

October 1, 2020

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach

California

RECOMMENDATION:

Deny Conditional Use Permit CUP 1801-02 for a new 3,058-square-foot detached self-service automated car wash connected to an existing service station and mini mart located at 5005 Long Beach Boulevard within the Commercial Automobile-Oriented (CCA) Zoning District. (District 8)

APPLICANT: Ahmad Ghaderi  
A & S Engineering  
28405 Sand Canyon Road Suite B  
Canyon Country CA, 91387  
(Application 1801-02)

### **DISCUSSION**

The site is located at the northwest corner of Long Beach Boulevard and Del Amo Boulevard (Exhibit A – Vicinity Map) within the Commercial Automobile-Oriented (CCA) Zoning District. The site also has a General Plan Designation of Neighborhood Serving Centers and Corridors-Low (NSC-L). The 1.48-acre site is currently developed with a standalone restaurant and a gas station with a mini mart. The existing gas station and mini mart have operated at the subject site in its current configuration since 1989. The applicant is requesting a conditional use permit (CUP) to construct and operate a new 3,058-square-foot detached self-service automated car wash (2,000-square-foot care wash tunnel and 1,058 square feet of equipment rooms and office space) along the north property line. The project abuts Dooley Elementary School to the north and west, a convenience store and drug store with a drive through pharmacy (drive through is currently closed) to the east across Long Beach Boulevard; to the south across Del Amo Boulevard is a gas station with a mini mart and single-family residences; and a gas station with a drive-through car wash and mini mart is located catty-corner to the site across Long Beach Boulevard.

The proposed automated self-service car wash has a modern design that uses quality materials. The car wash tunnel would have a length of 100 feet and includes two drive up lanes and pay stations and a queuing length of 60 feet before the pay station. The proposed project includes 15 parking stalls for vacuuming (Exhibit B – Plan and Photographs). Site modifications include new landscaping, security cameras, lighting, and a curb cut closure along Long Beach Boulevard. The car wash would operate between the hours of 7:30 am to 10:00 pm daily.

Certain types of land uses, like car washes, due to the nature of the use, require a Conditional Use Permit. The Conditional Use Permit process allows for the individual review so that the Planning Commission can determine if the use is compatible with the surrounding land uses, can be made compatible with conditions



of approval, or is incompatible. The proposed area of the lot which is to be developed with the automated car wash is located on the north end of the site and is currently developed with passive parking. The car wash would abut the northernmost property line and the playground of Dooley Elementary school. The school and car wash would be separated by an existing 9-foot high block wall.

To address the matter of compatibility, the applicant submitted two focused studies pertaining to sound and air quality. The air quality analysis was prepared by Rincon Consultants (Exhibit C - Air Quality Study). The analysis focused on the pollutant emissions from the vehicles using and queuing of the proposed car wash. The report assumed the car wash would have up to 300 vehicles per day, and the maximum queuing and carwash process time for a vehicle would be in the range of 6-10 minutes. The Study evaluated the project based on the Southern California Air Quality Management Districts' Localized Significance Threshold for criteria pollutants and found that none of the threshold were exceeded.<sup>1</sup>

A noise analysis was prepared by BridgeNet International (Exhibit D - Noise Analysis) for the project and evaluated the impacts from both the construction and operation of the use. The noise study found that the use of the car wash would not result in violations of either the established interior or exterior noise standards when the thresholds were adjusted for the "ambient noise level."<sup>2</sup> The report concludes that the vacuum equipment would not be a significant source of noise since it is located within the building. There is insufficient information in the report regarding the manufacturer and equipment specifications to verify this conclusion.

While the report concludes there is no significant impact from noise or air quality, there are limitations to those studies and there are other factors of compatibility that must be considered. The proposed use is adjacent to an elementary school which is classified as a sensitive receptor; children, specifically, are sensitive receptors as they are more susceptible to the impacts of pollution. This project site is located within an area that is documented to be one of the most pollution burdened areas of the city by income (Exhibit E -Impacted Community Map). This map is derived from the California Office of Environmental Health Hazard Assessment's Cal EnviroScreen which uses environmental, health, and socioeconomic information to assess the pollution burden and vulnerability of populations by census tract. This location is within the 90<sup>th</sup> percentile or top 10 percent for the most pollution burdened. The proposed car wash will intensify the auto-oriented land uses adjacent to a school and would conflict with the stated goals of the General Plan and Zoning Code. While it is largely impossible to quantify the impacts of air pollution on childhood development and health in a manner disaggregated to a single source, it is well documented that cumulative exposure to pollutants has a negative impact to neurodevelopment. Staff has included a literature summary from the scholarly journal Environment International as Exhibit I.

Specifically, the proposed car wash in this location would not be consistent with the environmental health vision established in the Land Use Element of the General Plan (page 6) which promotes the creation of buffers between residential uses and sensitive receptors (e.g., schools, hospitals and daycare centers) and facilities such as trucking uses, auto-body shops, drive-through uses, polluting industrial uses and other special use categories that might affect them. Additionally, the proposed project does not support Policy UD 2-3 of the

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<sup>1</sup> Criteria pollutants are carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. The Environmental Protection Agency establishes National Ambient Air Quality Standards for the six pollutants in accordance with the Clean Air Act.

<sup>2</sup> "Ambient noise level" means the composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location (Long Beach Municipal Code 8.80.020).

Urban Design Element which calls for enhancing the built environment through façade improvements, quality and context-sensitive infill development, and landscaping. While the proposed use includes modern high-quality materials, the experience from the pedestrian standpoint walking down the street is further deteriorated rather than enhanced.

Long Beach Boulevard is one of the designated walking routes to Dooley Elementary School (Exhibit F – Dooley Elementary Walking Routes). The proposed project improvements include eliminating one of the two curb cuts along Long Beach Boulevard which is generally a positive improvement for safe pedestrian circulation. However, this is negated by the project design which includes two queuing lanes parallel to Long Beach Boulevard, each with approximately 60 feet of queue length between the pay station and driveway approach for a total length of 120 feet. The two queue lanes which would accommodate approximately six mid-size SUVs before encroaching into the driveway. Based on a presumption of 300 daily trips as assumed in the applicant's Air Quality Report, the car wash could see 20 vehicles or more arriving in an hour. Staff finds that with the potential bunching of trips, occasional equipment malfunction, or user error at the pay station there would be conflicts on site, with the pedestrian path of travel on the sidewalk, and/or south bound traffic on Long Beach Boulevard. This conflicts with the required findings for approval.

Additionally, the Planning Commission may wish to consider the compatibility of this use along the walking path and adjacent to the play area for the impact on that early childhood experience at the school. While air quality levels will not exceed those maximum standards established under law, there will still be new emissions immediately adjacent to a play area already situated within an area of increased ambient pollution. Likewise, while the noise is not expected to exceed standards, part of the reason they do not exceed standards is because the ambient noise level in this location is already elevated from the surrounding automotive uses. Under the City's noise ordinance, elevated noise levels are permitted when they will not increase background noise by more than five decibels. Children at Dooley already experience higher levels of noise and pollution during recess and this project will further contribute to that problem. Whether the queue for the carwash creates a safety hazard or not, it does further degrade the comfort and perception of safety on that walk to school. Furthermore, a carwash is already available to the public just south of the subject parcel as well as other locations to the north, therefore it is not clear that the proposed use is needed in the requested location to fill any particular community gap or need. The Planning Commission will need to balance these concerns with the fact that the principal for the school expressed no concerns with the proposed use interfering with the learning environment.

In 2006, the legislature approved SB 1000, which instructed every City and County to address environmental justice in their General Plan. The City of Long Beach complied with this law by incorporating environmental justice policies within the General Plan, including LU Policy 14-3 which states "[a]void concentrating undesirable uses, service facilities and infrastructure projects in any manner that results in an inequitable environmental burden on low-income or minority neighborhoods." In the case of the Conditional Use Permit before the Planning Commission, the Commission will need to determine if the use is undesirable. The existing conditions show that that auto-oriented uses are already over-concentrated near Dooley Elementary school and that air quality conditions create an inequitable environmental burden on the surrounding community.

The existing auto-oriented uses within the project vicinity predate the City's adoption of environmental justice policies and the adoption of drive through development standards. The environmental justice policies and data are intended to improve the City's land use decisions going forward so that over time the environment and health of people living within these areas is improved.

The current General Plan Land Use Element (LUE) reflects a substantial shift in how land use regulation is to be considered by the City including in communities with high pollution burdens and existing non-compatible land-uses. LUE Strategy 11 relates to “[c]reate healthy and sustainable neighborhoods,” with associated relevant policies: 11-1 Require that land use plans, policies and regulations promote health and wellness and reduce barriers to healthy living, 11-6 Achieve health equity, eliminate disparities and improve health of residents throughout the City, and 11-7 Diminish the impact of drive-through facilities on the pedestrian environment. Strategy 16 relates to “[p]revent and reduce disproportionate environmental burdens affecting low-income and minority populations.

Accordingly, staff recommends that the Planning Commission deny the use, as not all the required findings regarding compatibility and consistency can affirmatively be made in support of the car wash in this location adjacent to an elementary school (Exhibit G – Findings).

#### **PUBLIC HEARING NOTICE**

A Notice of Application was sent to the local community groups on February 26, 2018, and 739 Public Hearing Notices were distributed on September 14, 2020, in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff received one letter from the Principal of Dooley Elementary School (Exhibit H – Public Comment).

#### **ENVIRONMENTAL REVIEW**

The recommendation of the proposed project is to deny the project therefore CEQA review is not required.

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Respectfully submitted,



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DEVELOPMENT SERVICES DIRECTOR

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Attachments:

Exhibit A - Vicinity Map  
Exhibit B - Plans & Photographs  
Exhibit C - Air Quality Study  
Exhibit D - Noise Analysis  
Exhibit E - Impacted Communities Map  
Exhibit F - Dooley Elementary Walking Routes  
Exhibit G - Findings  
Exhibit H - Public Comments  
Exhibit I - Environment International 121 (2018) 199-206