



- 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

- | | |
|--|----------------|
| <p>1. <u>PLN-22-00053 (Special Event Permit)</u></p> <p>Location: 10830 Downey Avenue</p> <p>Request: A request to allow the operation of the annual Greek Festival on Saturday June 4th through Sunday, June 5th, 2022 from 11:00 a.m. to 10:00 p.m., within the parking lot of the St. George Greek Orthodox Church. Activities include live music, the sale of food, alcoholic beverages, and merchandise, on property zoned DDSP (Downtown Downey Specific Plan)</p> <p>CEQA: Categorical Exemption – Section 15304 (Class 4, Minor Alterations to land)</p> <p>Staff: Principal Planner, Guillermo Arreola</p> <p>Contact: garreola@downeyca.org</p> <p>562-904-7154</p> | <p>Approve</p> |
| <p>2. <u>PLN-22-00001 (Conditional Use Permit)</u></p> <p>Location: 8860 Apollo Way</p> <p>Request: A request to modify an existing Conditional Use Permit for live entertainment (disc-jockey and karaoke) at the Bar Louie Restaurant, and expand the interior dining area and outdoor patio, on property zoned DLSP (Downey Landing Specific Plan).</p> <p>CEQA: Categorical Exemption – Section 15301 (Class 1, Existing Facilities).</p> <p>Staff: Senior Planner, Alfonso Hernandez</p> <p>Contact: ashernandez@downeyca.org</p> <p>562-904-7154</p> | <p>Approve</p> |



3. PLN-22-00044 (Site Plan Review, Conditional Use Permit, Zone Change) Continue
- Location: 10014 Paramount Boulevard
- Request: A request to modify the exterior of an existing Burger King Restaurant, bring the existing drive-through into conformance, remove the antiquated P-B zoning and designate the entire site as General Commercial, on property zoned C-2 (General Commercial) and P-B (Parking Buffer).
- CEQA: Categorical Exemption – Section 15301 (Class 1, Existing Facilities)
- Staff: Senior Planner, Alfonso Hernandez
- Contact: ashernandez@downeyca.org
562-904-7154
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4. PLN-21-00175 (Tentative Parcel Map and Site Plan Review) Continue
- Location: 11613 Adenmoor Avenue
- Request: A request to subdivide a parcel and construct a 4-unit condominium project on property zoned R-3 (Medium Density Residential).
- CEQA: Categorical Exemption – Section 15332 (Class 32, In-fill Development Projects)
- Staff: Principal Planner, Guillermo Arreola
- Contact: garreola@downeyca.org
562-904-7154
-
5. PLN-20-00027 (Conditional Use Permit and Zone Change) Approve
- Location: 11911 Woodruff Avenue
- Request: A request to establish and operate a towing service with incidental auto repair and a zone change to eliminate the P-B zone and make the entire lot M-2, on property zoned M-2 (General Manufacturing) and P-B (Parking Buffer).
- CEQA: Categorical Exemption – Section 15301 (Class 1, Existing Facilities)
- 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.
- IX. **OTHER BUSINESS:**
- X. **STAFF MEMBER COMMENTS:**
- XI. **ADJOURNMENT:** To Wednesday, June 15, 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, Guillermo Arreola, Principal Planner, 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 26th day of May, 2022

Guillermo Arreola

Guillermo Arreola
Principal Planner



STAFF REPORT
PLANNING DIVISION

DATE: JUNE 1, 2022

TO: PLANNING COMMISSION

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

PREPARED BY: GUILLERMO ARREOLA, PRINCIPAL PLANNER *GA*

SUBJECT: **PLN-22-00053 (SPECIAL EVENT) – A REQUEST BY SAINT GEORGE GREEK ORTHODOX CHURCH TO CONDUCT THE DOWNEY GREEK FESTIVAL FOR TWO CONSECUTIVE DAYS (JUNE 4 AND JUNE 5, 2022)**

LOCATION: 10830 DOWNEY AVENUE

ZONING: DDSP (DOWNTOWN DOWNEY SPECIFIC PLAN)

REPORT SUMMARY

Saint George Greek Orthodox Church (hereinafter referred to as “the Applicant”) is requesting approval of a special event permit that would allow the church to hold their annual Downey Greek Festival within the church parking lot on June 4 and 5, 2022. Pursuant to Code Section 9420.04(c), special events involving over five hundred (500) people shall require approval from 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 (PLN-22-00053), THEREBY ALLOWING THE OPERATION OF THE GREEK FESTIVAL ON JUNE 4 AND 5, 2022 WITHIN THE PARKING LOT OF SAINT GEORGE GREEK ORTHODOX CHURCH LOCATED AT 10830 DOWNEY AVENUE, AND ZONED DOWNTOWN DOWNEY SPECIFIC PLAN

BACKGROUND

Saint George has conducted the Downey Greek Festival annually since 1984 with the exception of 2020 and 2021 due to the COVID-19 pandemic, Saint George Orthodox Church is located at 10830 Downey Avenue. The subject property is approximately 2.2 acres and is located at the southeast corner of Downey Avenue and La Villa Street. The subject site has 220 feet of frontage along Downey Avenue and approximately 164 feet of frontage along La Villa Street. The site is improved with the Saint George Greek Orthodox Church building, a small commercial building that houses the Hall of Fame market, the church’s assembly hall, and a parking lot with a basketball court. Vehicular access is provided via drive aisles along Downey

Avenue to the southwest of the church building and along La Villa Street to the northeast of the building.

On May 17, 2022, the Applicant submitted a Special Event Permit application (PLN-22-00053) to request the operation of the annual Downey Greek Festival in the parking lot of the church. The notice of the pending public hearing was mailed to all property owners within 500 feet of the subject site on May 19, 2022.

DISCUSSION

The festival activities will take place along the southerly driveway and into the parking lot and basketball court. The parking lot has approximately 120 parking spaces which will be closed to vehicles and fully utilized by festival activities. Attendees of the festival will enter from the driveway along Downey Avenue to the south of the building and from the driveway along La Villa Street to the east of the building.

Saint George Greek Orthodox Church anticipates 6,000 attendees over the two-day period. According to the Applicant, based on years past, Sunday yields the highest attendance for the festival. The festival will include the sale of Greek ethnic food such as lamb, Souvlaki, Gyro, Pastichio, Moussaka, Greek Chicken, Greek Salad; as well as, Greek sweets such as Galaktobouriko and Loukoumades. The festival will also sell soft drinks and alcoholic beverages. Consumption of alcoholic beverages will be contained within a beer garden. Alcoholic beverages will be served under a temporary license by the State Department of Alcoholic Beverage Control (ABC). Food and non-alcoholic beverages will be available for purchase and consumption within the church's hall and throughout the site. The festival features booths for independent vendors whose items include jewelry, ceramics, books, art work, general merchandise and services. These vendors will be located along the driveway that is located south of the church building. In addition, the applicant is requesting ten spaces to be dedicated for handicap accessibility on the adjacent lot, owned by First Baptist Church. Staff has added a condition of approval that prohibits the location of any generator within 25-feet from any residentially zoned property. Additionally, the event will offer tours of the church, which include presentations on Greek culture and history.

The two-day event will take place on Saturday June 4, 2022 and Sunday June 5, 2022 from 11:00 a.m. to 10:00 p.m. Live music and entertainment, including a three-foot raised, 16' by 16' stage and dance floor, will be performed in a specified 400 square foot covered area. This area is located approximately 100 feet from the nearest residential structure along La Villa Street and will be located on the existing basketball court. In order to mitigate potential adverse noise impacts, a condition has been added to the resolution to face speakers away from the adjacent residential structures. In a review of the previous year's festival, staff did not receive any complaints or issues of concern. The Church intends to utilize 100-150 volunteers to manage the event.

Set up for the event will begin on Wednesday, June 1, 2022, and take down and clean-up will be completed by Tuesday, June 7, 2022, by 6:00 p.m. The applicant acknowledges they will be moving forward "at risk" with set up and preparation of the festival prior to receiving approval from the Planning Commission.

As with previous years, the First Baptist Church, located at 8348 Third Street, and Downey United Methodist Church, located at 10801 Downey Ave is collaborating with Saint George Greek Orthodox Church to provide parking for the Greek Festival. This will be the festival's

primary source of parking. The Downey United Methodist Church also makes their parking lot available for attendees. Staff does not anticipate any traffic impacts due to the Farmer's Market, which in the past was located on Downey Avenue. Since then, the Farmer's Market has moved to a parking lot located on 11102 La Reina Avenue, adjacent to Porto's Bakery parking lot, also occurring on Saturday June, 4, 2022. Downey Avenue, as well as other public parking lots in the Downtown area will remain open and available for parking.

DEVELOPMENT REVIEW COMMITTEE

The Development Review Committee provided comments for the proposed festival, and as the application and plot plan did not change from the previous event, the Public Works, Building, Fire and Police Departments requested that the same standard conditions be applied to this year's event. The Fire Department comments included a request that the applicant apply for a Fire Department Special Event Permit, which includes a detailed plot plan for review. The Fire Department will directly comment and provide conditions to the applicant, based on their review.

ENVIRONMENTAL ANALYSIS

Staff has reviewed the proposed use for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, staff determined that this request is categorically exempt from CEQA, pursuant to Guideline Section No. 15304, Class 4 (Minor Alterations to Land). Categorical Exemptions are projects, which have been determined not to have a significant effect on the environment and are exempt from the requirements of CEQA. Class 4 exemptions consist of minor alterations in the condition of land, including approval of temporary land uses (i.e. festivals) that will have no permanent effect on the environment.

FINDINGS

Pursuant to the requirements of the Municipal Code Section 9814.08 (Special Event Permit), the Planning Commission must 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.

It is a goal of the General Plan (8.4) to "Enhance Downey's Cultural Resources." This goal is implemented in part by General Plan Program 8.4.3.2, "Support and encourage community events, such as the Downey Street Faire, Holiday Lane Parade, and ARC walk." The annual Greek Festival is a local cultural resource that highlights Greek culture; and is an important event for the community, just like the street fair and holiday parade. As such, the special event is consistent with aforementioned General Plan goal.

B. The proposed activity or use is consistent with other provisions of this Article.

The site of this special event is located within the Downtown Downey Specific Plan, where special events such as outdoor events and festivals are permitted, subject to Section 2.4.2 – Temporary Uses and Special Events of the Downtown Downey Specific Plan. The proposed special event will occur within the easterly portion of the Saint George Greek Orthodox Church and within the supplemental parking lot located at 8325 3rd Street, owned by First Baptist Church. The event will not hinder the movement of traffic or create impacts on adjoining properties. The Applicant will meet the City's parking requirements by securing permission to utilize approximately 55 parking spaces

at Downey United Methodist Church, across the street from the subject site, and 75 parking spaces on a parking lot owned by First Baptist Church (8348 Third Street) to the south. Staff is recommending conditions of approval to address concerns related to noise, light and glare, and other potential nuisances.

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

The special event will occur in the parking lot of the Saint George Greek Orthodox Church. The applicant has secured sufficient public parking to accommodate the additional traffic generated by the use, which is within walking distance to the event. Furthermore, this annual event is temporary and will not result in permanent injury to the public health, safety, or welfare. Finally, staff is recommending several conditions of approval that will mitigate any potential impact.

CORRESPONDENCE

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

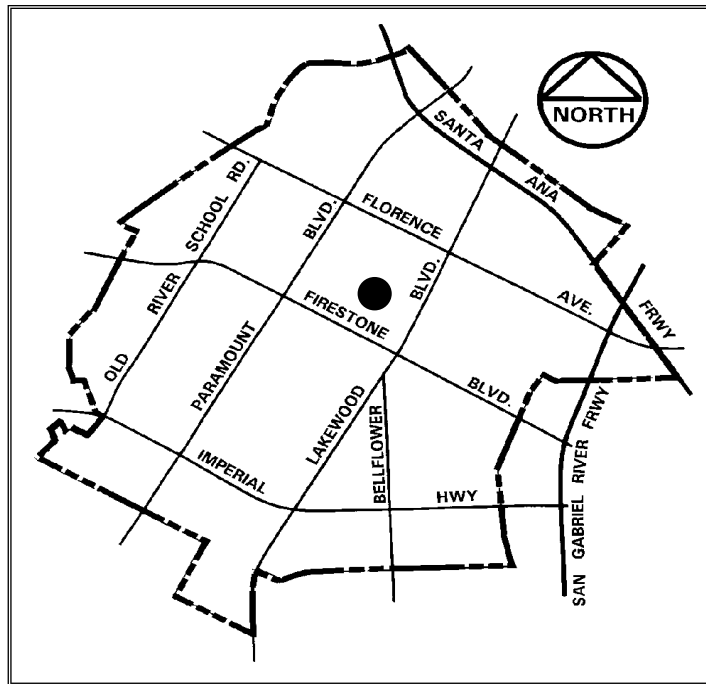
CONCLUSION

Based on the analysis contained herein, staff concludes that all of the required findings can be made in a positive manner. Therefore, staff recommends that the Planning Commission adopt a resolution approving the Special Event Permit, subject to the conditions of approval as stated in Exhibit A of the Planning Commission Resolution.

EXHIBITS

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

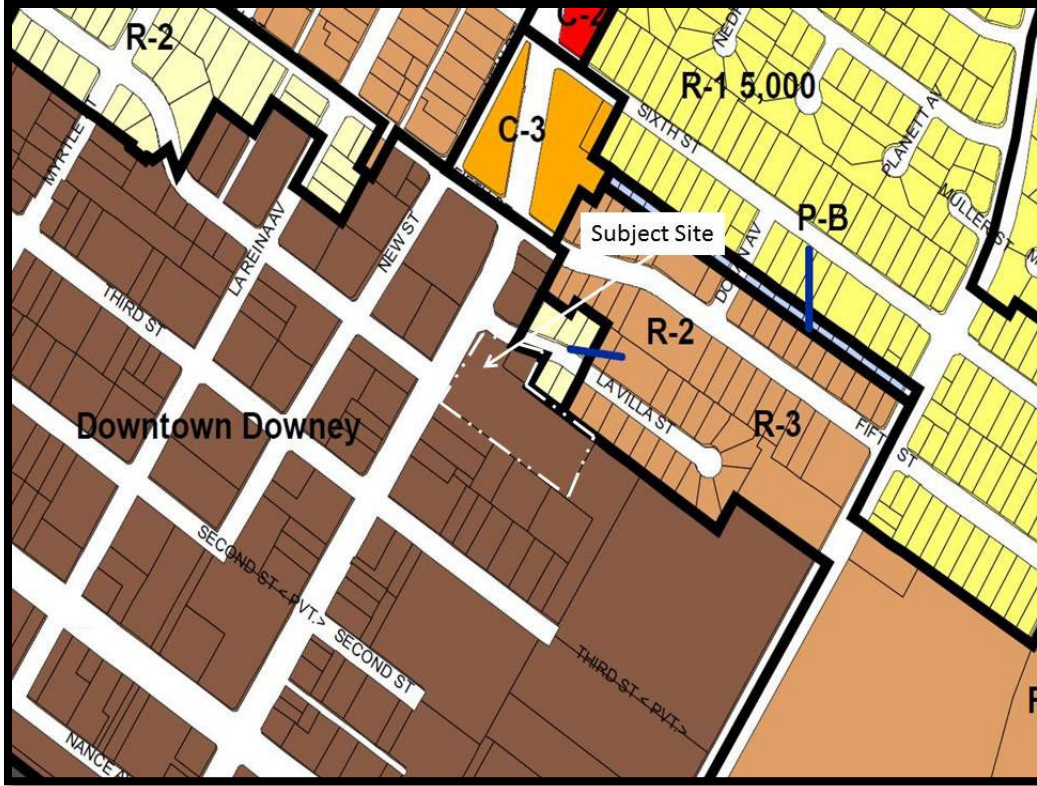
Exhibit 'A' – Maps



VICINITY MAP

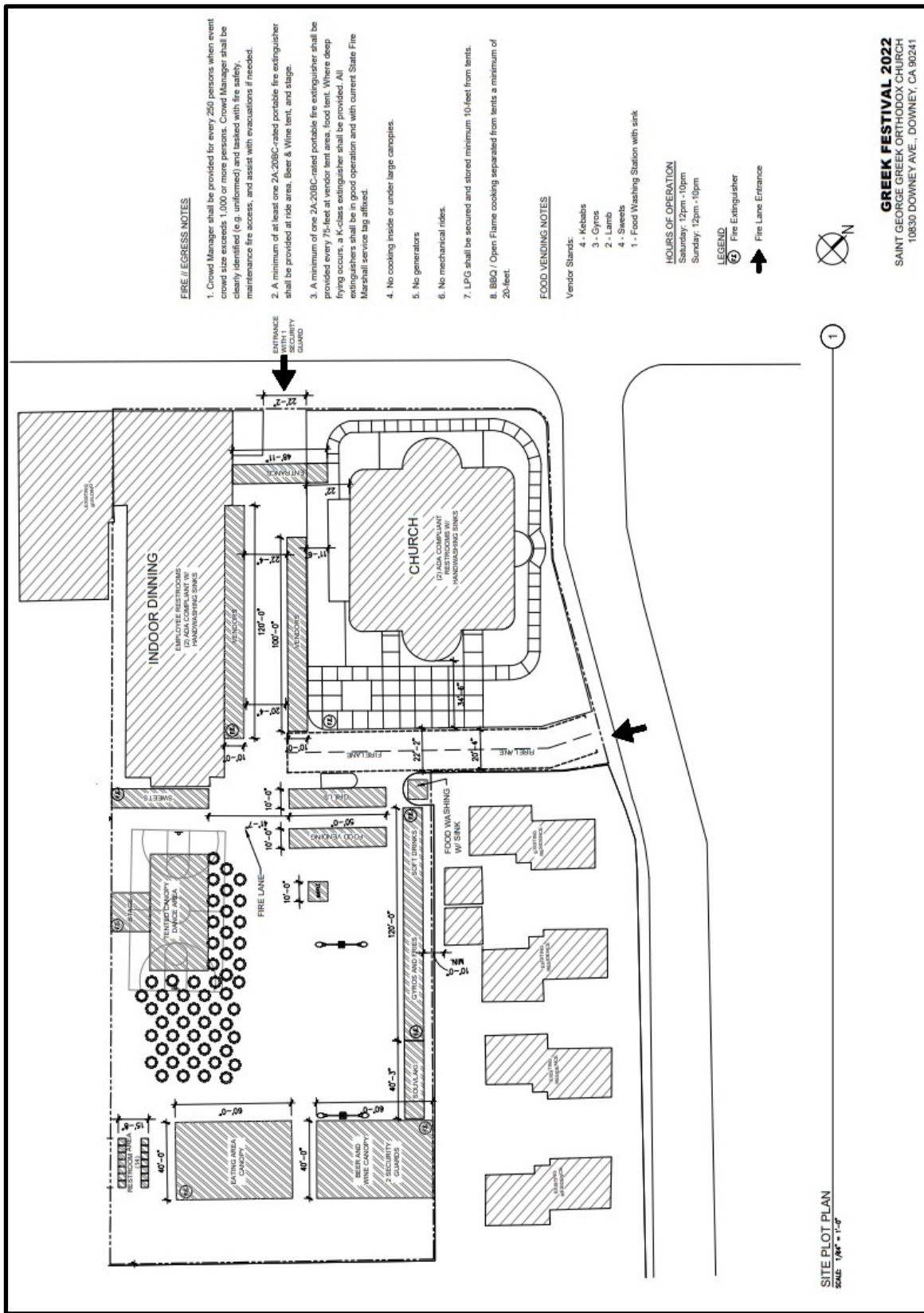


AERIAL PHOTOGRAPH



ZONING MAP

EXHIBIT - B



FIRE/EGRESS NOTES

1. Crowd Manager shall be provided for every 250 persons when event crowd size exceeds 1,000 or more persons. Crowd Manager shall be clearly identified (e.g. uniformed) and tasked with fire safety, maintenance fire access, and assist with evacuations if needed.
2. A minimum of at least one 2A,20BC-rated portable fire extinguisher shall be provided at ride area, Beer & Wine tent, and stage.
3. A minimum of one 2A,20BC-rated portable fire extinguisher shall be provided every 75-feet at vendor tent area, food tent. Where deep frying occurs, a K-class extinguisher shall be provided. All extinguishers shall be in good operation and with current State Fire Marshall service tag affixed.
4. No cooking inside or under large canopies.
5. No generators
6. No mechanical rides.
7. LPG shall be secured and stored minimum 10-feet from tents.
8. BBQ/ Open Flame cooking separated from tents a minimum of 20-feet.

FOOD VENDING NOTES

- Vendor Stands:
- 4 - Kebabs
 - 3 - Gyros
 - 2 - Lamb
 - 4 - Sweets
- 1 - Food Washing Station with sink

HOURS OF OPERATION
 Saturday: 12pm - 10pm
 Sunday: 12pm - 10pm

- LEGEND**
- Ⓔ Fire Extinguisher
 - ➔ Fire Lane Entrance



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

1

EXHIBIT – B Continued (Parking)



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING SPECIAL EVENT (PLN-22-00053), THEREBY ALLOWING THE OPERATION OF THE DOWNEY GREEK FESTIVAL ON JUNE 4 AND 5, 2022 WITHIN THE PARKING LOT OF SAINT GEORGE GREEK ORTHODOX CHURCH LOCATED AT 10830 DOWNEY AVENUE, AND ZONED DDSP (DOWNTOWN DOWNEY SPECIFIC PLAN)

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. Saint George Greek Orthodox Church filed an application on May 17, 2022, requesting approval of a Special Event Permit (PLN-22-00053) to allow the operation of the annual Greek festival on the property located at 10830 Downey Avenue and the supplemental parking lot located at 8325 3rd street, owned by legacy church zoned DDSP (Downtown Downey Specific Plan); and,
- B. On May 19, 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,
- C. The Planning Commission held a duly noticed public hearing on June 1, 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 development has been reviewed and has been found to be in compliance with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15304 (Class 4), Minor Alterations to Land.

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

- A. That 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. It is a goal of the General Plan (8.4) to "Enhance Downey's Cultural Resources." This goal is implemented in part by General Plan Program 8.4.3.2, "Support and encourage community events, such as the Downey Street Faire, Holiday Lane Parade, and ARC walk." The annual Greek Festival is a local cultural resource that highlights Greek culture; and is an important event for the community, just like the street fair and holiday parade. As such, the special event is consistent with aforementioned General Plan goal.
- B. That the proposed activity or use will be consistent with other provisions of this article in that the site of this special event is located within the Downtown Downey Specific Plan, where special events such as outdoor events and festivals are permitted, subject to Section 2.4.2 – Temporary Uses and Special Events of the Downtown Downey Specific Plan. The proposed special event will occur within the easterly portion of the Saint George Greek Orthodox Church and within the supplemental parking lot located at 8325 3rd Street, owned by First Baptist Church. The event will not hinder the movement of

traffic or create impacts on adjoining properties. The Applicant will meet the City's parking requirements by securing permission to utilize approximately 55 parking spaces at Downey United Methodist Church, across the street from the subject site, and 75 parking spaces on a parking lot owned by First Baptist Church (8348 Third Street) to the south. Staff is recommending conditions of approval to address concerns related to noise, light and glare, and other potential nuisances.

- C. That the proposed activity or use will not result in conditions or circumstances contrary to the public health, safety, and general welfare. The special event will occur in the parking lot of the Saint George Greek orthodox Church. The applicant has secured sufficient public parking to accommodate the additional traffic generated by the use, which is within walking distance to the event. Furthermore, this annual event is temporary and will not result in permanent injury to the public, health, safety, or welfare. Finally, staff is recommending several conditions of approval that will mitigate any potential impact.

SECTION 4. Based upon the findings set forth in Sections 1 through 3 of this Resolution, the Planning Commission of the City of Downey hereby approves PLN-22-00053, 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 5. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 1st day of June, 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 1st day of June, 2022, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

**CONDITIONS OF APPROVAL
PLN-22-00053 (SPECIAL EVENT PERMIT)**

PLANNING

- 1) This approval of PLN-22-00053 (Special Event Permit) allows Saint George Greek Orthodox Church, to host a two-day Downey Greek festival on Saturday, June 4, 2022 and Sunday, June 5, 2022, between the hours of 11:00 a.m. and 10:00 p.m.
- 2) Approved activities for the Greek festival shall consist of:
 - a) One 10' x 40' tent for festival entrance;
 - b) One 10' x 70' for multiple vendors;
 - c) One 10' x 80' for multiple vendors;
 - d) One 10' x 10' raffle booth;
 - e) One 10' x 45' sweets booth;
 - f) One 20' x 20' covered eating area;
 - g) One 20' x 40' covered eating area;
 - h) Two 10' x 30' food vending area;
 - i) Three 10' x 20' food/ beverage vending area; and
 - j) One 20' x 20' covered music area with 3-foot high, 16' x 16' stage.
- 3) 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.
- 4) The applicant and the property owner shall sign an affidavit of Acceptance of Conditions, as provided by the City of Downey, on or before Thursday, June 2nd, 2022.
- 5) The Owner/Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the approval of this resolution, to challenge the determination made by City under the California Environmental Quality Act or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition.
- 6) Set up for the event shall occur no earlier than Wednesday June 1, 2022. Clean-up activities, which include the removal of all tables and chairs, booths, trash receptacles, stage, electrical equipment, and garbage, shall be removed by Tuesday, June 7, 2022, by 6:00 p.m.
- 7) If a generator is to be used, it shall be located a minimum 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.

Resolution No.
Downey Planning Commission

- 8) The Applicant shall ensure that all necessary lighting shall face the main event (booths and stage). The Applicant shall direct lighting away from La Villa Street and away from any residential uses nearby.
- 9) The Applicant shall obtain any necessary Health Department approvals required for the sale of food at the Greek Festival, on or before Friday, May 27, 2022.
- 10) The Applicant shall obtain all required Building Department, Police Department and Fire Department permits on or before Friday, May 27, 2022.
- 11) The owner/applicant shall utilize signage and volunteers to direct traffic to public parking areas nearby. Volunteers shall be responsible for cleaning the litter on adjoining streets.

PUBLIC WORKS/ENGINEERING

- 12) The facility shall provide sufficient trash and recycling receptacles for the disposal of food and debris at the event.
- 13) All parking areas shall be swept clean after the event; there shall be no hosing down of the parking areas.
- 14) The owner/applicant 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 Water Resources Control Board; and Ordinance 1142 of the Downey Municipal Code (DMC).
- 15) The owner/applicant shall obtain all necessary plan approvals and permits.

BUILDING

- 16) 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
- 17) 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)

Resolution No.
Downey Planning Commission

- 18) 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.
- 19) Temporary structures that cover an area greater than 120 square feet or 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).
- 20) 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.

FIRE

- 21) The applicant shall obtain a tent permit from the Fire Department. Tents 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].
- 22) All tents, extinguishers and electrical work must in place by noon on the Friday before the event to enable an inspection by the Fire Department and the Building and Safety Division.
- 23) Applicant shall ensure a tent permit is obtained no less than seven (7) days prior to the beginning of the special event. The tent permit application shall provide a detailed site plan/map indicating additional detail on generator size, fire protection at generator and cooking areas, tent size and layout, evacuation routes, seating/table plan, etc.
- 24) 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)].
- 25) No cooking shall be conducted inside tents or canopies.
- 26) Maintain occupant load in all structures, buildings, tents, canopies as per California Fire Code.
- 27) 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.

Resolution No.
Downey Planning Commission

- 28) Tents shall not be located within 20 feet of parked vehicles, open flame or heating devices, combustion engines, and buildings.
- 29) Several items on this list have been addressed in the provided site plan. Field verification of stated items may be conducted by DFD personnel after stated setup time.

POLICE

- 30) The sale of alcoholic beverages shall comply with the requirements of the State Department of Alcoholic Beverage Control. The Applicant shall provide a copy of this approval to the Downey Police Department on or before Friday, May 27, 2022.
- 31) The alcohol area shall be contained within a fenced area where patrons may consume alcohol.
- 32) The Applicant shall obtain Downey Police Department approval of a security plan for the Greek Festival and provide a map of the security locations no later than Friday, May 27, 2022.
- 33) The Applicant shall provide a minimum of six (6) licensed security guards on-site for the duration of the event.
- 34) Festival security officers shall be easily identifiable in brightly colored security shirts. The security shirts shall not resemble the color of Downey Police Officers; the shirts shall not be blue or black.

END OF CONDITIONS



STAFF REPORT
PLANNING DIVISION

DATE: JUNE 1, 2022

TO: PLANNING COMMISSION

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

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER *Att*

SUBJECT: **PLN-22-00001 (CONDITIONAL USE PERMIT) – A REQUEST TO REVISE PLN-19-00191 ALLOWING LIVE ENTERTAINMENT AT AN EXISTING FULL SERVICE RESTAURANT.**

LOCATION: 8860 APOLLO WAY

ZONING: TLSP (TIERRA LUNA SPECIFIC PLAN)

REPORT SUMMARY

This is a request for a Conditional Use Permit (CUP) to allow live entertainment within the expansion of the Bar Louie full service restaurant located within the Promenade shopping center. The application is prompted due to the modification of the plans previously approved by the Planning Commission for live entertainment on May 20, 2020. The live entertainment will continue to consist of a disc-jockey, karaoke, and open microphone. Open microphone means periods in which patrons are allowed to voluntarily perform in front of other patrons. Performances may include singing, playing acoustic instruments, sharing poetry, or stand-up comedy. The business began operation of the restaurant with incidental onsite alcohol sales (Type 47 ABC license) in October 2016 and has remained in operation since.

Based on the analysis contained in this report, staff is recommending the Planning Commission adopt the resolution listed below. As a matter of record keeping, resolution 20-3117 will be rescinded upon approval.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING CONDITIONAL USE PERMIT PLN-22-00001, THEREBY ALLOWING A FULL SERVICE RESTAURANT TO FUNCTION WITH LIVE ENTERTAINMENT IN THE FORM OF A DISC-JOCKEY, KARAOKE, AND OPEN-MICROPHONE

BACKGROUND

The subject site is a 5,786 square foot tenant space located at the “Promenade at Downey” within the Tierra Luna Specific Plan (TLSP), and has a General Plan land use designation of Mixed Use. Specifically, the Bar Louie restaurant space is located within the Tierra Luna Market

Place area as designated by the specific plan. This area is made up of similar restaurants, such as Gaucho Grill and The Olive, retail, and the Cinemark movie theater. The existing customer area currently consists of a dining area, bar, and outdoor patio. The restaurant is expanding into an abutting tenant space that will increase the restaurant size by an additional 1,412 sq. ft. The approval of the expansion and exterior remodel of the expansion space is allowed “by-right” and is being processed via a building permit. However, the live entertainment approval needs to be modified to reflect that the activity will be allowed and subject to the same conditions of approval in the expanded restaurant area.

The shopping center is located adjacent to the Downey Landing shopping center to the North. To the South is the Discovery Sports Complex and the Columbia Memorial Space Center. To the East are properties zoned General Manufacturing, M-2. To the West are single-family zoned properties, R-1. The R-1 properties are located approximately 850 feet from the Bar Louie tenant space.

On January 4, 2022 the applicant filed a request for a CUP. Subsequently, the applicant was issued incomplete letters on February 3, 2022 and March 23, 2022. After submitting all required documents the application was deemed complete on April 22, 2022. On May 19, 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. The project was initially noticed to be heard at the May 18, 2022 Planning Commission hearing, but was continued to the June 1, 2022 hearing.



Existing Frontage

DISCUSSION

The request is an application to continue to conduct live entertainment in the form of a disc-jockey, karaoke, and open-microphone at the existing full service restaurant “Bar Louie”. This request will allow the existing live entertainment activity within the expanded restaurant areas and require continued compliance with the existing conditions of approval. Unlike other applications for live entertainment, this application does not seek approval for the installation of a stage or dance floor/area.

Existing hours of operation are Monday – Friday 11:00 a.m. – 2:00 a.m., Saturday – Sunday 10:00 am – 2:00 am, with live entertainment from Thursday – Sunday 9:00 p.m. – 1:30 a.m. The applicant plans to keep the same hours. Live entertainment will cease 30 minutes before closing, consistent with last call for alcohol purchases.

As previously stated, the land use designation will not change. Bar Louie will continue to operate as a full service restaurant use with incidental alcohol sales. The applicant and future operators are limited to alcohol sales consistent with ABC License Type 47 (On Sale – Eating Place). Thus, the project is conditioned to require the applicants to limit the sale of alcohol to no more than half (50%) of their total gross revenue.

Per the specific plan, the full service restaurant requires 24 parking spaces. A total of 95 parking spaces are located directly in front of the tenant space. These parking spaces service various other retail and food related uses. Within close proximity there is additional parking and the Tierra Luna Market Place area of the specific plan holds a total of 3,025 parking spaces. The request for live entertainment does not warrant any changes to the current parking demand. As a result the new total tenant space is allowed to continue with no additional parking accommodations.

Security will be conditioned to remain the same and require a total of four security guards Thursdays - Sunday. The security guards will be present between the hours of 9:00 p.m. to 2:30 a.m. The number of security guards was determined by the Downey Police Department in an effort to maintain a low amount of public nuisance incidents.

Noise is not anticipated to create additional impacts due to the business' location within an existing shopping center. In addition, the subject site is predominantly surrounded by commercial uses which limit potential impacts to surrounding uses. A nuisance to nearby residents is also not anticipated, with the closest residential property being located approximately 850 feet away. Lastly, conditions of approval have been incorporated in an effort to mitigate any potential nuisance.

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. All departments recommended that conditions remain the same. Recommended conditions of approval have been included in the attached Resolution.

ENVIRONMENTAL ANALYSIS

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

FINDINGS

Pursuant to Municipal Code Section 9824.06, there are four (4) findings that must be adopted prior to approving the 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 located within an active shopping center that contains similar restaurant uses so the project should not cause a nuisance related to public convenience or general welfare to any nearby businesses. The restaurant is located approximately 850 feet away from residential properties, therefore nearby residents should not be burdened by the proposed use. Rather, the project aims to diversify the amount of goods and 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 CUP promotes the above policy by continuing the availability of live entertainment which aims to complement the existing restaurant that it will serve. This will not only continue to provide, but will also expand, the type and amount of goods and services available to the nearby community and general public.

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 continuation of live entertainment is intended to complement the existing restaurant use. The live entertainment component is occasionally found within similar shopping areas. The specific form of live entertainment is viewed as a trend for many restaurants, and the proposed hours are viewed as common practice. The main use of the site will remain a restaurant and adverse impacts are not anticipated. The application does not call for any other changes to the tenant space, such as readjustment of tables and chairs or installation of a dance floor. Security guards have been required as a part of this approval to ensure adequate safe guards are provided to prevent future impacts. Therefore, 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;

Live entertainment and the proposed hours of operation do not warrant a need for additional accommodations to the site. The proposed use will not restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. In addition, the project is in full compliance with the Downey Landing Specific Plan. Therefore, the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.

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

The type of live entertainment in conjunction with the ongoing operation of an existing full service restaurant is not anticipated to generate additional traffic. Live entertainment is an incidental amenity to the existing primary restaurant use. The combination of uses is common within active large shopping areas and the existing infrastructure is built to accommodate the type of use. The site is accessible via Lakewood Boulevard and Bellflower Boulevard. These street segments lead to similar nearby corridors such as Stewart & Gray Road and Imperial Highway. All four of these nearby roadways are consider major arterial corridors. Therefore, the existing transportation infrastructure that provides access to and from the project site and the nearby area will remain adequate in supporting the type and quantity of traffic generated by the existing use.

Pursuant to Downey Landing Specific Plan Section 6(C), there are two (2) findings that must be adopted prior to approving the Conditional Use Permit. The findings are as follows:

A. The proposed use is consistent with the Amended Downing Landing Specific Plan;

The proposed live entertainment is permitted upon the granting of a Conditional Use Permit in accordance with Appendix A: Permitted and Conditional Uses of the Downey Landing Specific Plan. Aside, the project directly complies, or has been conditioned to comply, with all relevant development provisions within the Downey Landing Specific Plan. These provisions include, but are not limited to, review process, accessibility, amount of parking and noise.

B. The location, size and operating characteristics of the proposed land use are compatible with and will not adversely impact surrounding uses;

The request is for a CUP to continue live entertainment within the existing restaurant space and allow for the same use within the expanded area. The restaurant operations and conditions of approval within will remain the same. Unlike other forms of live entertainment, this permit does not request readjustment of the dining layout or introduction of a dance floor/area. Patrons will partake in the same activities as before, with music produced by a disc-jockey, karaoke or live performances via open microphone events. Live playing of music, such as singing or instruments, will be performed voluntarily by patrons and not by booking of talent. Live entertainment as it pertains to this application is not considered a new use, but rather complimentary to the existing use. Due to the amount of time that Bar Louie has operated at the site as well as the determination that the proposed use is complimentary to existing functions, it is reasonable to consider the location, size, and operating characteristics of this application as compatible with and not adversely impactful to surrounding uses.

CORRESPONDENCE

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

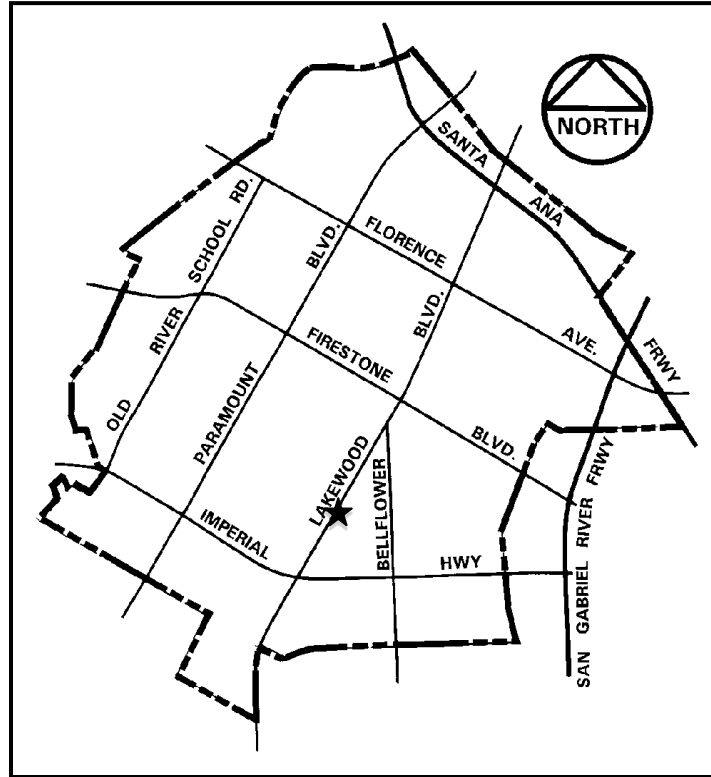
CONCLUSION

Based on the analysis contained within this report, it is concluded that all findings required for approval can be made in a positive manner. As such, it is recommended that the Planning Commission approve the Conditional Use Permit (PLN-22-00001), thereby allowing live entertainment at a full service restaurant.

EXHIBITS

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

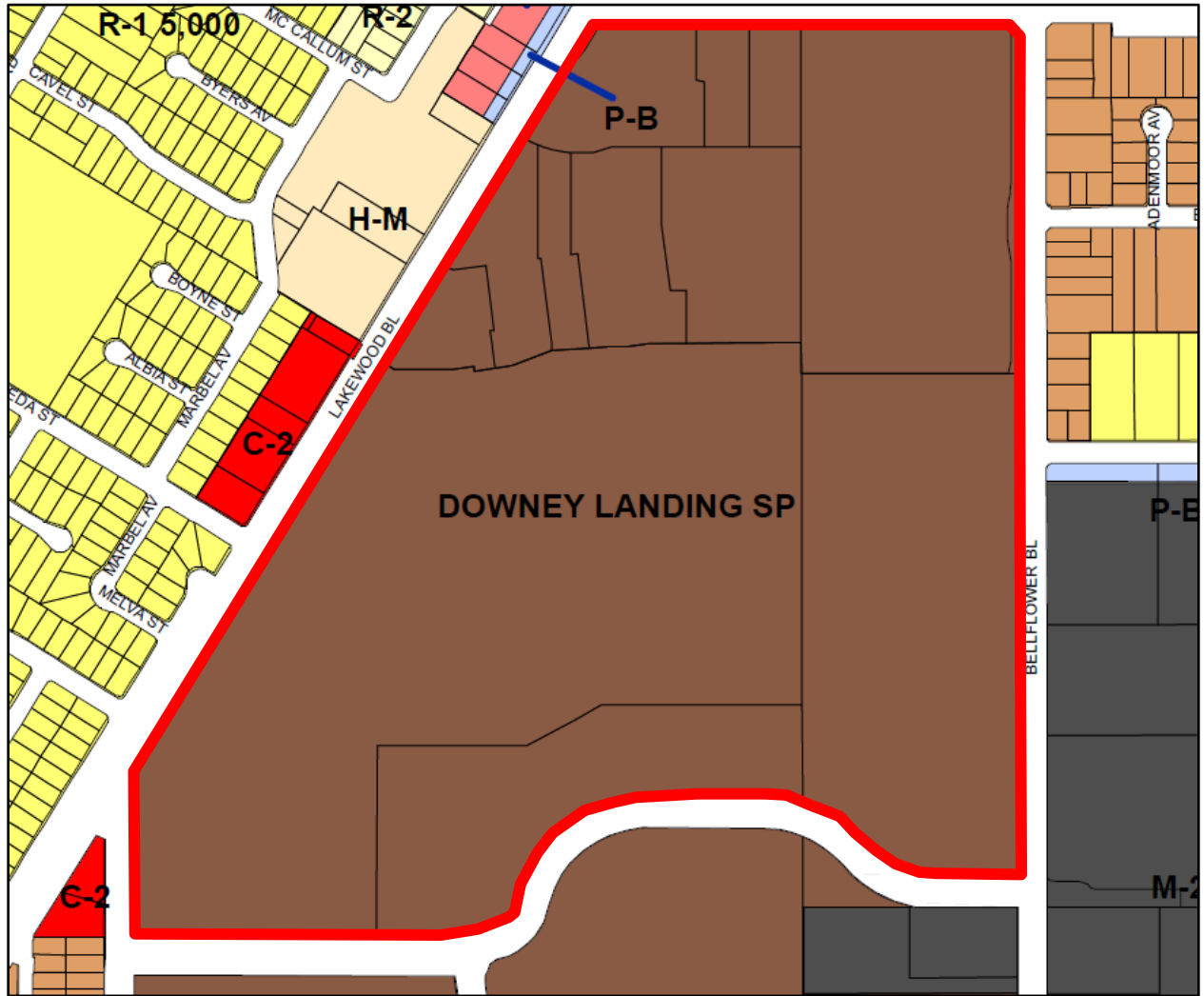
Exhibit A



Location



Aerial Photograph



Zoning

RESOLUTION NO. 22-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING CONDITIONAL USE PERMIT PLN-22-00001, THEREBY ALLOWING A FULL SERVICE RESTAURANT TO FUNCTION WITH LIVE ENTERTAINMENT IN THE FORM OF A DISC-JOCKEY, KARAOKE, AND OPEN-MICROPHONE

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 19, 2019, Tina Sohne (hereinafter “applicant”), submitted a request for a Condition Use Permit to allow for live entertainment at an existing full service restaurant; and,
- B. On December 19, 2019, the applicant was issued a letter deeming the application incomplete.
- C. On April 13, 2020, the application was deemed complete after all required documents were submitted and reviewed.
- E. The Planning Commission held a duly noticed public hearing on May 20, 2020, and after fully considering all oral and written testimony, facts, and opinions offered at the aforesaid public hearing approved PLN-19-00191 and Resolution 20-3117.
- F. On January 4, 2022, the applicant stated they will be expanding their current square footage and submitted a request to revise their existing Conditional Use Permit to continue live entertainment; and,
- G. On February 3, 2022, the applicant was issued a letter deeming the application incomplete; and,
- H. On March 23, 2022, after reviewing resubmitted materials the applicant was issued an additional letter deeming the applicant incomplete; and,
- I. On April 22, 2022, the application was deemed complete after all required documents were submitted and reviewed.
- J. On May 5, 2022, a notice of the public hearing was sent to all property owners within 500’ of the subject site and the notice was published in *Downey Patriot*; and,
- K. On May 18, 2022, at the Planning Commission hearing the item was continued to a date certain; and,
- L. On May 19, 2022, a notice of the public hearing was sent to all property owners within 500’ of the subject site and the notice was published in *Downey Patriot*; and,
- M. The Planning Commission held a duly noticed public hearing on June 1, 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 development has been reviewed and has been found to be in compliance with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1), Existing Facilities.

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings 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 located within an active shopping center that contains similar restaurant uses so the project should not cause a nuisance related to public convenience or general welfare to any nearby businesses. The restaurant is located approximately 850 feet away from residential properties, therefore nearby residents should not be burdened by the proposed use. Rather, the project aims to diversify the amount of goods and 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 CUP promotes the above policy by continuing the availability of live entertainment which aims to complement the existing restaurant that it will serve. This will not only continue to provide, but will also expand, the type and amount of goods and services available to the nearby community and general public.

- 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 continuation of live entertainment is intended to complement the existing restaurant use. The live entertainment component is occasionally found within similar shopping areas. The specific form of live entertainment is viewed as a trend for many restaurants, and the proposed hours are viewed as common practice. The main use of the site will remain a restaurant and adverse impacts are not anticipated. The application does not call for any other changes to the tenant space, such as readjustment of tables and chairs or installation of a dance floor. Security guards have been required as a part of this approval to ensure adequate safe guards are provided to prevent future impacts. Therefore, 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 Live entertainment and the proposed hours of operation do not warrant a need for additional accommodations to the site. The proposed use will not restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. In addition, the project is in full compliance with the Downey Landing Specific Plan. Therefore, the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.

- D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The type of live entertainment in conjunction with the ongoing operation of an existing full service restaurant is not anticipated to generate additional traffic. Live entertainment is an incidental amenity to the existing primary restaurant use. The combination of uses is common within active large shopping areas and the existing infrastructure is built to accommodate the type of use. The site is accessible via Lakewood Boulevard and Bellflower Boulevard. These street segments lead to similar nearby corridors such as Stewart & Gray Road and Imperial Highway. All four of these nearby roadways are considered major arterial corridors. Therefore, the existing transportation infrastructure that provides access to and from the project site and the nearby area will remain adequate in supporting the type and quantity of traffic generated by the existing use.

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:

- A. The proposed use is consistent with the Amended Downing Landing Specific Plan. The proposed live entertainment is permitted upon the granting of a Conditional Use Permit in accordance with Appendix A: Permitted and Conditional Uses of the Downey Landing Specific Plan. Aside, the project directly complies, or has been conditioned to comply, with all relevant development provisions within the Downey Landing Specific Plan. These provisions include, but are not limited to, review process, accessibility, amount of parking and noise.
- B. The Location, size and operating characteristics of the proposed land use are compatible with and will not adversely impact surrounding uses. The request is for a CUP to continue live entertainment within the existing restaurant space and allow for the same use within the expanded area. The restaurant operations and conditions of approval within will remain the same. Unlike other forms of live entertainment, this permit does not request readjustment of the dining layout or introduction of a dance floor/area. Patrons will partake in the same activities as before, with music produced by a disc-jockey, karaoke or live performances via open microphone events. Live playing of music, such as singing or instruments, will be performed voluntarily by patrons and not by booking of talent. Live entertainment as it pertains to this application is not considered a new use, but rather complimentary to the existing use. Due to the amount of time that Bar Louie has operated at the site as well as the determination that the proposed use is complimentary to existing functions, it is reasonable to consider the location, size, and operating characteristics of this application as compatible with and not adversely impactful to surrounding uses.

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 approves Conditional Use Permit PLN-22-00001, 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 1st day of June 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 1st day of June, 2022, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mary Cavanagh, Secretary
City Planning Commission

**PLN-22-00001
(CONDITIONAL USE PERMIT)
EXHIBIT A - CONDITIONS**

PLANNING

- 1) The approval of this Conditional Use Permit allows for live entertainment at an existing restaurant with incidental alcohol sales.
- 2) Resolution No. 20-3117 is hereby rescinded with all approved conditions incorporated herein.
- 3) The form of live entertainment is limited to disc jockey, karaoke and open microphone. Open microphone permits patrons to voluntarily perform in front of other patrons through singing, playing acoustic instruments, sharing poetry, or stand-up comedy.
- 4) The permitted hours of operation for live entertainment are as follows:

Thursday – Sunday 9:00 p.m. – 1:30 a.m.
- 5) Live entertainment shall cease thirty (30) minutes prior to closing.
- 6) "Last call" for alcohol purchases shall occur thirty (30) minutes prior to closing.
- 7) Prior to the submittal of plans into Building and Safety Plan Check or commencement of business, whichever occurs first, the applicant and the property owner shall sign an affidavit of Acceptance of Conditions, as provided by the City of Downey.
- 8) The site shall remain in conformance with this request and the approved set of plans.
- 9) The Planning Commission reserves the right to revoke or modify this CUP if any violation of the approved conditions occurs, or any violation of the Downey Municipal Code occurs.
- 10) 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.
- 11) Approval of Conditional Use Permit PLN-22-00001 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.
- 12) Applicant shall comply with all conditions of PLN-22-00001 before this Conditional Use Permit becomes valid.
- 13) 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.

- 14) 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.
- 15) The business owner shall consent to and provide access to all areas of the subject premises without charge during normal business hours to any Police Department or other City Official for purposes of verifying compliance with any of the Conditions of Approval of this CUP, as well as with any Police Permit and approved Security Plan.
- 16) All rules and regulations set forth by the California Department of Public Health and the Los Angeles County Department of Public Health shall be enforced and complied with. The applicant shall be subject to any and all applicable orders issued by these agencies to protect the public health such as the most recent orders for social distancing and operational restrictions related to the COVID-19 coronavirus pandemic.
- 17) All Department of Alcoholic Beverage Control rules and regulations shall be enforced and complied with. The applicant shall submit to the City Planner a copy of the Department of Alcoholic Beverage Control license, including any and all conditions imposed, which will be kept on file in the Planning Division office.
- 18) It shall be the responsibility of the applicant/licensee to provide all employees that sell or serve alcoholic beverages with the knowledge and skills that will enable them to comply with their responsibilities under State law.
- 19) The knowledge and skills deemed necessary for responsible alcoholic beverage service shall include, but not be limited to the following topics and skills development:
 - a) State laws relating to alcoholic beverages, particularly ABC and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operations and penalties for violations of these laws.
 - b) The potential legal liabilities of owners and employees of businesses dispensing alcoholic beverages to patrons who may subsequently injure, kill, or harm themselves or innocent victims as a result of the excessive consumption of alcoholic beverages.
 - c) Alcohol as a drug and its effects on the body and behavior, including the operation of motor vehicles.
 - d) Methods for dealing with intoxicated customers and recognizing underage customers.

- 20) The following organizations have been identified by the State Department of Alcoholic Beverage Control as providing training programs which comply with the above criteria;
 - a) Department of Alcoholic Beverage Control L.E.A.D. Program Telephone (916) 419-2500.
- 21) All signs shall comply with Chapter 6 of the Downey Municipal Code.
- 22) All promotions of the business shall be conducted under direct control of the business owner. There shall be no outside promoters of live entertainment or night club activity at any time.
- 23) Cover charge for the admission to the business shall only be permitted during the display of pay-per-view sporting events. During such events TV monitors shall be blocked from or oriented away from the public right of way. There shall be no cover charge during any other time.
- 24) The subject property and surrounding area must be maintained free of trash, litter, and debris at all times.
- 25) The owner/applicant shall ensure that all entry and exit doors to and from the subject business remain closed during live entertainment hours of operation.
- 26) The owner/applicant shall not permit any loitering on the subject site.
- 27) Customers shall not be within the business after the specified closing time.
- 28) The sale of alcohol shall be incidental to the sale of food.
- 29) The gross sales of alcohol shall not exceed the gross sales of food. At the request of the City Planner, the applicant shall provide evidence that the gross sales of food exceed 50% the gross sale of alcohol.
- 30) The kitchen shall remain open to serve a full menu at all times the business is open. The service/sale of prepackaged foods, salads, or sandwiches is not considered to be in compliance with this condition.
- 31) The sale of alcoholic beverages for off the premises consumption shall be prohibited. Consumption of alcoholic beverages shall be prohibited outside of the tenant space or designated outdoor dining area when in use. There shall be appropriate posting of signs both inside and outside the licensed premises indicating that drinking outside the licensed premises is prohibited by law.
- 32) Noise generated from the business shall comply with Municipal Code Section 4600 et. seq. In any case, noise shall not exceed 65 dBA, as measured at the property line.
- 33) The rear door shall only be accessible to employees (unless required for an emergency), and must remain shut when not in use.
- 34) Deliveries to the premises are prohibited between 10:00 P.M. and 7:00 A.M.

- 35) The Applicant shall incorporate a copy of this Exhibit A, Conditions of Approval for Conditional Use Permit PLN-19-00191, into the approved set of building plans.

BUILDING

- 36) All construction shall comply with the most recent version of the California Building Code, as adopted by the City of Downey.
- 37) Prior to the commencement of any construction, the applicant shall obtain all required permits. Once permits are issued, the applicant shall obtain all necessary inspections and permit final prior to occupancy of the business.
- 38) The Title Sheet of the plans shall include:
- a) Occupancy Group
 - b) Occupant Load
 - c) Description of use
 - d) Floor area of building(s) and/or occupancy group(s).

POLICE

- 39) Prior to selling alcoholic beverages, the owner/applicant shall obtain any and all required Police Department permits for this Conditional Use Permit.
- 40) The owner/applicant must provide a minimum of four (4) licensed and bonded, uniformed patrolmen or security guards on-site during the hours of 9:00 p.m. to 2:30 a.m. on Thursdays, Fridays, Saturdays and Sundays. The number of security guards may be increased or decreased as the Chief of Police determines is necessary.
- 41) Signs shall be posted at all entrances to the premises and business identifying a zero-tolerance policy for nuisance behavior at the premises (including the parking lot). Signs shall be posted along the entry/ exit ways and shall also include verbiage prohibiting the possession and consumption of alcohol outside the premises.
- 42) The owner/applicant shall not permit any loitering in front of the business.
- 43) A copy of this conditional use permit and any Police permit shall be prominently posted on the premises at all times. The applicant shall make available said copies upon request by any Police Officer or other City official charged with the enforcement of the City's laws, ordinances, or regulations.
- 44) Payment for beverage services shall be made only after such services have been provided to the patrons by the business.
- 45) The owner/applicant shall impose a dress code that shall not permit patrons to wear the following: Gang attire/colors, baggy pants, bandanas, back packs, and/or caps that are worn backwards.
- 46) The Licensee shall be responsible for monitoring the business to prevent anyone under the age of 21 from purchasing or consuming alcohol.

- 47) The owner/applicant shall comply with and strictly adhere to all conditions of any permit issued by the Alcohol Beverage Control (“ABC”) to the applicant and any applicable regulations of ABC.
- 48) Upon the determination by the Chief of Police that the operation of the business requires additional on-site security, the applicant shall submit and obtain approval of a revised security plan to the Chief of Police. The number of security guards shall be determined by the Chief of Police and may be increased or decreased as the Chief of Police determines is necessary. The security plan shall be submitted to the Police Department within fourteen (14) days of being requested. Should the Police Department request any additional information or modifications, the business owner/permittee shall submit said revisions within forty-eight (48) hours of notification.

FIRE

- 49) The applicant is responsible for obtaining all necessary permits prior to the commencement of construction.
- 50) Provide the City of Downey Fire Department with a final floor plan, schedule and specifications of all equipment.
- 51) If not already provided, install key boxes (e.g. Knox Boxes) to occupancy [CA Fire Code §506.1].
- 52) 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].
- 53) Provide occupancy load sign to the occupancy [CA Fire Code §1004].
- 54) Egress shall be designed to meet requirements of CA Building Code and Chapter 10 of the CA Fire Code for occupant load, number of egresses, egress sizing, etc.
- 55) The establishment shall comply with all current code requirements for the occupancy use and type.

PUBLIC WORKS

- 56) The applicant is responsible for obtaining all necessary plan approvals and permits.
- 57) 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.
- 58) The owner/applicant must comply with all applicable Federal, State and local rules and regulations, American Disabilities Act (ADA), including compliance with South Coast Air Quality Management District (SCAQMD) regulations.

[End of Conditions]

<p>GENERAL NOTES</p> <ol style="list-style-type: none"> ALL WORK SHALL COMPLY TO ALL LOCAL CODES AND ORDINANCES. NO WORK SHALL BE CONCEALED PRIOR TO INSPECTION BY GOVERNING AGENCIES. ALL WORKMANSHIP, METHODS, AND MATERIALS SHALL EXPLICITLY COMPLY WITH APPLICABLE INDUSTRY STANDARDS, INCLUDING, BUT NOT LIMITED TO AMI, USG, ETC. ANY DEVIATION FROM SUCH STANDARDS MUST BE APPROVED BY TENANT AND ARCHITECT. THE ABSENCE OF A DETAIL OR PARTICULAR METHOD OF CONSTRUCTION FROM THESE DOCUMENTS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF COMPLYING WITH THESE STANDARDS. NO CHANGES ARE TO BE MADE ON THESE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF THE TENANT AND ARCHITECT. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND PROCEEDING WITH CONSTRUCTION AND SHALL NOTIFY ARCHITECT OF ANY DISCREPANCIES. ALL WORK SHOWN HEREIN IS "NEW" EXCEPT WORK SPECIFICALLY NOTED AS "EXISTING". G.C. TO PROVIDE A COMPREHENSIVE REDLINED SET OF "AS-BUILT" DRAWINGS OF ALL TRADES TO ARCHITECT & TENANT. G.C. TO FIELD-VERIFY THE EXISTING TENANT SPACE PRIOR TO CONSTRUCTION FOR ANY OBSTRUCTIONS OR DEVIATIONS FROM THE CONDITIONS ASSUMED IN THESE DRAWINGS AND NOTIFY ARCHITECT & OWNER IMMEDIATELY OF ANY DISCREPANCIES. FIRE PROTECTION IS DESIGN/PERMIT/BUILD BY CONTRACTOR. G.C. TO VERIFY ALL FOOD SERVICE EQUIPMENT, AUDIO/VISUAL, POINT OF SALE, BEER DELIVERY, SODA DELIVERY, & SECURITY SYSTEM REQUIREMENTS W/ TENANT & TENANT'S VENDORS PRIOR TO CONSTRUCTION. G.C. TO VERIFY ALL EXISTING & PROPOSED FINISHES TO COMPLY WITH THE HEALTH CODE REGULATIONS GOVERNING IN THE JURISDICTION. PRIOR TO CONSTRUCTION, G.C. TO CONDUCT A WALK-THRU WITH LOCAL FIRE & BUILDING DEPT. OFFICIALS TO VERIFY EXISTING REQUIREMENTS. G.C. SHALL UNDERTAKE ALL INDUSTRY STANDARD METHODS FOR THE DETECTION AND REMOVAL OF ANY HCM'S OR ACM'S ENCOUNTERED G.C. TO CONDUCT TESTING FOR LEAD, ASBESTOS, AND OTHER POTENTIAL TOXIC MATERIALS AND REMOVE AND DISPOSE AS PER JURISDICTIONAL REQUIREMENTS PRIOR TO DEMOLITION. 	<p>ARCHITECT'S CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY DIRECTION AND THAT TO THE BEST OF MY KNOWLEDGE COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.</p> <p>_____ SIGNATURE ARCHITECT</p> <p>_____ CALIFORNIA LICENSE NO. DATE</p>	<p>CONVENTIONS</p> <p>X WALL TYPE INDICATOR</p> <p>ADXX SECTION INDICATOR. NUMBER DENOTES DRAWING REFERENCE. ORIENTATION ARROW INDICATES DIRECTION OF VIEW</p> <p>X KEYNOTE REFERENCE NUMBER. SEE SHEET KEYNOTES.</p> <p>F-X FURNITURE REFERENCE NUMBER. SEE FURNITURE SCHEDULE.</p> <p>X EQUIPMENT REFERENCE NUMBER. SEE EQUIPMENT SCHEDULE.</p> <p>X WINDOW REFERENCE NUMBER. SEE WINDOW SCHEDULE.</p> <p>X-X WINDOW OR STOREFRONT REFERENCE NUMBER. SEE WINDOW SCHEDULE.</p> <p>XX FINISH NOTE NUMBER. SEE FINISH SCHEDULE.</p> <p>XXX PLUMBING FIXTURE REFERENCE NUMBER. SEE PLUMBING FIXTURE SCHEDULE.</p> <p>---- LEVEL CHANGE</p> <p>---- SPOT ELEVATION IN DECIMAL FEET</p> <p>U.N.O. UNLESS NOTED OTHERWISE</p> <p>A.F.F. ABOVE FINISHED FLOOR</p> <p>S.M. SMOOTH</p> <p>TYP. TYPICAL</p> <p>V.V.F. VERTICAL FINISH</p> <p>F.D. FLOOR DRAIN</p> <p>H.S. HUB SPRAIN</p> <p>M.L. METAL</p> <p>G.V. GALVANIZED</p> <p>FIB. FIBERGLASS REINFORCED PANEL</p> <p>MECH. MECHANICALLY</p> <p>STL. STEEL</p> <p>CONC. CONCRETE</p> <p>S.T. SLATE TILE</p> <p>T.T. TRIM THRESHOLD</p> <p>C.S. CERAMIC TILE</p> <p>O.P.B. OPIUM BOARD</p> <p>S.O. SOLID CORE WOOD</p> <p>S.C. QUARRY TILE</p> <p>W.D. ALUM. FINISHED SURFACES</p> <p>Q.T. METAL THRESHOLD</p> <p>M.T. METAL THRESHOLD</p> <p>A.T. ALUM. THRESHOLD</p> <p>W.T. WOOD THRESHOLD</p> <p>T.T. TRIM THRESHOLD</p> <p>G.C. GENERAL CONTRACTOR</p> <p>L.L. LANDLORD</p> <p>P.C. PLUMBING CONTRACTOR</p> <p>E.C. ELECTRICAL CONTRACTOR</p> <p>M.C. MECHANICAL CONTRACTOR</p>	<p>PROJECT CONTACTS</p> <p>TENANT REPRESENTATIVES: TREY NOONAN BLH ACQUISITION CO., LLC 15950 N. DALLAS PARKWAY, SUITE 400 DALLAS, TX 75248 (814) 494-6785 EMAIL: TNOONAN@BLH.COM</p> <p>TENANT ARCHITECT REPRESENTATIVE: DORON DAVID BARKER NESTOR, INC. 600 W CERMAK RD. #3C, CHICAGO IL 60616 TEL: (847) 763-1692 FAX: (847) 763-1697 EMAIL: JFL@BARKERNESTOR.COM</p> <p>ARCHITECT OF RECORD: GEORGE KELLY KELLY ARCHITECTS 2404 WILSHIRE BOULEVARD, SUITE 1E LOS ANGELES, CA 90057 TEL: (213) 380-8498 FAX: (213) 380-8499 EMAIL: GEORGE@KELLY-ARCHITECTS.COM</p> <p>M.P. ENGINEERING REPRESENTATIVE: RICK MASS 17 12TH STREET NE, ROCHESTER, MN 55906 TEL: (507) 208-1483 EMAIL: RICK@MBCOOP.COM</p> <p>E. ENGINEERING REPRESENTATIVE: IGNSIO STUDIOS, LLC 15141 WOODLAWN AVENUE, TUSTIN, CA 92780 TEL: (657) 231-6247 EMAIL: IGNSIO@IGNSIOSTUDIOS.COM</p> <p>STRUCTURAL ENGINEERING REPRESENTATIVE: BRYAN BONNIVILLE J.S. HELD LLC 1701 QUAIL STREET, SUITE 200 NEWPORT BEACH, CA 92660 TEL: (562) 231-6247 EMAIL: BOB@JSHOLD.COM</p> <p>LANDLORD REPRESENTATIVE: MARK SENSTAD NORTHWOOD RETAIL, LLC 12214 LAKEWOOD BLVD. -MANAGEMENT OFFICE DOWNEY, CA 90242 TEL: (562) 368-4814 EMAIL: MARKSENSTAD@NORTHWOODRETAIL.COM</p>	<p>APPLICABLE CODES</p> <p>2016 CALIFORNIA BUILDING CODE 2016 CALIFORNIA PLUMBING CODE 2016 CALIFORNIA MECHANICAL CODE 2016 CALIFORNIA ELECTRIC CODE 2016 CALIFORNIA ENERGY CODE 2016 CALIFORNIA FIRE CODE</p> <p>BASIC EXISTING BUILDING CODE INFORMATION</p> <p>EXISTING BUILDING OCCUPANCY CLASSIFICATIONS: (M) MERCANTILE 16,770 S.F. (A-2) ASSEMBLY 8,957 S.F.</p> <p>EXISTING BUILDING NUMBER OF STORES: 1 STORY - ±26'-0" ± A.F.F.</p> <p>EXISTING BUILDING CONSTRUCTION TYPE: TYPE VB - FULLY SPRINKLERED</p> <p>AREA DEVELOPED, APPROX. 750 N.S.F., INSIDE THE EXISTING BUILDING</p> <p>AREA DEVELOPED, APPROX. 647 N.S.F. OUTDOOR PATIO, OUTSIDE THE EXISTING BUILDING</p>	<p>DRAWING INDEX</p> <p>ARCHITECTURAL</p> <p>TS PROJECT INFORMATION A1.1 SITE PLAN A1.2 EXISTING FLOOR PLAN A1.3 PROPOSED FLOOR PLAN</p> <p>A1.4 EXISTING COLORED ELEVATIONS A1.5 PROPOSED COLORED ELEVATIONS</p> <p>PROJECT DATA</p> <p>EXISTING SQ. FT. : ± 5,670 G.S.F. INDOOR ± 1,890 G.S.F. OUTDOOR</p> <p>HOURS OF OPERATION: MONDAY 11:00 AM - 2:00 AM TUESDAY 11:00 AM - 2:00 AM WEDNESDAY 11:00 AM - 2:00 AM THURSDAY 11:00 AM - 2:00 AM FRIDAY 11:00 AM - 2:00 AM SATURDAY 10:00 AM - 2:00 AM SUNDAY 10:00 AM - 2:00 AM</p>	<p>REVISION</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>01</td> <td>03 SEPTEMBER 2021</td> <td>ISSUED FOR ENGINEERING</td> </tr> <tr> <td>02</td> <td>01 NOVEMBER 2021</td> <td>ISSUED FOR OWNER REVIEW</td> </tr> <tr> <td>03</td> <td>05 NOVEMBER 2021</td> <td>ISSUED FOR PERMIT, BLD. & LL REVIEW</td> </tr> <tr> <td>04</td> <td>11 MARCH 2022</td> <td>ISSUED FOR PLANNING DEPT. CORRECTIONS</td> </tr> <tr> <td>05</td> <td>25 MARCH 2022</td> <td>ISSUED FOR PLANNING DEPT. CORRECTIONS</td> </tr> </table>	NO.	DATE	DESCRIPTION	01	03 SEPTEMBER 2021	ISSUED FOR ENGINEERING	02	01 NOVEMBER 2021	ISSUED FOR OWNER REVIEW	03	05 NOVEMBER 2021	ISSUED FOR PERMIT, BLD. & LL REVIEW	04	11 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS	05	25 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS
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05	25 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS																						

PROJECT OWNER:
BLH Acquisition Co. LLC
15950 N. Dallas Parkway, Suite 400
Dallas, TX 75248

PROJECT TITLE:
Proposed Expansion for: Bar Louie
The Promenade at Downey
8860 Apollo Way, Suite 304
Downey, CA 90242

RESTAURANT DESIGNER:
Barker Nestor, Inc.
600 W Cermak Rd. #3C
Chicago, IL 60616

ARCHITECT OF RECORD:
Kelly Architects
2404 Wilshire Boulevard, Suite 1E
Los Angeles, CA 90057

M.P. ENGINEER:
Dennis L. Matula
17 12th Street NE
Rochester, MN 55906

E. ENGINEER:
Tuan A. Vu
15141 Woodlawn Avenue
Tustin, CA 92780

STRUCTURAL ENGINEER:
J.S. Held LLC
1701 Quail Street, suite 22

CITY OF DOWNEY NOTES:
- SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) SHALL BE NOTIFIED IN ACCORDANCE WITH CALIFORNIA STATE LAW PRIOR TO START OF ANY DEMOLITION, ADDITION, AND/OR REMODEL WORK. THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT OFFICE IS LOCATED AT 21895 COPLEY DRIVE IN DIAMOND BAR, PHONE NO. (909) 396-2000. BE ADVISED, SCAQMD MAY REQUIRE A 10 DAY WAIT PERIOD PRIOR TO START OF WORK.
- SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEP UP IMMEDIATELY AND MAN NOT BE WASHED BY RAIN OR OTHER MEANS.
- STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
- TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
- FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
- THE ISSUANCE OF A PERMIT SHALL NOT PREVENT THE BUILDING OFFICIAL FROM REQUIRING THE CORRECTION OF ERRORS ON THESE PLANS OR FROM PREVENTING ANY VIOLATION OF THE CODES ADOPTED BY THE CITY.
- RELEVANT LAWS, ORDINANCES, RULES AND/OR REGULATIONS.
- SEPARATE PERMIT SHALL FIRST BE OBTAINED FROM THE CITY PUBLIC WORKS DEPARTMENT PRIOR TO PLACEMENT OF ANY CONSTRUCTION MATERIALS OR EQUIPMENT IN THE PUBLIC WAY.
- AT TIME OF PERMIT ISSUANCE, CONTRACTOR SHALL SHOW THEIR VALID WORKERS' COMPENSATION INSURANCE CERTIFICATE.
- ALL WORK SHALL CONFORM TO ALL REQUIREMENTS OF STATE OF CALIFORNIA TITLE 24 REGARDLESS OF THE INFORMATION INDICATED ON THESE PLANS. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL SUPERVISING THE CONSTRUCTION TO ENSURE THAT THE WORK IS DONE IN ACCORDANCE WITH CODE REQUIREMENTS PRIOR TO REQUESTING INSPECTION.
- EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.

NOTES:
- PLANS FOR MODIFICATIONS TO EXISTING FIRE PROTECTION EQUIPMENT SUCH AS STANDPIPES, SPRINKLER SYSTEMS AND FIRE ALARM SYSTEMS, SHALL BE SUBMITTED TO THE BUILDING DIVISION AND APPROVED BY THE FIRE DEPARTMENT BEFORE THIS EQUIPMENT IS ALTERED OR MODIFIED.
- AN APPROVED FIRE ALARM SYSTEM SHALL BE INSTALLED. PLANS MUST BE SUBMITTED SEPARATELY TO THE DOWNEY FIRE DEPARTMENT
- AN APPROVED FIRE SPRINKLER SYSTEM SHALL BE INSTALLED. PLANS MUST BE SUBMITTED SEPARATELY TO THE DOWNEY FIRE DEPARTMENT
- DEFERRED SUBMITTALS:
- FIRE SPRINKLERS, DESIGNED BY C-16.
- FIRE ALARM.

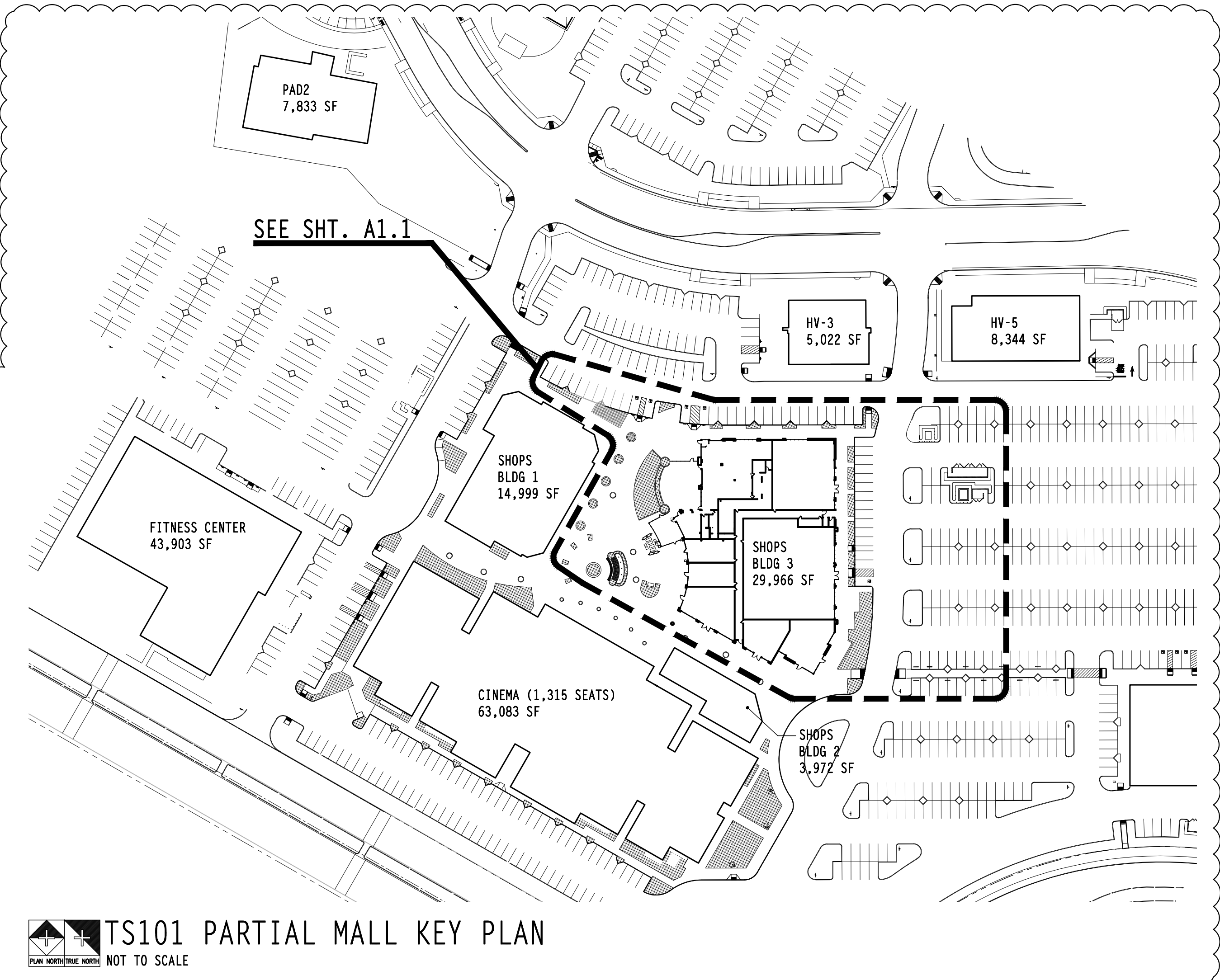
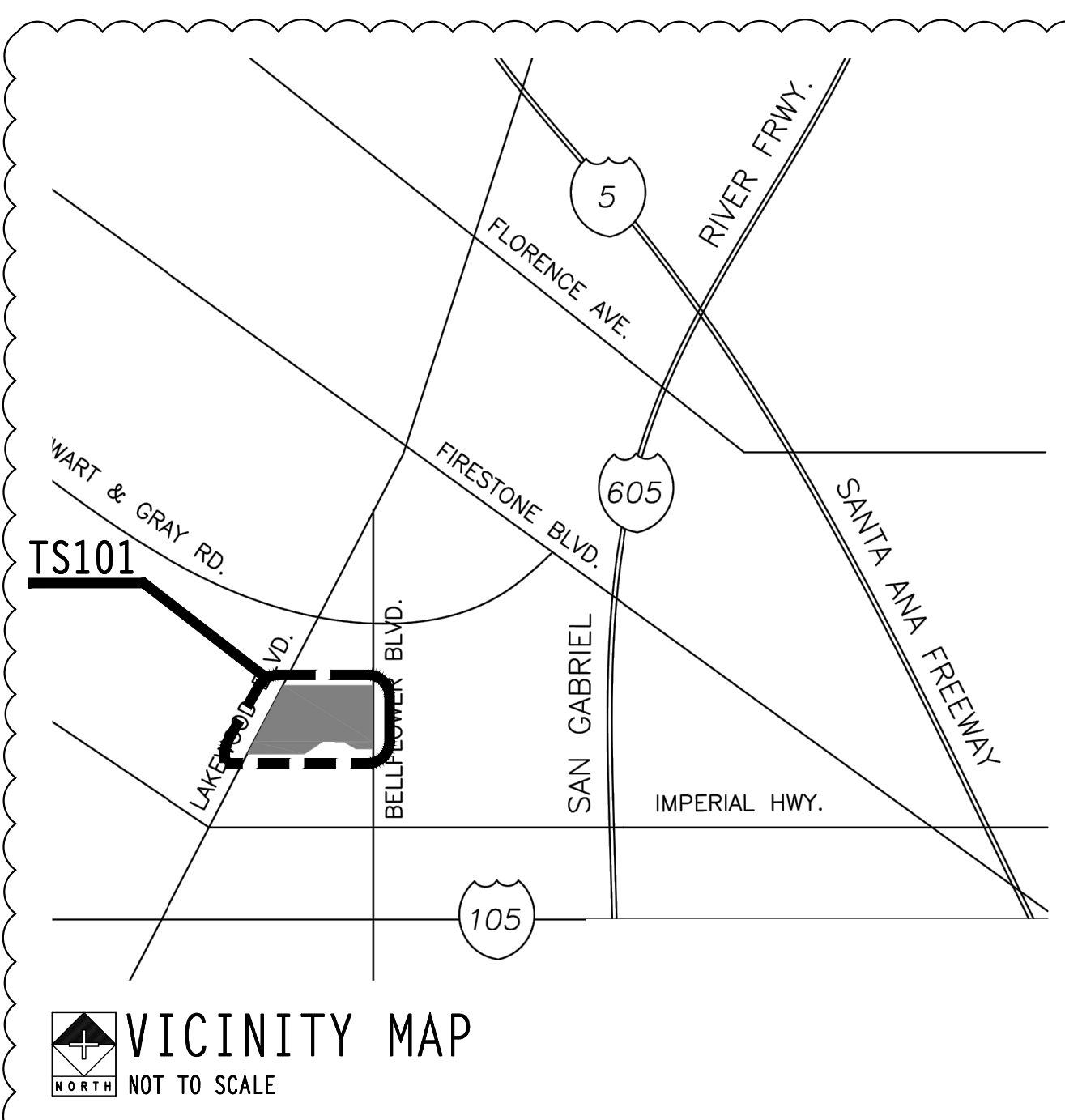
LANDLORD CONTACTS

LANDLORD:
NORTHWOOD RETAIL, LLC
12214 LAKEWOOD BLVD. -MANAGEMENT OFFICE, DOWNEY, CA 90242
TEL: (562) 368-4814
EMAIL: MARKSENSTAD@NORTHWOODRETAIL.COM

LANDLORD REQUIRED FIRE SPRINKLER CONTRACTOR:
NEPLANE FIRE PROTECTION
26072 MERIT CIRCLE, SUITE 113, LAGUNA HILLS, CA 92653
TEL: (949) 348-9118

LANDLORD REQUIRED FIRE ALARM CONTRACTOR:
SMART SYSTEMS TECHNOLOGIES, INC.
9 GOODFAR, IRVINE, CA
(949) 367-9375

LANDLORD REQUIRED ROOFING CONTRACTOR:
REYES SINGLE PLY ROOFING
516 W. RIALTO AVENUE, RIALTO, CA 92370
TEL: (909) 258-2857



PREPARED FOR:
BLH ACQUISITION CO., LLC
15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

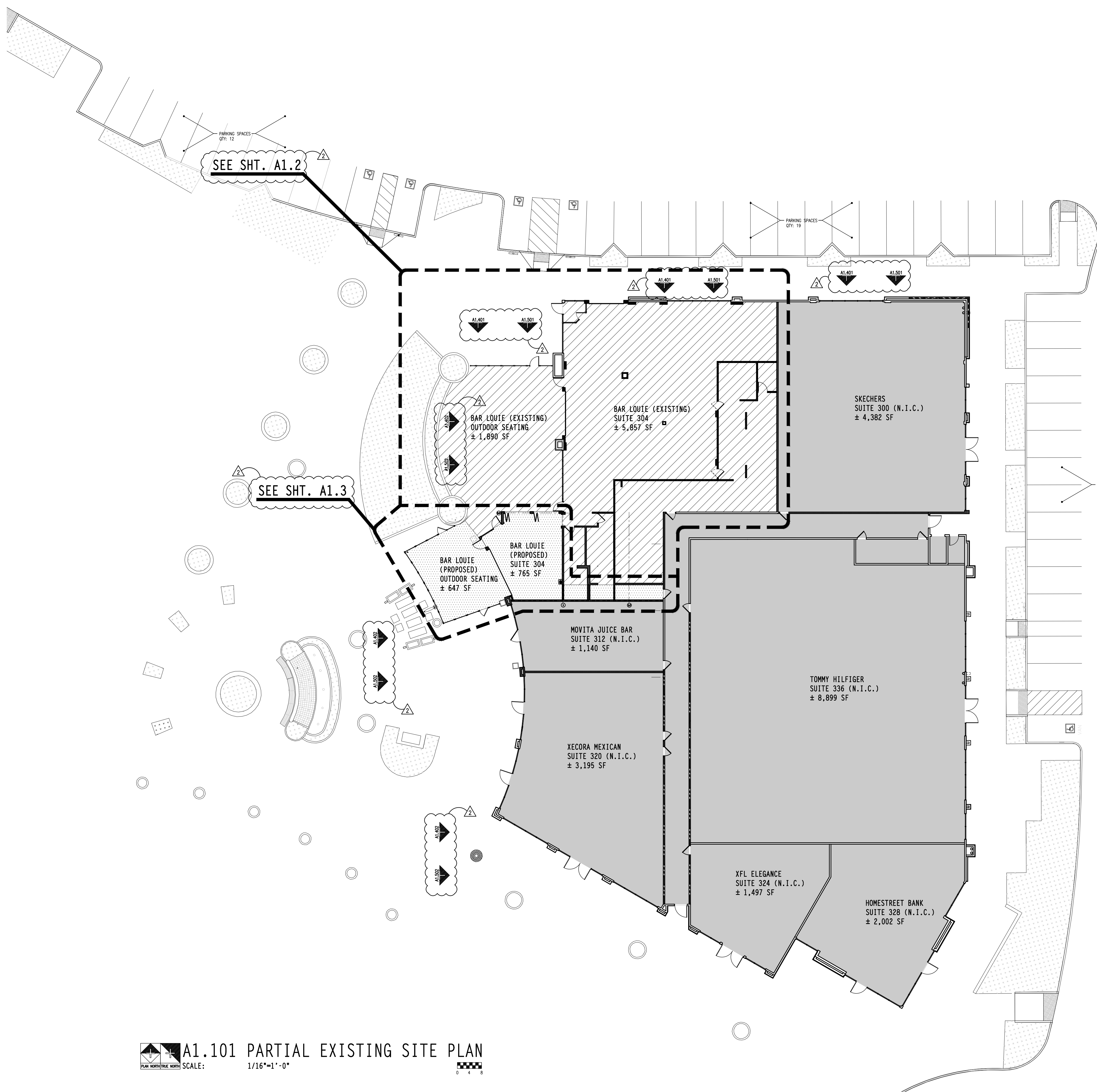
ARCHITECT:
BARKER NESTOR, INC.
600 W CERMAK RD. #3C
CHICAGO, IL 60616
TEL: (847) 763-1692
FAX: (847) 763-1697

PROPOSED EXPANSION FOR:
BAR LOUIE
THE PROMENADE AT DOWNEY
8860 APOLLO WAY, SUITE 304
DOWNEY, CA 90242

PROJECT NUMBER: 1918B	BLOCK/ITS: BLDG. 1, 2, 3
FILE NAME: BAR LOUIE	HP: HP
DRAWN BY: T.V.	APPROVED: G.K.
DRAWING TITLE: BAR LOUIE	AS SHOWN: AS SHOWN
DRAWING SCALE: AS SHOWN	DATE ISSUED: 03/25/22

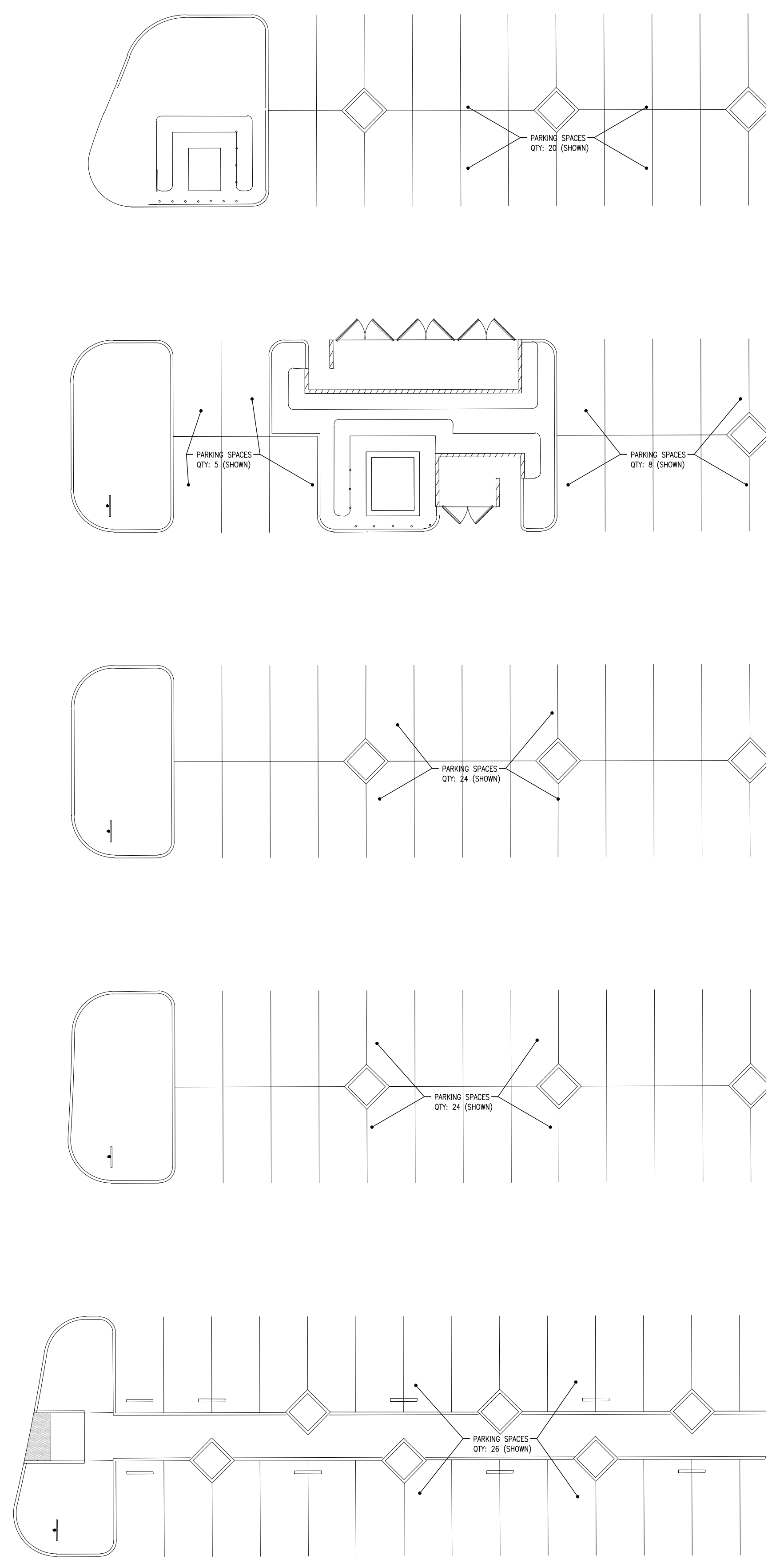
PROFESSIONAL SEAL:

SHEET NUMBER: TS OF 6



SHOPS @ BLDG 3			
NAME	BUILDING NAME/UNIT	USE	SQ. FT.
SKECHERS	SHOPS BLDG. B3/SUITE 300	RETAIL	± 4,382
TOMMY HILFIGER	SHOPS BLDG. B3/SUITE 336	RETAIL	± 8,899
HOMESTREET BANK	SHOPS BLDG. B3/SUITE 328	BANK	± 2,002
XFL ELEGANCE	SHOPS BLDG. B3/SUITE 324	RETAIL	± 1,497
XECORA MEXICAN	SHOPS BLDG. B3/SUITE 320	RESTAURANT	± 3,195
MOVITA JUICE BAR	SHOPS BLDG. B3/SUITE 312	RESTAURANT	± 1,140
BAR LOUIE	SHOPS BLDG. B3/SUITE 304	RESTAURANT	± 5,857

ISSUE DATE	ISSUE DESCRIPTION
03 SEPTEMBER 2021	ISSUED FOR ENGINEERING
01 NOVEMBER 2021	ISSUED FOR OWNER REVIEW
05 NOVEMBER 2021	ISSUED FOR PERMIT, BD. & LL REVIEW
11 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS
25 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS



+ barker/nesstor +
 ARCHITECTURE + DESIGN
 600 W. CEDAR ST. CHICAGO, IL 60616
 TEL: 847.763.1692 FAX: 847.763.1697

PREPARED FOR:
BLH ACQUISITION CO., LLC
 15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

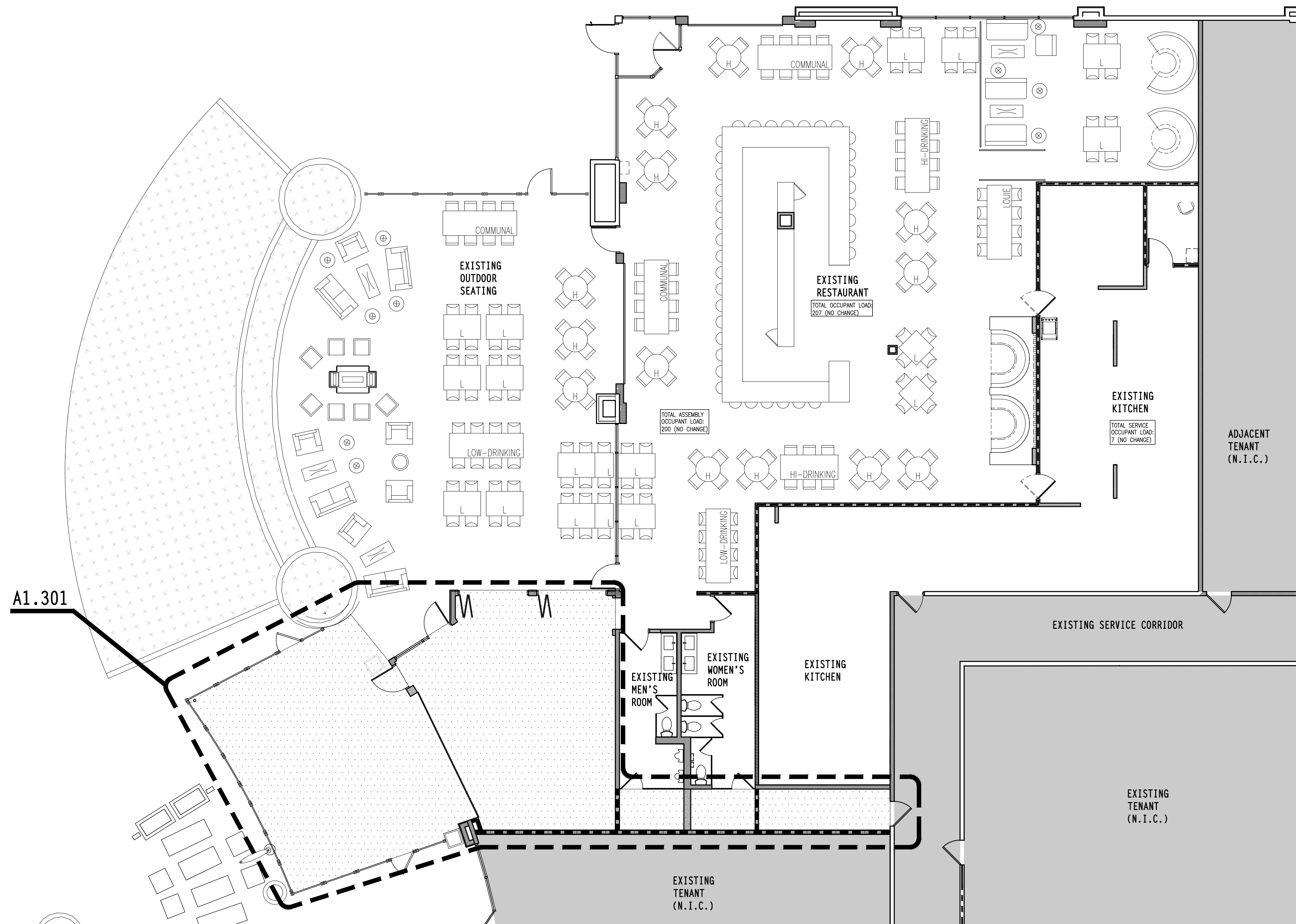
PROPOSED EXPANSION FOR:
BAR LOUIE
 THE PROMENADE AT DOWNEY
 8860 APOLLO WAY, SUITE 304
 DOWNEY, CA 90242

PROJECT NUMBER:	N1915B
FILE NAME:	BLDCA-A1.1
DRAWN BY:	HP
APPROVED:	
DRAWING TITLE:	
DRAWING SCALE:	AS SHOWN
DATE ISSUED:	AS SHOWN

PROFESSIONAL SEAL:

SHEET NUMBER:
A1.1 OF 6

A1.101 PARTIAL EXISTING SITE PLAN
 SCALE: 1/16"=1'-0"



A1.201 EXISTING FLOOR PLAN
 SCALE: 1/8"=1'-0"
 PLAN NORTH/TRUE NORTH

EXISTING RESTAURANT:		PROPOSED EXPANSION ACCESSIBLE SEATING COUNT	
TOTAL INTERIOR	186	SEMI P.D.R.	2 (5.0%)
TOTAL EXTERIOR	90	OUTDOOR SEATING	3 (10.7%)
TOTAL EXISTING SEATING	279		
PROPOSED EXPANSION:			
SEMI P.D.R.	36		
OUTDOOR SEATING	28		
TOTAL PROPOSED EXPANSION	68		
TOTAL EXISTING/NEW SEATING: 343		TOTAL PROPOSED EXPANSION ACCESSIBLE SEATING: 5 (7.3%)	

ISSUE DATE	ISSUE DESCRIPTION
03 SEPTEMBER 2021	ISSUED FOR ENGINEERING
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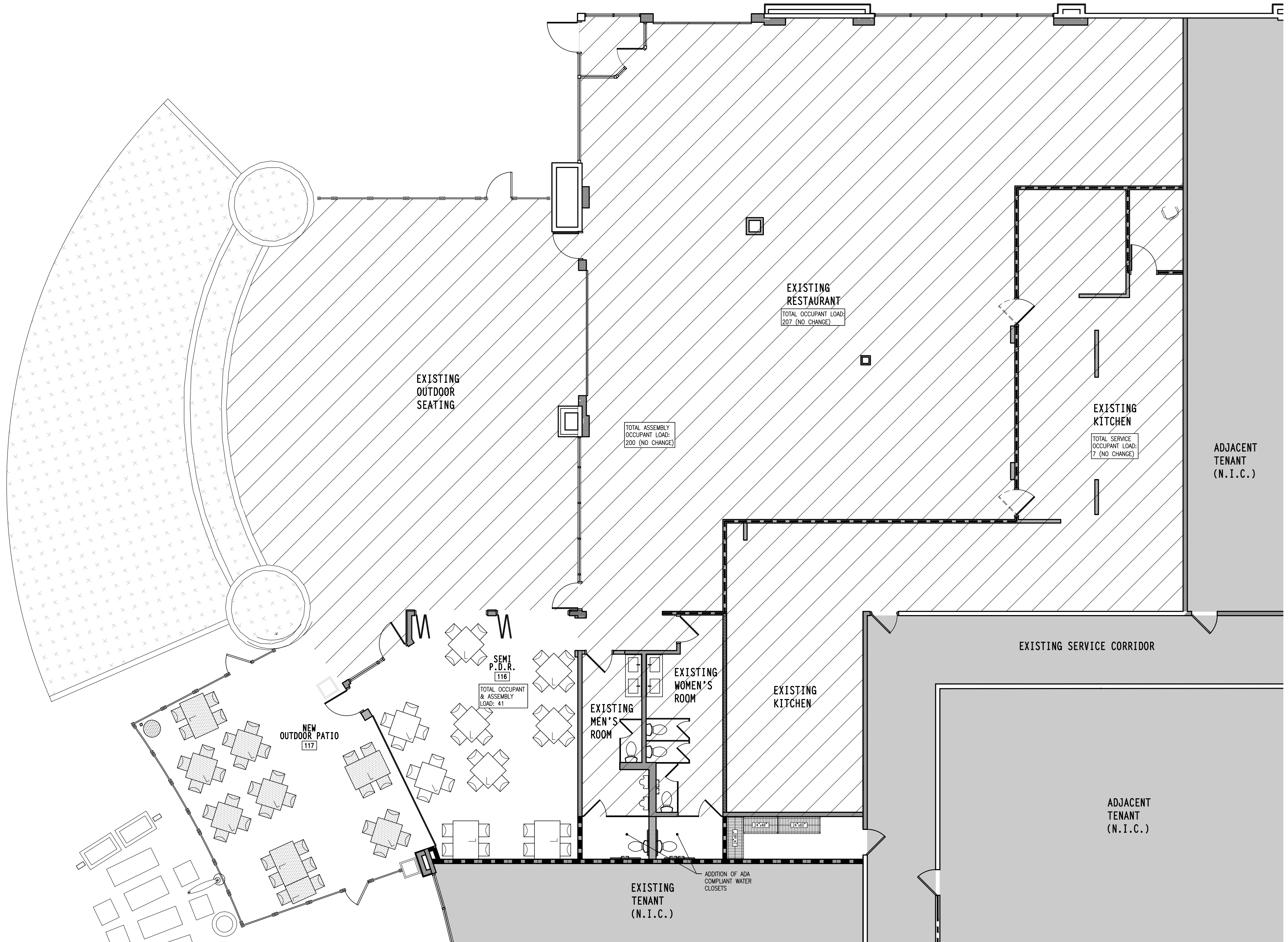
+ b a r k e r / n e s t o r +
 A R C H I T E C T U R E + D E S I G N
 600 W. CERMAK, S.C. CHICAGO, IL 60616 TEL: 847.723.1192 FAX: 847.763.1197
 PREPARED FOR:
BLH ACQUISITION CO., LLC
 15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

PROPOSED EXPANSION FOR:
BAR LOUIE
 THE PROMENADE AT DOWNEY
 8860 APOLLO WAY, SUITE 304
 DOWNEY, CA 90242

PROJECT NUMBER:	N1915B
FILE NAME:	BLOCA-A1.2
DRAWN BY:	HP
APPROVED:	
DRAWING TITLE:	
DRAWING SCALE:	AS SHOWN
DATE ISSUED:	AS SHOWN

PROFESSIONAL SEAL:
 SHEET NUMBER:
A1.2 OF 6

SEATING COUNT SUMMARY		REVISION
EXISTING RESTAURANT:		ISSUE DESCRIPTION
TOTAL INTERIOR	186	ISSUED FOR ENGINEERING
TOTAL EXTERIOR	90	ISSUED FOR OWNER REVIEW
TOTAL EXISTING SEATING	279	ISSUED FOR PERMIT, BD, & LL REVIEW
PROPOSED EXPANSION:		ISSUED FOR PLANNING DEPT. CORRECTIONS
SEMI P.D.R.	36	ISSUED FOR PLANNING DEPT. CORRECTIONS
OUTDOOR SEATING	28	ISSUED FOR PLANNING DEPT. CORRECTIONS
TOTAL PROPOSED EXPANSION	68	ISSUED FOR PLANNING DEPT. CORRECTIONS
TOTAL EXISTING/ NEW SEATING:	343	ISSUE DATE
		03 SEPTEMBER 2021
		01 NOVEMBER 2021
		05 NOVEMBER 2021
		11 MARCH 2022
		25 MARCH 2022
		ISSUE DESCRIPTION
		ISSUED FOR ENGINEERING
		ISSUED FOR OWNER REVIEW
		ISSUED FOR PERMIT, BD, & LL REVIEW
		ISSUED FOR PLANNING DEPT. CORRECTIONS
		ISSUED FOR PLANNING DEPT. CORRECTIONS
		ISSUED FOR PLANNING DEPT. CORRECTIONS



A1.301 PROPOSED FLOOR PLAN
 SCALE: 1/8"=1'-0"
 PLAN NORTH/TRUE NORTH

+ barker/nestor +
 ARCHITECTURE + DESIGN
 600 W. CEMARY, FSC CHICAGO, IL 60616
 TEL: 847.753.1892 FAX: 847.753.1897
 PREPARED FOR:
BLH ACQUISITION CO., LLC
 15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

PROPOSED EXPANSION FOR:
BAR LOUIE
 THE PROMENADE AT DOWNEY
 8860 APOLLO WAY, SUITE 304
 DOWNEY, CA 90242

PROJECT NUMBER:	N19158
FILE NAME:	BLOCK-A1.2
DRAWN BY:	HP
APPROVED:	
DRAWING TITLE:	
DRAWING SCALE:	AS SHOWN
DATE ISSUED:	AS SHOWN
PROFESSIONAL SEAL:	
SHEET NUMBER:	23



⊕ A1.402 EXISTING EXTERIOR ELEVATION - EAST
SCALE: 1/8"=1'-0"



⊕ A1.401 EXISTING EXTERIOR ELEVATION - SOUTH
SCALE: 1/8"=1'-0"

ISSUE DATE	ISSUE DESCRIPTION	REVISION
03 SEPTEMBER 2021	ISSUED FOR ENGINEERING	
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05 NOVEMBER 2021	ISSUED FOR PERMIT, BID, & LL REVIEW	
11 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS	1
25 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS	2

+ b a r k e r / n e s t o r +
 A R C H I T E C T U R E + D E S I G N
 600 W. CEMARY, F.C. CHANDLER, L. 69616 TEL: 847.763.1892 FAX: 847.763.1897
 PREPARED FOR:
BLH ACQUISITION CO., LLC
 15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

PROPOSED EXPANSION FOR:
BAR LOUIE
 THE PROMENADE AT DOWNEY
 8860 APOLLO WAY, SUITE 304
 DOWNEY, CA 90242

PROJECT NUMBER:	N1919B
FILE NAME:	BLDCA-A1.3
DRAWN BY:	HP
APPROVED:	
DRAWING TITLE:	AS SHOWN
DRAWING SCALE:	AS SHOWN
DATE ISSUED:	AS SHOWN

PROFESSIONAL SEAL:

SHEET NUMBER:

A 1.4 OF 6

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A1.502 PROPOSED EXTERIOR ELEVATION - EAST
 SCALE: 1/8"=1'-0"
 0 4 8



A1.501 PROPOSED EXTERIOR ELEVATION - SOUTH
 SCALE: 1/8"=1'-0"
 0 4 8

ISSUE DATE	ISSUE DESCRIPTION	REVISION
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01 NOVEMBER 2021	ISSUED FOR OWNER REVIEW	
05 NOVEMBER 2021	ISSUED FOR PERMIT, BID, & LL REVIEW	
11 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS	1
25 MARCH 2022	ISSUED FOR PLANNING DEPT. CORRECTIONS	2

+ barker/nestor +
 ARCHITECTURE + DESIGN
 600 W. CEMEX, F.C. OKLAHOMA, L. 69616 TEL: 847.753.1892 FAX: 847.753.1897
 PREPARED FOR:
BLH ACQUISITION CO., LLC
 15950 N. DALLAS PARKWAY, SUITE 400, DALLAS, TX 75248

PROPOSED EXPANSION FOR:
BAR LOUIE
 THE PROMENADE AT DOWNEY
 8860 APOLLO WAY, SUITE 304
 DOWNEY, CA 90242

PROJECT NUMBER:	N1919B
FILE NAME:	BLDCA-A1.4
DRAWN BY:	HP
APPROVED:	
DRAWING TITLE:	AS SHOWN
DRAWING SCALE:	AS SHOWN
DATE ISSUED:	AS SHOWN

PROFESSIONAL SEAL:
 SHEET NUMBER:
A1.5 OF 6



DATE: JUNE 1, 2022

TO: PLANNING COMMISSION

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

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER *AH*

SUBJECT: **PLN-22-00044 (SITE PLAN REVIEW, CONDITIONAL USE PERMIT, ZONE CHANGE) – A REQUEST TO REMODEL THE EXTERIOR OF AN EXISTING FAST FOOD RESTAURANT (BURGER KING), APPROVAL OF AN EXISTING DRIVE-THRU, AND APPROVE A ZONE CHANGE FROM P-B (PARKING BUFFER) TO C-2 (GENERAL COMMERCIAL).**

LOCATION: 10014 PARAMOUNT BLVD

ZONING: C-2 (GENERAL COMMERCIAL)

REPORT SUMMARY/RECOMMENDATION


The applicant is requesting that the public hearing for PLN-22-00044 be continued to a date uncertain. The applicant wishes to make modifications to the proposed site plan and will require additional review time and coordination with City Staff.



DATE: JUNE 1, 2022

TO: PLANNING COMMISSION

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

PREPARED BY: GUILLERMO ARREOLA, PRINCIPAL PLANNER 

SUBJECT: PLN-21-00175 (TENTATIVE PARCEL MAP NO. 74786 AND SITE PLAN REVIEW) – A REQUEST SUBDIVIDE A PARCEL AND CONSTRUCT A 4-UNIT CONDOMINIUM PROJECT ON PROPERTY LOCATED AT 11613 ADENMOOR AVENUE

LOCATION: 11613 ADENMOOR AVENUE

ZONING: R-3 (MULTIPLE-FAMILY RESIDENTIAL)

REPORT SUMMARY/RECOMMENDATION

Staff is requesting that the public hearing for PLN-21-00175 be continued to a date uncertain as requested by staff.



DATE: JUNE 1, 2022

TO: PLANNING COMMISSION

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

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER *AH*

SUBJECT: PLN-20-00027 (CONDITIONAL USE PERMIT, ZONE CHANGE) – A REQUEST TO OPERATE AN AUTOMOBILE TOW STORAGE FACILITY WITH INCIDENTAL AUTOREPAIR, AND APPROVE A ZONE CHANGE FROM P-B (PARKING BUFFER) TO M-2 (GENERAL MANUFACTURING).

LOCATION: 11911 WOODRUFF AVE & APN 6284-024-030

ZONING: M-2 (GENERAL MANUFACTURING)

REPORT SUMMARY

This application includes two separate entitlement requests: a Conditional Use Permit and a Zone Change. The applicant is Titan Towing, and they provide both general public and impound services for local and state jurisdictions. Per the Downey Municipal Code, a Conditional Use Permit (CUP) is required in order to operate an automobile tow storage yard including impound yards. In addition to towing services, the applicant intends to repair impounded vehicles. 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 of M-2 (General Manufacturing.)

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

- 1. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A CONDITIONAL USE PERMIT (PLN-20-00027) THEREBY ALLOWING THE OPERATION OF AN AUTOMOBILE TOW STORAGE FACILITY AND INCIDENTAL VEHICLE REPAIR LOCATED AT 11911 WOODRUFF AVENUE AND PARCEL NUMBER 6284-024-030.**
- 2. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONING MAP AMENDMENT (PLN-20-00027), THEREBY CHANGING THE ZONING DESIGNATION OF THE 30' EAST PORTION OF THE PROPERTIES FROM P-B (PARKING BUFFER) TO M-2 (GENERAL MANUFACTURING) LOCATED AT 11911 WOODRUFF AVENUE AND PARCEL NUMBER 6284-024-030.**

BACKGROUND

The site is currently developed with a 12,800 square foot warehouse. The site was constructed in 1957, and no major renovations have been made to the building since that time. Grading to the adjacent site, parcel number 6284-024-030, which is also a part of this permit, took place in 2015.

The subject site was previously occupied by, "Alpha Auto Engineering Inc.," a warehouse and automobile wholesale use. The applicant, Titan Towing, currently operates on the property without a CUP and is now seeking to bring the property into conformance. The applicant also currently operates out of 8282 Phlox Street since 2009 and, per the applicant, he was forced to acquire an additional location when that site no longer met the capacity demands for the number of vehicles that were being impounded. The applicant indicated that a separate towing company went out of business resulting in Titan Towing taking on the needs left by that closure. In order to meet the demands the applicant had to quickly expand into an additional location. As previously mentioned, Titan Towing provides impound services for local and state jurisdictions.

There are two parcels involved in this application. The two sites are parcel numbers 6284-024-029 (11911 Woodruff Ave.) and 6284-024-030, located to the south. Parcel number 6284-024-030 is an adjacent vacant lot. Overall, the sites make up a total of 96,932 square feet in size with two street frontages. The property is located on the southwest corner of Woodruff Avenue and Stewart and Gray Road. The subject site is located within the city's M-2 zone, and has a General Plan land use designation of General Manufacturing. All surrounding properties are also zoned M-2 and developed with industrial uses.



Existing Stewart and Gray Avenue Elevation

On February 19, 2020 the applicant filed a request for a CUP and Zone Change. The applicant was provided an incomplete letter on March 20, 2020. On May 2, 2022, the application was deemed complete after all necessary items were submitted. On May 19, 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.

DISCUSSION

Conditional Use Permit

Per the Downey Municipal Code, a CUP is required for the operation of an automobile tow storage yard (including impound vehicles). The applicant plans to provide both public, private, and impound services. Public services include roadside assistance. Private services include towing of vehicles unlawfully parked on private property or contracts with companies for the

towing of fleet vehicles. Impound services include the towing of vehicles that have been seized by police.

The business currently has contracts with law enforcement agencies. In addition to towing vehicles, the business is also responsible for the storage of evidence vehicles. Evidence vehicles consist of vehicles involved in open criminal investigations and/or court cases. The site will have both an interior and exterior component. Public, private and impounded vehicles are stored outdoors in the yard area, which consists of a portion of 11911 Woodruff Avenue and the entirety of Parcel No. 6284-024-030. The yard area is located in the rear of the property and fenced off by a solid corrugated metal 10' tall fence. Evidence based vehicles are required to be stored indoors within the 12,800 square foot warehouse.

In addition to towing and storing vehicles, the applicant is requesting the ability to perform automobile repair in conjunction with towing services. Auto repairs are proposed to be done exclusively within the warehouse, and not outdoors. The auto repair component will not be open to the public. The applicant plans to fix fleet vehicles, belonging to contracted clients, that have been towed to the site. The only other types of vehicles include vehicles that the applicant takes possession over. The applicant at times may take possession of vehicles when they are abandoned. The applicant sells these vehicles at auction and would like the opportunity of fixing these vehicles prior to selling them at auction. The auto repair is considered incidental and, because it is not open to the public, there is no additional parking demand needed. The parking for the towing services is located along Woodruff Avenue abutting the north side of the building. The use requires a total of 16 spaces and 25 will be provided. These spaces are to be used by employees and customers only, not for storing towed vehicles. Conditions of approval have been incorporated into the proposed resolution to ensure these standards.

Lastly, the lots are able to store up to 350 vehicles outdoors and 40 indoors. The business will operate 24 hours a day 7 days a week. A total of four employees is present at any given time, and cameras are located throughout the entirety of the sites. The business currently operates with 9 tow trucks. When not in use, tow trucks are parked within the storage yard.

Zone Change

The site currently consists of two zoning designations, M-2 and P-B. The P-B zoning is located along the eastern portion of both properties 30 feet from the front property line and throughout the entire width of the parcels. The zone change is requested to eliminate the P-B zone and designate the entire lots as M-2 zones. The M-2 designation is consistent with the adjacent lots. The proposed zoning is also consistent with the General Plan land use designation (General Manufacturing) for the sites.

The P-B zone is identified as obsolete within the City's Zoning Code and holds no applicable provisions upon the subject property. Standards previously applicable to the P-B zone were eliminated as part of a previous comprehensive update to the Zoning Ordinance, on October 14, 2008. Although the zone was eliminated from the code, modifications were not made to the zoning map and the map still contains the P-B zones. This application is an effort to amend the City's Zoning Map to achieve consistency with the Downey Municipal Code and General Plan.

DEVELOPMENT REVIEW COMMITTEE

The Development Review Committee (DRC) discussed and evaluated the project as it pertains to Planning, Police, Fire, Public Works, and Building and Safety matters. The Public Works Department requested upgrades to existing driveway aprons, and closures to driveway aprons that were deemed unsafe for vehicular traffic. The Fire Department expressed concern of

appropriate ventilation within the building because of vehicle exhaust. The Fire Department conducted an inspection that alleviated those concerns. No other departments expressed concerns or opposition over the project, and issued standard conditions. Recommended conditions of approval have been included in the attached Resolution to address potential impacts.

ENVIRONMENTAL ANALYSIS

Staff has reviewed the proposed Conditional Use Permit and Zone Change for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, it has been determined that the CUP request is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1, Existing Facilities) and the Zone Change is exempt pursuant to Guideline Section No. 15061 (b)(3) (Common Sense Exemption). Categorical Exemptions are projects, which have been determined not to have a significant effect on the environment and have been exempted from the requirements of CEQA. Class 1 exemptions consist of projects that involve no/negligible expansion of the existing use. Common sense exemption states there is no possibility that the proposed zone change will have a significant effect on the environment, therefore no further environmental review is required.

FINDINGS

Pursuant to Municipal Code Section 9824.06, there are four (4) findings that must be adopted prior to approving the 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 located within an exclusively industrial area of the City that contains similar uses in terms of intensity. The project is also located away from residential and commercial properties, so the proposed operation is not expected to cause a nuisance related to public convenience or general welfare to any nearby businesses or residences. Rather, the project aims to diversify the amount of goods and services available to public. 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 CUP promotes the above policy by making available 24-hour vehicle towing services within the City and surrounding communities. This will not only continue to provide, but will also expand, the type and amount of goods and services available to the nearby community and general public.

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 use is common and appropriate within industrial areas and in urbanized areas. In addition, the use has existed without a Conditional Use Permit since September 2019 and currently functions appropriately on the subject site. Historical records for calls of service reflect that the business has provided no issues during its time at the site. It is expected that the use will continue to provide no issues. Lastly, the proposed conditions of approval are intended to mitigate any potential impacts.

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 use is proposed to be entirely indoors or in exterior areas that are screened from public view. Physical changes are not proposed for any portion of the exterior or interior of the lot or to the building's square footage. The proposed use will not restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. Therefore, the size and shape of the site proposed for the use is adequate to allow the tow service to function in a manner not detrimental to the particular area.

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

The proposed use is compatible with uses located within industrial areas and, due to the need for storing vehicles larger industrial sites are more suitable. Due to the compatibility of the proposed use and surrounding uses it is not anticipated that the proposed use will generate additional traffic. Furthermore, the existing infrastructure is built to accommodate the intended demand. The site is accessible via Woodruff Avenue and Stewart and Gray Road. These street segments lead to similar nearby corridors such as Imperial Highway and Firestone Boulevard. All of these nearby roadways are considered major arterial corridors. Therefore, the existing transportation infrastructure that provides access to and from the project site and the nearby area will remain adequate in supporting the type and quantity of traffic generated by the proposed use.

Pursuant to Municipal Code Section 9830.06, there are five (5) findings that must be adopted prior to approving the Zone Change. The findings are as follows:

A. The zone change is necessary and desirable for the development of the community in harmony with the objectives of the General Plan and this chapter and is in the interests or furtherance of the public health, safety, and general welfare.

The City Council adopted a comprehensive update to the Zoning Ordinance, on October 14, 2008, which eliminated the P-B (Parking Buffer) zoning category. The change of zone from P-B to M-2 (General Manufacturing) will make the zoning of the sites not only consistent with the current Zoning Code but also with the General Plan, as the General Plan Land Use designation of the sites is General Manufacturing. Furthermore, the change in zoning for these properties does not grant the subject properties any added liberties it did not previously already have. Therefore, with this action there is no opportunity to negatively affect the public health, safety, or general welfare of the community.

B. The zone change will be compatible and complementary to existing conditions and adjoining property in the surrounding area.

The sites are currently comprised of two separate zones, M-2 and P-B. The intent of the zone change is to remove the P-B and provide one consistent zoning designation of M-2 for the entirety of both sites. This is ultimately compatible with the existing and proposed use on the subject properties. It is also compatible with the surrounding area, as all surrounding properties are also zoned M-2 and developed with industrial uses.

C. The site is adequate in size to accommodate the uses permitted in the zone requested and that all applicable property development standards can be complied with.

The 41,803 square foot site at 11911 Woodruff Avenue and the 55,129 square foot site at Parcel Number 6284-024-030 are slightly larger than the minimum required lot size of 40,000 square feet for the M-2 zone. The minimum lot size is established in part to ensure sites can appropriately meet development standards and accommodate allowed uses. Furthermore, this existing structure will not be expanded.

D. The site properly relates to streets and highways designed and fully improved to carry the type and quantity of traffic that is expected to be generated in the area and that utilities exist or are planned which will adequately serve the property as rezoned.

The zone change does not alter the existing development potential of either site because the M-2 zone already exists for the vast majority of the lot. The M-2 zone is also present among adjacent properties. Therefore, the existing streets are already designed to accommodate the traffic generated by industrial developments. The same is true of existing utilities and other infrastructure.

E. The proposed zone change is in general conformance with the General Plan and General Plan land use designation for the parcel.

The zone change will eliminate the current inconsistency between the zoning code and the zoning map and General Plan. The entirety of each property will now be zoned M-2 as it is intended per the General Plan.

CORRESPONDENCE

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

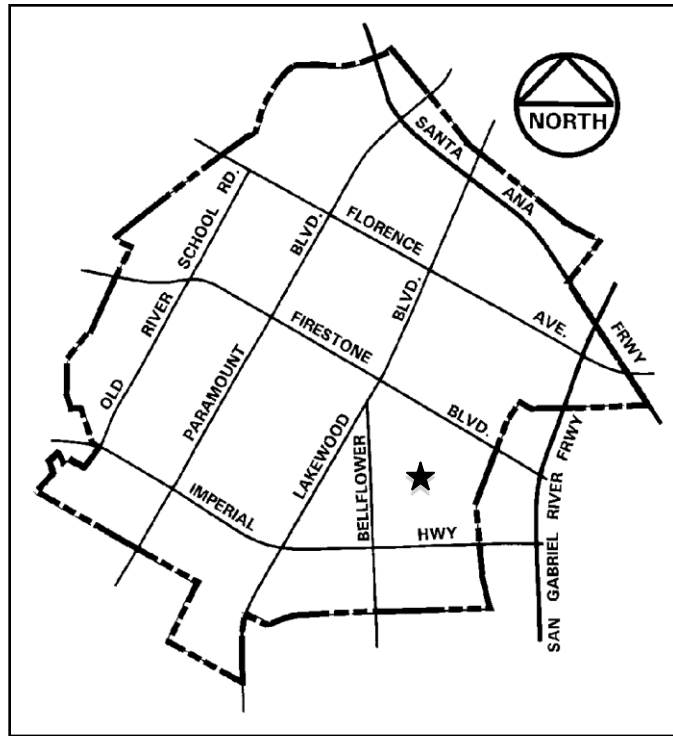
CONCLUSION

Based on the analysis contained within this report, staff is concluding that all findings required for approval can be made in a positive manner. As such, staff is recommending that the Planning Commission approve the application.

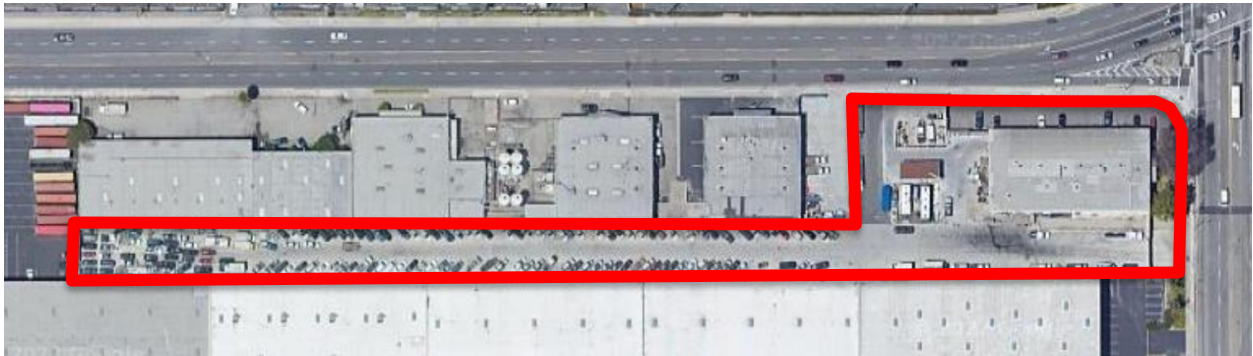
EXHIBITS

- A. Maps
- B. Draft Resolution Approving – Conditional Use Permit
- C. Draft Resolution Recommending Approval to City Council – Zone Change
- D. Project Plans

Exhibit A



Location



Aerial Photograph



Zoning

RESOLUTION NO. 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A CONDITIONAL USE PERMIT (PLN-20-00027) THEREBY ALLOWING THE OPERATION OF AN AUTOMOBILE TOW STORAGE FACILITY AND INCIDENTAL VEHICLE REPAIR LOCATED AT 11911 WOODRUFF AVENUE & APN: 6284-024-030

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. An application was filed by Omar Camacho (hereinafter referred to as “the Applicant”) on February 13, 2020, requesting approval of a Conditional Use Permit (PLN-20-00027) at 11911 Woodruff Avenue, zoned M-2; and,
- B. On March 20, 2020, the applicant was issued a letter deeming the application incomplete; and,
- C. On May 2, 2022, after receiving all necessary documents the applicant was issued a letter deeming the application complete; and,
- D. On May 19, 2022, a notice of the public hearing was sent to all property owners within 500’ of the subject site and the notice was published in Downey Patriot; and,
- E. The Planning Commission held a duly noticed public hearing on June 1, 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 development has been reviewed and has been found to be in compliance with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1), Existing Facilities.

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings 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 located within an exclusively industrial area of the City that contains similar uses in terms of intensity. The project is also located away from residential and commercial properties, so the proposed operation is not expected to cause a nuisance related to public convenience or general welfare to any nearby businesses or residences. Rather, the project aims to diversify the amount of goods and services available to public. 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 CUP promotes the above policy by making available 24-hour vehicle towing services within the City and surrounding communities. This will not only continue to provide, but will also expand, the type and amount of goods and services available to the nearby community and general public.

- 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 use is common and appropriate within industrial areas and in urbanized areas. In addition, the use has existed without a Conditional Use Permit since September 2019 and currently functions appropriately on the subject site. Historical records for calls of service reflect that the business has provided no issues during its time at the site. It is expected that the use will continue to provide no issues. Lastly, the proposed conditions of approval are intended to mitigate any potential impacts.
- 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 use is proposed to be entirely indoors or in exterior areas that are screened from public view. Physical changes are not proposed for any portion of the exterior or interior of the lot or to the building's square footage. The proposed use will not restrict future permitted uses from occupying the site or an existing use located within the nearby area from altering their operations. Therefore, the size and shape of the site proposed for the use is adequate to allow the tow service to function in a manner not detrimental to the particular area.
- D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The proposed use is compatible with uses located within industrial areas and, due to the need for storing vehicles larger industrial sites are more suitable. Due to the compatibility of the proposed use and surrounding uses it is not anticipated that the proposed use will generate additional traffic. Furthermore, the existing infrastructure is built to accommodate the intended demand. The site is accessible via Woodruff Avenue and Stewart and Gray Road. These street segments lead to similar nearby corridors such as Imperial Highway and Firestone Boulevard. All of these nearby roadways are considered major arterial corridors. Therefore, the existing transportation infrastructure that provides access to and from the project site and the nearby area will remain adequate in supporting the type and quantity of traffic generated by the proposed use.

SECTION 4. Based upon the findings set forth in Sections 1 through 3 of this Resolution, the Planning Commission of the City of Downey hereby approves this Conditional Use Permit and Zone Change (PLN-20-00027), 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 1st day of June, 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 1st day of June, 2022, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

EXHIBIT A
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT (PLN-20-00027)

PLANNING

- 1) The approval of this Conditional Use Permit (PLN-20-00027) allows for the operation of an automobile tow storage yard with incidental auto repair at parcel numbers 6284-024-029 (11911 Woodruff Ave.) and 6284-024-030.
- 2) This Conditional Use Permit (PLN-20-00027) 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 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.
- 4) 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.
- 5) The Owner/Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the approval of this resolution, to challenge the determination made by City under the California Environmental Quality Act or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition.
- 6) The City Planner is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
- 7) The warehouse building shall comply, or be upgraded to comply, with all applicable Building and Fire Code regulations pertaining to the indoor storage of vehicles, including but not limited to ventilation.
- 8) Storage of towed vehicles is limited to the interior warehouse space and the exterior fenced storage yard as indicated in the approved set of plans. Storage of vehicles is prohibited within the view of the public right-of-way.

- 9) Property owner and/or business owner shall provide continued maintenance of the storage yard fencing.
- 10) Gates providing access to the storage yard shall be closed at all times when not providing ingress/egress to the site.
- 11) Parking spaces located directly adjacent to Woodruff Avenue are to be used solely for customer and employee parking. Towed or impounded vehicles are specifically prohibited from this area.
- 12) Long term storage of vehicles, including operable and inoperable vehicles, is prohibited. Any one vehicle shall not be stored on site for a period longer than six months. At the request of the Community Development Director, the owner shall provide the record of storage for any particular vehicle. The business owner shall make productive efforts towards removing the vehicles from storage. This condition shall not apply to evidence based vehicles required to be stored for an indefinite period of time by law or any other legal entity.
- 13) Vehicle repair services shall not be provided to members of the general public and shall be limited to vehicles towed to the facility by the towing service as part of a fleet under contract or towed/impounded vehicles that have been taken possession of for auction.
- 14) Vehicle repairs shall not be promoted as part of the business's current or future signage.
- 15) Vehicle repairs shall take place entirely indoors and screened from view from the right-of-way.
- 16) Vehicle repair lifts and bays is limited to one.
- 17) Tow trucks shall use the truck routes approved by the Public Works Department.
- 18) The entire site, including but not limited to setbacks, parking, and the drive thru dimensions, shall be brought into compliance with current development standards when fifty percent (50%) or more of the site and/or the building is reconfigured and/or demolished.
- 19) Prior to the installation of any exterior signs, the property owner must obtain approval of a separate sign permit. All signs shall comply with Chapter 6 of the Downey Municipal Code.
- 20) Advertisements, except for signs allowed within the Downey Municipal Code, such as product poster are prohibited.
- 21) 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.
- 22) Lighting in all parking areas shall have illumination as required by the Downey Municipal Code.
- 23) The approved architectural elements shall be as noted in the approved plans date stamped May 2, 2022. 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.

- 24) 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.
- 25) Any graffiti applied to the site shall be removed within 48 hours.
- 26) 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.
- 27) The Applicant must incorporate a copy of this Exhibit A, Conditions of Approval, into the approved set of building plans.

BUILDING

- 28) 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
- 29) Special Inspections – As indicated by California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.
- 30) 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)
- 31) Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
- 32) All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
- 33) 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 consumptions light fixtures, and insulation and shall

use to the extent feasible draught landscaping.

- 34) A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
- 35) 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.

POLICE

- 36) Address must be highly visible.

FIRE

- 37) The following comments pertain to a fire review of a submitted design review plan(s). The comments contained herein shall not be construed as complete or encompassing all fire-life safety code requirements as set forth in local, State, and/or National codes.
- 38) Provide additional information/detail as to location of vehicle storage. Additional information to include area (e.g. interior or exterior) for storage of damaged vehicles (both gas-powered and electric).
- 39) If vehicles are to be stored inside building, a licensed fire protection engineer shall provide documentation that the building's current automatic fire sprinkler system's design will provide the required protection for the change in the fuel load and proposed occupancy use.
- 40) If modifications to the automatic fire sprinkler system are required, a NFPA 13 Owner's Certificate describing what hazards are to be present and how building is to be used shall be submitted as part of sprinkler modification design. A deferred automatic fire sprinkler plan submittal shall be required [CA Fire Code §903.2.9]. The automatic fire sprinkler system design, installation, and testing shall be in accordance with NFPA 13.
- 41) Provide additional information on management and storage of waste automotive fluids. If hazardous materials operations shall occur at occupancy, business shall be required to establish, implement, and submit a Hazardous Materials Business Plan (HMBP) to Statewide Environmental Reporting System (CERS) where required for handling reportable thresholds of hazardous materials [HSC 25507; 25508].
- 42) Install approved key boxes (e.g. Knox Boxes) to occupancy [CA Fire Code §506.1]. Manual and/or motorized gates shall also be equipped with Knox key box or key override switch.
- 43) Premises shall be appropriately addressed. 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].

- 44) If applicable for storage of hazardous materials, provide a visible NFPA 704 hazard warning placard to address side of building. NFPA 704 placard shall be required where hazardous substances equal to or above permitted quantities are handled, stored, or used [CA Fire Code §5003.5].
- 45) If on-site, fire hydrants (yard hydrants) shall have the required clear space of 3 feet and protected from vehicle impact with approved crash protection [CA Fire Code §507.5.1; 507.5.5; 507.5.6]
- 46) Building egress shall be designed to meet requirements of the CA Building Code and Chapter 10 of the CA Fire Code for occupant load, number of egresses, egress sizing, door swing direction, exit sign illumination, etc.

PUBLIC WORKS

- 47) All public utilities shall be installed underground.
- 48) 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).
- 49) 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.
- 50) Remove and replace sub-standard driveway approaches to the satisfaction of the Public Works Department. Contact the Public Works at (562) 904-7110 to identify the limits of the areas to be removed and replaced at least 48 hours prior to commencing work.
- 51) Easterly 12-foot driveway approach shall be removed and constructed with full-height curb gutter, and sidewalk to match existing improvements.
- 52) Remove all Underground Service Alert (USA) temporary pavement markings immediately following the completion of the work / Final permit inspection.
- 53) Any utilities that are in conflict with the development shall be relocated at the owner/applicant's expense.
- 54) Any acquired property in the form of easement, fee simple or irrevocable offer shall be in form acceptable by the city engineer and the city attorney prior to its recordation.
- 55) The owner/applicant shall deploy Best Management Practices during and after construction.

END OF CONDITIONS

RESOLUTION NO. 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONING MAP AMENDMENT (PLN-20-00027), THEREBY CHANGING THE ZONING DESIGNATION OF THE 30' EAST PORTION OF THE PROPERTIES FROM P-B (PARKING BUFFER) TO M-2 (GENERAL MANUFACTURING) LOCATED AT 11911 WOODRUFF AVENUE AND PARCEL NUMBER 6284-024-030.

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. An application was filed by Omar Camacho (hereinafter referred to as “the Applicant”) on February 13, 2020, requesting approval of a Zone Map Amendment (PLN-20-00027) at 11911 Woodruff Avenue and Parcel Number 6284-024-030, zoned M-2; and,
- B. On March 20, 2020, the applicant was issued a letter deeming the application incomplete; and,
- C. On May 2, 2022, after receiving all necessary documents the applicant was issued a letter deeming the application complete; and,
- D. On May 19, 2022, a notice of the public hearing was sent to all property owners within 500’ of the subject site and the notice was published in Downey Patriot; and,
- E. The Planning Commission held a duly noticed public hearing on June 1, 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 that the proposed project was reviewed for compliance with the California Environmental Quality Act (CEQA), and is exempt from CEQA, pursuant to Guideline Section 15061 (b)(3). This CEQA section allows projects of a certain nature to be exempt when it is clear with certainty, using “common sense,” that there is no possibility of a resulting significant effect on the environment.

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

- A. The zone change is necessary and desirable for the development of the community in harmony with the objectives of the General Plan and this chapter and is in the interests or furtherance of the public health, safety, and general welfare. The City Council adopted a comprehensive update to the Zoning Ordinance, on October 14, 2008, which eliminated the P-B (Parking Buffer) zoning category. The change of zone from P-B to M-2 (General Manufacturing) will make the zoning of the sites not only consistent with the current Zoning Code but also with the General Plan, as the General Plan Land Use designation of the

sites is General Manufacturing. Furthermore, the change in zoning for these properties does not grant the subject properties any added liberties it did not previously already have. Therefore, with this action there is no opportunity to negatively affect the public health, safety, or general welfare of the community.

- B. The zone change will be compatible and complementary to existing conditions and adjoining property in the surrounding area. The sites are currently comprised of two separate zones, M-2 and P-B. The intent of the zone change is to remove the P-B and provide one consistent zoning designation of M-2 for the entirety of both sites. This is ultimately compatible with the existing and proposed use on the subject properties. It is also compatible with the surrounding area, as all surrounding properties are also zoned M-2 and developed with industrial uses.
- C. The site is adequate in size to accommodate the uses permitted in the zone requested and complies with all applicable property development standards. The 41,803 square foot site at 11911 Woodruff Avenue and the 55,129 square foot site at Parcel Number 6284-024-030 are slightly larger than the minimum required lot size of 40,000 square feet for the M-2 zone. The minimum lot size is established in part to ensure sites can appropriately meet development standards and accommodate allowed uses. Furthermore, this existing structure will not be expanded.
- D. The site properly relates to streets and highways designed and fully improved to carry the type and quantity of traffic that is expected to be generated in the area and that utilities exist or are planned which will adequately serve the property as rezoned. The zone change does not alter the existing development potential of either site because the M-2 zone already exists for the vast majority of the lot. The M-2 zone is also present among adjacent properties. Therefore, the existing streets are already designed to accommodate the traffic generated by industrial developments. The same is true of existing utilities and other infrastructure.
- E. The proposed zone change is in general conformance with the General Plan and General Plan land use designation for the parcel. The zone change will eliminate the current inconsistency between the zoning code and the zoning map and General Plan. The entirety of each property will now be zoned M-2 as it is intended per the General Plan.

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 recommends that the City Council approve a zone change (PLN-20-00027) and update the Comprehensive Zoning Map to rezone the subject properties to M-2 (General Manufacturing), as outlined in Exhibit A of this resolution.

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

PASSED, APPROVED AND ADOPTED this 1st day of June, 2022.

Patrick Owens, Chairman
City Planning Commission

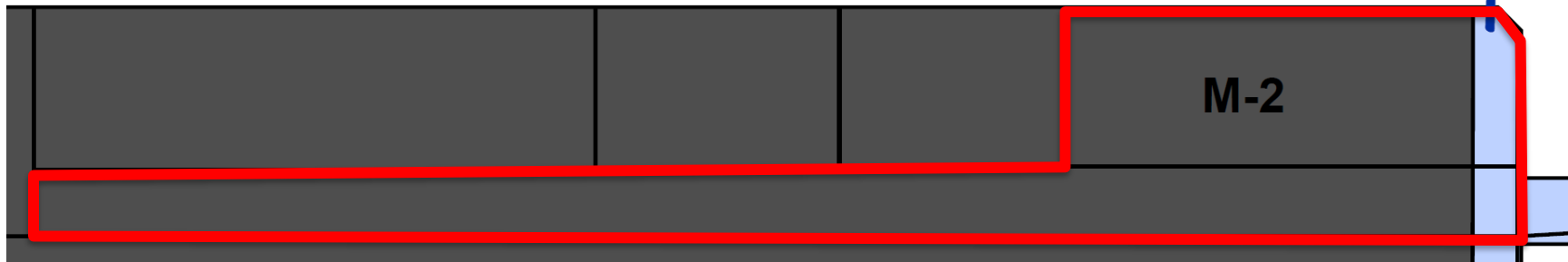
I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof held on the 1st day of June, 2022, by the following vote, to wit:

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

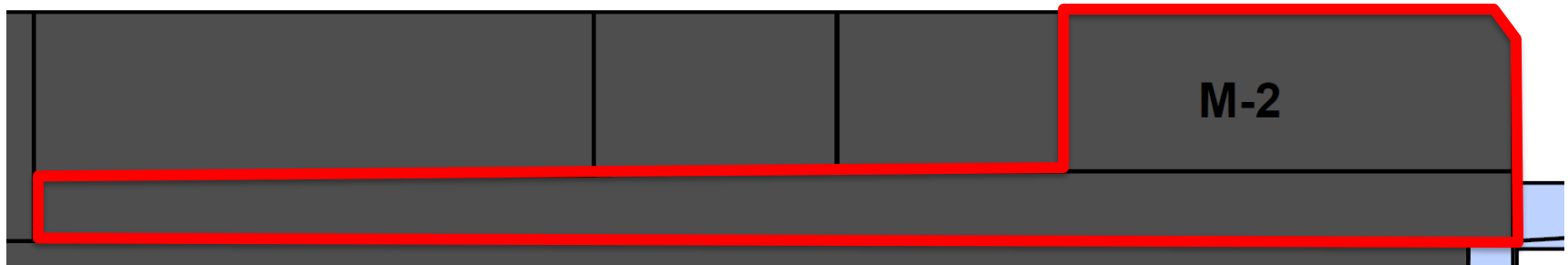
Mary Cavanagh, Secretary
City Planning Commission

EXHIBIT A

P-B



Existing Zoning



Proposed Zoning



MJM
Design
Group

CUSTOM HOMES
ADDITIONS
REMODELS
COMMERCIAL

4121 PURCELL DR.
LOS ANGELES, CA 90063
TEL. 323.253.0506
www.mjmdg.com

NO. REV. DATE

TENANT:
**MDX HACIENDA
VENTURE LLC**
16624 CHICO AVE.
SOUTH EL MONTE, CA 91733
TEL. (626) 589-6720

TITLE SHEET:
EXISTING SITE PLAN

PROJECT NAME:
11911 WOODRUFF AVE. DOWNEY, CA
90241

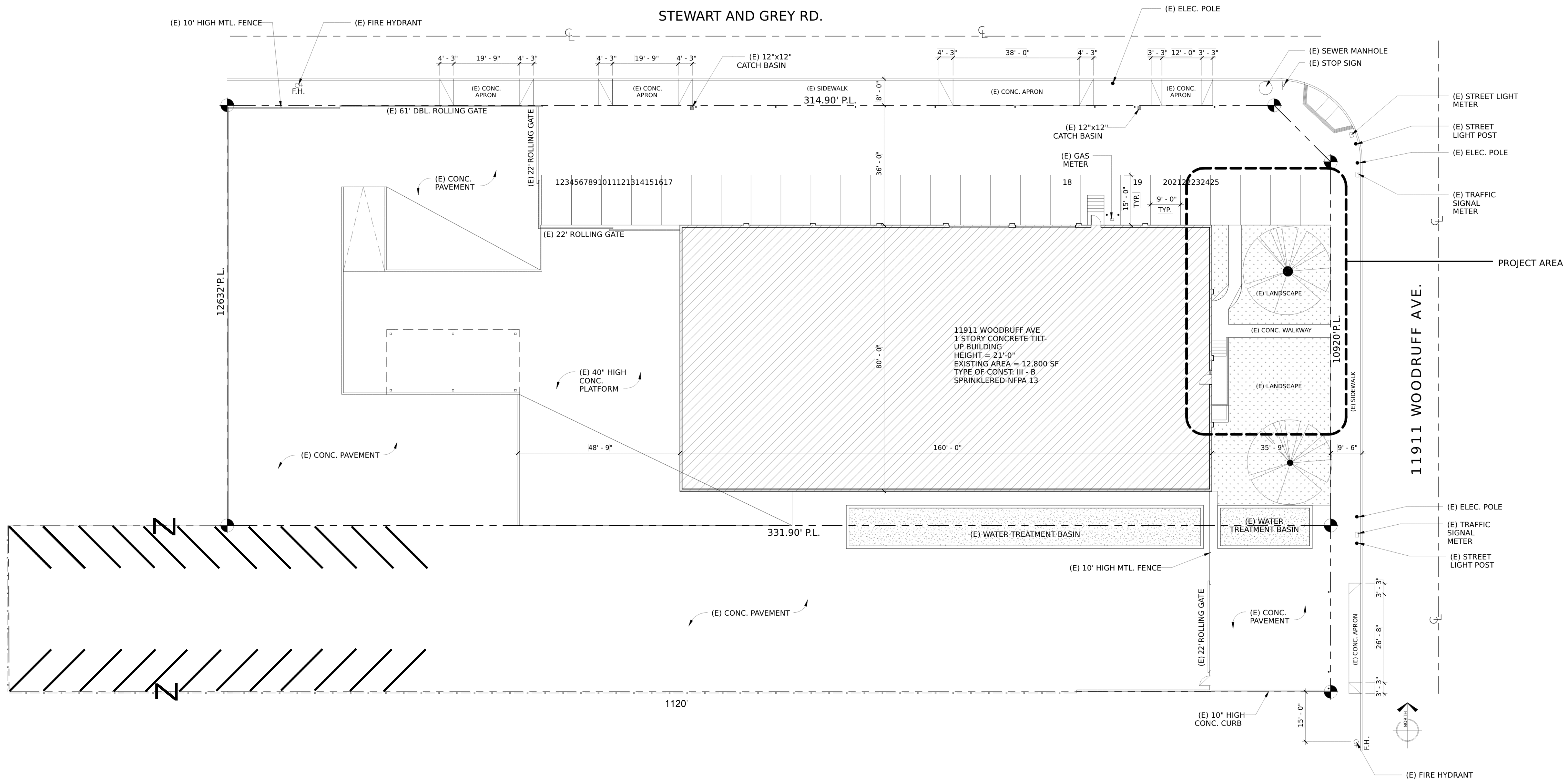
DRAWN BY:
M.M.

DATE
10/14/19

PROJECT NO.
1942

SHEET

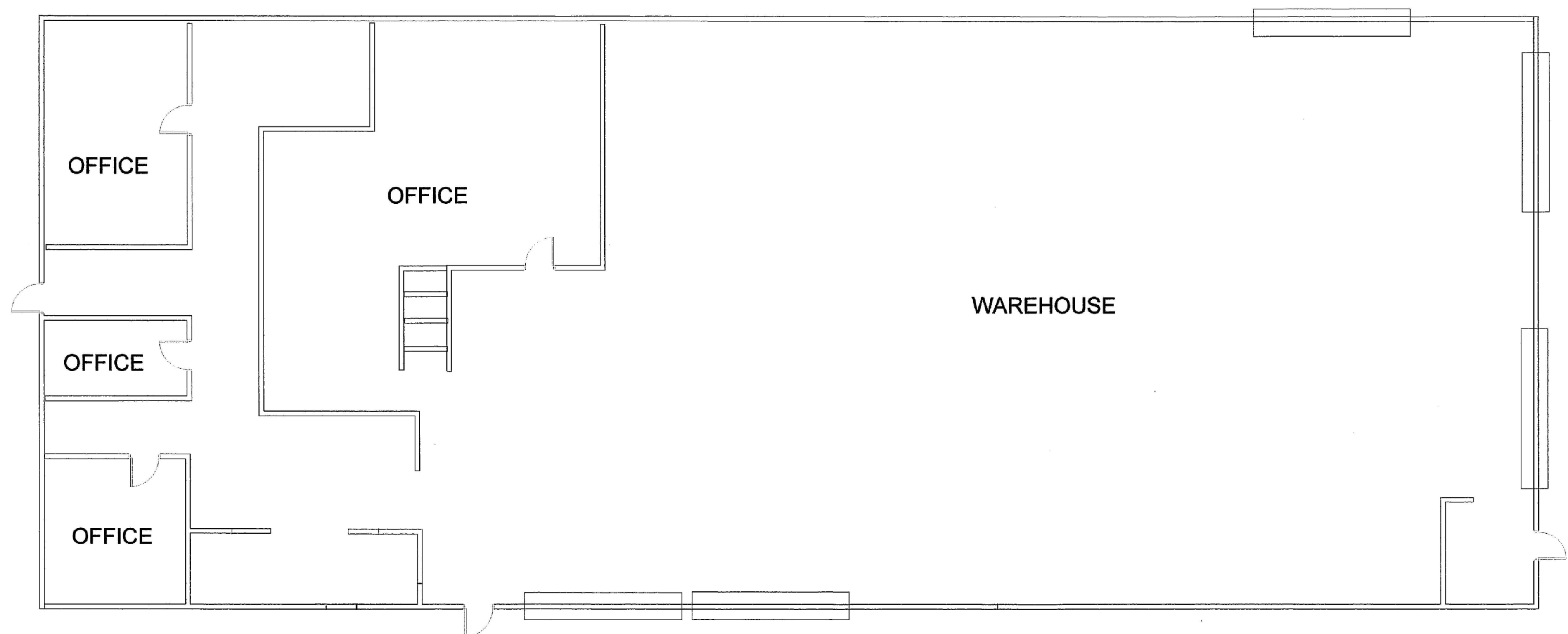
A1



EXISTING SITE PLAN

SCALE 1/16" = 1'-0"

1



REVISIONS	
DATE	NO

Project Name / Location:
 11911 WOODRUFF AVE
 DOWNEY CA 90241

Date
 Scale AS SHOWN
 Drawn
 Job
 Sheet
 2
 of 2 Sheets

FLOOR PLAN

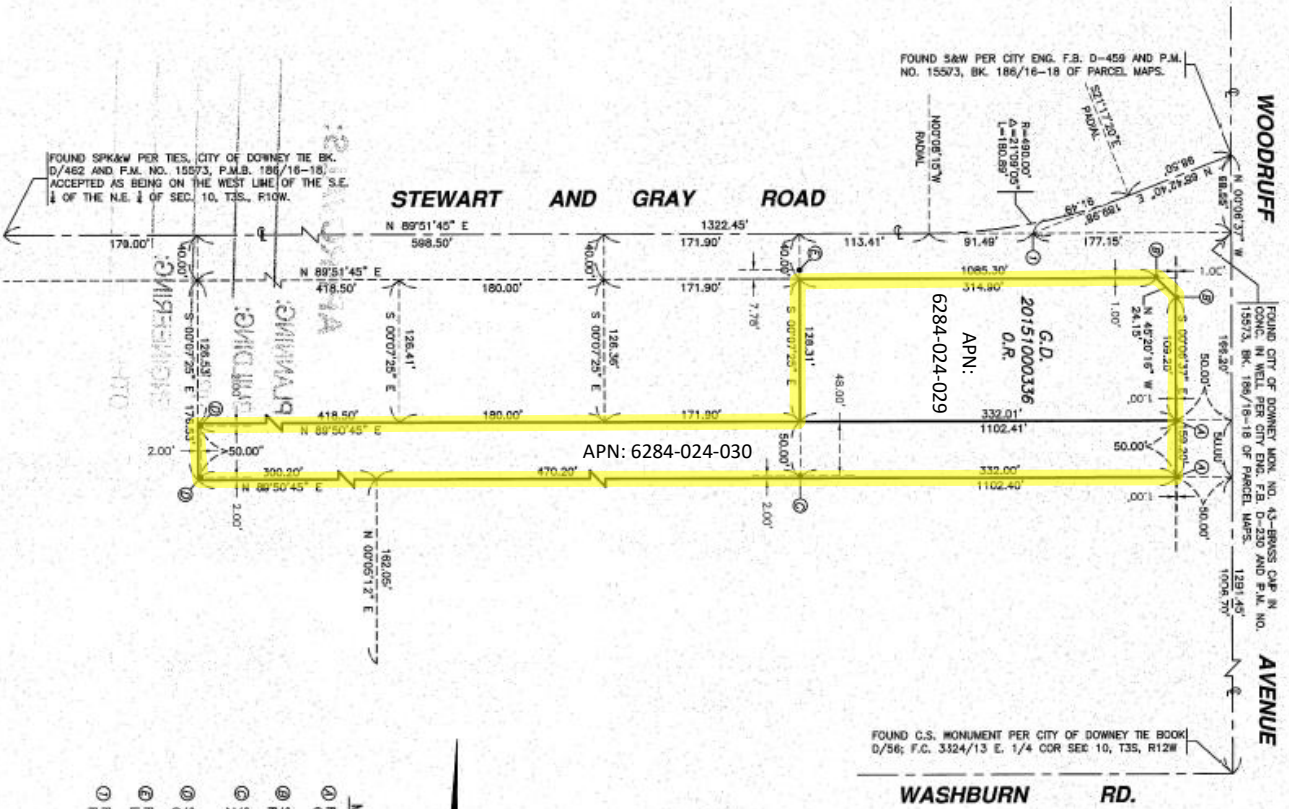
SCALE
 1/8" = 1'-0"

RECORD OF SURVEY

IN THE CITY OF DOWNEY
 COUNTY OF LOS ANGELES
 STATE OF CALIFORNIA

BEING A SURVEY OF A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 12 WEST, SHOWN ON A MAP OF THE SOUTHWESTERN PORTION OF THE RANCHO SANTA GERTRUDES, AS PER MAP RECORDED, IN BOOK 1, PAGE 502 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LANDEVELOPMENT ENGINEERING INC.



FOUND C.S. MONUMENT PER CITY OF DOWNEY THE BOOK 0/56; F.C. 3324/13 E. 1/4 COR SEC 10, T3S, R12W



MONUMENTS LEGEND

- ① FD. NAIL&TIG R.C.E. 0718, 1.00' OFFSET ON PROPERTY LINE PROLONGATION.
- ② SET NAIL&TIG R.C.E. 29664, 1.00' OFFSET FROM PROPERTY CORNER.
- ③ SET 1" IRON PIPE W/PLASTIC CAP, MARKED R.C.E. 29664, AS SHOWN.
- ④ SET NAIL&TIG R.C.E. 29664, 2.00' X 2.00' OFFSET FROM PROPERTY CORNER.
- ⑤ FD. NAIL&TIG U.S. 2428, 7.78' OFFSET ON PROPERTY LINE PROLONGATION.
- ⑥ FD. SPK/W U.S. 4411 PER L.A. COUNTY TIES DOCUMENT P.W.F.B. 0820, PAGES 638-637.

RETURNED TO CLIENT

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8169 OF THE PROFESSIONAL LAND SURVEYOR'S ACT THIS _____ DAY OF _____ 2016.

COUNTY SURVEYOR: _____
 DEPUTY: _____

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF EASO INDUSTRY LLC ON FEBRUARY 02, 2016.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARINGS OF N. 07°06'37" W. THE CENTER LINE OF WOODRUFF AVENUE SHOWN ON PARCEL MAP NO. 223434, BOOK 269 PAGE 28, OF RECORDS OF LOS ANGELES COUNTY.

PURPOSE

TO ESTABLISH THE BOUNDARY OF THE PROPERTIES DESCRIBED IN DEED TO THE PROPERTY SHOWN HEREON AND TO SATISFY THE REQUIREMENTS OF SECTION 8762 (b)(5) OF THE PROFESSIONAL LAND SURVEYOR'S ACT OF THE STATE OF CALIFORNIA.



PABLO B. SANCHEZ R.C.E. NO. 29664
 EXP. 3-31-17
 JOB NO.: W016_006

T.G. 632-07
 AP N. 6284-024-901