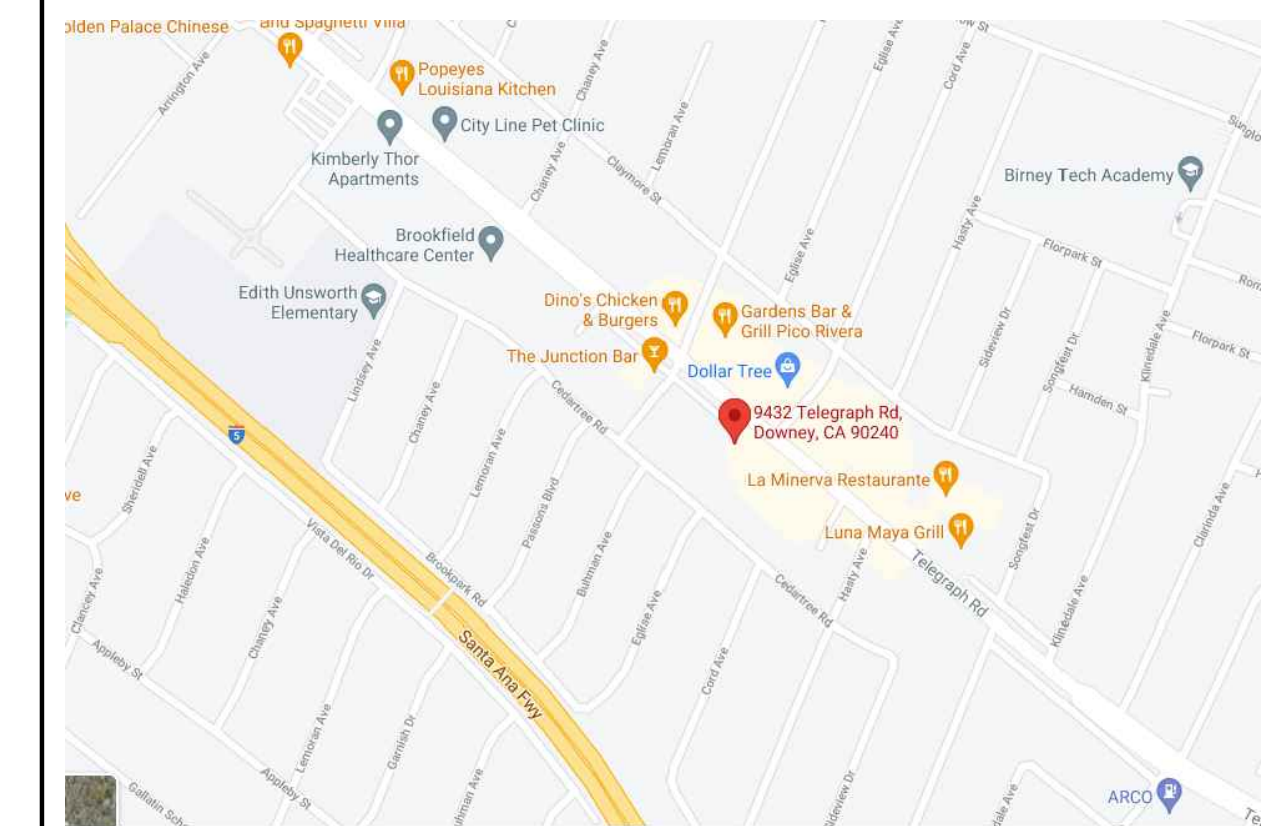
PARKING CALCULATION
NUMBER OF PARKING SPACES REQUIRED
 BUILDING AREA: 5,378 / 200 = 26.89 SPACES
TOTAL ≈ 27 SPACES

NUMBER OF PARKING SPACES PROVIDED
 REGULAR = 20 SPACES
 ACCESSIBLE = 1 SPACE
 VAN ACCESS = 1 SPACE
 EV CHARGING = 2 SPACES
 CLEAN AIR VEHICLE = 23 SPACES
TOTAL = 27 SPACES
 BICYCLE PARKING = 8 SPACES

SCOPE OF WORK

- SITE IMPROVEMENT OF VACANT LOT (20,809 SF)
- CONSTRUCTION OF NEW 1-STORY MEDICAL PLAZA WITH GROSS AREA OF 5,378 SF
- NEW PARKING WITH 27 PARKING SPACES
- NEW LANDSCAPE

VICINITY MAP



REV.	DESCRIPTION	DATE

TITLE SHEET

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD,
DOWNEY, CA 90240

SCALE	AS NOTED
DRAWN BY	MD
CHECKED BY	AT
PLAN DATE	01/11/22
PRINT DATE	01/11/22
PROJECT No.	
SHEET No.	

TS

REV.	DESCRIPTION	DATE

SITE PLAN

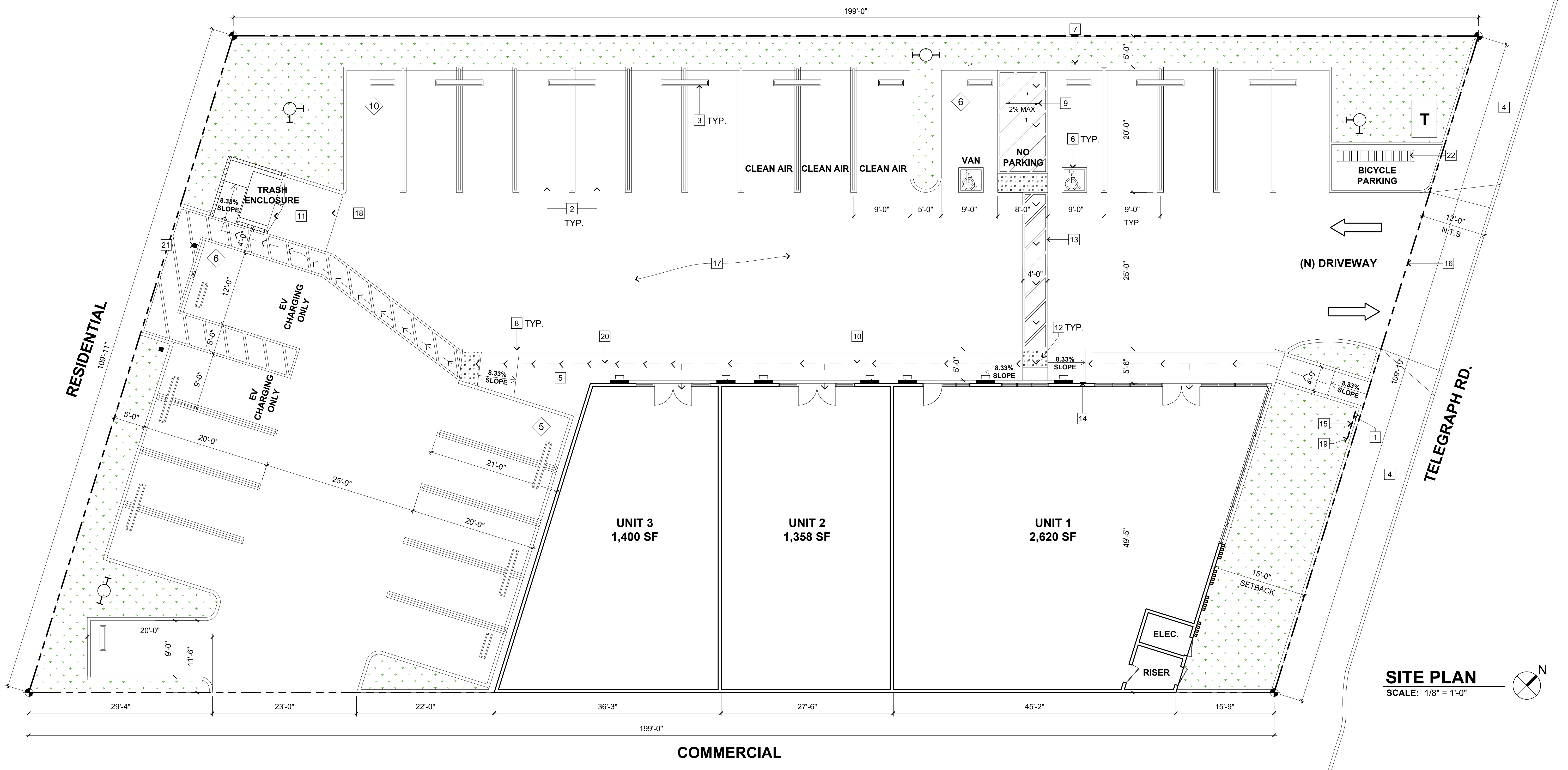
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9432 TELEGRAPH RD.,
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PROJECT No.
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A - 1

COMMERCIAL



SITE PLAN
SCALE: 1/8" = 1'-0"

SITE PLAN KEY NOTES

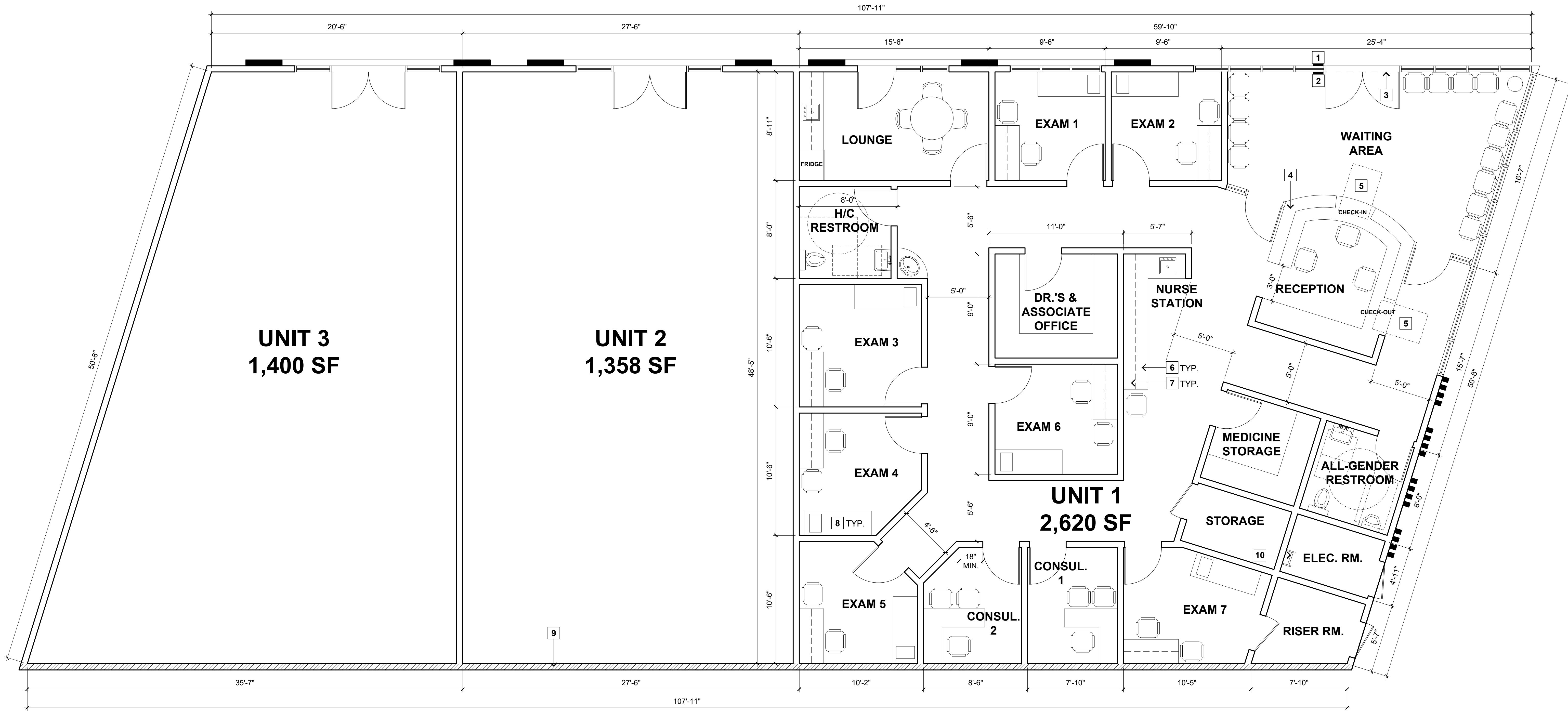
- 1 ACCESSIBLE ROUTE OF TRAVEL SIGN
- 2 PARKING STALLS
- 3 WHEEL STOP
- 4 OFFSITE CONCRETE SIDEWALK
- 5 ONSITE CONCRETE SIDEWALK
- 6 PAINTED LOGO: WHEELCHAIR SYMBOL PER CBC 2019, SEC. 11B-703.7.2.1
- 7 ACCESSIBLE SIGN ON GALV. POLE MIN. 80" ABOVE FINISH SIDEWALK
- 8 6" CONCRETE CURB, ALL NON PARKING CURB AREAS WILL BE PAINTED RED PER CONDITION #58
- 9 ACCESSIBLE ROUTE PATH OF TRAVEL AT PARKING STALL. 2% MAX. OF TRAVEL DIRECTION & 2% SLOPE IN CROSS DIRECTION OF TRAVEL. (48" MIN. CLEAR UNOBSTRUCTED PATH OF TRAVEL)
- 10 INDICATES DIRECTION OF ACCESSIBLE PATH OF TRAVEL
- 11 TRASH ENCLOSURE
- 12 TRUNCATED DOMES
- 13 4" WIDE BLUE REFLECTIVE PAINTED STRIPES @ 3'-0" O.C. WITH PERIMETER 4" WIDE STRIP
- 14 SIGNAGE NOTING THAT SMOKING IS NOT ALLOWED WITHIN 25' OF THE MAIN ENTRY OF EACH UNIT.
- 15 OFF-STREET PARKING SIGN.
- 16 PROPERTY LINE
- 17 CONCRETE ASPHALT PAVING ON PARKING LOT
- 18 CONCRETE PAD
- 19 WARNING SIGN FOR UNAUTHORIZED PARKING IN ACCESSIBLE/ EV CHARGING SPACES
- 20 PATH OF TRAVEL TO TRASH ENCLOSURE
- 21 FUTURE EV CHARGER
- 22 BICYCLE RACK
- 23 TRANSFORMER
- L NEW LANDSCAPE
- # NUMBER OF PARKING STALL

LIGHT FIXTURE SCHEDULE

QTY.	SYMBOL	DESCRIPTION	WATTS	CATALOG	MANUFACT.
8		PARKING LIGHT	87	PRVS-A25-UNV-T3	LUMARK
7		SCONCE LIGHT	87	1325HE-LED	HINKLEY LIGHTING



14542 HARPER ST
MIDWAY CITY, CA 92655
TEL: (714) 330-0096
FAX: (888) 601-3001
EMAIL: VTC@VTCDC.COM



REV.	DESCRIPTION	DATE

FLOOR PLAN

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD,
DOWNEY, CA 90240

FLOOR PLAN
SCALE: 1/4" = 1'-0"

- FLOOR PLAN KEY NOTES**
- 1 PROVIDE NEW INT. ACCESSIBILITY SYMBOL SIGN AT MAIN ENTRY.
 - 2 TACTILE SIGNAGE "EXIT"
 - 3 THIS DOOR TO HAVE SIGN ABOVE WITH 1" HIGH LETTERS STATING "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED".
 - 4 UPPER COUNTER 44" HT.
 - 5 30" x 48" CLEAR FLOOR SPACE FOR ACCESSIBLE WHEEL CHAIR
 - 6 CABINET BASE, COUNTER 34" HT. MAX.
 - 7 WALL-MOUNTED CABINET, PLASTIC LAMINATE
 - 8 EXAM TABLE BY OTHER
 - 9 8" BUILDING BLOCK WALL
 - 10 ROOF ACCESS

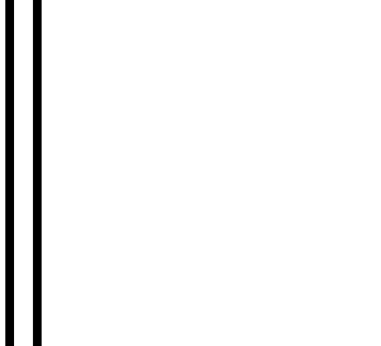
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A - 2



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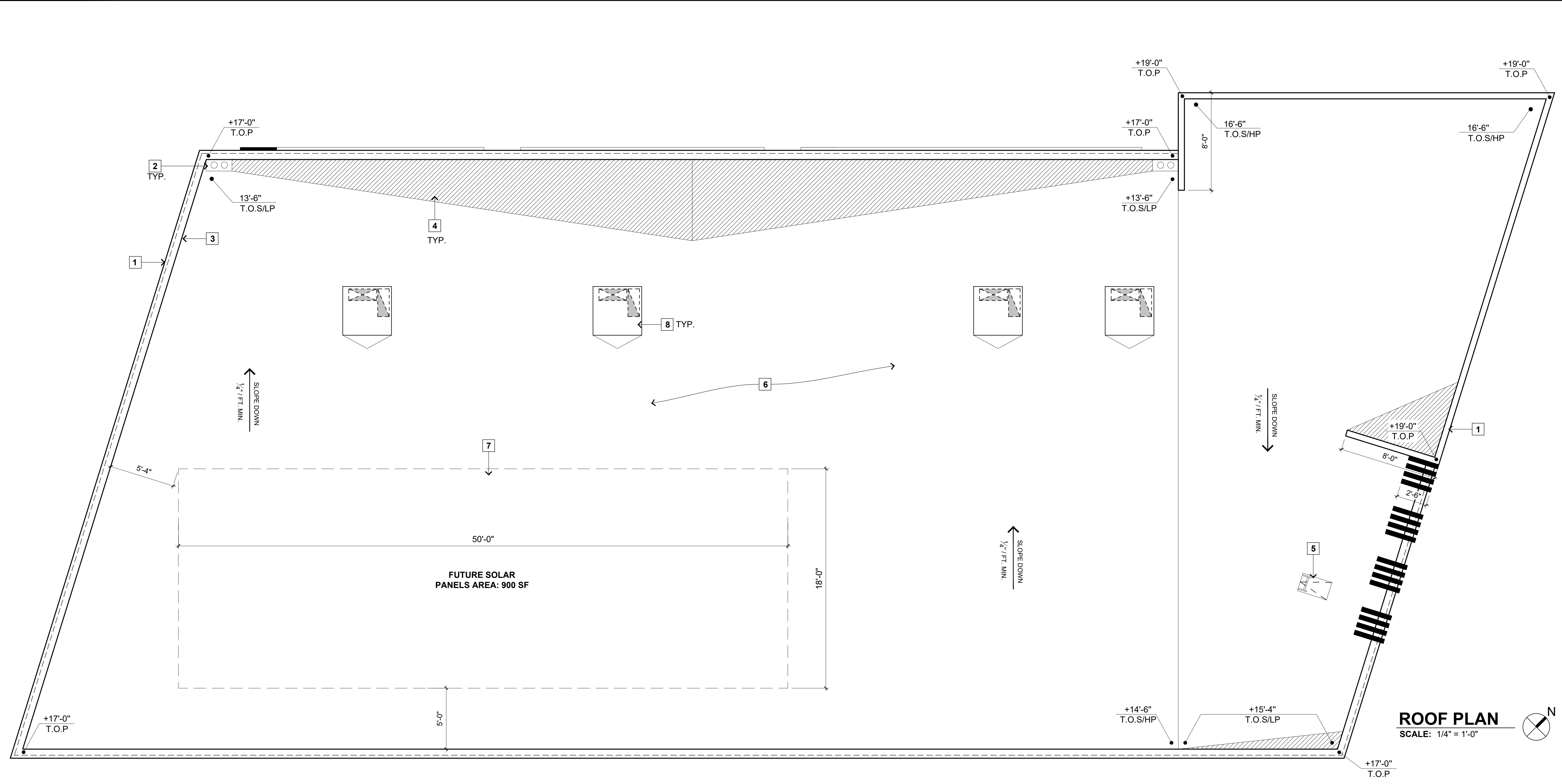


ROOF PLAN

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD,
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SCALE	AS NOTED
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ROOF PLAN KEY NOTES

- 1 PARAPET WALL
- 2 ROOF DRAIN & OVERFLOW
- 3 WRAP UP ROOF SHEATHING AT BACKSIDE OF THE PARAPET WALL.
- 4 CRICKET, MIN. SLOPE AT 1/4" PER 12" TO ROOF DRAINS
- 5 ROOF ACCESS HATCH, BY "BILCO" OR EQUAL 30" x 36"
- 6 BUILT-UP ROOF SYSTEM (20 YEAR) (CLASS A), INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
- 7 FUTURE SOLAR PANEL AREA.
- 8 HVAC UNIT AND CURB

LEGEND

- T.O.P TOP OF PARAPET
- T.O.S TOP OF SHEATHING
- HP HIGH POINT
- LP LOW POINT

SOLAR ZONE AREA CALCULATION

ROOF AREA:	5,540 SF
SOLAR ZONE AREA REQ'D:	831 SF (15% MIN.)
SOLAR ZONE AREA PROV'D:	900 SF (16%)



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REV.	DESCRIPTION	DATE

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD.,
DOWNEY, CA 90240

ELEVATIONS

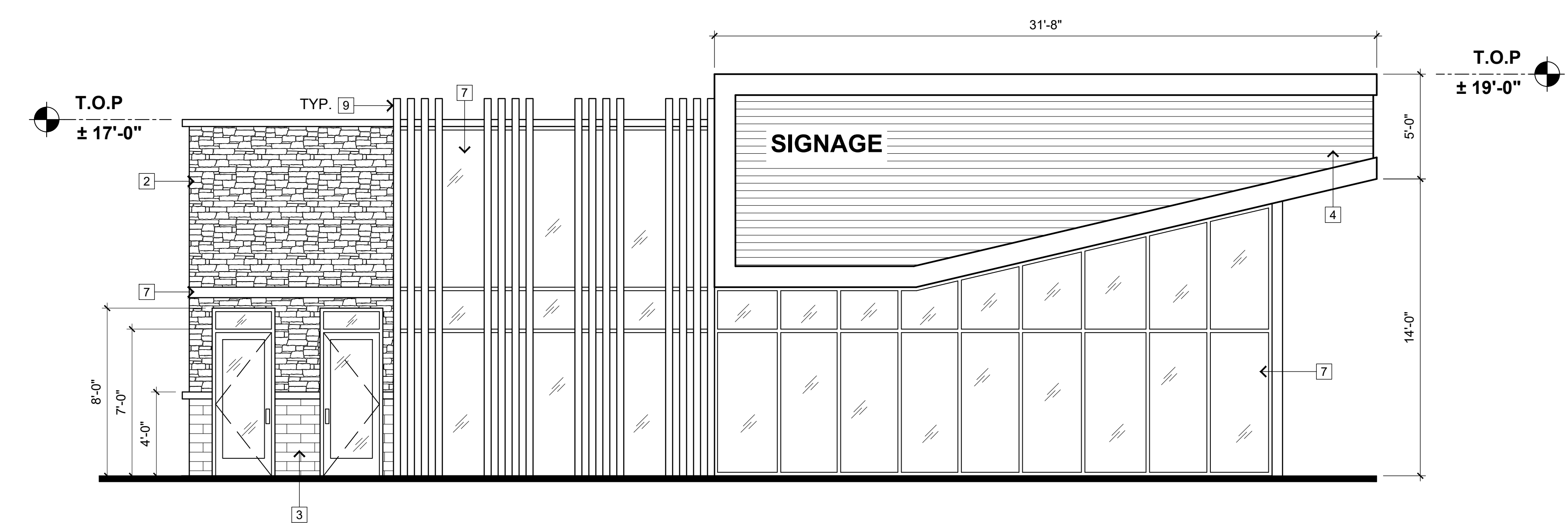
SCALE AS NOTED
DRAWN BY MD
CHECKED BY AT
PLAN DATE 01/11/22
PRINT DATE 01/11/22
PROJECT No.
SHEET No.

A - 4

1

EXTERIOR FINISH LEGEND

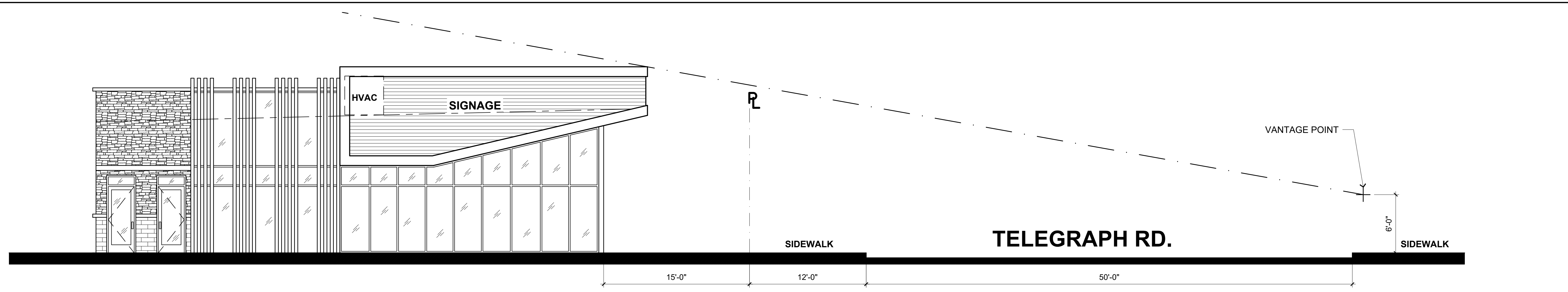
- 1 STUCCO PAINT BUILDING
MANUFACTURER: DUNN EDWARDS
COLOR: DE6221 FLINTSTONE
- 2 STONE VENEER TOP
MANUFACTURER: ROCK RIDGE RECLAIMED BRICK
COLOR: DEL SOL QUARTZITE
- 3 STONE VENEER BASE
MANUFACTURER: ROCK RIDGE
COLOR: COUNTRY GREY SLATE
- 4 WOOD ACCENT
MATERIAL: WOOD COMPOSITE PLANKING
- 5 TRIM PAINT
MANUFACTURER: BEHR
COLOR: PPU25-01 CARBON COPY
- 6 EXTERIOR WALL LIGHT
MANUFACTURER: HINKLEY LIGHTING
ITEM#: 1325HE-LED
- 7 SPANDREL GLASS
- 8 STOREFRONT WINDOW
- 9 WOOD COMPOSITE
- 10 12" THICK STUCCO COLUMN
- 11 PARAPET COPPING
- 12 STEEL CANOPY



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



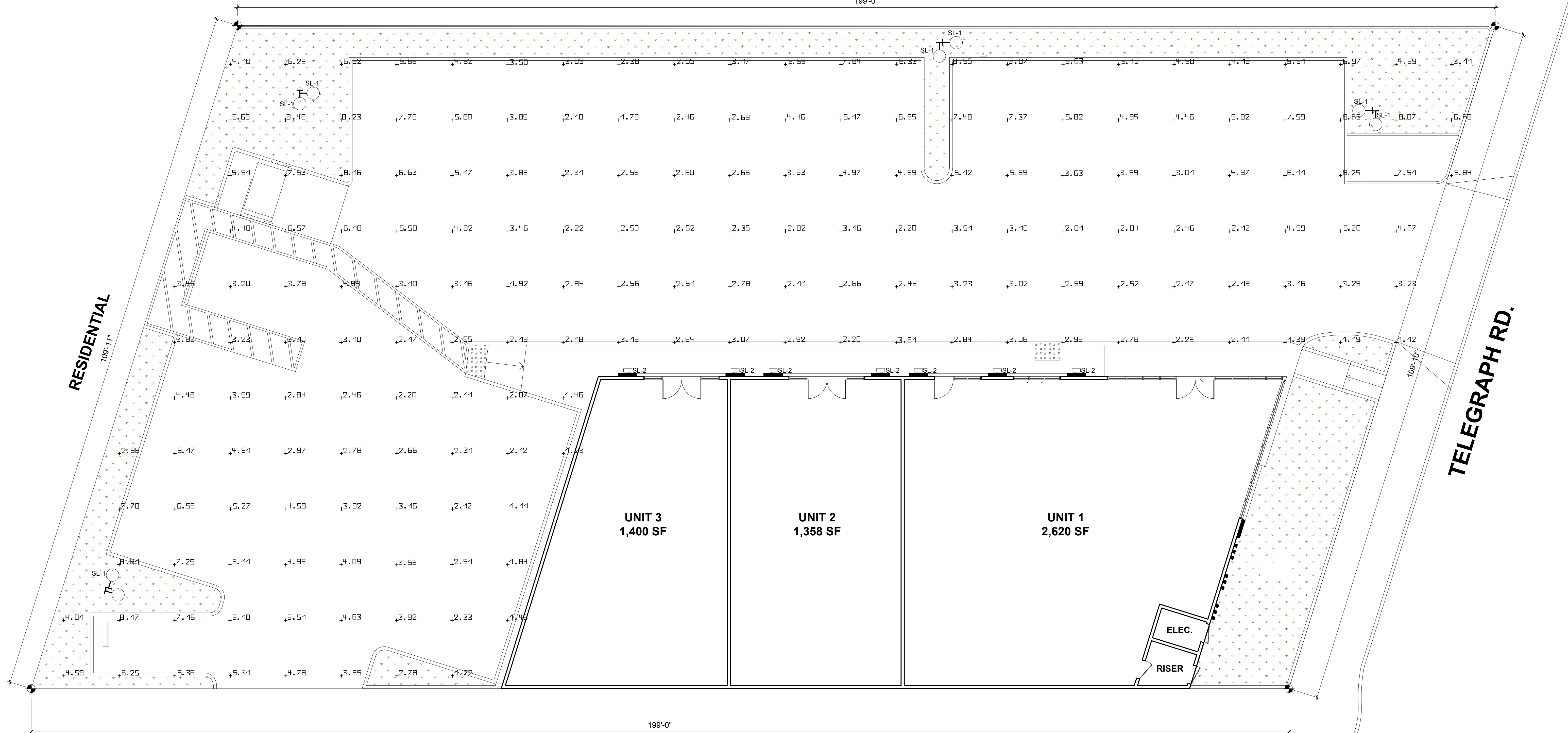
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



VANTAGE POINT 1

COMMERCIAL

199'-0"



COMMERCIAL

199'-0"

SITE PHOTOMETRIC PLAN

SCALE: 1/8" = 1'-0"

LIGHT SHIELD SHALL BE PROVIDED FOR LIGHTING FIXTURES TO DIRECT LIGHT AWAY FROM ADJACENT PROPERTY.

LUMINAIRE SCHEDULE						
Symbol	Label	Qty.	Description	Lamp	Lumens	LLF
	SL-1	8	LED PREVAIL LUMINARIES EATON/LUMARK LIGHTING, PRV PREVAIL LED 163W 120V, BUG RATING B5-U0-G4	163W	19,600	0.90
	SL-2	7	LED SHELTER 120V-OUTDOOR WALL SCONCE LIGHTOLOGY, HIN221102, 1100LM 15W 120V	15W	1,100	0.90

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
ALL AREA	+	2.6	8.8 fc	1.1 fc	8.0:1	2.4:1
BEYOND PROPERTY LINE	+	0.0	0.1	0.0	N/A	N/A



REV.	DESCRIPTION	DATE



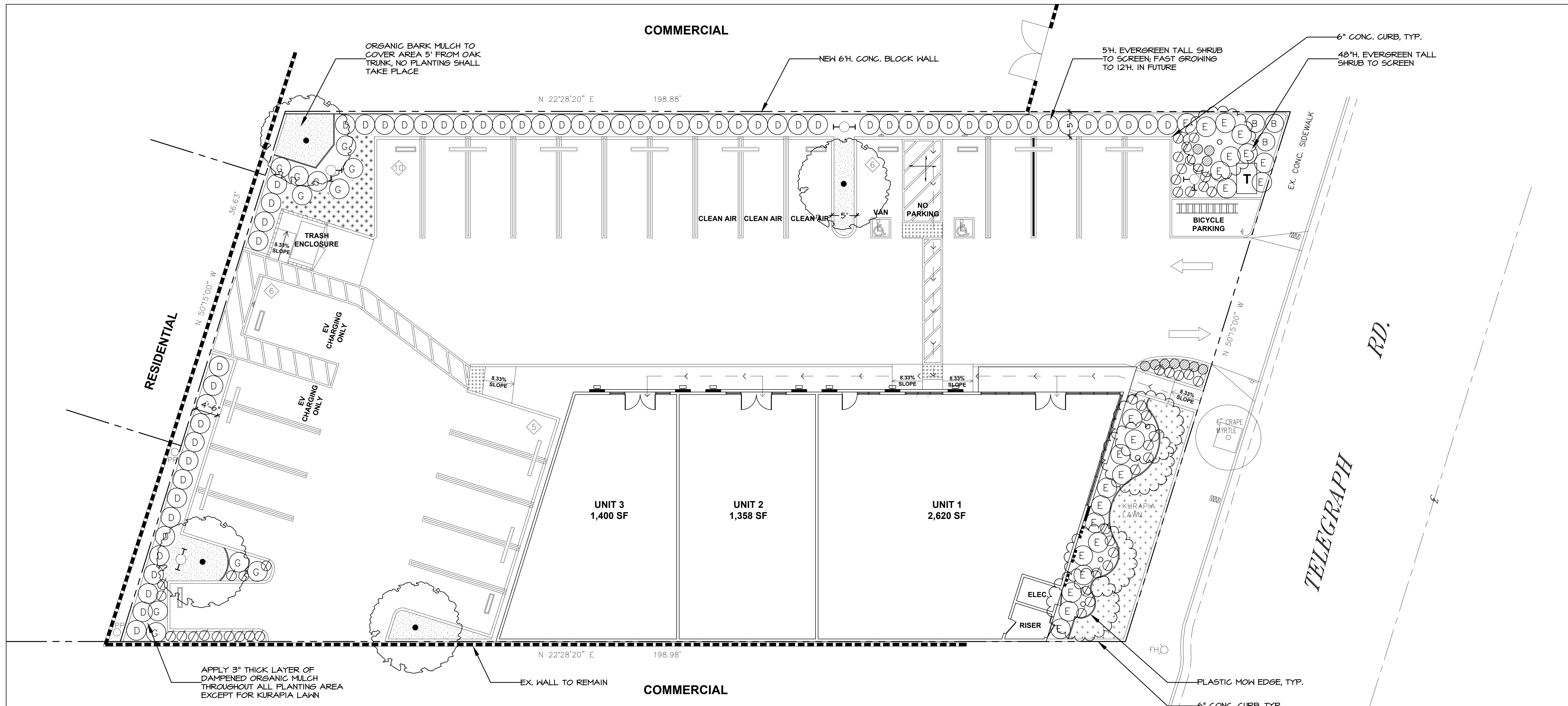
CONSULTANT

SITE PHOTOMETRIC PLAN

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD.
DOWNEY, CA. 90240

SCALE	AS NOTED
DRAWN BY	MD
CHECKED BY	VT
PLAN DATE	12/22/21
PRINT DATE	
PROJECT No.	
SHEET No.	

EP-1



PLANTING NOTES:

- DRAWING IS DIAGRAMMATIC: CONTRACTOR TO VERIFY ALL LOCATIONS AND CONDITIONS ON SITE. COUNT ALL PLANT MATERIAL BEFORE BIDDING
- CONTRACTOR TO INSPECT ALL EXISTING CONDITIONS ON SITE AND LOCATE ALL EXISTING UTILITIES BEFORE CONSTRUCTION BEGINS.
- PLANTS SHALL BE OF NO.1 GRADE CONFORMING TO CA. STANDARD GRADING CODE OF NURSERY STOCKS, AVERAGE FOR THE CONTAINER SIZE, HEALTHY, VIGOROUS AND FREE FROM INSECT INFESTATION AND DISEASES.
- ALL PLANTING AREAS SHALL HAVE A 3" LAYER OF ORGANIC BARK MULCH THROUGHOUT (1-1/2" OF MULCH IN GROUND COVERED AREA), CONTINUOUS UNDER SHRUBS AND TREES.
TOP SOIL & MULCH SUPPLIER: CAL BLEND SOIL INC.
TEL: 1.800.425.3631
- SOIL AMENDMENT LISTED IN THESE NOTES IS FOR BIDDING PURPOSE ONLY. AMENDMENT RECOMMENDED BY SOIL ANALYSIS REPORT TAKES PRECEDENCE. OBTAIN SOIL TEST FOLLOWING ROUGH GRADING TO DETERMINE PROPER SOIL AMENDMENTS. ROTO-TILL AMENDMENT TO 6" OF DEPTH:
 - 200 LBS GRO-POWER.
 - 4 CUBIC YARDS NITROGENIZED, MINERALIZED FIR BARK OR REDWOOD SHAVINGS.
 - APPLY COMMERCIAL GRADE PRE-EMERGENT WEED KILLER.
 - ADD 8 LBS. OF GRO-POWER CONTROLLED RELEASE 12-8-8 PER CUBIC YARD OF MIX
- PLANT PITS TO BE TWICE AS WIDE AND DEEP AS THE ROOTBALL. NATIVE SOIL UNDER ROOT ONLY. ROOTBALL SIDES TO BE BACKFILLED AND COMPACTED TO 80%, WITH 80% EXCAVATED NATIVE SITE SOIL, 20% FIR BARK. PROVIDE PLANT TABLETS AT THE FOLLOWING RATES: 1 GAL.- 2, 3 GAL.- 3, 5 GAL.- 6, 15 GAL.- 12, 24" BOX- 15, 36" BOX- 20, 48" BOX- 24, 60" BOX AND UP- 36.
- INSTALL "ROOT BARRIERS" 5 FT. FROM PAVING EDGES, INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- INSTALL "BENDABOARD" IN ALL LAWN AREA SEPARATING FROM SHRUBS AND TREES.
- ALL WALLS TO BE ENGINEERED BY OTHER. APPLY 2X WATERPROOFING LAYER, AND/OR "DIMPLEBOARD" IN ON-DECK PLANTERS.
- CONTRACTOR TO INSTALL AND MAINTAIN PLANTING IN ACCORDANCE WITH THE GOVERNING AGENCY'S GUIDELINES AND SPECIFICATIONS UNLESS NOTED OTHERWISE IN THESE NOTES OR ON THE PLANS.
- MAINTENANCE OPERATIONS SHALL BEGIN IMMEDIATELY AFTER PLANTING AND SHALL CONTINUE FOR A PERIOD OF (90) DAYS AFTER THE COMPLETION OF ALL WORKS TO THE SATISFACTION OF THE OWNER OR LANDSCAPE ARCHITECT. CONTRACTOR TO WATER ALL PLANTING AREA LIGHTLY (5) TIMES DAILY, APPLY FERTILIZER EVERY (30) DAYS, APPLY PRE-EMERGENT HERBICIDE (25) DAYS, PEST CONTROL AS NEEDED.
- AT THE END OF THE MAINTENANCE PERIOD, THE CONTRACTOR SHALL REQUEST A FINAL INSPECTION, IF THE AREA IS NOT MAINTAINED TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT, OWNER OR THE GOVERNING AGENCY, CONTRACTOR TO REPAIR OR CORRECTION TO SATISFACTION OF OWNER OR OWNER'S REPRESENTATIVE AT NO COST.
- CONSTRUCTION AROUND EXISTING TREES MUST BE CAREFULLY CONTROLLED AND LIMITED TO ACCESS IN ORDER TO MAINTAIN PROPER SOIL CONDITIONS. SKILLED PRUNING OF THE TREE CANOPIES AND BRANCHES SHOULD BE DONE AT THE DIRECTION OF A CERTIFIED ARBORIST TO REMOVE ANY DEAD OR BROKEN BRANCHES, AND TO PROVIDE THE NECESSARY CLEARANCE FOR THE CONSTRUCTION EQUIPMENTS.
- GENERAL TREE PROTECTION NOTES: TEMPORARY PROTECTIVE FENCING SHOULD BE INSTALLED IF NECESSARY, AND CARE TAKEN TO AVOID DAMAGE TO TREE CANOPIES OR ROOT SYSTEMS DURING CONSTRUCTION, GRADING, AND TRENCHING. USE HAND TOOLS WHEN WORKING AROUND ROOTS, AND DO NOT CUT ROOTS 2" DIAMETER OR LARGER. NO WASHING OF CHEMICALS OR EQUIPMENT SHOULD BE ALLOWED UNDER TREE CANOPIES. PROVIDE OCCASIONAL DEEP WATER AS NECESSARY TO KEEP TREES HEALTHY UNTIL THE NEW IRRIGATION SYSTEM IS INSTALLED.

PLANTING LEGEND

TREES	
	EX. STREET TREE TO REMAIN
	05 COTINUS COGGYGRIA 'ROYAL PURPLE' 24" BOX ROYAL PURPLE SMOKE TREE (L)(T)
	04 QUERCUS ILEX 24" BOX HOLLY OAK (L)(T)

W.U.C.O.L.S REGION 4 PLANT FACTOR:
(L)-LOW, (M)- MODERATE, (H)- HIGH,
(T)- TREE, (S)- SHRUB, (Gc)- GROUND
COVER, (P)- PERENNIAL, (V)- VINE

SHRUBS

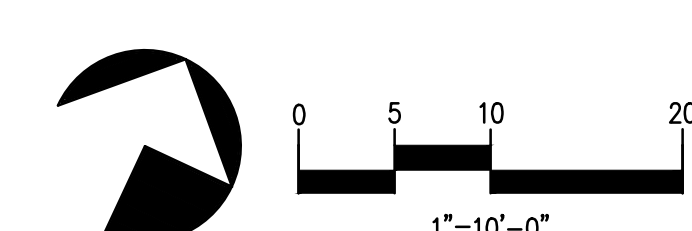
	23 ELAEAGNUS X EBBINGEL 'GILT EDGE' 15 GAL. GILT EDGE SILVERBERRY (L)(S)
	60 DODONAEA VISCOSA 'PURPUREA' 15 GAL. PURPLE HOPSEED BUSH (L)(S)
	03 CALLISTEMON 'LITTLE JOHN' 5 GAL. DWARF BOTTLEBRUSH (L)(S)
	11 GREVILLEA LANIGERA 'PROSTRATA' 5 GAL. PROSTRATE GREVILLEA (L)(S)
	10 LAVANDULA ANGSTIFOLIA 5 GAL. ENGLISH LAVENDER (L)(S)
	47 SENECIO SERPEN 1 GAL. DWARF BLUE CHALKSTICKS (L)(Gc)

GROUNDCOVERS

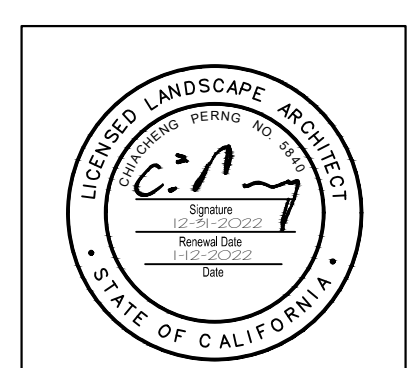
	369 S.F. PHYLLODIFLORA SOD KURAPIA (L)(Gc)(N) - AS LAWN SUBSTITUTE
	135 S.F. MYOPORUM PARVIFOLIUM 'PUTAH CREEK' 1 GAL. GROUNDCOVER MYOPORUM (L)(Gc) - AT 36" O.C.
	3" MIN. OF ORGANIC BARK MULCH

LOT COVERAGE SUMMARY:	
TOTAL LANDSCAPED AREA:	2,823 SF.
LANDSCAPE COVERAGE:	13.5% > 10%
2,500 SF. OF LOW WATER USE PLANTS (88.6%)	
323 SF. OF NO WATER USE FOR OAK (11.4%)	

THE LANDSCAPE PLAN WILL COMPLY WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE.



TWO TREES DESIGN, INC.
LANDSCAPE ARCHITECTURAL DESIGN SERVICES
CALIFORNIA REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
1405 S. MAIN STREET, SUITE 200, WEST COVINA, CA. 91790
626-279-2786
@treetreesdesign
www.treetreesdesign.com



LANDSCAPE PLANTING PLAN

TELEGRAPH MEDICAL CENTER
9432 TELEGRAPH RD.
DOWNEY, CA. 90240

DATE	REVISIONS

SCALE	AS SHOWN
DATE	01-12-2022
PROJECT NO.	P2176
DRAWN BY	CP
CHECKED BY	

SHEET NO.
L-1
OF 1 SHEETS



DATE: MAY 4, 2022

TO: PLANNING COMMISSION

**SUBMITTED/
REVIEWED BY:** CRYSTAL LANDAVAZO, INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER

SUBJECT: **PLN-22-00040 (SPECIAL EVENT PERMIT) - A REQUEST TO OPERATE AN ANNUAL CARNIVAL FOR THREE (3) CONSECUTIVE DAYS (MAY 13, 14, AND 15, 2022) AT OUR LADY OF PERPETUAL HELP SCHOOL**

LOCATION: 10441 DOWNEY AVENUE

ZONING: R-3 (MULTI-FAMILY RESIDENTIAL)

REPORT SUMMARY

Our Lady of Perpetual Help School (OLPH) is requesting the approval of a Special Event Permit that would allow them to conduct their annual Carnival on the grounds of the school on May 13, 14, and 15, 2022. Pursuant to Code Section 9420.04(c), special events involving over five hundred (500) people shall require approval of the Planning Commission. 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 SPECIAL EVENT PERMIT (PLN-22-00040), A REQUEST TO PERMIT THE OPERATION OF AN ANNUAL CARNIVAL FOR THREE CONSECUTIVE DAYS (MAY 13, 14, and 15, 2022), IN CONJUNCTION WITH THE OUR LADY OF PERPETUAL HELP SCHOOL, ON PROPERTY LOCATED AT 10441 DOWNEY AVENUE, ZONED R-3 (MULTI-FAMILY RESIDENTIAL)

BACKGROUND

OLPH School has operated its carnival annually since 1998 as a fundraiser for the school. The subject site is a 4.17 acre, rectangular-shaped, lot that is located on the west side of Downey Avenue, north of Cherokee Drive. The subject site is zoned R-3 (Multi-Family Residential) and is currently improved with a school. Single-family and multiple-family residential land uses surround the school property.

On March 24, 2022, Michael Bolliger submitted the Special Event Permit (PLN-22-00040) application. On April 18, 2022, staff completed the review of the application and deemed it complete.



Site Photograph (from Downey Avenue)

On April 21, 2022, 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 Special Event Permit is to allow a carnival for OLPH School. The applicant has indicated that they expect approximately 1,000-2,000 attendees of the carnival throughout each day of the event. The applicant requests approval of the same carnival activities conducted in prior years, which include mechanical rides, jumpers, kid rides, food sales, a beer garden, live entertainment and games. The proposed carnival hours will be as follows:

- Friday, May 13, 2022, from 5:00 p.m. to 10:30 p.m.
- Saturday, May 14, 2022, from 12:00 p.m. to 11:00 p.m.
- Sunday, May 15, 2022, from 12:00 p.m. to 8:30 p.m.

The rides and jumpers will be located on the west side of the designated event parking lot, as well as along La Reina Avenue. There will be three (3) entrances to the carnival area. Two (2) entrances being along La Reina Avenue and one (1) being from Downey Avenue. The applicant also proposes a stage for live entertainment. The hours of live entertainment are 6:00 p.m. to 10:00 p.m. on Friday, 2:00 p.m. to 10:30 p.m. on Saturday, and 2:00 p.m. to 8:00 p.m. on Sunday. The stage will be located next to the playground equipment facing north where the game and food booths are located. The stage location is approximately 150 feet from the nearest residential properties to the west.

Similar to previous year's events, the applicant is proposing the sale of food and alcohol. The applicant will obtain temporary permits from the California Department of Alcoholic Beverage Control (ABC) for the sale of alcoholic beverages within the beer garden and bar area. The beer garden and bar lounge are completely gated and wristbands are distributed to attendees that are 21 years of age or older as they enter the gated area. Alcohol will only be consumed and for sale within these designated areas. Trash receptacles will be placed throughout the site. The applicant has arranged to have a janitorial company be on-site throughout the carnival event. The

company will patrol on-site as well as one block length in either direction, along La Reina Avenue and Downey Avenue. Additionally, to ensure litter generated by the carnival does not impact surrounding residences, school and parish members will walk around the premises to pick up trash every two hours.

All sound and lighting equipment will be directed away from local residences and generators will be placed away from property lines. The applicant will be using two (2) Downey Police officers for carnival security as well as four (4) licensed security guards. 55 parking spaces will remain available on the northern portion of the school and 34 parking spaces will be available on the south portion of the school. In addition, the church has another parking lot located at the northwest corner of New Street and 6th Street which will provide 61 spaces, giving them a total of 150 parking spaces for patrons. Parking for the carnival is also available at St. Mark's church, located to the east of Downey Avenue, and OLPH will provide crossing guards to help people cross safely.

Removal of the carnival apparatus (rides and large equipment) will be on Monday, May 16, 2022, the day following the conclusion of the event. In a review of the last time the carnival took place, staff did not receive any complaints or issues of concern.

DEVELOPMENT REVIEW COMMITTEE

The request was reviewed by the Development Review Committee. Being that the event operations are the same as prior years, no departments had any concerns, therefore, standard conditions of approval have been placed on the project.

Police Department has conditioned that if noise becomes an issue after 10:00 p.m. on any day of the carnival operation, Police Department will require the event to cease and will not be allowed to continue to operate until 11:00 p.m.

ENVIRONMENTAL ANALYSIS

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. This request is categorically exempt from CEQA, pursuant to Guideline Section No. 15304 (Class 4, Minor Alterations to Land). Class 4 exemptions include temporary uses, such as a carnival, that will have no permanent effect on the environment.

FINDINGS

Pursuant to the requirements of the Municipal Code, staff recommends that the Planning Commission make the following findings to approve the request:

A. The proposed activity or use will be consistent with the objectives, policies, and general land uses and programs specified in the City's General Plan.

The project is consistent with all applicable goals and policies specified in the City's General Plan. Furthermore, the project aims to provide a temporary recreational use for the church's patrons and the larger community. The following policy is promoted by the proposed Special Event Permit:

Policy 1.1.5.3 – Promote recreation and entertainment uses that serve needs of the public.

The event is open to the public and provides activities for the community's enjoyment. These recreational activities include game booths, live entertainment, a train ride and bounce houses. Therefore, allowing the proposed activity will be consistent with the aforementioned General Plan policy.

B. The proposed activity or use is consistent with other provisions of Article IX of the Downey Municipal Code.

The temporary operation of a carnival is a permitted use upon the granting of a Special Event Permit in accordance with Downey Municipal Code Section 9420. Furthermore, the event directly complies, or has been conditioned to comply, with all relevant provisions within Article XI of the Downey Municipal Code. These provisions include, but are not limited to, review process, site restoration, parking, circulation, and maximum length of event.

C. The proposed activity or use will not result in conditions or circumstances contrary to the public health, safety, and general welfare.

The temporary event will occur on the parking lot of the school property. The applicant will maintain 150 parking spaces and the school will provide restroom facilities on the premises to accommodate visitors. Also, conditions of approval are incorporated to address any concerns related to the permitted hours of event, noise, security, required trash receptacles, restroom, and site clean-up. Approving the special event, governed by the attached conditions of approval, will not result in conditions contrary to the public health, safety and general welfare.

CORRESPONDENCE

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

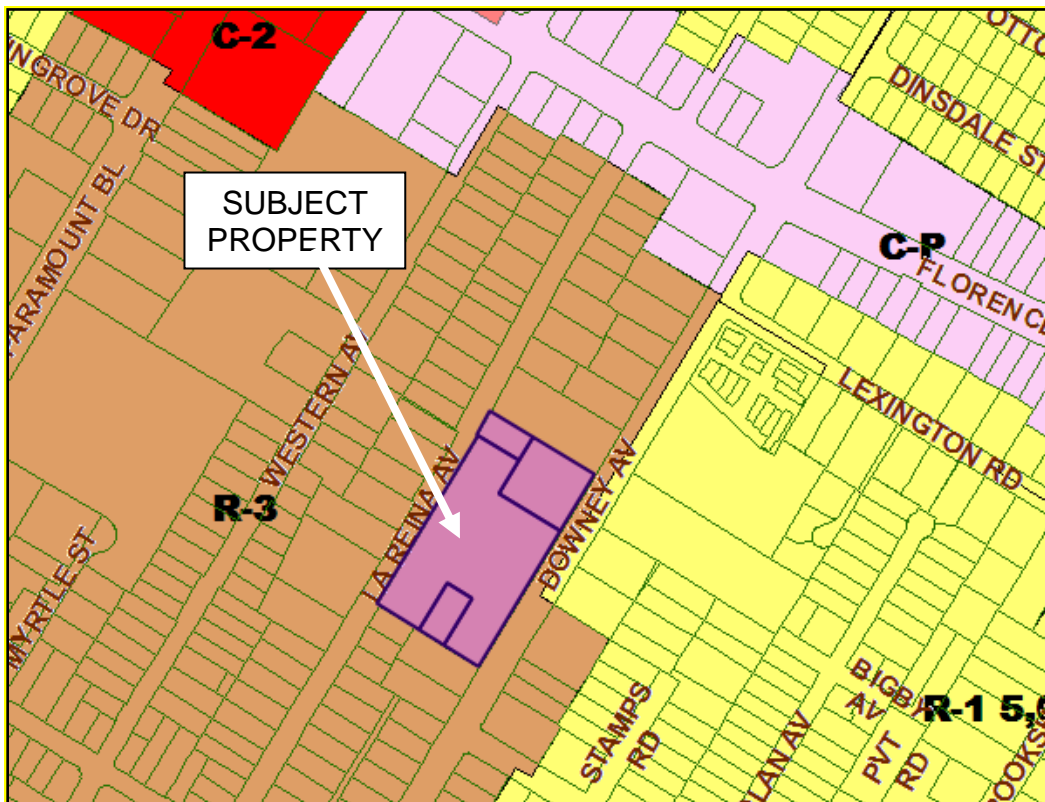
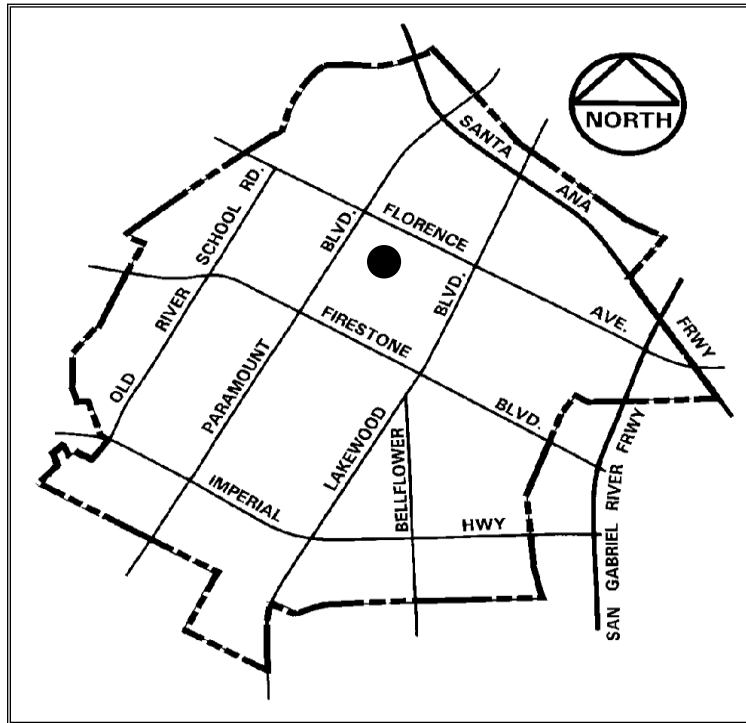
CONCLUSION

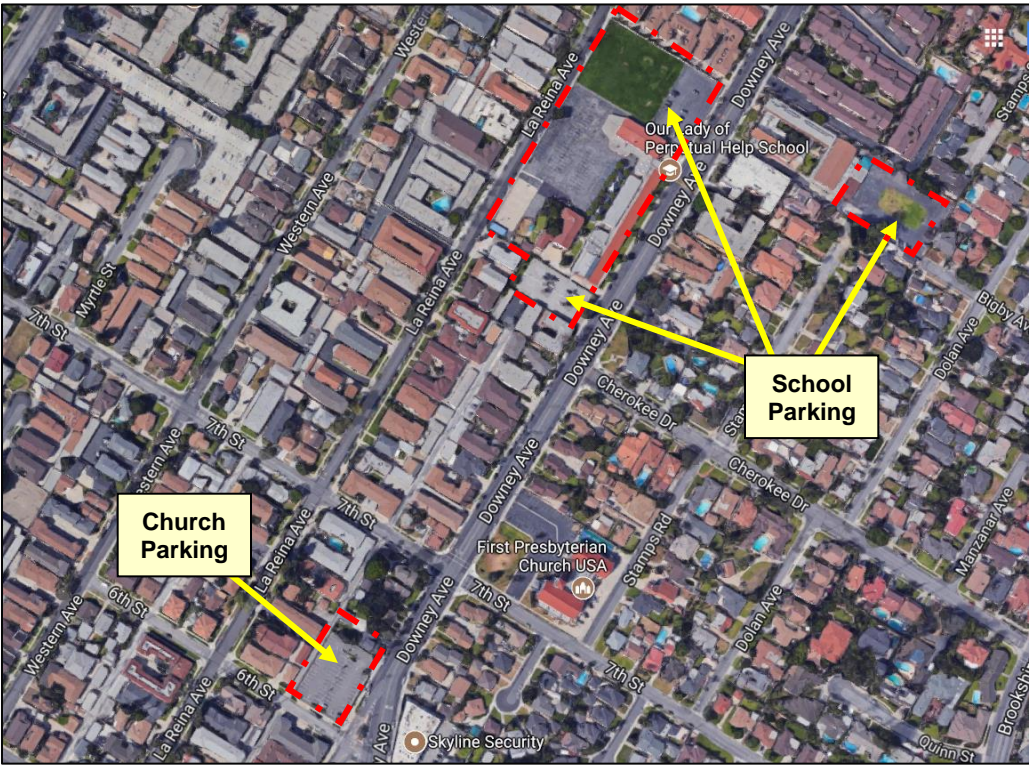
Based on the analysis contained within this report, staff is concluding that the proposed Special Event Permit (PLN-22-00040) aims to provide a valuable recreational opportunity for the community. Furthermore, staff concludes that all of the required findings can be made in a positive manner. Staff recommends that the Planning Commission approve Special Event Permit (PLN-22-00040), thereby allowing a three-day carnival at OLPH.

EXHIBITS

- A. Maps
- B. Draft Resolution
- C. Project Site Plan

Exhibit 'A'





RESOLUTION NO. 22-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING SPECIAL EVENT PERMIT (PLN-22-00040), A REQUEST TO PERMIT THE OPERATION OF AN ANNUAL CARNIVAL FOR THREE CONSECUTIVE DAYS (May 13, 14, AND 15, 2022), IN CONJUNCTION WITH THE OUR LADY OF PERPETUAL HELP SCHOOL, ON PROPERTY LOCATED AT 10441 DOWNEY AVENUE, ZONED R-3 (MULTI-FAMILY RESIDENTIAL)

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 March 24, 2022, an application was filed by Edward Wormald (hereinafter "Applicant") requesting approval of a Special Event Permit to allow the operation of an outdoor carnival, on property at 10441 Downey Avenue (Our Lady of Perpetual Help Church), Downey, California (hereinafter "Subject Site"), zoned R-3 (Multi-Family Residential); and,
- B. On April 18, 2022, the project was deemed complete; and,
- C. On April 21, 2022, 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 May 4, 2022, 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 special event has been reviewed and has been found to be in compliance with the California Environmental Quality Act (CEQA). This request is categorically exempt from CEQA, pursuant to Guideline Section No. 15304 (Class 4, Minor Alterations to Land). Class 4 exemptions include temporary uses, such as a carnival, that will have no permanent effect on the environment.

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 proposed activity or use will be consistent with the objectives, policies, and general land uses and programs specified in the City's General Plan. Furthermore, the project aims to provide a temporary recreational use for the church's patrons and the larger community. The following policy is promoted by the proposed Special Event Permit:

Policy 1.1.5.3 – Promote recreation and entertainment uses that serve needs of the public.

The event is open to the public and provides activities for the community's enjoyment. These recreational activities include game booths, live entertainment,

a train ride and bounce houses. Therefore, allowing the proposed activity will be consistent with the aforementioned General Plan policy.

- B. The proposed activity or use is consistent with other provisions of Article IX of the Downey Municipal Code. The temporary operation of a carnival is a permitted use upon the granting of a Special Event Permit in accordance with Downey Municipal Code Section 9420. Furthermore, the event directly complies, or has been conditioned to comply, with all relevant provisions within Article XI of the Downey Municipal Code. These provisions include, but are not limited to, review process, site restoration, parking, circulation, and maximum length of event.
- C. The proposed activity or use will not result in conditions or circumstances contrary to the public health, safety, and general welfare. The temporary event will occur on the parking lot of the school property. The applicant will maintain 150 parking spaces and the school will provide restroom facilities on the premises to accommodate visitors. Also, conditions of approval are incorporated to address any concerns related to the permitted hours of event, noise, security, required trash receptacles, restroom, and site clean-up. Approving the special event, governed by the attached conditions of approval, will not result in conditions contrary to the public health, safety and general welfare.

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 the Special Event Permit (PLN-22-00040), subject to the 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 4th day of May 2022.

Patrick Owens, 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 4th day of May 2022, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

**PLN-22-00040 (SPECIAL EVENT PERMIT)
EXHIBIT A - CONDITIONS**

PLANNING

1. This approval of this Special Event Permit allows Our Lady of Perpetual Help School to host a three-day carnival (May 13, 14, and 15, 2022) on the parking of the school, which is located at 10441 Downey Avenue.
2. Carnival hours of operation shall be limited to:
 - Friday, May 13, 2022, from 5:00 p.m. to 10:30 p.m.
 - Saturday, May 14, 2022, from 12:00 p.m. to 11:00 p.m.
 - Sunday, May 15, 2022, from 12:00 p.m. to 8:30 p.m.
3. 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.
4. 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.
5. Prior to May 9, 2022 at 12:00 p.m., the applicant and the property owner shall sign an affidavit of Acceptance of Conditions, as provided by the City of Downey.
6. The approved activities for the special event shall consist of mechanical rides, jumpers, a beer garden, kid rides, food sales, live entertainment and games.
7. The owner/applicant shall provide trash receptacles on the subject site, including parking lots. During the event, parish member(s) shall walk around the premises during all carnival hours to remove trash on the subject site (including parking lots) and the adjacent streets.
8. Set up of the carnival shall occur no sooner than Wednesday, May 11, 2022. Clean-up and removal of the carnival, including all apparatus, shall be complete by 10:00 p.m. on Monday, May 16, 2022. Permitted hours for set-up and clean-up operations are from 7:00 a.m. until 10:00 p.m.
9. The generator is proposed to be located in the between the north parking lot and the rides on the sports field; however, in no instance shall the generator be located less than of 25 feet from any property line. Additionally, the generator shall not exceed a noise level of 65 dBA, as measured from the nearest property line.

10. Temporary lighting shall not illuminate off-site.
11. Any necessary Health Department approvals required for the sale of food at the carnival shall be obtained on or before Monday, May 9, 2022.
12. The alcohol area (beer and wine) shall be contained within a “beer garden” and “Bar Lounge” area where patrons may consume alcohol. The applicant shall obtain a permit from the Department of Alcohol Beverage Control for the sale of alcoholic beverages on or before Monday, May 9, 2022.
13. Live entertainment shall only occur during hours listed below and shall cease immediately to reduce noise impacts to surrounding residents.
 - Friday, May 13, 2022, from 6:00 p.m. to 10:00 p.m.
 - Saturday, May 14, 2022, from 2:00 p.m. to 10:30 p.m.
 - Sunday, May 15, 2022, from 2:00 p.m. to 8:00 p.m.
14. All speakers for amplified sound shall be placed to minimize impacts on the nearby residences adjacent of the subject site.
15. Hand held signs shall not be utilized on public or private property to advertise the event.

BUILDING AND SAFETY

16. All construction shall comply with the most recent adopted City and State building codes:
 - 2019 California Building Code
 - 2019 California Electrical Code
 - 2019 California Mechanical Code
 - 2019 California Plumbing Code
 - 2019 California Fire Code
 - 2019 California Green Code
17. All projects including food service or Public pools and/or spas shall be checked and approved by the County Health Department as part of the building department plan review process.
18. Temporary structures that cover an area greater than 120 square feet and used for the gathering of 10 or more persons require permits. The construction documents shall include a site plan indicating the location of the temporary structure and information delineating the means of egress and the occupant load. The temporary structure shall be located in accordance with the requirements of California Building Code Table 602 based on the fire-resistance rating of the exterior walls proposed type of construction (10 feet minimum from property line based on Type VB).
19. Temporary structures or facility shall meet the requirements of Chapter 11B of the California Building Code. Site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building or facility. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

PUBLIC WORKS

20. The owner/applicant shall obtain all necessary plan approvals and permits.
21. The facility must provide adequate trash receptacles (refuse/recycle) for the event.
22. The owner/applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements of the Federal Clean Water Act; and Ordinance 1142 of the Downey Municipal Code (DMC).
23. Parking lot maintenance by water hosing method shall be prohibited at all times (refer to Attachment A: Best Management Practice).

FIRE DEPARTMENT

23. Obtain a special event permit from City of Downey Fire Department. Permit shall be obtained through the Fire Prevention Bureau no later than seven (7) business days prior to event – **special event permit application shall be submitted no later than Friday, May 6th.**
24. **Event set-up including all rides, booths, generator, tents, fire protection, electrical, etc. shall be complete, in place, and ready for inspection by 3:00pm on Friday, May 13th.** [Note: If inspection is conducted after hours (or on the weekend) an additional inspection fee (4 hour minimum) will be applied as per city fee schedule].
25. Fire apparatus access (e.g. fire lane) shall be maintained accessible at all times. Fire access lane width to the Ferris Wheel shall be provided with a 26 ft. fire lane as to accommodate aerial ladder truck access and set-up [CA Fire Code §503.2.1; D105.2].
26. Tents, canopies, and membrane structures having an area in excess of 400 square feet; or tents open on all sides having a size of 700 square feet or more; or aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet and exceeding 700 square feet **shall require a separate tent permit** [CA Fire Code 3103.2].
27. Tents shall comply with CA Fire Code, CA Code of Regulations, and State Fire Marshal for flame resistance standards of fabric [CA Fire Code § 3104.3; 3104.4; CCR Title 19 Division 1, §315(d); §335(a)]
28. Tents shall not be located within 20 feet of parked vehicles, open flame or heating devices, combustion engines, and buildings [CA Fire Code § 3104.7]
29. Tents with occupant load in excess of 50 persons shall have required number of exits and illuminated exit signs and emergency lighting [CA Fire Code 3103.12.6.1]
30. Generators shall not be located within 10 feet of lot (property line) and 20 feet of tents/membrane structures [CA Fire Code § 3104.19]. An approved barrier (e.g. fencing) shall be provided around generator. Indicate on plot plan/site map location of and size of generators.

Resolution No. 22-

31. SFM-tagged 4A-20BC rated extinguisher shall be provide at the generator as per NFPA 10 and CA Fire Code §906
32. No cooking shall be conducted inside tents or canopies; cooking and heating equipment shall not be located within 10 feet of combustible materials [CA Fire Code § 3104.15.3]
33. The Applicant shall provide fire extinguishers on the subject property in accordance with California Fire Code. Areas where deep frying cooking operations are occurring shall be provided with a K-class fire extinguisher. All extinguishers shall be in good repair, serviced, and with CA SFM-tag affixed indicating required annual service complete.
34. Maintain occupant load in all structures, buildings, tents, canopies as per California Fire Code. Occupant load signs, where required, shall be conspicuously posted [CA Fire Code § 3104.14; §1004.3]
35. All electrical cords shall be UL-listed and rated for heavy-duty, outdoor use and protected from physical damaged by cable bridges or other approved methods [CA Fire Code § 605.5].
36. All amusement rides shall be permitted with State of California DIR-DOSH. All amusement rides shall comply with the requirements of CCR Title 8 – General Safety Orders and CA Labor Code.
37. Each amusement ride shall display the required State registration (identification & rating plate). At time of special event application, submit list of rides with their corresponding current annual permit to operate.
38. Provide updated plot plan showing location of the Ferris Wheel (if applicable) and generator.
39. Crowd managers (clearly identified as such via uniform, vests, shirts, etc.) shall be provided with duties to maintain egress, assist in evacuation, and maintain fire lanes and site access. Crowd managers shall be required for an event involving the gathering of more than 1,000 persons. Please provide information as to anticipated crowd size. Crowd managers shall be established at ratio of one crowd manager for every 250 persons and their duties to include: conduct inspections to identify fire hazards, verify permit compliance, direct and assist event attendees in evacuation during an emergency, assist emergency response personnel where requested [CA Fire Code §403.12.3; 403.12.3.1; 403.12.3.3].
40. If the event shall require a crowd manager(s), then an IAP (Incident Action Plan) or Emergency Action Plan (EAP) shall be required for emergency planning purposes.
41. Event shall not obstruct or impede egress from any other building or occupancy.

POLICE DEPARTMENT

42. The owner/applicant must provide licensed security guards on-site during all carnival hours, including two (2) Downey Police Department Officers and a minimum of four (4) security guards. One security guard must be stationed at the beer garden and bar lounge at all times.

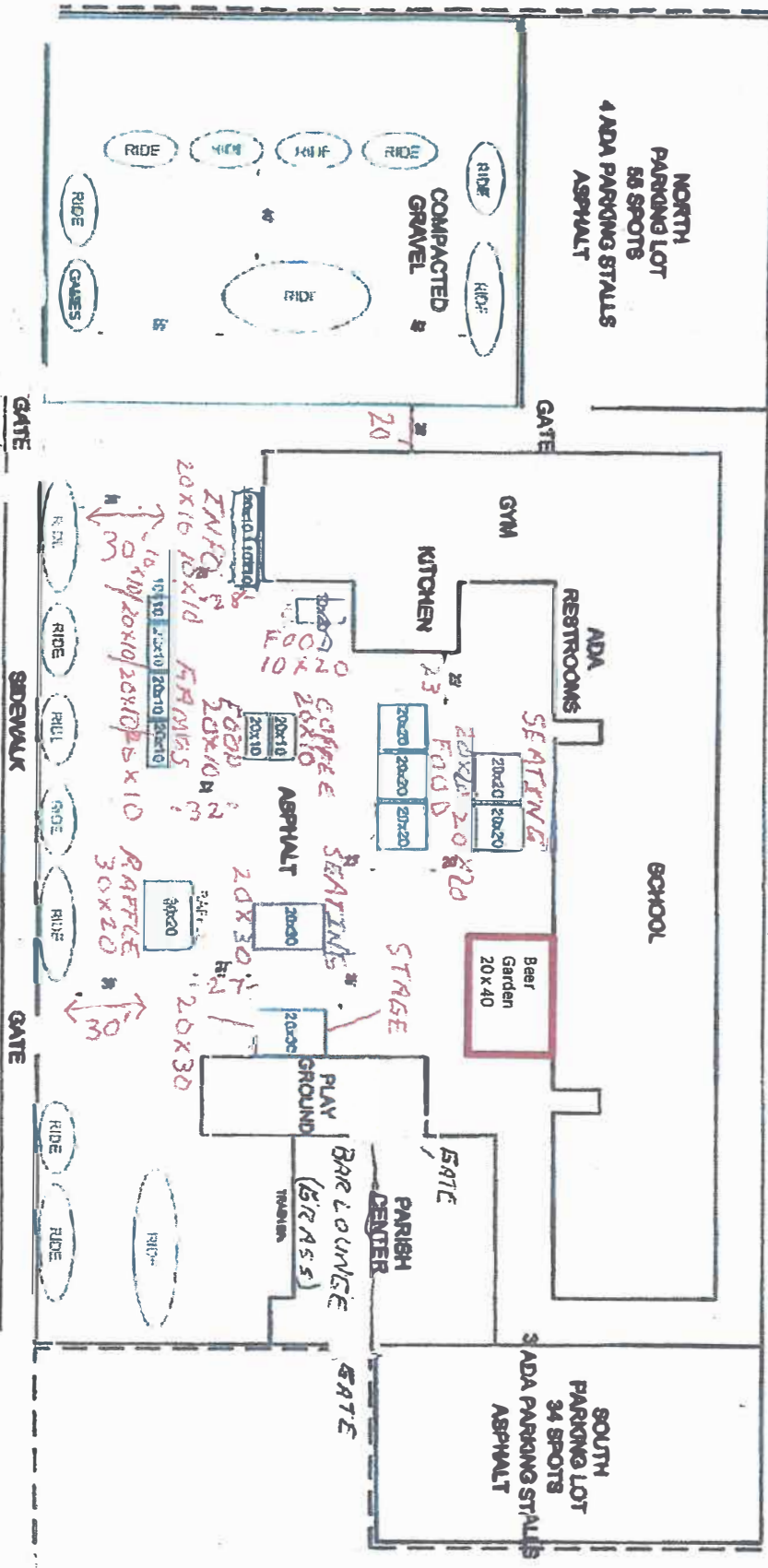
43. Prior to the start of the event, the Applicant shall obtain Downey Police Department approval of a security plan for the carnival and provide a map of the security locations and measures to ensure no persons under 21 will be admitted into beer garden. The security plan and map shall be submitted to the Downey Police Department no later than May 9, 2022.
44. Carnival security officers shall be easily identifiable in brightly colored security shirts. The security shirts shall not resemble the color of Downey Police Officers; they shall not be blue or black.
45. Should the noise levels increase or become a concern after 10:00 p.m., the Police Department will restrict the event to cease at 10:00 p.m. rather than its later proposed hour.

END OF CONDITIONS

OUR LADY OF PERPETUAL HELP SCHOOL
CARNIVAL

DOWNEY AVE

BIDEWALK



LA REINA AVE

**MINUTES
DOWNEY CITY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 17, 2021
CITY COUNCIL CHAMBERS, 11111 BROOKSHIRE AVENUE
DOWNEY, CALIFORNIA
6:30 P.M.**

Chair Duarte called the February 17, 2021, Regular Meeting of the Planning Commission to order at 6:42 p.m., at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. After the flag salute, Secretary Cavanagh called roll.

COMMISSIONERS PRESENT: Miguel Duarte, District 1, Chair
Arturo Montoya, District 3
Dimitrios Spathopoulos, District 4
Horacio Ortiz, Jr., District 5

COMMISSIONERS ABSENT: Patrick Owens, District 2, Vice Chair

OTHERS PRESENT: Aldo E. Schindler, Director of Community Development
Yvette Abich Garcia, City Attorney
Edwin Norris, Deputy Director of Public Works
Crystal Landavazo, City Planner
Guillermo Arreola, Principal Planner
Alfonso Hernandez, Senior Planner
Mary Cavanagh, Secretary

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

PRESENTATIONS: None

REPORT ON CITY COUNCIL ACTION: None

PUBLIC HEARINGS:

1. **PLN-19-00192 (Conditional Use Permit)**: Chair Duarte opened the public hearing for PLN-19-00192 continued from the February 3, 2021 hearing.

Principal Planner Guillermo Arreola presented a request to expand the existing restaurant use at 8104 Firestone Boulevard into the west abutting tenant space, 8100 Firestone Boulevard. The new space will increase the 945 square foot restaurant by 2,284 square feet. The interior expansion includes a bar area, additional seating, kitchen prep area and men's and women's restrooms. The restaurant operates with an Alcohol Beverage Control (ABC) Type 47 license (On-Sale General – Eating Place) and live entertainment. Site improvements include removal of non-conforming parking spaces and existing driveway, to be replaced with a 1,347 square foot covered dining area, a 36-inch high reinforced wall topped with a 12" high glass panel along the north and west property lines surrounding the outdoor dining area. The applicant will enter into a Downtown Parking Waiver Agreement with the City of Downey for 27 parking spaces.

The current business hours of operation are 10:00 a.m. – 2:00 a.m.; the applicant seeks to modify the hours of operation to open at 7:00 a.m. to accommodate breakfast. No other changes are proposed to the operating hours. The existing CUP (Conditional Use Permit) allows the applicant to operate with live entertainment in the form of amplified music with up to four amplified musicians, and charge an admission fee during pay-per-view sporting events. The applicant seeks to modify the form of live entertainment to add a disc jockey (DJ) and karaoke to the business. Live entertainment is limited to the inside of the restaurant

building, the existing outdoor seating area (east of the restaurant), and karaoke is limited to the inside of the restaurant building only; only string instruments, accordion and singer can be amplified. The business will continue to provide the permitted hours of live entertainment and proposed hours of operation (7) days a week.

Hours of Live Entertainment Inside:

11:00 a.m. – 11:00 p.m. Monday – Wednesday

11:00 a.m. – 1:00 a.m. Thursday – Sunday

- Hours of Live Entertainment Outside:

6:00 p.m. – 11:00 p.m. Monday – Wednesday

6:00 p.m. – 1:00 a.m. Thursday – Friday

11:00 a.m. – 1:00 a.m. Saturday – Sunday

The proposed Resolution will incorporate the previous conditions of approval from Resolution Nos. 15-2920 and 16-2971, and subsequently rescind the same resolutions so the business will operate under one Resolution instead of multiple. The Police Department reviewed and approved the revised security plan, which includes one additional security guard.

The Commission discussed the location of the nearest public parking lot, which included discussion of a possible crosswalk at Firestone Boulevard and Myrtle Avenue.

The Commission also discussed the incorporation of bollards and the reinforced wall around the outdoor dining area.

The applicant agreed to the conditions of approval.

Public Comments: None.

Chair Duarte closed the public hearing.

It was moved by Commissioner Spathopoulos, second by Commissioner Montoya, and passed by a vote of 4-0-1, with Vice Chair Owens absent, to adopt Resolution 21-3131, thereby approving the request for a Conditional Use Permit (PLN-19-00192).

2. PLN-19-00132 (Site Plan Review, Conditional Use Permit and Zone Change): Chair Duarte opened the public hearing for PLN-19-00132 and Ms. Cavanagh affirmed proof of publication.

City Planner Crystal Landavazo presented the request for a Site Plan Review (SPR) to allow for the construction of a 44,162 square foot industrial tilt-up building on property located at 12021 Woodruff Avenue. A Conditional Use Permit (CUP) due to the proposed use as a Freight Terminal. In addition to the storage component for the freight terminal, 8,020 square feet will be used as a complementary accessory office use. Lastly, a Zone Change (ZC) is requested to remove the zoning designation of P-B (Parking Buffer) from the property so the entire lot has one zoning designation M-2 (General Manufacturing). the proposed hours of operation for the business will be twenty-four (24) hours a day seven (7) days a week.

The majority of the building (36,142 square feet) will be used as a warehouse, and the remaining portion (8,020 square feet) will be used as office. New landscaping, parking, and pedestrian access is harmoniously designed at the front of the property. All elements of the proposed SPR are consistent with the Downey Municipal Code, and no deviations or special privileges are requested as a part of this proposal. The (CUP) is required for the operation of a "Freight Terminal" business. The facility will have a total of 70 loading docks and 76 freight truck parking stalls, with a capacity for 100 employees at any given time. Vehicles and freight trucks are allowed to access the site at two separate entrances via two 40' wide driveways allowing a disbursement of traffic North towards Firestone Boulevard and South towards Imperial Highway.

Research conducted of other freight terminal facilities in nearby cities found that these hours of operation are a common practice. In addition, the one other freight terminal operation found in the City is allowed to operate twenty-four (24) hours a day Monday through Friday, five (5) hours on Saturday, and four (4) hours on Sunday. The applicant has requested that they be allowed to operate twenty-four (24) hours a day every day for this site. A Mitigated Negative Declaration was prepared for this project and studies concluded that impacts related to the operation of the facility would be less than significant or would not create an impact in comparison to the current use on site and nearby uses. The zone change is requested to eliminate the (P-B) zone and designate the entire lot to (M-2), which will be consistent with the adjacent lots along Woodruff Avenue.

The applicant agreed to the conditions of approval.

Public Comments: None.

Chair Duarte closed the public hearing.

The Commissioners spoke in favor

It was moved by Commissioner Montoya, second by Commissioner Ortiz, and passed by a vote of 4-0-1, with Vice Chair Owens absent, to adopt Resolution 21-3132, thereby approving the request for a Conditional Use Permit (PLN-19-00132).

3. PLN-19-00173 (Site Plan Review, Conditional Use Permit and Variance): Chair Duarte opened the public hearing for PLN-19-00173 and Ms. Cavanagh affirmed proof of publication.

Principal Planner Guillermo Arreola presented the request to approve a Site Plan Review, Conditional Use Permit and a Variance (PLN-19-00173), to allow the demolition of an existing 2,231 sq. ft. building, and construct a new 1,698 sq. ft. coffee shop with outdoor seating, a drive-thru, and a parking reduction for property located at 9002 Firestone Boulevard, located within the Lakewood/Firestone Specific Plan (SP-91-2). The proposed hours of operation for the coffee shop and drive-through are Monday through Sunday, 4:30 a.m. to 12:00 a.m. The nearest residentially developed properties are located approximately 400-feet south of the subject site, across the railroad tracks, and 433 feet across Lakewood Boulevard, and a condition of approval has been added that requires the project must comply with the City's noise ordinance.

A Traffic Impact Analysis (TIA) was prepared by Ganddini Group, Inc., which conducted a drive-through queuing, collision history, vehicle mile traveled (VMT) Assessment and a Parking Demand Study. The assessment analyzed Starbucks locations in areas with comparable demographics. This assessment found that the proposed queue length would not cause impacts to the area.

The Planning Commission requested a condition be added to install bollards along the southeast corner of the building.

City Planner Landavazo proposed the following condition:

“Bollards will be installed 3 feet apart, placed and camouflaged within the street facing landscaping planter from the middle of Firestone Boulevard, to the middle of Lakewood Boulevard.”

Public Comments: Staff received (2) emails in opposition of the project that were read into record.

Chair Duarte closed the public hearing.

The Commissioners spoke in favor of the project.

It was moved by Commissioner Spathopoulos, second by Commissioner Ortiz, and passed by a vote of 4-0-1, with Vice Chair Owens absent, to adopt Resolution 21-3133, thereby approving the request for a Conditional Use Permit (PLN-19-00192) with an added condition of approval.

NON-AGENDA PUBLIC COMMENTS: None

CONSENT CALENDAR ITEMS:

4. **General Plan Consistency Finding**
5. **2020 General Plan Progress Report**
6. **Approval of the Minutes from October 21, 2020**

Item No. 6 of the Consent Calendar was continued to the next Planning Commission Meeting due to a lack of quorum.

It was moved by Commissioner Spathopoulos, seconded by Commissioner Montoya, and passed by a vote of 4-0-1, with Vice Chair Owens absent, to approve items 4 and 5 of the Consent Calendar.

OTHER BUSINESS: Commissioner Ortiz wished everyone a Happy Easter season.

STAFF MEMBER COMMENTS: Director of Community Development Schindler thanked the Commission for their support of item 4 of the Consent Calendar. He said this helps achieve a great administrative milestone in regard to the construction of the Sports Complex that is being built in partnership with the County of Los Angeles. The groundbreaking will be held on March 13, 2021; with limited attendance and virtual attendance to include members of the community.

ADJOURNMENT: Chair Duarte adjourned the meeting at 8:56 p.m., to Wednesday, March 3, 2021, at 6:30p.m., at Downey City Hall, 11111 Brookshire Ave.

APPROVED AND ADOPTED this 20th day of April, 2022.

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 4th day of May, 2022, by the following vote:

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

Mary Cavanagh, Secretary
City Planning Commission