



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

RECOMMENDED ACTION

1. (PLN-20-00029) Site Plan Review and Conditional Use Permit **Approval**

Location: 11002 Downey Avenue and 8304 3rd Street

A request to remodel two existing vacant commercial tenant spaces, in order to operate a bar/lounge with a Department of Alcoholic Beverage Control (ABC) Type 48 License (On Sale General – Public Premises), live entertainment and outdoor seating, on property zoned Downtown Downey Specific Plan (DDSP).

Request: Control (ABC) Type 48 License (On Sale General – Public Premises), live entertainment and outdoor seating, on property zoned Downtown Downey Specific Plan (DDSP).

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

Staff: Guillermo Arreola, Principal Planner

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

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

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

- 2. **General Plan Consistency Finding** – A request to find General Plan Consistency for the new Rancho Los Amigos Restorative Care Village Project.
- 3. **Approval of the Minutes from: May 20, 2020**

IX. **OTHER BUSINESS:**



X. STAFF MEMBER COMMENTS:

XI. ADJOURNMENT: To Wednesday, August 19, 2020 at 6:30 pm, at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. 90241.

NOTICE: SECTION 9806 – APPEALS

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

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

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

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

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

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

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

Dated this 30th day of July, 2020

Mary Cavanagh
Mary Cavanagh
Secretary, Planning Commission



SPECIAL NOTICE

Public Participation and Accessibility for August 5, 2020 Downey Planning Commission Meeting

Pursuant to Paragraph 3 of Executive Order N-29-20, executed by the Governor of California on March 17, 2020, and County of Los Angeles Department of Public Health Order of the Health Officer Revised Order Issued June 11, 2020 as a response to mitigating the spread of Coronavirus known as COVID-19 and providing direction for moving the County through Stage 3 of California's pandemic resilience roadmap, the regular meeting of the Planning Commission scheduled for Wednesday, August 5, 2020 at 6:30 p.m. will allow members of the public to participate and address the Planning Commission during the open session of the meeting via live stream and/or teleconference as well as a limited number of in person attendees within the City Hall Council Chambers .

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

1. View the Planning Commission meeting live stream at:

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

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

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

Enter Meeting ID: **928 7808 0554**

Enter Password: **892669 and press the # (pound) key**

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

3. E-mail: pccpubliccomment@downeyca.org

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

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

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

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

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

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

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



5. In-Person Attendance in City Hall Council Chambers

The public will now be able to attend public meetings in person, but will be required to comply with safety standards to help prevent the spread of COVID-19, as described below:

- a) Wear a cloth face covering
- b) Maintain physical distancing while inside the building and the Council Chambers
- c) Complete a wellness check before entering the building:
 - 1) Temperature Check
 - 2) Screening Questions

Although public meetings will re-open for in-person attendance, residents are encouraged to continue accessing the public meeting and utilizing participation methods 1 – 4, listed above, as there will be a limited number of attendees permitted, approximately 15, in the building due to reduced seating capacity to maintain social distancing standards.

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

DATE: AUGUST 5, 2020

TO: PLANNING COMMISSION

SUBMITTED BY: ALDO E. SCHINDLER, DIRECTOR OF COMMUNITY DEVELOPMENT

REVIEWED BY: CRYSTAL LANDAVAZO, CITY PLANNER

PREPARED BY: GUILLERMO ARREOLA, PRINCIPAL PLANNER

SUBJECT: **PLN-20-00029 (SITE PLAN REVIEW AND CONDITIONAL USE PERMIT) – A REVISED REQUEST TO REMODEL TWO EXISTING COMMERCIAL TENANT SPACES RESULTING FROM PC MEETING COMMENTS AND APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A BAR/LOUNGE WITH A TYPE 48 ABC LICENSE AND LIVE ENTERTAINMENT, ON PROPERTY LOCATED AT 11002 DOWNEY AVENUE AND 8304 3RD STREET, ZONED DOWNTOWN DOWNEY SPECIFIC PLAN (DDSP).**

LOCATION: 11002 DOWNEY AVENUE & 8304 3RD STREET

ZONING: DOWNTOWN DOWNEY SPECIFIC PLAN

REPORT SUMMARY

The applicant, Simon Simonian, (hereinafter “applicant”) is proposing a facade remodel to an existing vacant tenant space, formerly Maxwell’s Kitchen and Bath. The applicant proposes to operate a bar/lounge with a Department of Alcoholic Beverage Control (ABC) Type 48 license, allowing beer, wine and distilled spirits, and live entertainment. This request was originally presented to the Planning Commission at their meeting of July 1, 2020. At this meeting, staff presented a recommendation of denial due to concerns over the operation of a bar with no kitchen, live entertainment, and open air concept bar operations in the Downtown Core.

After deliberation, the Planning Commission determined the proposal was a desirable business in the Downtown Core and instructed staff to return for an approval of the Conditional Use Permit request. At the direction of the Planning Commission, staff prepared the following titled resolution:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING (PLN-20-00029), A REQUEST FOR FAÇADE REMODELS OF EXISTING COMMERCIAL TENANT SPACE, A CONDITIONAL USE PERMIT FOR A TYPE 48 ABC LICENSE, AND LIVE ENTERTAINMENT, IN CONJUNCTION WITH A LOUNGE/BAR, ON

**PROPERTY LOCATED AT 11002 DOWNEY AVENUE AND 8304 3RD STREET,
ZONED DOWNTOWN DOWNEY SPECIFIC PLAN (DDSP)**

BACKGROUND

The project site is located at the southeast corner of the Downey Avenue and 3rd Street intersection. The site has an area of 10,795 square feet and is developed with a one story multi-tenant building. The originally proposed subject tenant space measures 1,382 square feet. The original application identified prepackaged food and charcuterie to be provided as an accompaniment to the bar use. At the meeting of July 1, 2020 the applicant presented the Planning Commission with photos of several food items that would require temperature control and some level of food preparation. As a result, the Los Angeles County Department of Public Health was contacted to confirm the proposal would be able to comply with all required Health Department regulations.

The applicant has since made revisions to the plans to show that the proposed business will expand into an adjacent tenant space at 8304 3rd Street, formerly occupied by a bail bonds business, to serve “back-of-house” needs such as a kitchen prep area, and storage purposes. The prep kitchen will comply with Health Department requirements that would enable the service that the applicant presented to the Planning Commission. The prep kitchen will comply with the need for temperature control but will not include any cooking appliances so it is not a full kitchen and does not classify the business as a restaurant. The revised proposal is for a 1,769 square feet bar/lounge business within the Downtown Core. Additional revisions have been made to the proposed plans to reflect compliance with building and ADA regulations as noted throughout this report.

DISCUSSION

As originally stated, the Downtown Downey Specific Plan distinguishes that uses such as live entertainment and bars/lounges require individual review through a Conditional Use Permit (CUP). As such, the proposed project requires a CUP to operate a bar/lounge without a restaurant and to provide live entertainment. A Site Plan Review is also under review by the Planning Commission for the façade improvements proposed to the primary bar/lounge space facing Downey Avenue and 3rd Street.

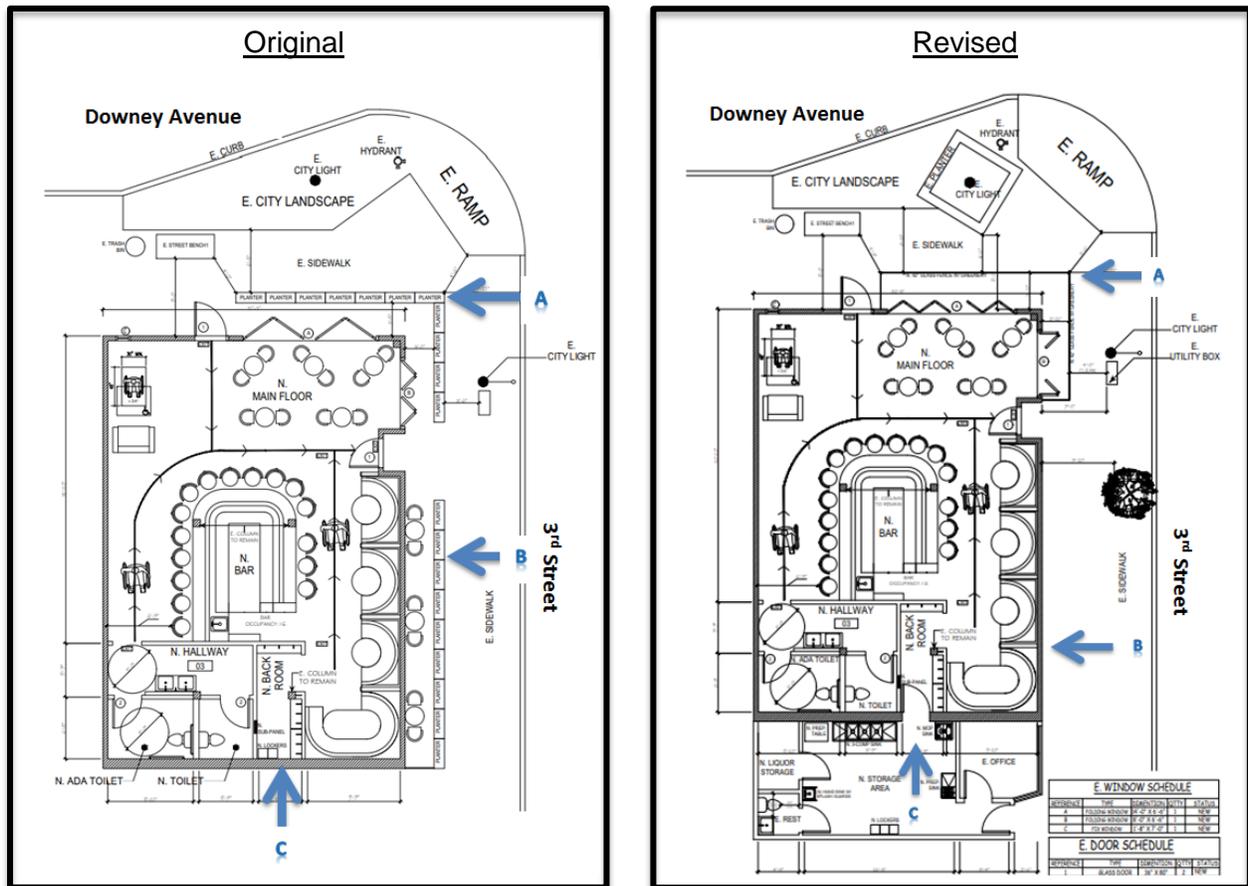
Conditional Use Permit

The proposed bar/lounge will operate with a Type 48 ABC License which allows the establishment to serve beer, wine, and distilled spirits. This license carries restrictions that prohibit minors from entering the establishment. The bar/lounge will also provide live entertainment. Staff identified concern over the service of distilled spirits without a kitchen and meal service in an open air setting that encroaches into the public right-of-way. The Planning Commission however, determined that there was desire for this type of use in the Downtown and instructed staff to prepare a Resolution of approval and address the stated concerns through plan revisions and conditions of approval.

During the meeting, the Planning Commission instructed staff to include conditions of approval that would require food items to be sold in conjunction with the proposed bar use. To ensure that this condition was feasible within the limited tenant space, staff contacted the Los Angeles County Department of Public Health which oversees plan review for these facilities. This agency identified several standards such as use of a certified food preparation area, temperature

control, and separation of food preparation areas from open air spaces. As a result, the applicant has proposed to expand the use into an adjacent 387 sq. ft. tenant space to serve “back of house” needs such as a preparation area, storage, sinks, and employee restroom.

The Planning Commission determined that a bar is a “similar use” as described in the Downtown Downey Specific Plan and, as such, was permitted to have outdoor seating. The applicant was instructed that all accessibility requirements of the Americans with Disabilities Act (ADA) must be met for any seating area encroachments. As a result, the applicant revised the plans to show the proposed planters encroaching into the right-of-way would be replaced with a glass fence to enclose the outdoor eating area along Downey Avenue and the east corner of 3rd Street. Similarly, the outdoor seating area along the 3rd Street, west of the door has been removed because there was difficulty meeting ADA requirements.



Changes to Site Plan show in blue above and described below.

- A Planters revised and now show glass rail around outdoor seating area
- B Outdoor seating area along 3rd Street removed from proposal
- C New internal connection to expand the business into 8304 3rd Street

The Planning Commission stated support for the proposed live entertainment requested by the applicant and instructed staff to prepare appropriate conditions of approval for this additional use. At the Planning Commission meeting, the applicant stated that he envisioned the use of a lounge singer as the proposed live entertainment. As a result of the direction given by the Planning Commission, staff prepared a condition limiting live entertainment to two performers with no amplification; specifically one lounge singer and one accompanying musician, either vocal or instrumental. However, following the meeting, staff requested additional specifications

from the applicant regarding his request for live entertainment and the applicant is now requesting approval of four musicians with no amplification.

The hours of live entertainment have been revised to Friday and Saturday only from 4:00 p.m. to 2:00 a.m. Staff has included a condition to align these hours with other businesses that are required to cease live entertainment thirty minutes before closing. All live entertainment will be required to stop at 1:30 a.m. For consistency, staff has also included a condition that all doors and windows be closed during all hours when live entertainment is performed. All businesses with approved live entertainment are required to maintain all doors and windows closed during live entertainment hours to minimize potential noise impacts.

Site Plan Review

As previously described, the proposed remodel is focused on the primary corner tenant space, which currently consists of a large mansard roof and large windows at the northwest corner of the building. The main components of the remodel include removal of the mansard roof to be replaced with decorative horizontal wood siding along the upper portion of the building; a prominent black beam separating the horizontal wood siding from the remaining stucco portion of the building; metal paneling with a coal black finish around corner entries; cloth awnings and light fixtures along both facades, with decorative iron work along 3rd Street; and the storefront windows along Downey Avenue will be replaced with foldable glass doors/windows. The Planning Commission was receptive to the proposed façade updates and required no changes.



Proposed Façade Remodel



Existing Façade of Expansion Tenant Space

As noted earlier in this report, the proposed use will expand into an adjacent tenant space to the rear of the original tenant space. The former bail bonds business will be incorporated into the proposed business to provide food storage, a preparation area, and an office to serve the needs of the business. A typical condition of such type of expansion is that the expansion area be treated with the same façade improvements applied to the rest of the business being served. Given the unique location and circumstance of the expansion area, staff has conditioned that the expansion area and neighboring storefront be restored to enhance the existing art deco style of the existing storefronts. This façade will retain the appearance of two storefronts and provide revitalization to the existing character. Additionally, this will serve as compliment to the improvements that will be made on either side of the storefronts.

As directed at the July 1, 2020 Planning Commission meeting, staff included conditions that require the business to have food sales of 50% of gross sales receipts for the business, and require that the full charcuterie/food items be available at all times alcohol is served. Additionally, because the expanded area to rear is intended to serve “back of house” for the bar/lounge, conditions have been included to restrict use of the rear door on 3rd Street so that Downey Avenue serves as the primary entrance to the business. The proposed use is a bar/lounge without an accompanying restaurant; this is a new use that will be introduced into the Downtown Core. As such, staff has included a condition that would require staff to provide an initial 6 month review, followed by annual reviews of the business to confirm consistency with conditions of approval and prevent development of potential nuisances.

ENVIRONMENTAL ANALYSIS

The proposed Conditional Use Permit and Site Plan Review were reviewed for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, the proposed remodel and Conditional Use Permit were determined to be exempt from CEQA pursuant to Section 15301 (Class 1, Existing Facilities), which have been determined not to have a significant effect on the environment. Class 1 consists of projects that involve no or negligible expansion of an existing use.

FINDINGS

The Site Plan Review allows the Planning Commission to review the site layout, as well as the architectural style of the buildings. In order to approve the Site Plan Review, the Planning Commission must adopt seven findings. At the July 1, 2020 meeting, the Planning Commission gave staff direction to make the following positive findings:

A. The site plan is consistent with the goals and policies embodied in the General Plan and other applicable plans and policies adopted by the Council.

The bar/lounge will add a new entertainment destination to the Downtown Downey area which is consistent with the policies and programs established in the General Plan for the Downtown Downey area, as stated below:

Policy 1.2.2.1. Promote the downtown area as a destination point for entertainment, dining, civic, and other activities.

Program 1.1.5.3. Promote Downtown Downey as a destination draw for entertainment and dining uses.

The bar/lounge will be a new use introduced into the Downtown Core of the Downtown Downey Specific Plan. The addition of a new entertainment use can be seen as

promoting the draw to Downtown Downey by increasing the number of uses in this area which would be consistent with the General Plan policy and program listed above.

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

The subject site is located in the Downtown Downey Specific Plan which permits the use, subject to approval of a Conditional Use Permit. The Planning Commission has determined that, with appropriate conditions, a Conditional Use Permit can be supported and the bar/lounge will comply with the objectives of the Downtown Downey Specific Plan and is a desirable use for the Downtown Core.

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

The proposed façade improvements will enhance multiple facades within the Downtown Core. The primary focus of the façade improvements will be focused on the primary tenant space area at the corner of Downey Avenue and 3rd Street. However, the expansion into the rear tenant space will result in a restoration of the existing art deco architecture on the storefronts behind the primary bar/lounge space. These improvements will result in updates to three facades in the Downtown Core and provide a connection on 3rd Street between the proposed enhancements to the bar/lounge and the future improvements to the former Avenue Theater.

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

The project includes a façade remodel and interior renovations within existing tenant spaces. There are no changes to the building location or parking areas because the existing building is built up to property lines and no parking exists on the subject site. The proposed remodel includes the use of accordion style foldable glass doors that will create an open concept and seating areas extending into the right of way. The outdoor seating area will be enclosed by a glass rail, the placement of which will be required to maintain ADA accessibility for all surrounding public right-of-way areas. The applicant will participate in the Downtown Downey parking waiver program to allow patrons use of all City parking and require a fee from the applicant. The proposed façade remodel will improve the aesthetics by incorporating quality architectural materials to contribute to the enhancement of the Downtown Core.

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

The proposed façade improvement will remove dated architectural features, such as the oversized mansard roof and install new wood features, iron work, and glass features. The proposed improvements do not mimic other façades in the area that could lead to monotony. The proposed improvements are intended to complement existing architecture in the area, including the façade improvements to the former Avenue

Theater that is currently under construction. The new expansion to the rear of the primary tenant space will result in a renovation of the existing art deco façade of the storefronts between the former Avenue Theater and the new bar/lounge. The restoration of the additional façade will establish a connection between the two improvements along 3rd Street.

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

The proposed façade improvements will improve the architectural landscape of the Downtown Core by removing dated features from the prior storefront and adding new features. The mix of materials to be incorporated into the new facades will create interest and add a new element of design to a corner that was previously dated and remained unimproved for years.

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

Conditions have been included in the approval resolution for the proposed bar/lounge to require graffiti resistant coating or similar features to prevent the creation of nuisances in the Downtown area. This is a standard condition for all new development that the bar/lounge will be required to comply with.

Pursuant to the requirements of the Municipal Code Section 9824.06 (Conditional Use Permit), the Planning Commission must make four findings to approve the request. At the July 1, 2020 meeting, the Planning Commission gave staff direction to make the following positive findings:

A. The requested conditional use permit will not adversely affect the intent and purpose of Article IX of the Downey Municipal Code or the City's General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof.

The bar/lounge will add a new entertainment destination to the Downtown Downey area which is consistent with the policies and programs established in the General Plan for the Downtown Downey area, as stated below:

Policy 1.2.2.1. Promote the downtown area as a destination point for entertainment, dining, civic, and other activities.

Program 1.1.5.3. Promote Downtown Downey as a destination draw for entertainment and dining uses.

The bar/lounge will be a new use introduced into the Downtown Core of the Downtown Downey Specific Plan. The addition of a new entertainment use can be seen as promoting the draw to Downtown Downey by increasing the number of uses in this area which would be consistent with the General Plan policy and program listed above.

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.

After review of the proposed project, potential impacts, public comment, and deliberation, the Planning Commission determined that the proposed use would not adversely affect the surrounding area. The Planning Commission identified that the

bar/lounge was a desirable use in the Downtown Core and, with appropriate conditions, would not adversely affect surrounding land uses.

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 applicant revised the original proposal to expand the size of the tenant space in order to provide additional preparation area to accommodate the proposed charcuterie menu and comply with Los Angeles County Public Health Department requirements. Additionally, the applicant has revised the proposed enclosure for the outdoor seating area from planters to glass railing in order to comply with ADA accessibility requirements in the public right-of-way. The bar/lounge has been revised so that the business will be able to meet the physical requirements to comply with applicable codes that are in place to prevent impacts to the general public.

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

The subject site does not provide any onsite parking but, is located within the Downtown Downey Specific Plan. The Specific Plan acknowledges that the built environment within the Specific Plan area does not allow for individual businesses to meet their requirement for onsite parking and developed a parking waiver program. This program allows businesses to participate in the program through a fee so that their patrons can utilize open public parking areas provided and maintained by the City. The bar/lounge will participate in the parking waiver program to comply with the required parking need for the use.

CORRESPONDENCE

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

CONCLUSION

As directed by the Planning Commission, a resolution has been prepared for the approval of the Conditional Use Permit and Site Plan Review (PLN-20-00029) application.

EXHIBITS

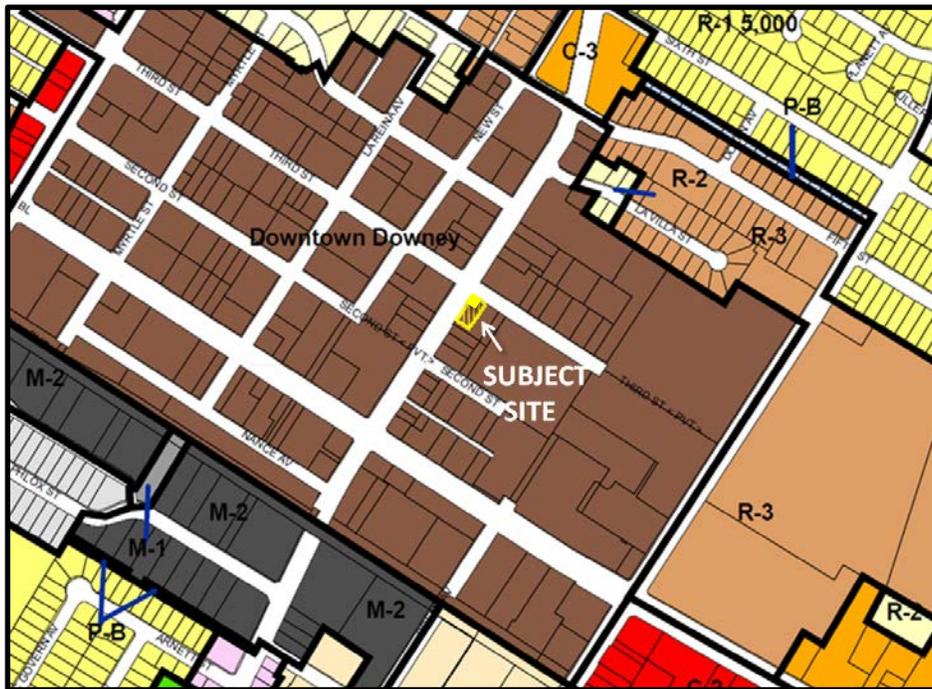
- A. Maps
- B. Calls for Service Table Reported at July 1, 2020 PC Meeting
- C. Code Enforcement Complaint – Obtained as Part of Calls for Service Report
- D. Security Plan
- E. Draft Resolution
- F. Project Plans & Renderings

Exhibit 'A' – Maps

Aerial Photograph



Zoning Map



DOWNTOWN CORE - CALLS FOR SERVICE

June 30, 2019 - June 30, 2020

Incident Type	Joseph's Bar & Grill	BRB	Mambo Grill	Lock & Key	Bastard's	20/20 Draft House	DB Lounge	Mosaik Hookah
Suspicious Event	9	3	2		1	3	7	
Check the Welfare	3				2		4	1
Disturbance	11	6		1	3		5	
Robbery	2							
Vandalism	1							
Larceny	1							1
Assault	2	1		1			2	
Burglary							3	
Domestic	2							
Keep the Peace			1					
Extra Patrol					1			
Financial Crime					1		1	
Assist Outside Agency							1	
Mental							1	
Total	31	10	3	2	8	3	24	2

Crystal Landavazo

Subject: FW: Business Violation

From: [REDACTED]
Sent: Tuesday, June 16, 2020 2:22 PM
To: Blanca Pacheco
Subject: Business Violation

CAUTION: External Email Sender

Good afternoon

I am reporting a business that continues to operate without following the safety guidelines therefore putting people at risk. For the past 2 weekends I have driven past Joe's Bar and Grill located on 11032 Downey Ave, Downey, CA 90241, specifically on Friday's and Saturday's. This place is more of a club/bar and there are so many people inside, on the patio and there is even a line around the block to get into the place. No one is wearing a mask, not following social distancing guidelines, people are packed inside the place. This is a health risk not just for the people inside the bar/club but also the entire Downey community. Also it was my understanding that bars/clubs are not to open yet this place has opened for the past 2 weeks. I would like for someone to look into this complaint and let the outcome. Below is the information for the business that I am reporting.

Josephs Bar & Grill
11032 Downey Ave
Downey, CA 90241
josephsdowney.com/home
562-869-1255

Thank you.

[REDACTED]
[REDACTED]

Bella Lounge

Security Plan

Main Objective: Remove any person that has or can potentially cause a problem inside the facility without causing physical harm. Approach with candor and professionalism and with extreme respect. Try to defuse the situation rather than escalate the temperament of the client. If the disruptive client is not responsive and continues to create problems, force may be used, by arm bars and pressure points to control the subject when they are getting out of hand. When 2 parties are involved they are immediately separated and one party is escorted out the front door while the other party is escorted through the back door.

Tools: The use of Arm bars and pressure points are the first attempts to assist in removing the disruptive parties from the facility. In the case that customer is beyond control security might use handcuffs to detain the disruptive client until Police arrives. Under no circumstances is any of our security allowed to carry or use any sort of weapon. Flashlight, and 2 way radios which are supplied by Bella's.

We also use on a random process the metal detecting wand a Garrett Super Scanner V based on the discretion of the security guard. With this and the search of women's purses we limit the smuggling of any weapons or outside alcoholic beverages into the facility.

Scheduling of security varies on the day of operation. On Sundays through Thursdays we will have 1 security guard scheduled from opening till closing. On Fridays and Saturdays we will have 2 security guards scheduled from opening till closing. The stations of the guards will be at the front door and back door. The guard that handles the front door will handle IDs, dress code and on the spot calls on the condition of the entering client and their sobriety. The reason for security on staff during all business hours is because of the 48 liquor license which makes the establishment a 21 and over establishment.

RESOLUTION NO. 20-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING (PLN-20-00029), A REQUEST FOR FAÇADE REMODELS OF EXISTING COMMERCIAL TENANT SPACE, A CONDITIONAL USE PERMIT FOR A TYPE 48 ABC LICENSE, AND LIVE ENTERTAINMENT, IN CONJUNCTION WITH A LOUNGE/BAR, ON PROPERTY LOCATED AT 11002 DOWNEY AVENUE AND 8304 3RD STREET, ZONED DOWNTOWN DOWNEY SPECIFIC PLAN (DDSP)

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 February 20, 2020, an application was filed by Simon Simonian, (hereinafter referred to as “the Applicant”), requesting approval of a Conditional Use Permit and Site Plan Review (PLN-20-00029) for a remodel of the existing general retail tenant space in order to operate bar/lounge with a Type 48 (On-Sale General – Public Premises) ABC license, and live entertainment in the form of bands and musicians, located at 11002 Downey Avenue, and zoned DDSP (Downtown Downey Specific Plan); and,
- B. On March 18, 2020, the application was deemed incomplete. On April 17, 2020, the applicant submitted revised plans, and on May 15, 2020, the application was deemed complete; and,
- C. On June 18, 2020, a notice of the pending public hearing was published in the *Downey Patriot* and mailed to all property owners within 500 feet of the subject site; and,
- D. On, July 1, 2020, the Planning Commission held a duly noticed public hearing, and, after fully considering all oral and written testimony and facts and opinions offered at aforesaid public hearing, directed staff to prepare conditions that would enable an approval for the proposed project and voted to continue the item to August 5, 2020; and
- E. On July 2, 2020, the applicant submitted written confirmation of his authorization to continue the item to the regular meeting of August 5, 2020; and,
- F. On August 5, 2020, the Planning Commission held a duly noticed public hearing, and, after fully considering all oral and written testimony and facts and opinions offered at aforesaid public hearing, adopted this resolution.

SECTION 2. The proposed Conditional Use Permit and Site Plan Review were reviewed for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, the proposed remodel and Conditional Use Permit were determined to be exempt from CEQA pursuant to Section 15301 (Class 1, Existing Facilities), which have been determined not to have a significant effect on the environment. Class 1 consists of projects that involve no or negligible expansion of an existing use.

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings regarding the Site Plan Review, the Planning Commission gave staff direction to make the following positive findings as described:

- A. The site plan is consistent with the goals and policies embodied in the General Plan and other applicable plans and policies adopted by the Council. The bar/lounge will add a new entertainment destination to the Downtown Downey area which is consistent with the policies and programs established in the General Plan for the Downtown Downey area, as stated below:

Policy 1.2.2.1. Promote the downtown area as a destination point for entertainment, dining, civic, and other activities.

Program 1.1.5.3. Promote Downtown Downey as a destination draw for entertainment and dining uses.

The bar/lounge will be a new use introduced into the Downtown Core of the Downtown Downey Specific Plan. The addition of a new entertainment use can be seen as promoting the draw to Downtown Downey by increasing the number of uses in this area which would be consistent with the General Plan policy and program listed above.

- B. The proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located. The subject site is located in the Downtown Downey Specific Plan which permits the use, subject to approval of a Conditional Use Permit. The Planning Commission has determined that, with appropriate conditions, a Conditional Use Permit can be supported and the bar/lounge will comply with the objectives of the Downtown Downey Specific Plan and is a desirable use for the Downtown Core.
- C. The proposed development's site plan and its design features, including architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the City. The proposed façade improvements will enhance multiple facades within the Downtown Core. The primary focus of the façade improvements will be focused on the primary tenant space area at the corner of Downey Avenue and 3rd Street. However, the expansion into the rear tenant space will result in a restoration of the existing art deco architecture on the storefronts behind the primary bar/lounge space. These improvements will result in updates to three facades in the Downtown Core and provide a connection on 3rd Street between the proposed enhancements to the bar/lounge and the future improvements to the former Avenue Theater.
- D. The site plan and location of the buildings, parking areas, signs, landscaping, luminaries, and other site features indicate that proper consideration has been given to both the functional aspects of the site development, such as automobile and pedestrian circulation, and the visual effects of the development from the view of the public streets. The project includes a façade remodel and interior renovations within existing tenant spaces. There are no changes to the building location or parking areas because the existing building is built up to property lines and no parking exists on the subject site. The proposed remodel includes the use of accordion style foldable glass doors that will create an open concept and seating areas extending into the right of way. The outdoor seating area will be enclosed by a glass rail, the placement of which will be required to

maintain ADA accessibility for all surrounding public right-of-way areas. The applicant will participate in the Downtown Downey parking waiver program to allow patrons use of all City parking and require a fee from the applicant. The proposed façade remodel will improve the aesthetics by incorporating quality architectural materials to contribute to the enhancement of the Downtown Core.

- E. The proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities. The proposed façade improvement will remove dated architectural features, such as the oversized mansard roof and install new wood features, iron work, and glass features. The proposed improvements do not mimic other façades in the area that could lead to monotony. The proposed improvements are intended to complement existing architecture in the area, including the façade improvements to the former Avenue Theater that is currently under construction. The new expansion to the rear of the primary tenant space will result in a renovation of the existing art deco façade of the storefronts between the former Avenue Theater and the new bar/lounge. The restoration of the additional façade will establish a connection between the two improvements along 3rd Street.
- F. The site plan and design considerations shall tend to upgrade property in the immediate neighborhood and surrounding areas with an accompanying betterment of conditions affecting the public health, safety, comfort, and welfare. The proposed façade improvements will improve the architectural landscape of the Downtown Core by removing dated features from the prior storefront and adding new features. The mix of materials to be incorporated into the new facades will create interest and add a new element of design to a corner that was previously dated and remained unimproved for years.
- G. The proposed development's site plan and its design features will include graffiti-resistant features and materials in accordance with the requirements of Section 4960 of Chapter 10 of Article IV of this Code. Conditions have been included in the approval resolution for the proposed bar/lounge to require graffiti resistant coating or similar features to prevent the creation of nuisances in the Downtown area. This is a standard condition for all new development that the bar/lounge will be required to comply with.

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 gave staff direction to make the following positive findings as described:

- A. The requested conditional use permit will not adversely affect the intent and purpose of Article IX of the Downey Municipal Code or the City's General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof. The bar/lounge will add a new entertainment destination to the Downtown Downey area which is consistent with the policies and programs established in the General Plan for the Downtown Downey area, as stated below:
 - Policy 1.2.2.1. Promote the downtown area as a destination point for entertainment, dining, civic, and other activities.
 - Program 1.1.5.3. Promote Downtown Downey as a destination draw for entertainment and dining uses.

The bar/lounge will be a new use introduced into the Downtown Core of the Downtown Downey Specific Plan. The addition of a new entertainment use can be seen as promoting the draw to Downtown Downey by increasing the number of uses in this area which would be consistent with the General Plan policy and program listed above.

- 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. After review of the proposed project, potential impacts, public comment, and deliberation, the Planning Commission determined that the proposed use would not adversely affect the surrounding area. The Planning Commission identified that the bar/lounge was a desirable use in the Downtown Core and, with appropriate conditions, would not adversely affect surrounding land uses.
- 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 applicant revised the original proposal to expand the size of the tenant space in order to provide additional preparation area to accommodate the proposed charcuterie menu and comply with Los Angeles County Public Health Department requirements. Additionally, the applicant has revised the proposed enclosure for the outdoor seating area from planters to glass railing in order to comply with ADA accessibility requirements in the public right-of-way. The bar/lounge has been revised so that the business will be able to meet the physical requirements to comply with applicable codes that are in place to prevent impacts to the general public.
- D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The subject site does not provide any onsite parking but, is located within the Downtown Downey Specific Plan. The Specific Plan acknowledges that the built environment within the Specific Plan area does not allow for individual businesses to meet their requirement for onsite parking and developed a parking waiver program. This program allows businesses to participate in the program through a fee so that their patrons can utilize open public parking areas provided and maintained by the City. The bar/lounge will participate in the parking waiver program to comply with the required parking need for the use.

SECTION 5. Based upon the findings set forth in Sections 1 and 4 of this Resolution, the Planning Commission of the City of Downey hereby approves the Site Plan Review and Conditional Use Permit (PLN-20-00029), 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 5th day of August, 2020.

Miguel Duarte, Chairman
City Planning Commission

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof held on the 5th day of August, 2020, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

**SITE PLAN REVIEW AND CONDITIONAL USE PERMIT (PLN-20-00029)
EXHIBIT A - CONDITIONS**

PLANNING

- 1) The approval of Site Plan Review and Conditional Use Permit (PLN-20-00029) allows a proposed bar to operate with a Type 48 (On Sale General – Public Premises) ABC license as described below:
 - a) The subject site is located at 11002 Downey Avenue and 8304 3rd Street. Tenant improvements will be completed to join these units into one tenant space with internal accessibility.
 - b) The exterior remodel will include removal of the mansard roof to be replaced with decorative horizontal wood siding along the upper portion of the building above a prominent black beam with stucco on the remaining portion of the building; metal paneling with a coal black finish around corner entries; cloth awnings and light fixtures along both facades; decorative iron work along 3rd Street; and accordion style foldable glass doors facing Downey Avenue and at the corner of 3rd Street.
 - c) Outdoor Seating will be permitted, subject to a Public Works Encroachment Permit, along Downey Avenue and the Corner of 3rd Street.
 - d) Live entertainment will be permitted on weekends, subject to the conditions outlined below in this resolution.
- 2) Approval of Conditional Use Permit PLN-20-00029 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) 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.
- 4) The site shall remain in conformance with this request and the approved set of plans.
- 5) 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.
- 6) All conditions of approval set forth in this resolution shall be complied with before the Conditional Use Permit becomes valid.
- 7) 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.
- 8) 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.

- 9) 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.
- 10) 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.
- 11) 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.
- 12) The Licensee shall be responsible for monitoring the business to prevent anyone under the age of 21 from entering the business.
- 13) 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.
- 14) 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.

Resolution No. 20-
Downey Planning Commission

- 15) The following organization has 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.
- 16) As the first "bar only" use in the downtown, an initial 6 month review, followed by annual reviews by the Planning Commission will be required to evaluate the effectiveness of the conditions of approval and determine if modifications are needed.
- 17) The bar/lounge permitted hours of operation shall be:
Monday – Sunday: 4:00 p.m. to 2:00 a.m.
- 18) Live entertainment hours of operation are permitted as follows:
Thursday – Saturday: 9:00 p.m. – 1:30 a.m.
- 19) Live entertainment shall cease thirty (30) minutes prior to closing.
- 20) This establishment is also allowed to operate from 4:00 p.m. to 2:00 a.m. and provide live entertainment from 9:00 p.m. – 1:30 a.m. on the Sunday of a holiday weekend, where the holiday is on a Monday. These holidays are limited to Martin L. King's Birthday, Presidents' Day, Memorial Day, Labor Day, and Veteran's Day.
- 21) This establishment is also allowed to operate from 4:00 p.m. to 2:00 a.m. and provide live entertainment from 9:00 p.m. – 1:30 a.m. on specified holidays regardless of the day of the week. These holidays are limited to New Year's Eve, Independence Day, Valentine's Day, St. Patrick's Day, Cinco de Mayo, Halloween, and the day before Thanksgiving.
- 22) Live entertainment shall be limited to a maximum of 2 performers in the form of one lounge singer and either a second vocalist or an accompanying musician. Amplified music, a disc jockey and dancing is prohibited.
- 23) Televisions are prohibited as part of the business or live entertainment.
- 24) "Last call" for alcohol purchases shall occur thirty (30) minutes prior to closing.
- 25) Customers shall not be within the business after the specified closing time.
- 26) 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 seating 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.
- 27) Food service shall be provided at all times alcohol is served.
- 28) Gross receipts for the establishment must reflect 50% of all sales is for food items.
- 29) All doors and windows shall be closed during live entertainment performances.

- 30) The rear door, on 3rd Street, shall not be available to the public at any time.
- 31) Employees shall not use the rear door on 3rd Street as part of the service for the bar/lounge. The rear prep area must be accessed internally only.
- 32) The business shall comply with the City of Downey's noise ordinance, but in any case, no greater than 65 dBA as measured at the property line. Upon receiving complaints regarding noise levels, the Director of Community Development may order the preparation of a noise study. The City will hire a consultant to prepare a noise study, and said noise study shall be paid by the business owner. All mitigation measures identified in the noise study shall be implemented and become part of this Conditional Use Permit and shall have the force of conditions of approval.
- 33) Deliveries to the premises are prohibited between 10:00 P.M. and 7:00 A.M.
- 34) 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.
- 35) Cover charge for the admission to the business shall not be permitted at any time.
- 36) There shall be no hosted events or other form of pay-per-view events at this location.
- 37) The subject property, and adjacent 20 feet beyond each edge of the establishment on Downey Avenue and 3rd Street, must be maintained free of trash, litter, and debris at all times.
- 38) 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.
- 39) Any graffiti applied to the site shall be removed within 48 hours.
- 40) The owner/applicant shall not permit any loitering on the subject site.
- 41) All outdoor seating areas and encroachments into the public right-of-way must be in full compliance with Public Works ADA accessibility standards. Outdoor seating area cannot be installed until after an encroachment permit is obtained from the Department of Public Works.
- 42) A copy of this Resolution shall be maintained on the premises at all times. A copy of the Conditions of Approval 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.
- 43) The applicant is required to refurbish the exterior facades located at 8304-06 3rd Street to restore and enhance the existing art deco style elevation. At a minimum, refurbishment shall include new paint, removal of the doorway air conditioners to be

replaced with transom windows, removal of sign cabinet over the unit at 8304 3rd Street with repairs to the façade as needed. Restoration must be completed prior to issuance of a Certificate of Occupancy for the bar/lounge and be subject to approval of the City Planner.

- 44) All signs shall comply with the requirements set forth in the Downtown Downey Specific Plan and shall require separate permits.
- 45) The applicant is required to participate in the Downtown Parking Credits Program to comply with the parking requirements of the bar/lounge use due to the lack of on-site parking. The agreement will be prepared by the City and must be signed and returned by the applicant prior to issuance of building permits.

BUILDING DEPARTMENT

- 46) All construction shall comply with the most recent adopted City and State building codes:
 - a) 2019 California Building Code
 - b) 2019 California Electrical Code
 - c) 2019 California Mechanical Code
 - d) 2019 California Plumbing Code
 - e) 2019 California Fire Code
 - f) 2019 California Green Code
- 47) 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.
- 48) The Title Sheet of the plans shall include:
 - a) Occupancy Group
 - b) Occupant Load
 - c) Description of use
 - d) Type of Construction
 - e) Height of Building
 - f) Floor area of building(s) and/or occupancy group(s)
- 49) Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
- 50) All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
- 51) The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.

- 52) A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
- 53) 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.
- 54) Restaurants and commercial kitchens shall have a grease trap or interceptor sized as required by the City of Downey's Public Works Department.

POLICE

- 55) Prior to selling alcoholic beverages, the owner/applicant shall obtain any and all required Police Department permits for this Conditional Use Permit.
- 56) 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 City Official for purposes of verifying compliance with any of the Conditions of Approval of this approval, as well as with any Police Permit and approved Security Plan.
- 57) Signs shall be posted at all entrances to the premises and business identifying a zero-tolerance policy for nuisance behavior at the premises. Signs shall also include verbiage prohibiting the possession and consumption of alcohol outside the premises.
- 58) Signage on glass fence shall include a sign stating, "No alcohol beyond this point".
- 59) The owner/applicant shall not permit any loitering in front of the business.
- 60) A copy of this Resolution 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.
- 61) The Licensee shall be responsible for monitoring the business to prevent anyone under the age of 21 from purchasing or consuming alcohol.
- 62) 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.
- 63) The restaurant shall not charge patrons a cover charge at any time.
- 64) Upon the determination by the Chief of Police that the operation of the business requires on-site security, the applicant shall submit and obtain approval of a security plan to the Chief of Police. The number of security guards shall be determined by the Chief of Police and may be increased or decreased as the Chief of Police determines is necessary. The initial security plan shall be submitted to the Police Department within

fourteen (14) days of being requested. Should the Police Department request any additional information or modifications, the business owner/permittee shall submit said revisions within forty-eight (48) hours of notification.

PUBLIC WORKS

- 65) If applicable, all public utilities shall be installed underground.
- 66) Proposed public improvements in City right-of-way 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).
- 67) Owner/Applicant's contractor shall obtain permits from the Public Works Department for all improvements within the public right of way at least two weeks prior to commencing work. Contact Brian Aleman, Assistant Civil Engineer I, at (562) 904-7110 for information.
- 68) Remove all Underground Service Alert (USA) temporary pavement markings immediately following the completion of the work / Final permit inspection.
- 69) Any utilities that are in conflict with the development shall be relocated at the owner/applicant's expense.
- 70) The owner/applicant shall comply with the National Pollutant Discharge Elimination System (NPDES); Ordinance 1142 of the Downey Municipal Code (DMC). Furthermore, the applicant shall be required to Certify and append Public Works standard "Attachment A" to all construction and grading plans as required by the LACoDPW Storm water Quality Management Plan (SQMP).
- 71) 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.
- 72) If any hazardous material is encountered on the site, the owner/applicant shall secure an ID number from the EPA.
- 73) The owner/applicant shall deploy Best Management Practices during and after construction.
- 74) Complete a construction & demolition (C&D) waste management plan per Article V, Chapter 8 of the Downey Municipal Code.
- 75) 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

Attachment A

**Storm Water Pollution Control Requirements for Construction Activities
Minimum Water Quality Protection Requirements for All Development Construction
Projects/Certification Statement**

The following is intended as an attachment for construction and grading plans and represent the minimum standards of good housekeeping which must be implemented on all construction sites regardless of size.

- Eroded sediments and other pollutants must be retained on site and may not be transported from the site via sheetflow, swales, area drains, natural drainage courses or wind.
- Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
- 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.
- Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- 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.
- Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- 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 swept up immediately and may not be washed down by rain or other means.
- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.
- Other _____

As the project owner or authorized agent of the owner, I have read and understand the requirements listed above, necessary to control storm water pollution from sediments, erosion, and construction materials, and I certify that I will comply with these requirements.

Project Name: _____

Project Address: _____

Print Name _____
(Owner or authorized agent of the owner)

Signature _____ Date _____
(Owner or authorized agent of the owner)

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GENERAL NOTES:

CONTRACTOR & SUBCONTRACTOR SHALL VISIT THE SITE & THOROUGHLY FAMILIARIZE THEMSELVES WITH THE EXISTING CONDITIONS & BY SUBMITTING A BID, EACH CONTRACTOR & SUBCONTRACTOR ACCEPTS THE CONDITIONS UNDER HE/SHE WILL BE REQUIRED TO WORK.

THE CONTRACTOR SHALL CONFORM TO ALL REQUIREMENTS OF THE CITY OF DOWNEY, STATE OF CALIFORNIA & FEDERAL INCLUDING BUT NOT LIMITED TO THE FOLLOWING CALIFORNIA ADMINISTRATIVE CODE:

CODE INFORMATION COMPLIANCE AND LOCAL AMENDMENTS

- TITLE 24 BUILDING STANDARDS
2019 DOWNEY MUNICIPAL CODE
2019 CALIFORNIA RESIDENTIAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
2016 CALIFORNIA FIRE CODE

IN THE EVENT OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL APPLY.

ANY DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS & THE ACTUAL SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.

THESE DRAWINGS MAY NOT BE TO SCALE AND ARE FOR ILLUSTRATION PURPOSES ONLY. THE CONTRACTOR IS REQUIRED TO VERIFY DIMENSIONS AND CONDITIONS IN THE FIELD, EACH CONTRACTOR & EACH SUBCONTRACTOR SHALL ALSO MAKE RESPONSIBLE FOR THEIR ACCURACY.

DIMENSIONS TAKE PRECEDENCE OVER SCALE SHOWN ON PLANS SECTIONS & DETAILS.

CONTRACTOR SHALL PROVIDE SANITARY FACILITIES DURING CONSTRUCTION.

OPENINGS SHALL NOT BE PLACED IN BEAMS, JOIST, COLUMNS, BEARING WALLS, UNLESS SPECIFICALLY DETAILED OR NOTED ON THE STRUCTURAL DRAWINGS. BEFORE PROCEEDING WITH THE WORK, THE CONTRACTOR SHALL NOTIFY THE ENGINEER WHEN DRAWINGS BY OTHERS SHOW OR REQUIRED SUCH OPENINGS, CHASES, ETC.

THE CONTRACTOR SHALL REMOVE FROM THE SITE ALL TRASH, WASTE, RUBBISH & DEBRIS RESULTING FROM HIS/HER WORK AND/OR OPERATION.

MATERIALS DELIVERED TO THE CONSTRUCTION SITE SHALL BE PROTECTED FROM RAIN OR OTHER SOURCES OF MOISTURE.

LIABILITY NOTES:

TO THE BEST OF MY KNOWLEDGE THESE PLANS ARE DRAWN TO COMPLY WITH OWNER'S AND/ OR BUILDER'S SPECIFICATIONS AND ANY CHANGES MADE ON THEM AFTER PRINTS ARE MADE WILL BE DONE AT THE OWNER'S AND / OR BUILDER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ENCLOSED DRAWING. T.D. CONCEPT IS NOT LIABLE FOR ERRORS ONCE CONSTRUCTION HAS BEGUN. WHILE EVERY EFFORT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID MISTAKES, THE MAKER CAN NOT GUARANTEE AGAINST HUMAN ERROR. THE CONTRACTOR OF THE JOB MUST CHECK ALL DIMENSIONS AND OTHER DETAILS PRIOR TO CONSTRUCTION AND BE SOLELY RESPONSIBLE THEREAFTER.

SEPARATE PERMITS:

SIGNS, PLUMBING, MECHANICAL & ELECTRICAL WORK

BELLA LOUNGE

BUILDING AREA ANALYSIS

LOT SIZE: 10,795 SQ. FT.

E. SPACE TO BE REMODELED AS NEW LOUNGE 1,769 SQ. FT.

SCOPE OF WORK

1. EXISTING RETAIL SPACE BUILDING TO BE REMODELED AS BAR & WINE / CHARCUTERIE

PROPOSED TI CHANGES OCCUPANCY USE FROM A BUSINESS GROUP B TO AN ASSEMBLY GROUP A-2

- a) AREA TO BE REMODELED (1,769 SQ. FT.)
b) NEW BAR AREA
c) NEW SITTING AREA
d) 2 NEW UNISEX ADA RESTROOMS
e) NEW PATIO AREA

2. EXISTING FACADE TO BE REMODELED

3. CHARCUTERIE RESTAURANT MENU TO BE PREPACKAGE READY TO PRESENTATION AND SERVE PLANK PLATES (FOOD TO BE PREPARED AND PACKAGED AT JOSEPH'S BAR AND GRILL

- a) CHARCUTERIE PLANK
b) CHEESE PLANK
c) OLIVE PLATES
d) CAPRESE STICKS
e) HUMMUS AND PITA PLATTER

INDEX

- T-1 TITLE SHEET
A-1 EXISTING SITE PLAN
A-2.1 EXISTING & NEW FLOOR PLAN
A-2.2 OCCUPANCY FLOOR PLAN
A-3.1 ELEVATIONS
A-3.2 RENDERINGS
M-1 MATERIAL SPECS

PROJECT SITE INFO:

11002 DOWNEY AVE
DOWNEY, CA 90241

PARCEL #: 6254 - 019 - 001
OCCUPANCY: A-2
ZONING: DD5P
ONE STORY BUILDING
TYPE V-B CONSTRUCTION
FIRE SPRINKLERS: NO
USE: COMMERCIAL
SUB OF BLK 15 OF THE TRACT OF THE DOWNEY LAND ASS'N NW 85 FT (EX OF ST) OF LOT 1 AND NE 52 FT OF NW 85 FT (EX OF ST) OF LOT 2 BLK 15

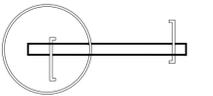
VICINITY MAP :



OPERATION INFO

FOOD TO BE PREPARED AND PACKAGE AT THE KITCHEN AREA

- 1. LAST CALL TO BE 1:30 AM
2. Sunday - Thursday
a) ONE Security Guard: 4:00 p.m. - 2:00 a.m.
4. Friday and Saturday.
a) 2 - Security Guards: 4:00 p.m. - 2:00 a.m. (with option to add a 3rd Security if Need it to monitor outdoor area)
5. LIVE MUSIC Friday and Saturday. (Max 4 members no drums and/or Amplified Acoustic Unplug Music only)



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DATE

REVISIONS:

Table with 7 rows for revision tracking, numbered 1 to 7.

OWNER: SIMON SIMONIAN
PH: (213) 550-8898

ASSESSOR #: 6254 - 019 - 001

T.I. / CHANGE OF USE

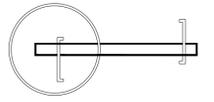
JOB ADDRESS: 11002 DOWNEY AVE
DOWNEY, CA 90241

PROJECT INFORMATION

JOB NO. 19-005

DRAWN BY: A.G.

DATE: Jan. 2019



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

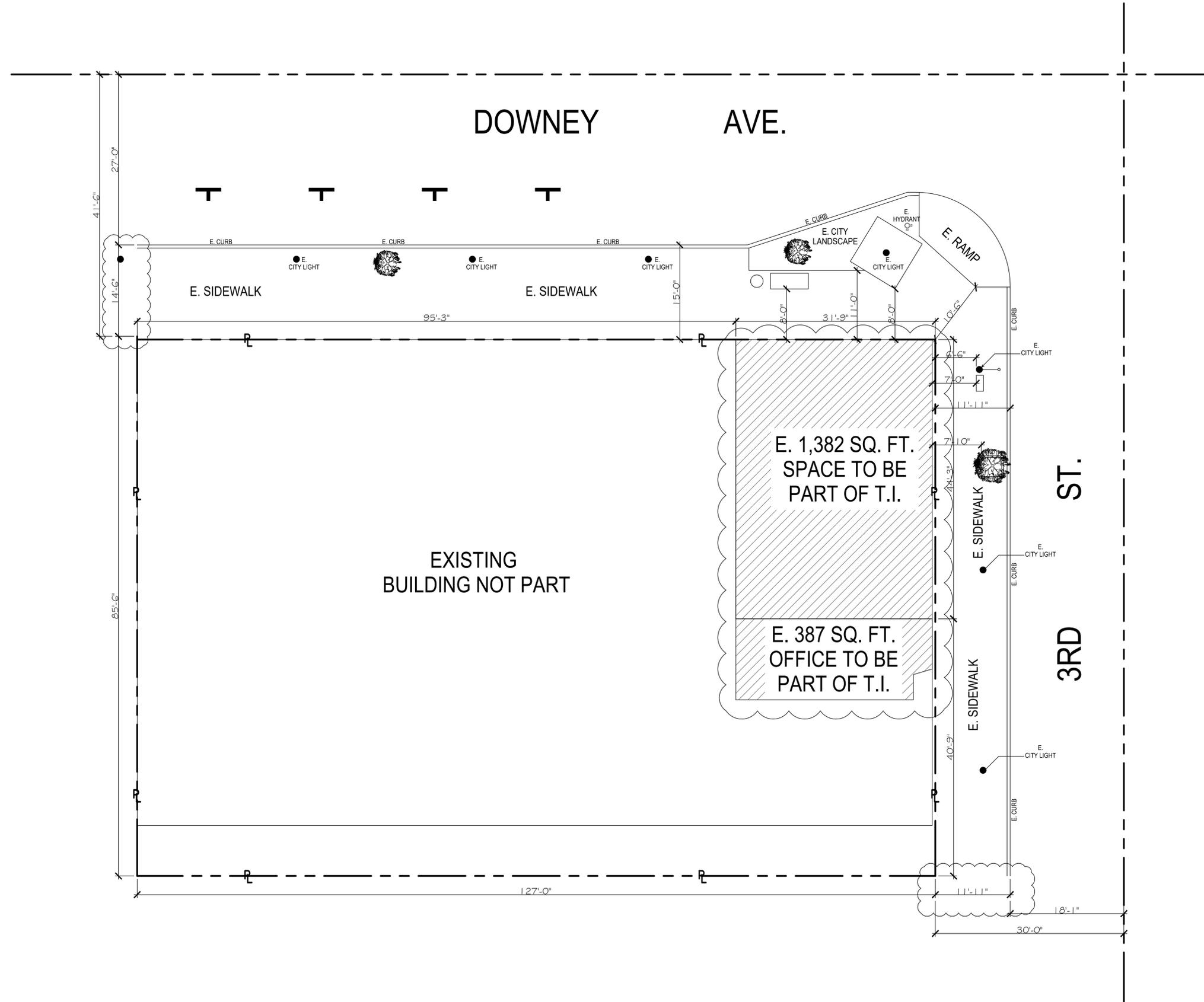
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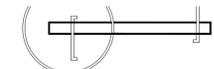
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DATE: Jan. 2019

A-1

PC AGENDA PAGE 27





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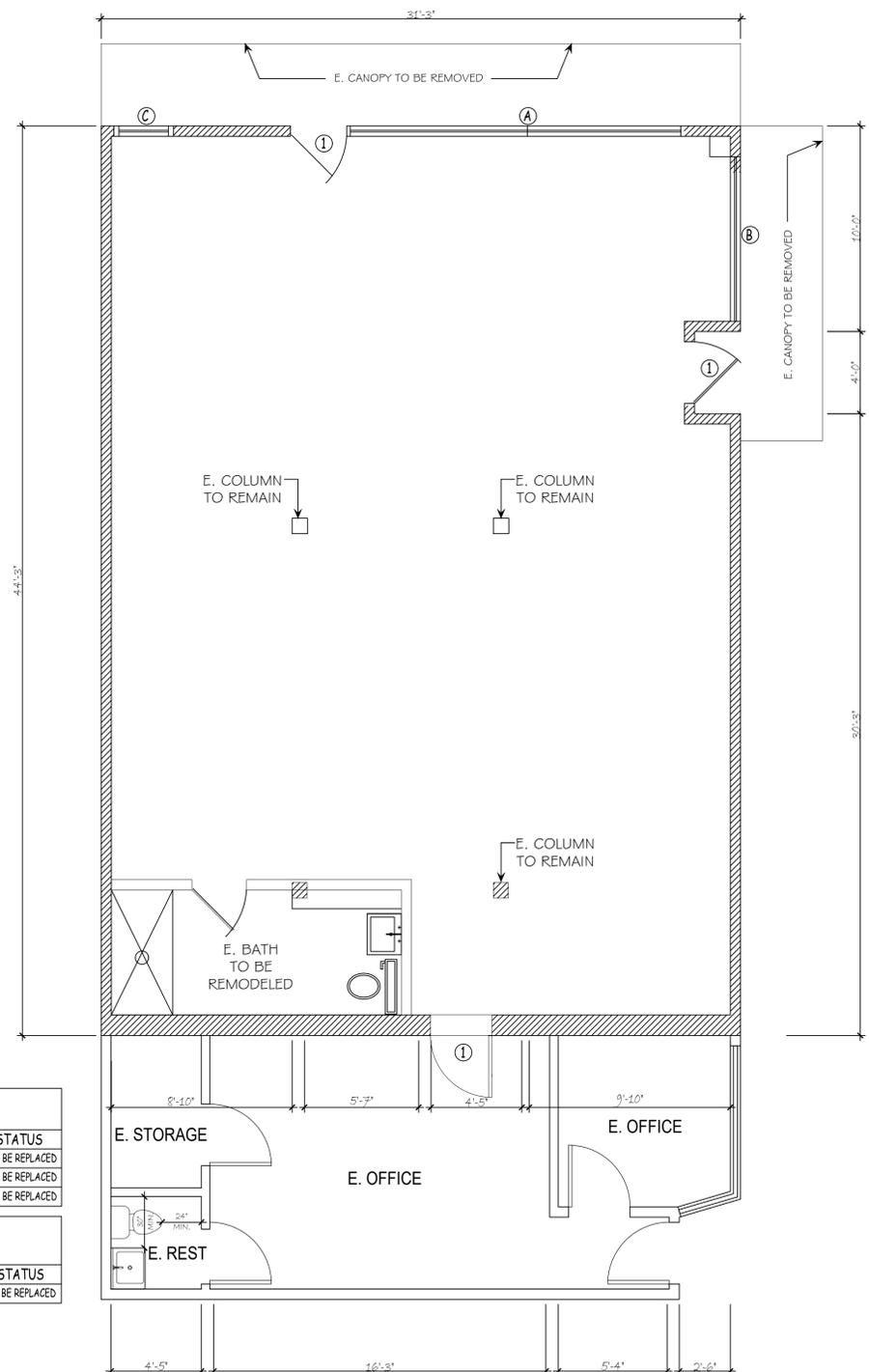
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DRAWN BY: A.G.

DATE: Jan. 2019

A-2.1

PC AGENDA PAGE 28



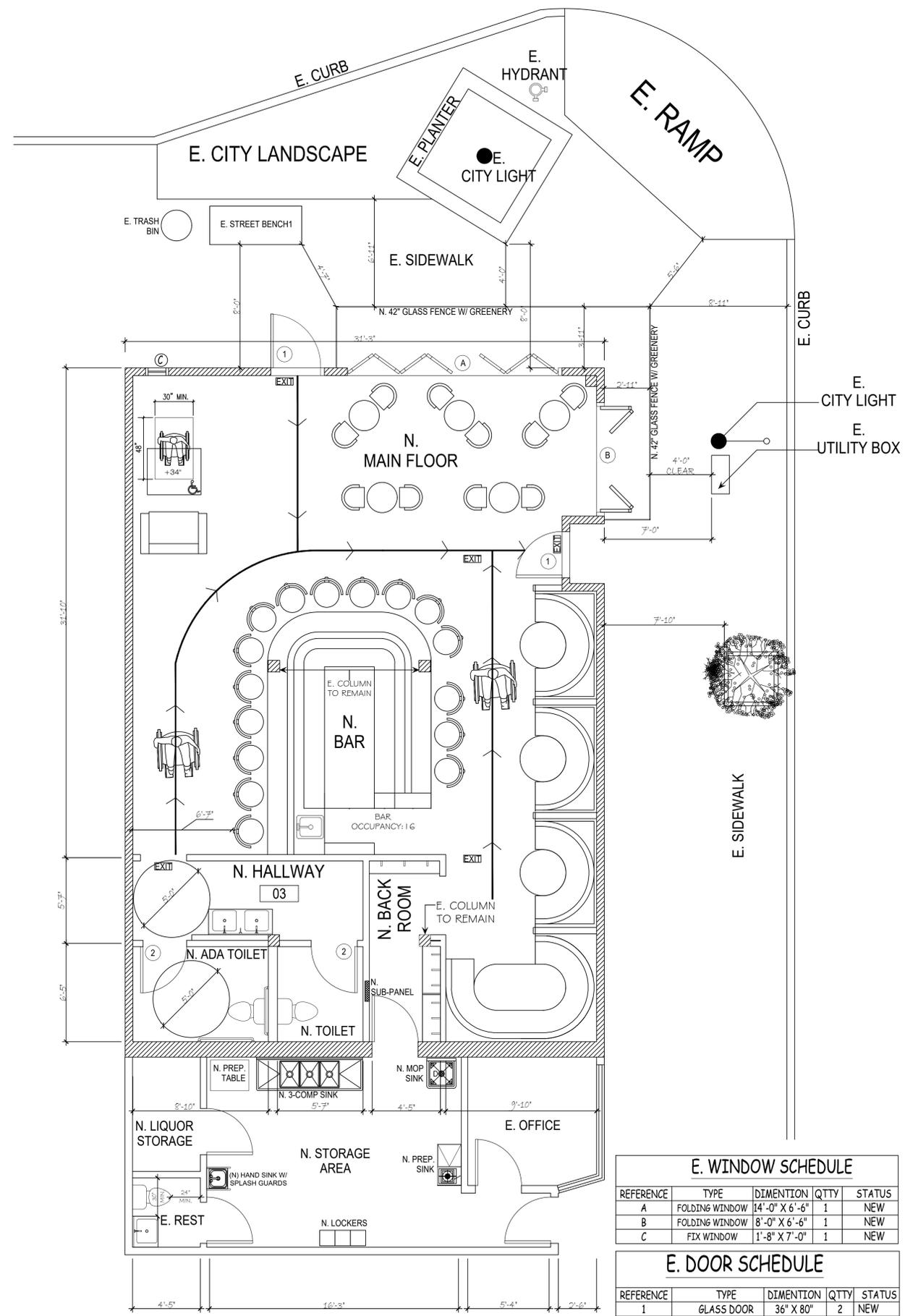
E. FLOOR PLAN
SCALE: 1/4" = 1'-0"

E. WINDOW SCHEDULE

REFERENCE	TYPE	DIMENTION	QTTY	STATUS
A	FIX WINDOW	15'-0" X 6'-6"	1	TO BE REPLACED
B	FIX WINDOW	8'-0" X 6'-6"	1	TO BE REPLACED
C	FIX WINDOW	3'-0" X 7'-0"	1	TO BE REPLACED

E. DOOR SCHEDULE

REFERENCE	TYPE	DIMENTION	QTTY	STATUS
D01	GLASS DOOR	36" X 80"	3	TO BE REPLACED



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

E. WINDOW SCHEDULE

REFERENCE	TYPE	DIMENTION	QTTY	STATUS
A	FOLDING WINDOW	14'-0" X 6'-6"	1	NEW
B	FOLDING WINDOW	8'-0" X 6'-6"	1	NEW
C	FIX WINDOW	1'-8" X 7'-0"	1	NEW

E. DOOR SCHEDULE

REFERENCE	TYPE	DIMENTION	QTTY	STATUS
1	GLASS DOOR	36" X 80"	2	NEW
2	HOLLOW CORE	36" X 80"	2	NEW

OCCUPANCY: A-2

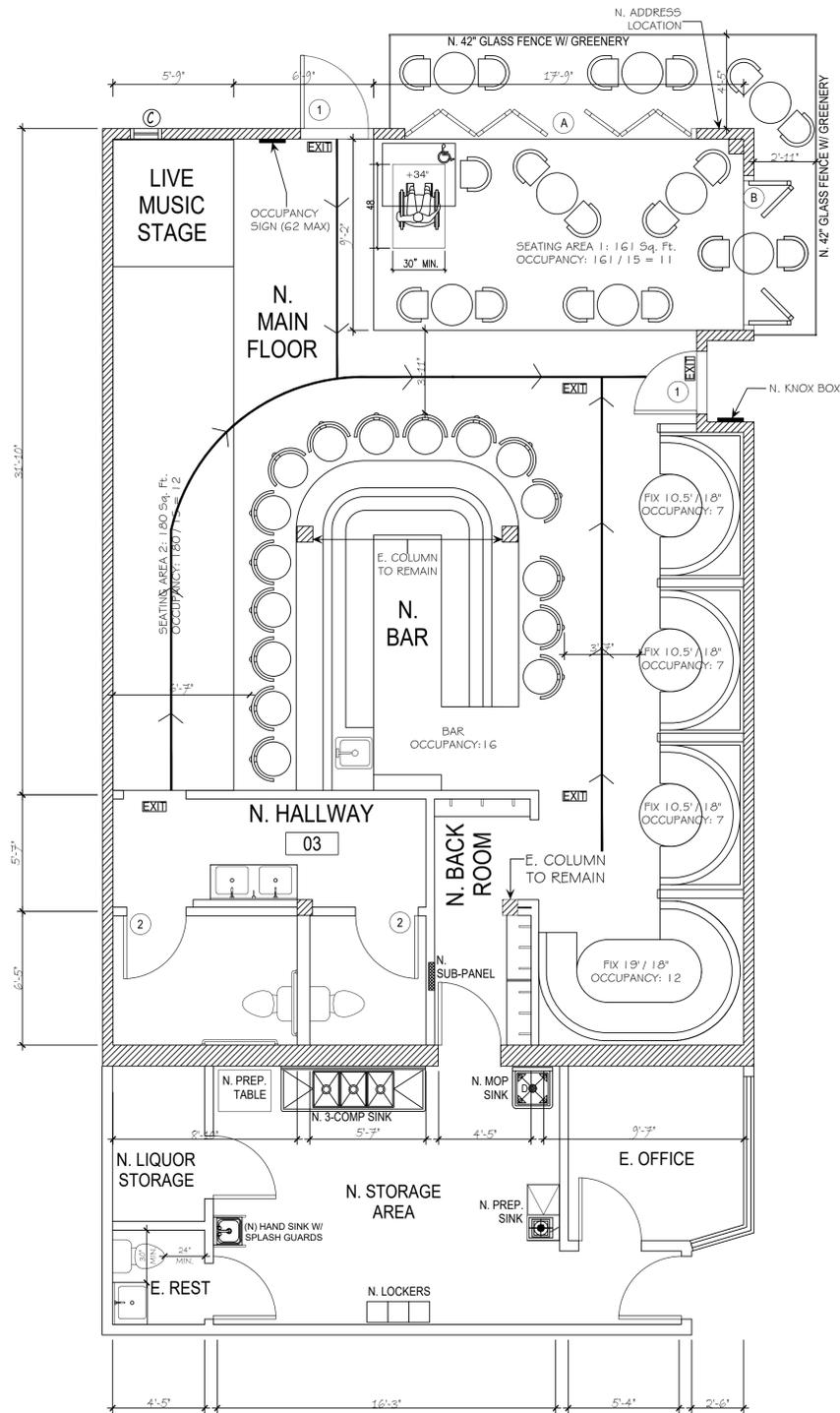
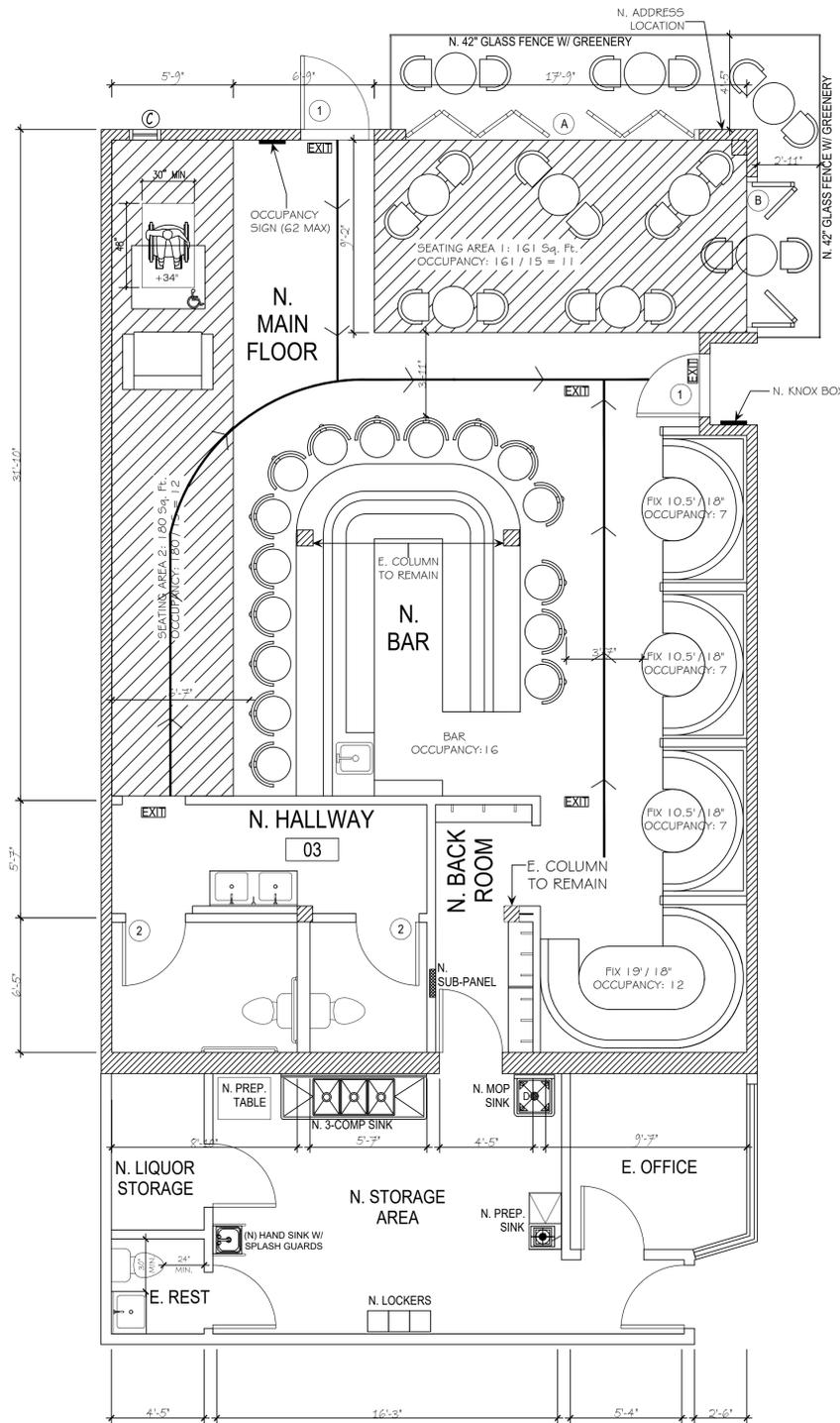
SEATING AREA CALCULATION

BAR AREA: 16 STOOLS

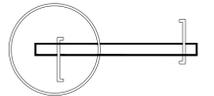
NON FIX SEATING AREA: 23 SPACES

FIX SEATING AREA: 23 SPACES

EXIT EXIST SIGN (PER FIRE CODE)



N. LIVE MUSIC ALTERNATE FLOOR PLAN
SCALE: 1/4" = 1'-0"



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ASSESSOR #: 6254 - 019 - 001

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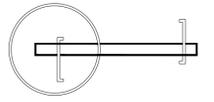
OCCUPANCY FLOOR PLAN
SCALE: 1/4" = 1'-0"

JOB NO. 19-005

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DATE: Jan. 2019

A-2.2



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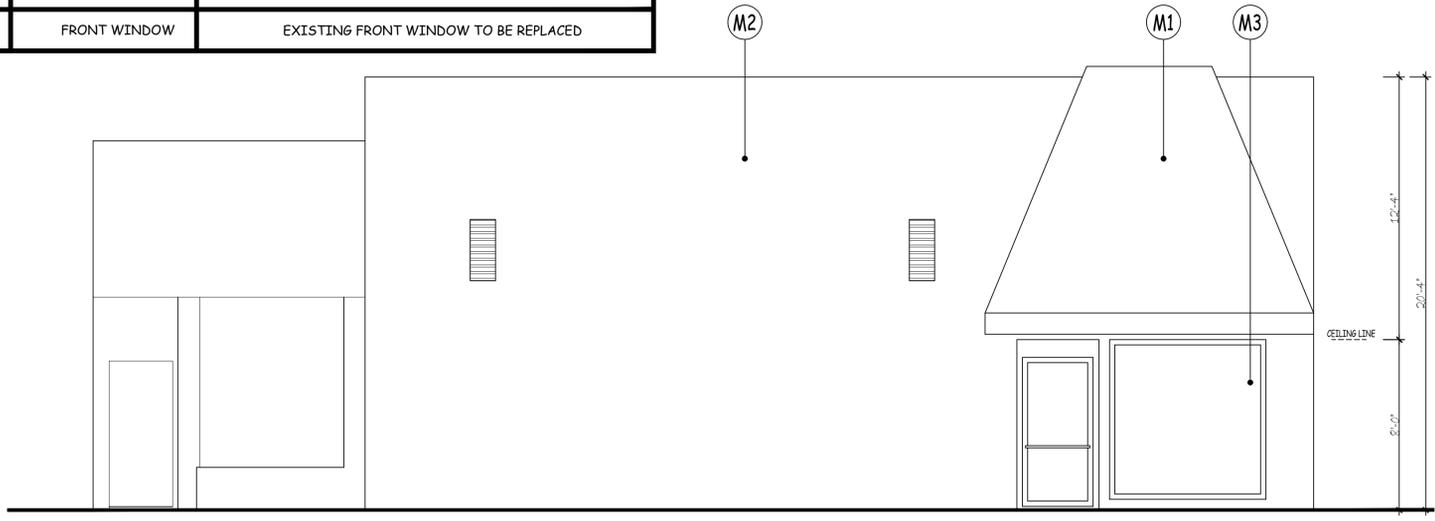
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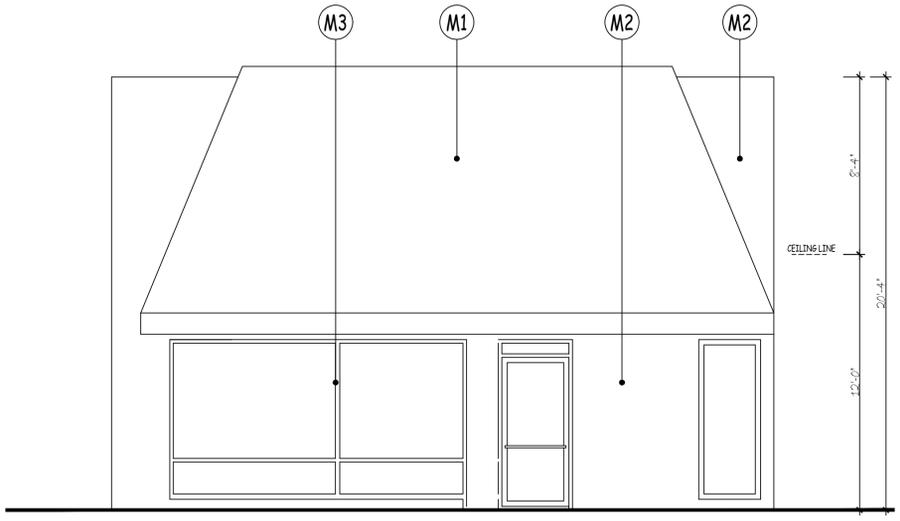
REVISIONS:

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EXISTING ELEVATIONS MATERIAL SCHEDULE		
SYMBOL	DESCRIPTION	NOTES
M1	CANOPY	EXISTING CANOPY TO BE REMOVED
M2	PARAPET WALL	EXISTING PARAPET WALL TO REMAIN W/ STUCCO TO BE REPAIR
M3	FRONT WINDOW	EXISTING FRONT WINDOW TO BE REPLACED

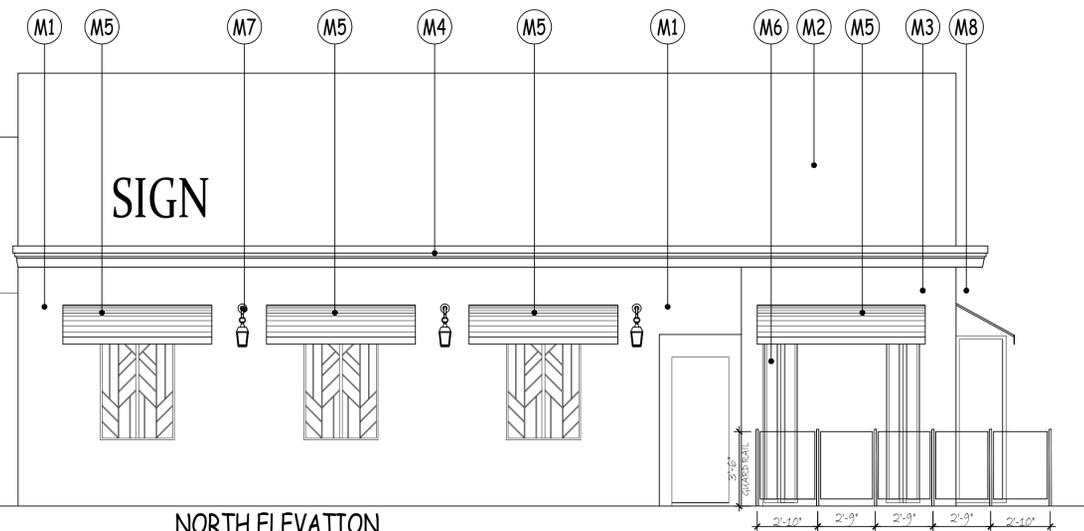


EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"

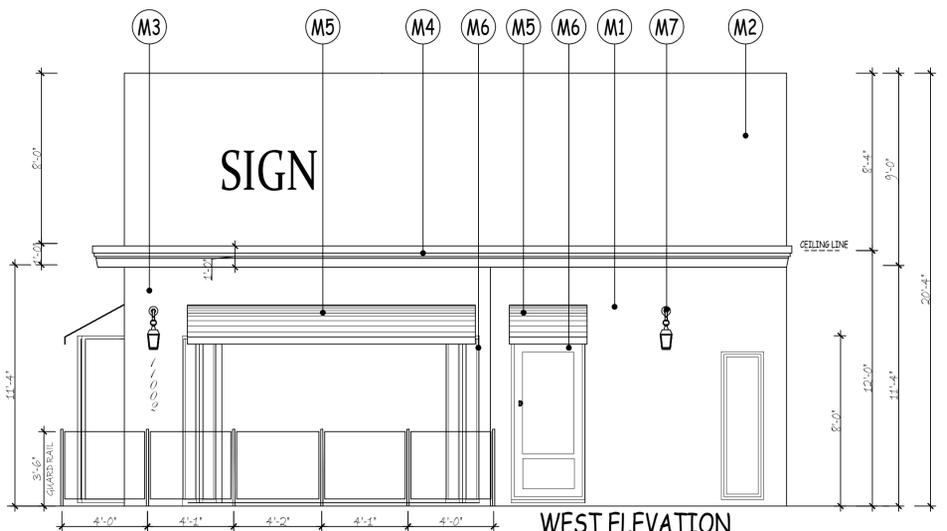


EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

NEW ELEVATIONS MATERIAL SCHEDULE		
SYMBOL	DESCRIPTION	NOTES
M1	NEW STUCCO	MF'R: TBD CONTRACTOR STYLE: EXTERIOR STUCCO MATERIAL: SMOOTH FINISH COLOR: TO MATCH SHERWIN WILLIAMS - SW 7004
M2	WOOD WALL PANELING	MF'R: URBAN EVOLUTIONS STYLE: URBAN WOOD - ASH COLOR: CHARCOAL H20 FINISH: POLISHED SIZE: UNFINISHED NOTES: 4.25" W x 3/4" D x variable lengths
M3	METAL WALL PANELING	MF'R: BRIDGER STEEL STYLE: FLAT PANEL - SHIPLAP WALL 24 GAUGE COLOR: COAL BLACK RAWHIDE SIZE: 16" W x 1" D x variable length
M4	CORNICE	MF'R: B&B STYLE: WILLIAMSBURG CORNICE FINISH: MIDNIGHT SIZE: TBD BY CONTRACTOR
M5	AWNING SHADE	MF'R: SUNBRELA STYLE: BLACK ID: 80008-0000
M6	GLASS DOORS TRIM	MF'R: TBD COLOR: TIGER DRYLAC 049/20180/BRASS FINISH: BRASS HGL/SM NOTES: EXTERIOR QUALITY
M7	LIGHT	MF'R: ULTRALIGHTS ITEM ID: 476 FINISH: ANCIENT IRON / OPAL DIMENSIONS: 14" h x 8.25" w x 5" Ø
M8	NEW 42" GLASS GUARDRAIL	MF'R: CUSTOM COLOR: CLEAR GLASS DIMENSIONS: 42"



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



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

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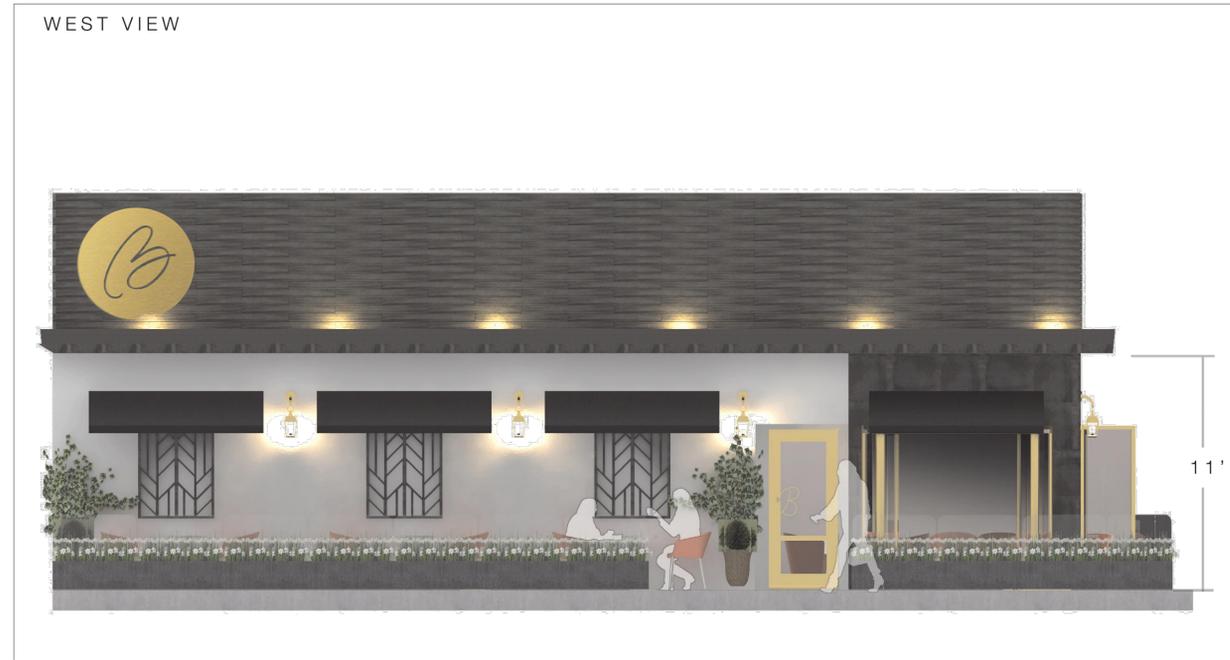
ELEVATIONS
SCALE: 1/4" = 1'-0"

JOB NO. 19-005
DRAWN BY: A.G.
DATE: Jan. 2019

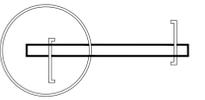
NORTH VIEW



WEST VIEW



3D ISOMETRIC RENDER



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ELEVATIONS
SCALE: 1/4" = 1' - 0"

JOB NO. 19-005

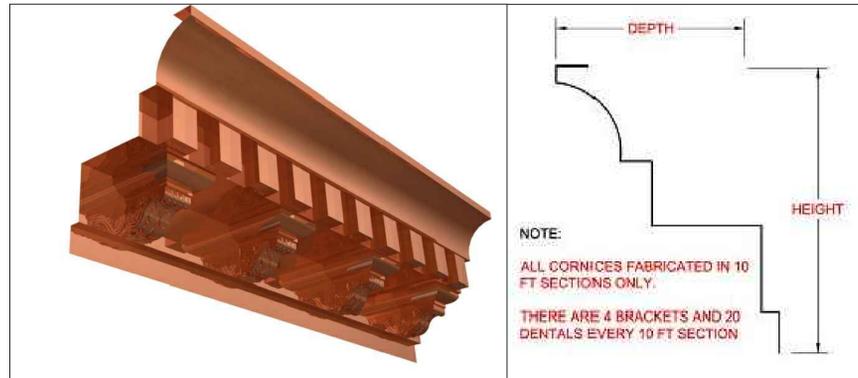
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A-3.2

PC AGENDA PAGE 31

CORNICE



BRIDGERSTEEL CREATE LASTING BEAUTY
SHIPLAP WALL

12" or 16" Coverages
Rigid Insulated Foam or Backer Recommended
Enlarged Fastener Assembly

Wall Coverage	12"-16"
Reveal Widths	Flush to 1"
Panel Gauges	24", 26, 28
Fastener Options	Concealed Fastener
Panel Length	3' to 30'+
Relief Height	3/8"
Variegated Assembly	Available
Stiffener Options	None, Single V, Double V
Striations	Available
Warranty	Based on Paint System
For more information	1.877.783.3568

Panel Overlap Detail
1. Underlayment: Semi-Permeable Vapor Barrier
2. Substrate: Plywood substrate material shown

Bridger Steel Inc. | www.BridgerSteel.com | 1-877-STEEL-MT

BRIDGERSTEEL CREATE LASTING BEAUTY
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steelscape

24 GA RAWHIDE FINISHES

LET THE TEXTURED STYLE OF OUR RAWHIDE FINISHES MAKE A STATEMENT ON YOUR NEXT PROJECT. THIS MODERN FINISH BRINGS DEPTH AND VISUAL INTEGRITY TO RESIDENTIAL AND COMMERCIAL PROJECTS. THE SCRATCH-RESISTANT COATING AND SUBTLE TEXTURE MAKE RAWHIDE THE PERFECT CHOICE FOR LONG LASTING ROOFING, SIDING AND INTERIOR DESIGN.

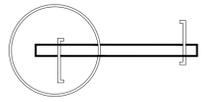
RAWHIDE FINISHES HAVE BEEN TESTED FOR THE TIGHTEST BENDS TO ENSURE OUTSTANDING FORMABILITY WITHOUT LOSING STYLE OR INTEGRITY. THIS FINISH STANDS UP TO SOLVENTS ENSURING EXCELLENT ADHESION OF COATING TO STEEL SURFACE.

RUSTIC

HICKORY SLATE GRAY STEEL GRAY ASH GRAY BURNISHED SLATE

APACHE CHILI POWDER HARTFORD GREEN DARK WALNUT COAL BLACK

RAWHIDE 0719 2.5M



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JOB ADDRESS: 11002 DOWNEY AVE
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MATERIAL SPECS

JOB NO. 19-005

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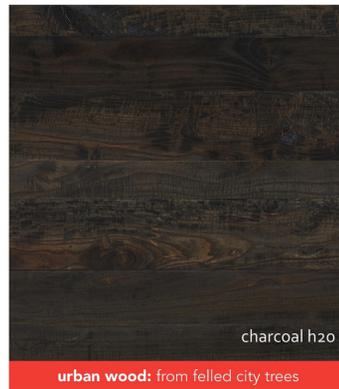
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URBAN WOOD: Ash FLOORING AND CLADDING

Our Urban Wood Program is about working with municipalities to take possession of felled trees to create beautiful live sawn wall paneling, flooring, and tabletops for commercial and residential spaces.

We offer flooring and cladding in Ash, Elm and Maple. Pictured here is our Ash finished in Charcoal H2o.



MATERIAL SPECIFICATIONS

WIDTHS	2 3/4", 3 3/4", 4 3/4"
THICKNESS	3/4"
LENGTHS	random
MILLED PROFILE	t8g with microbevel or square edge
FINISH	unfinished or prefinished

CHARACTER/GRADE Solid wood flooring is an organic material and as such natural variations in grain and colors patterns should be expected. Prefinished flooring will have small open knots and non-structural checks filled with epoxy. With prefinished cladding, we do not fill small knots and checks. We recommend applying cladding to a darkened surface.

CONSIDERATIONS Prior to placing your order and installing our product, please visit <https://urbanevolutions.com/wood-flooring-considerations> for flooring and <https://urbanevolutions.com/cladding-considerations> for cladding.

CARE INSTRUCTIONS Please contact your Urban Evolutions Sales Representative.

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FLOORING <https://urbanevolutions.com/flooring/>

CLADDING <https://urbanevolutions.com/materials/reclaimed-cladding-panelling/>



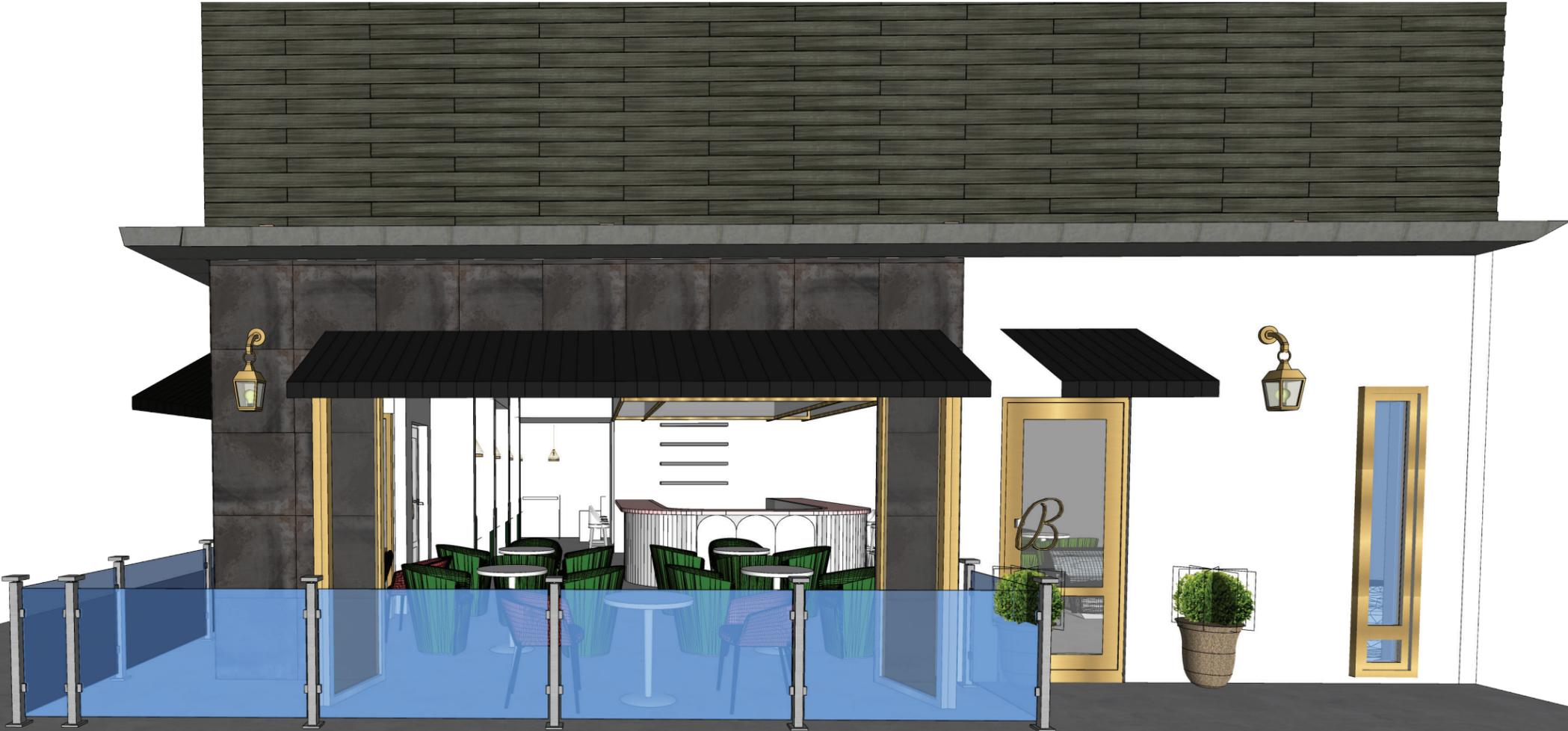
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(920) 380-4184 fax
2401 W. College Avenue Appleton, WI 54914
urbanevolutions.com

BELLA LOUNGE

E X T E R I O R R A I L I N G U P D A T E

D O W N J U L Y 2 0 2 0
E Y - C A L I F O R N I A

NORTH VIEW



WEST VIEW



ENTRY VIEW



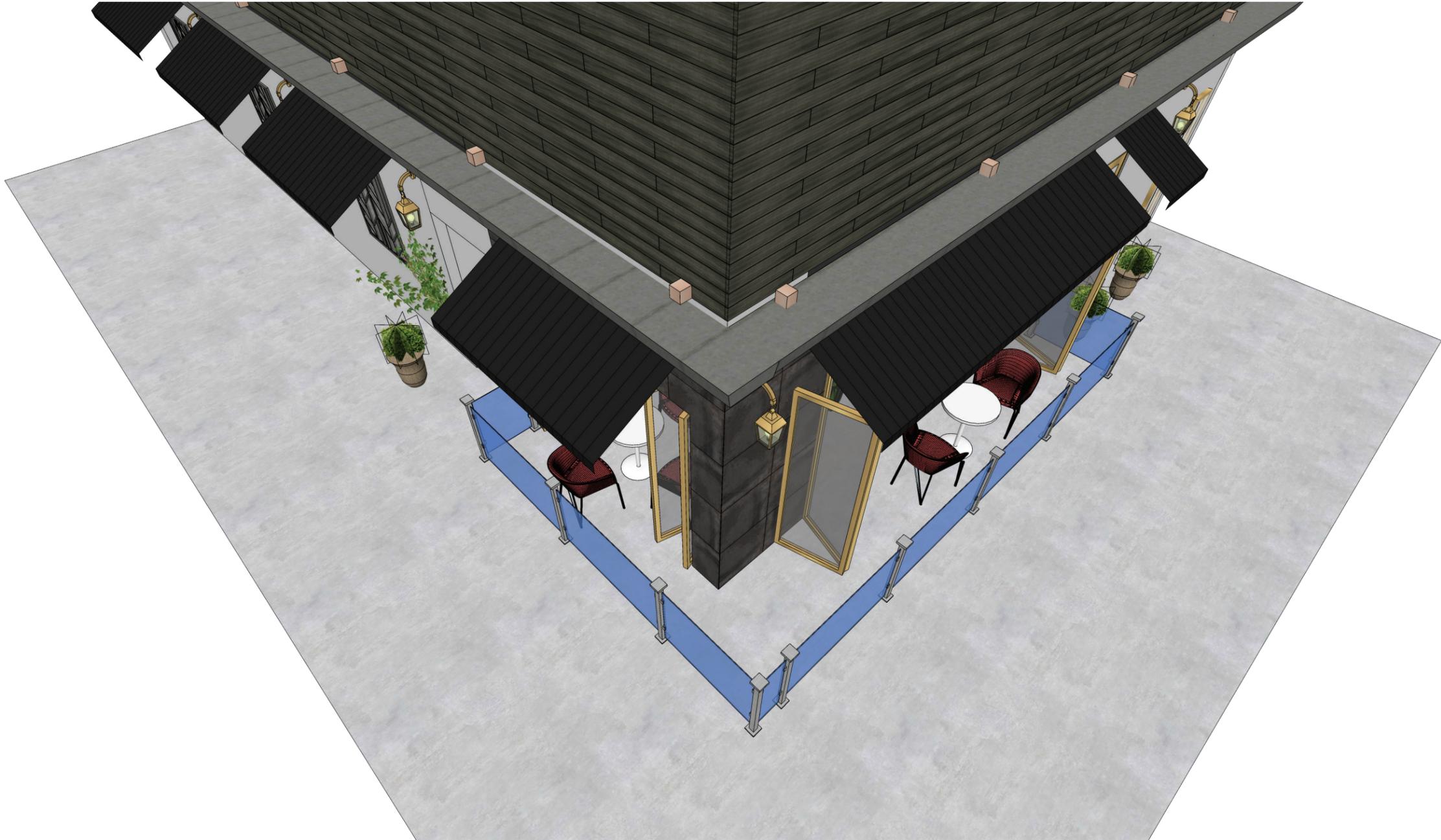
SIDE ENTRY VIEW



CORNER VIEW



TOP VIEW





DATE: AUGUST 5, 2020

TO: PLANNING COMMISSION

SUBMITTED BY: ALDO E. SCHINDLER, DIRECTOR OF COMMUNITY DEVELOPMENT 

REVIEWED BY: CRYSTAL LANDAVAZO, CITY PLANNER 

PREPARED BY: ALFONSO HERNANDEZ, SENIOR PLANNER ^{AH}

SUBJECT: PLN-20-00075 (GENERAL PLAN CONSISTENCY) – A REQUEST TO FIND THAT THE RANCHO LOS AMIGOS RESTORATIVE CARE VILLAGE PROJECT IS CONSISTENT WITH THE GENERAL PLAN.

LOCATION: 7601 IMPERIAL HIGHWAY, DOWNEY, CA

ZONING: R-1 5,000 (SINGLE-FAMILY RESIDENTIAL)

REPORT SUMMARY

The County of Los Angeles plans to redevelop approximately 6 acres of the Rancho Los Amigos North Campus. The final product will expand medical services provided by the Los Angeles County Department of Health Services. The Project has been titled the “Restorative Care Village”, operated by the Rancho Los Amigos National Rehabilitation Center.

According to Section 65402(b) of the state’s Planning and Zoning Laws, “A county shall not construct or authorize a public building or structure within the corporate limits of a city, if such city has adopted a General Plan, until the location, purpose and extent of such public building or structure have been submitted to and reported on by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof.” The County of Los Angeles therefore seeks the Downey Planning Commission’s determination that it’s proposed Rancho Los Amigos Restorative Care Village Project conforms to the Downey General Plan.

BACKGROUND

The Rancho Los Amigos North Campus is a 48-acre site located in the southwest portion of the City. Founded in 1888, Rancho Los Amigos is the only rehabilitation hospital for Los Angeles County and provides unique and vital services for an underserved population. Each year, according to the Department of Health Services the hospital provides care to approximately 4,000 inpatients and 71,000 outpatients, making it one of the largest rehabilitation centers in the nation.

In 2015, the Planning Commission approved a general plan consistency, via minute action, for the new construction and renovation of over 766,000 square feet. The project was titled the Rancho Los Amigos North Campus Consolidated Plan. Specifically the project aimed to comply with relevant seismic retrofit legislation and simultaneously update inpatient /outpatient facilities. The consolidated plan includes various phases, but the 2015 proposal specifically focused on the expansion of the hospital's outpatient facility centrally located within the campus, a multi-story parking structure located to the west of the campus, and a new 112,00 square foot centrally located outpatient facility. Although major renovation provided much needed updates to the campus as a whole, the project neglected various portions of the 48-acre campus. Redevelopment of other areas was deferred to a future date. The County of Los Angeles now proposes to complete the portion located to the northeast directly adjacent to the intersection of Rives Avenue and Quill Drive.

DISCUSSION

The County of Los Angeles proposes the construction of six new two-story buildings totaling 180,000 square feet. The new buildings will operate as three different facilities: the Skilled Nursing Facility, the Residential Treatment Program, and the Recuperative Care Center. These facilities will have a combined number of 483 beds for both inpatient and outpatient services. The project holds a combined budget of \$65,127,000.

With respect to the Downey General Plan – Vision 2025, the proposed project will implement several of the Plan's goals and policies as follows:

Program 1.1.3.1.: Encourage land use that generates jobs.

Rancho Los Amigos is the City's largest employer, with about 2,500 employees. The proposed project will expand services and introduce new ones not already provided at the hospital which will require additional personnel and create potential employment opportunities for Downey residents and nearby communities.

Goal 4.6.: Conserve energy resources.

Policy 4.6.1.: Promote the conservation of energy by residents and business to conserve energy

The project is designed to achieve the United States Green Building Council LEED Gold level certification by incorporating sustainable design feature to optimize energy and water use efficiency, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources.

Goal 5.9.: Promote the well-being and general health of those that live and work in Downey

Policy 5.9.1.: Support the provision of health care services

Program 5.9.1.1.: Encourage the establishment and expansion of uses providing health care services and areas designated for health care services.

Currently, Rancho Los Amigos operates at a yearly capacity of approximately 4,000 inpatient and 71,000 outpatients with 540 hospital beds. These figures, as well as the overall services provided, are expected to increase with the addition of 438 hospital beds (81% increase) and an increase of 180,000 square feet of hospital space.

ENVIRONMENTAL ANALYSIS

Staff has reviewed the General Plan Consistency for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review staff has determined that CEQA is not applicable to this action, pursuant to CEQA Guideline Section No. 15061 (b)(3). A finding of consistency with the City's General Plan does not approve, adopt, or fund the aforementioned project.

RECOMMENDATION

Staff recommends that the Planning Commission adopt a Minute Action making the determination that the County of Los Angeles' proposed Rancho Los Amigos Restorative Care Village Project conforms to the Downey General Plan.

RESOLUTION NO. 20-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY ADOPTING A FINDING THAT THE RANCHO LOS AMIGOS RESTORATIVE CARE VILLAGE IS CONSISTENT WITH THE GENERAL 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. The City of Downey General Plan (Vision 2025) was adopted on January 25, 2005; and,
- B. On September 22, 2015, the Planning Commission adopted a finding of General Plan consistency for the County of Los Angeles multi-phase Rancho Los Amigos North Campus Consolidated Plan; and,
- C. On July 23, 2020, the County of Los Angeles requested a finding of General Plan Consistency for phase two of the Rancho Los Amigos North Campus Consolidated Plan: Restorative Care Village project; and,
- D. Pursuant to State of California Government Code Section 65402(b), a county shall submit and report on new public buildings and structures to the planning agency having jurisdiction and verify conformity with the jurisdiction's adopted general plan; and,
- E. On August 5, 2020, the Planning Commission reviewed said request and considered all factors relating to the General Plan consistency for the Rancho Los Amigos Restorative Care Village project.

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).

SECTION 3. The Planning Commission does hereby find and determine that the Rancho Los Amigos Restorative Care Village is consistent with the City of Downey's adopted General Plan because the project contained herein is consistent with the following General Plan goals and policies:

Program 1.1.3.1.: Encourage land use that generates jobs.

Rancho Los Amigos is the City's largest employer, with about 2,500 employees. The proposed project will expand services and introduce new ones not already provided at the hospital which will require additional personnel and create potential employment opportunities for Downey residents and nearby communities.

- Goal 4.6.: Conserve energy resources.**
Policy 4.6.1.: Promote the conservation of energy by residents and business to conserve energy

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- Goal 5.9.: Promote the well-being and general health of those that live and work in Downey**
Policy 5.9.1.: Support the provision of health care services
Program 5.9.1.1.: Encourage the establishment and expansion of uses providing health care services and areas designated for health care services.

Currently, Rancho Los Amigos operates at a yearly capacity of approximately 4,000 inpatient and 71,000 outpatients with 540 hospital beds. These figures, as well as the overall services provided, are expected to increase with the addition of 438 hospital beds (81% increase) and an increase of 180,000 square feet of hospital space.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 5th day of August 2020.

Miguel Duarte, Chairman
City Planning Commission

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof, held on the 5th day of August 2020, by the following vote, to wit:

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

Mary Cavanagh, Secretary
City Planning Commission

**DRAFT MINUTES
DOWNEY CITY PLANNING COMMISSION
WEDNESDAY, MAY 20, 2020
CITY COUNCIL CHAMBERS, 11111 BROOKSHIRE AVENUE
DOWNEY, CALIFORNIA
6:30 P.M.**

Chair Duarte called the May 20, 2020, Regular Meeting of the Planning Commission to order at 6:50 p.m., via Teleconference at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. After the flag salute, Secretary Cavanagh called roll.

COMMISSIONERS PRESENT: Patrick Owens, District 2
Dimitrios Spathopoulos, District 4
Nolveris Frometa, District 5, Vice Chair
Miguel Duarte, District 1, Chair

COMMISSIONERS ABSENT: Steven Dominguez, District 3

OTHERS PRESENT: Aldo E. Schindler, Director of Community Development
Yvette Abich Garcia, City Attorney
Crystal Landavazo, City Planner
Guillermo Arreola, Principal Planner
Alfonso Herrera, Senior Planner
Irving Anaya, Associate Planner
Madalyn Welch, Assistant Planner
Mary Cavanagh, Secretary

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

PRESENTATIONS: None.

REPORT ON CITY COUNCIL ACTION: Director of Community Development Aldo Schindler reported the City Council approved a lease agreement for a new cell tower located in the Public Works Yard on Bellflower Boulevard adjacent to the Independence Park that was previously approved by the Planning Commission. Additionally, Staff applied for a grant from the State Housing Community Development Department to assist with the cost of our future Housing Element update, that is an update of our Housing stock and future Housing Development capacity. This is a 15-month study that will consist of presentations to the Planning Commission followed by their approval and recommendation to the City Council.

PUBLIC HEARINGS:

1. **PLN-19-00191 (Conditional Use Permit):** Chair Duarte opened the public hearing for PLN-19-00191 and Ms. Cavanagh affirmed proof of publication.

Senior Planner Alfonso Hernandez presented the request by the Bar Louie Restaurant to operate with live entertainment (disc-jockey, karaoke, and open microphone), on property located at 8860 Apollo Way and zoned TLSP (Tierra Luna Specific Plan). The proposed hours for live entertainment are Thursday through Sunday from 9:00 p.m. to 1:30 a.m. with (4) four security guards present while live entertainment is hosted. He made note that the applicant is not seeking approval for the installation of a stage or dance floor/area, and will potentially have less impacts than other live entertainment applications, and the activities will complement the main use of the full service dining restaurant. The restaurant will continue operating with a Type 47 (On Sale General- Eating Place) Alcohol Beverage Control license. Due to the Corona Virus Pandemic, the Planning Department added a new Condition of Approval that requires compliance with current and future

State and County Public Health Orders.

The Commissioners discussed with Staff: the consistency of the proposed hours to operate with live entertainment as compared to other establishments within the City of Downey; the uniqueness of each location and potential affects to the surrounding uses determining what would be allowed at each site; and options for future business owners of the subject site.

Disclosures: None.

Bar Louie Restaurant Manager Chris Getz explained, the request for live entertainment is for weekends and special events, and is a crucial part of their success. The DJ is in a stationery location indoors, used for special events such as weddings or birthdays. They plan to expand the restaurant at a later date by adding a private dining room to hold meetings, birthday and anniversary celebrations.

The Commissioners asked the applicant(s) if all Bar Louie locations operate in the same manner with live entertainment, if not, what is the percentage that has live entertainment, and is the Downey location included in the contract to sell or liquidate the restaurant?

General Counsel Leigh Bailey informed the Commission that they are looking to add a private dining room, and made note that it is critical to obtain a live entertainment permit at this time. She explained how each location is unique and driven by the community. The holding company currently has an asset purchase agreement and they are hoping to close at the end of the month, which will have no bearing on the Downey site other than more infusion of cash that they hope will speed up the process of expanding the dining room.

Public Comments: Chair Duarte asked for the first caller for public comments, Secretary Cavanagh stated there were no calls for public comment. He then called for written correspondences to be read into the record; Secretary Cavanagh stated there were no written correspondences.

Chair Duarte closed the public hearing.

The Commissioners spoke in support of the application, with Commissioner Spathopoulos commenting on future uses requiring review of the existing Conditional Use Permit (CUP).

Director Schindler clarified the CUP runs with the land; therefore, if a change of ownership were to occur, the new owner would not require Planning Commission review or approval, unless they submit a request to modify the existing CUP, which would then require Planning Commission approval.

Staff recommended approval of the request for a Conditional Use Permit (PLN-19-00191).

The Commissioners asked if approving live entertainment on Sundays for this application would set precedent for other businesses. City Planner Landavazo provided the Commission with examples of Downey businesses within the Downtown area and explained that staff evaluates the different land uses individually. She explained approving land uses doesn't necessarily set a precedent for all future applications as all applications are looked at uniquely based on their location, the operations that they are proposing, and the surrounding uses.

The Commissioners spoke in favor of the application PLN-19-00191.

It was moved by Commissioner Spathopoulos, seconded by Commissioner Owens, and passed by a 4-0-1 vote, with Commissioner Dominguez absent, to adopt Resolution No. 20-3117, thereby approving the request for Conditional Use Permit (PLN-19-00191).

2. PLN-19-00162 Zone Change and Site Plan Review): Chair Duarte opened the public hearing for PLN-19-00162 and Ms. Cavanagh affirmed proof of publication.

City Planner Crystal Landavazo presented the request for a Zone Change to remove the antiquated P-B (Parking Buffer) zone from a portion of property located at 9432 Telegraph Road, and rezone the entire site to C-2 (General Commercial); additionally, a Site Plan Review is requested to allow the construction of a new 7,788 square foot, two-story medical office building at the site. She reviewed the modern architectural design of the proposed two-story building and parking. The plans include modifying the existing 6-foot masonry wall on the north property line to match the material and appearance of the other existing walls, and removing a portion of the south wall to construct the new office building (the wall along the west property line will remain the same). Landscaping throughout the site will contain 3,616 square feet of drought tolerant trees, shrubs and vines throughout the setback areas to create a tiered landscape system. This application was presented to the City's Development Review Committee and each provided conditions of approval: The Fire Department placed conditions regarding the size of the elevator, Knox box, emergency access, and requiring the entire building is fully equipped with sprinklers. The Public Works Department provided conditions to ensure that the driveway approach would meet current standards as well as requiring proper permits to be obtained for any public utilities. The Police Department expressed that the address must be highly visible. Conditions have been included to address all concerns.

Applicants Blair Liggatt, Blair Design Group, Laguna Beach, CA, advised the Commission that the owner, Dr. Minou Tran has been in practice since 2002 and in Downey since 2014 and wishes to continue her practice Downey, currently operating at 8317 Davis St., Downey, CA specializing in Endocrinology.

Public Comments: Mr. Robert Aranda, 9424 Telegraph Road, Downey, asked how the property will be hooked up to the sewer line. City Planner Landavazo stated, the subject site used to be on a Septic tank system and was recently connected to the city's sewer system in anticipation of the project moving forward, at the applicants' own risk. They worked with the Public Works department to pull permits and have that connection fed into the property before the city did a repaving along Telegraph Road. Mr. Aranda then expressed concern that the proposed 6-foot masonry wall facing his property will affect his privacy; he asked if the wall height can be increased to 7-feet.

City Planner Landavazo took note of Mr. Aranda's request and advised him that once the Public Comments are closed, the Commission can address his request during their deliberation.

Isabel Banuelos, 9435 Cedartree Rd., Downey, CA requested the wall along the rear portion of the property can be increased to 7-feet in height. City Planner Landavazo advised her that her request was noted and will be considered during the Commissions' deliberation.

Chair Duarte called for written public comments, Secretary Cavanagh stated there were no written comments.

Chair Duarte closed the public hearing.

The Commissioners asked if Dr. Tran can provide hours of operation for her current practice and will she occupy the entire building.

Dr. Tran stated her current hours of operation are Monday thru Friday 7:00 a.m. – 6:00 p.m. with the heavy hours being 7:30 to 1:00 p.m. She closes the office for lunch from 1:00 p.m. to 2:00 p.m., and patients will arrive from 1:30 p.m. thru 5:45 p.m. The current location is not open on weekends; however, she is considering operating on Saturdays until 1:00 p.m. at the new site. She will occupy approximately 60% of the site and the remainder would be leased to a medically related business.

Disclosures: None.

The Commissioners discussed the residents' requests to increase the height of the proposed wall for the sake of the residential neighbors' privacy and agreed to increase the height of the wall to 7-feet.

Chair Duarte reopened the public hearing to ask the applicant if they would agree to increase the wall to 7-

feet.

Mr. Liggatt expressed willingness to work with the residential neighbors and protect their privacy; however, there is a 46-foot setback and landscape plans that include a large number of trees in the back to protect the neighbors' privacy. He requested that a rendering showing the landscaping along the wall is presented to show to the residents and give them the option to decide if they still want the 7-foot wall.

The Commissioners asked if increasing the wall height to 7-feet would require additional review and/or permits that would delay the project. City Planner Landavazo advised the Commission, the applicant is allowed to increase the wall height to 7-feet without additional permits.

Chair Duarte closed the public hearing.

It was moved by Commissioner Spathopoulos, seconded by Vice Chair Frometa, and passed by a 4-0-1 vote, with Commissioner Dominguez absent, to adopt Resolutions No. 20-3118 thereby approving the request for a Zone Change and Resolution No. 20-3119 approving the request for a Site Plan Review (PLN-19-00162).

NON-AGENDA PUBLIC COMMENTS: Chair Duarte opened the calls for public comments, Secretary advised the Chair there were no calls for public comment. Chair Duarte asked if there were any written correspondence to be read into the record; Secretary Cavanagh advised the Commission, Staff received one email correspondence from Karen Osorio, sent Friday, May 15, 2020, Subject: Legalize Cannabis Activity in the City of Downey; Opportunities

Make medical & adult use Cannabis safe & legally available to residents in the City of Downey. Will provide tax revenue for the City and a safe market for patients & customers to obtain Cannabis during these high anxiety times of world Pandemic. Do not isolate Downey further from the world & other cities that voted for their right to legalize the use & marketing/sales of healthy safe methods of procuring cannabis via stringent ordinances ,standards & guidelines towards obtaining & maintaining permits & licensing for retail, delivery, & or manufacturing of cannabis for our Residents. In turn improving our immediate community by providing individuals opportunity to become business owners- providing a vital service, paying taxes, & employing our local residents, veterans, minorities or at risk individuals. Training & OSHA advancements included. Thank You Kindly for the Consideration, Karen Osorio

Chair Duarte called closed the non-agenda public comments.

CONSENT CALENDAR ITEMS:

3. **General Plan Consistency Finding**
4. **2019 General Plan Progress Report**
5. **Approval of the Minutes from January 15, 2020**
6. **Approval of the Minutes from March 4, 2020**

It was moved by Commissioner Owens, seconded by Commissioner Spathopoulos and passed by a vote of 4-0-1 with Commissioner Dominguez absent, to continue item no. 6 of the consent calendar: Approval of the March 4, 2020 Minutes, due to a lack of quorum. It was then moved by Commissioner Owens, seconded by Commissioner Spathopoulos and passed by a vote of 4-0-1 to approve items 3, 4 and 5 of the Consent Calendar, with Vice Chair Frometa abstaining from item no. 3.

OTHER BUSINESS: Chair Duarte reported residential properties having overgrown weeds and grass on Lakewood Boulevard near the In & Out restaurant. Director Schindler advised the Commission that Staff

conducted a corridor drive today and found a lot of the properties on our major corridors were flagged generally for landscaping and other types of debris. It was approached it with a lot of empathy in terms of these times, but some of the properties cannot go without being addressed.

STAFF MEMBER COMMENTS: Director Schindler thanked the Commission for their participation tonight's first teleconference meeting held during the pandemic. If you are interested in updates in terms of what's happening in Downey in regards to our COVID 19 situation, please visit our website at downeyca.org; there is a tremendous amount of information on the COVID 19 that immediately flashes on the home page. Updates are also provided on the City Facebook page. Additionally, we were able to secure the American Inn as an offsite housing option for our first responders that were exposed to the COVID 19 virus and did not want to go home. Parks and Rec has been extremely busy even though the parks have been closed; they delivered 1,426 senior meals that include a tremendous amount of home deliveries, and 760 phone wellness checks to our seniors, and they make visits when seniors do not pick up the phone. They also obtained a grant from Kaiser Permanente for an exercise at home program.

Chair Duarte thanked Staff, the Commission and members of the public who participated in the teleconference meeting.

ADJOURNMENT: Chair Duarte adjourned the meeting at 8:08 p.m., to Wednesday, June 3, 2020, at 6:30p.m., at Downey City Hall, 11111 Brookshire Ave.

APPROVED AND ADOPTED this 5th day of August, 2020.

Miguel Duarte, Chair
City Planning Commission

I HEREBY CERTIFY that the foregoing Minutes were duly approved at a Regular meeting of the Planning Commission held on this 5th day of August, 2020, by the following vote:

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

Mary Cavanagh, Secretary
City Planning Commission