



5005 Long Beach Boulevard Conditional Use Permit Appeal

City Council Hearing - August 16, 2022

Background

Project Site

- Area: 1.48 acres
- Zoning: CCA
- General Plan PlaceType: NSC -L
- Existing: gas station with mini mart and restaurant

Conditional Use Permit (CUP)

- CUP: Car wash
- 2,000 SF car wash tunnel
- 1,058 SF equipment room and office
- Hours: 7:30 am - 7:00 pm daily



Background

- **October 2020** - Planning Commission hearing continued at applicant's request
- **July 2021** - Planning Commission hearing at applicant's request
- **March 2022** - Planning Commission denied (5-1 vote) the CUP for the car wash
- Applicant filed an appeal within the 10-days of Planning Commission's action



- Appellant contends the Planning Commission erred in its interpretation/application of the General Plan Goals and Policies including:
 - Its determination of an over concentration of car washes in the area
 - Projects' potential conflict with environmental justice policies
 - Projects' potential for noise, air quality, and traffic related impacts to the adjacent elementary school
 - Planning Commission erred in determining residential use was a potential

Conditional Use Permit (CUP) Overview

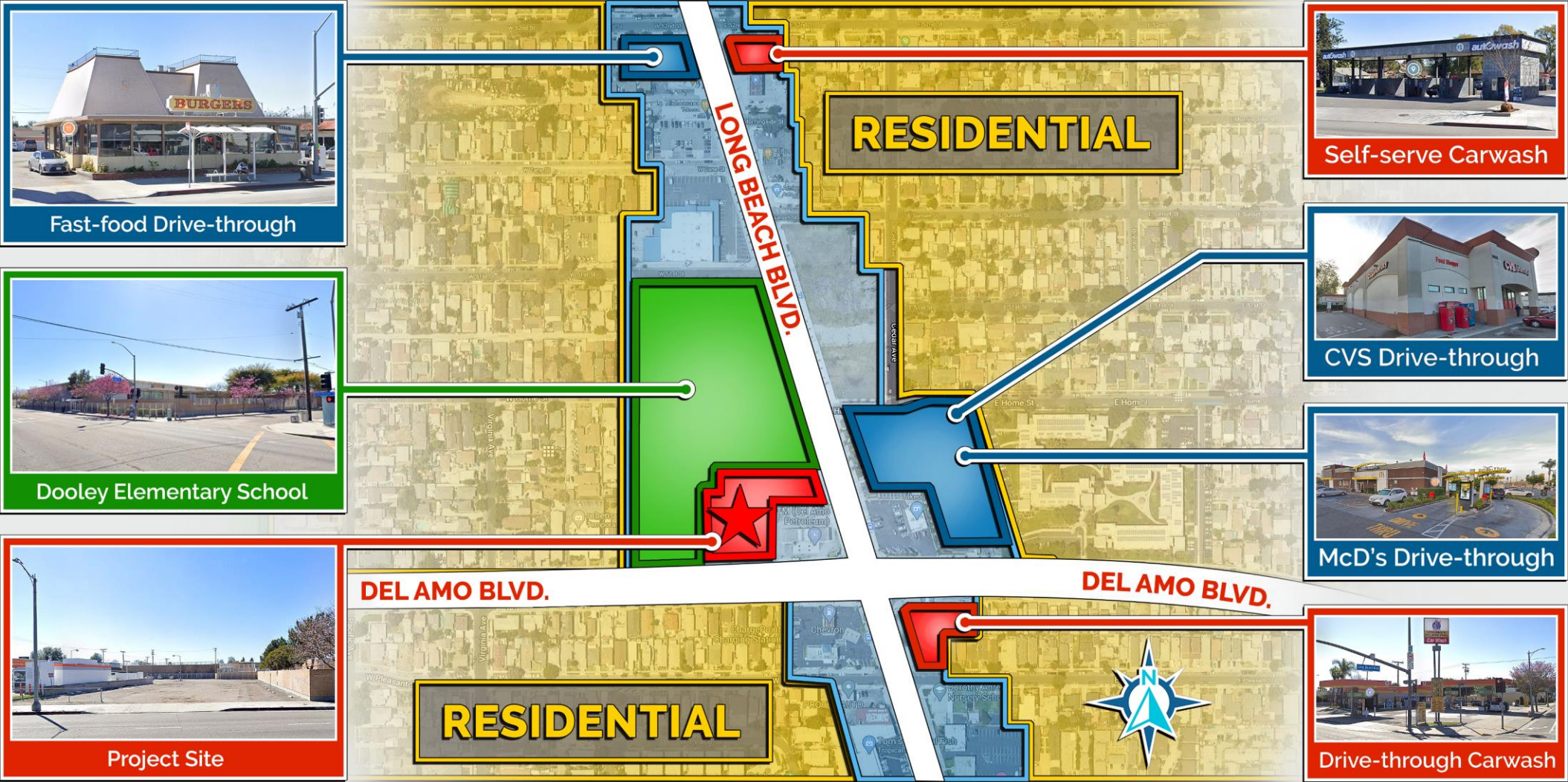
What is the purpose?

- Individual review of certain uses that would be appropriate in some but not all locations within a zone

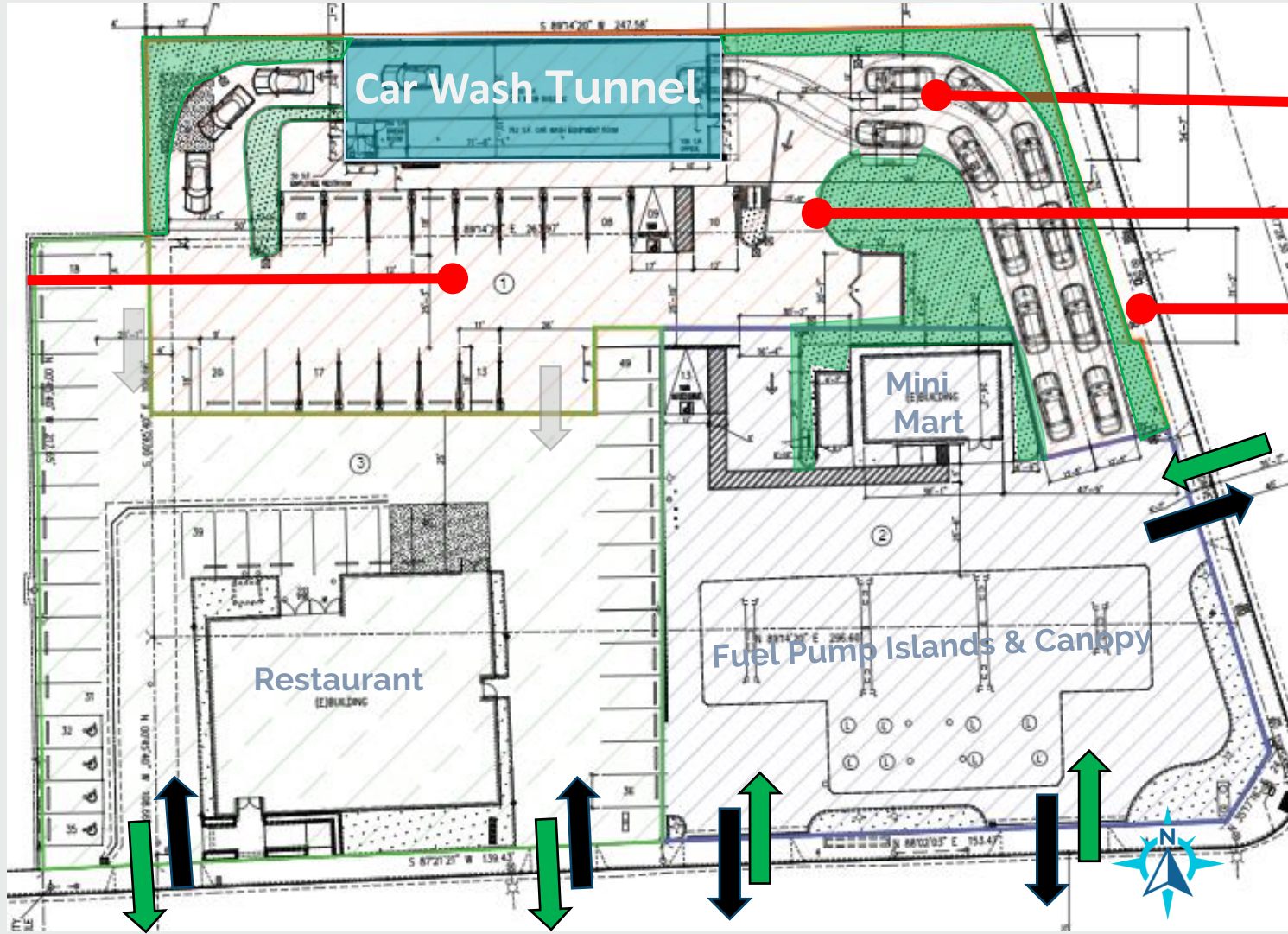
CUP Findings:

1. Consistency with General Plan and Zoning District
2. Use must not be detrimental to surrounding community including:
 - Public Health
 - Safety
 - General welfare
 - Environmental quality
 - Quality of Life
3. Comply with Special Zoning Conditions
4. Comply with Green Building Standards

Project Vicinity



Project Plans



Building Elevations

EAST ELEVATION



SOUTHWEST ELEVATION



Planning Commission's Decision

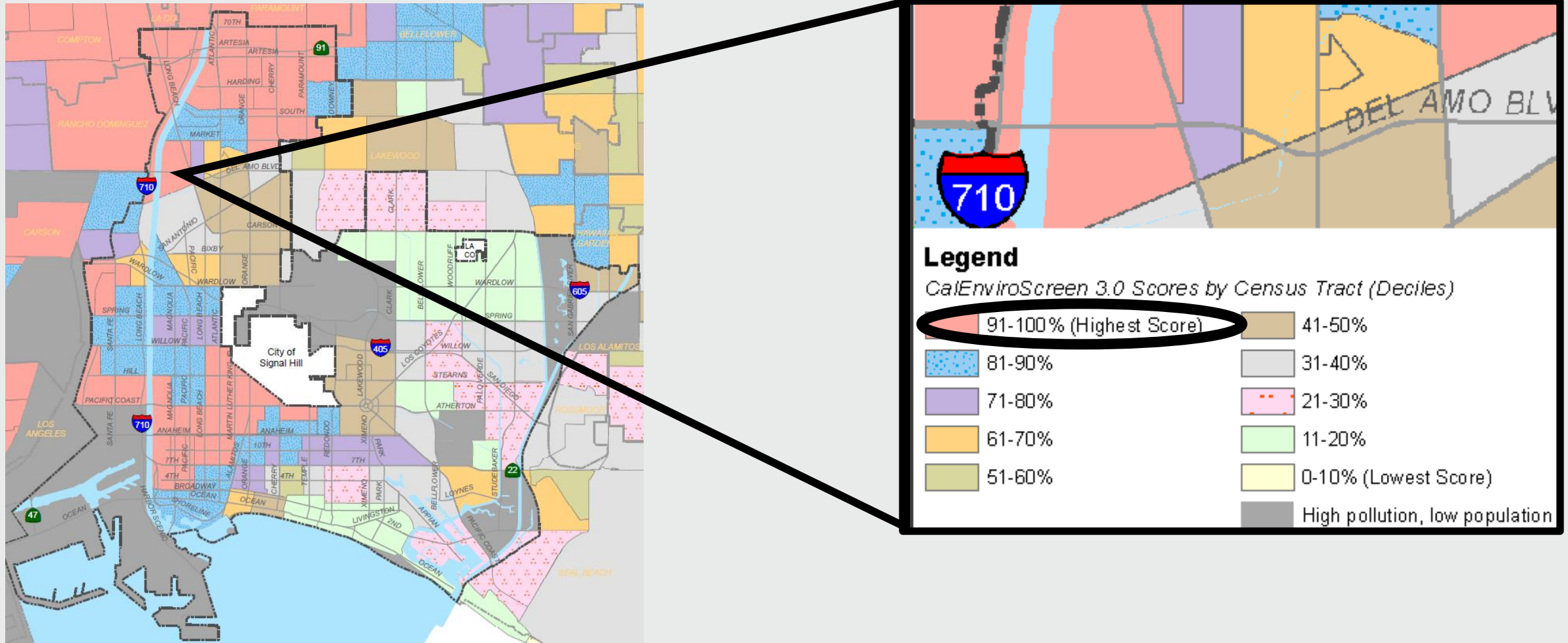
Planning Commission could not affirmatively make all required CUP findings in support of the CUP.

1. Project is inconsistent with General Plan policies including protecting sensitive receptors and impacted communities.
2. Area was found to be disproportionately impacted by pollution.
3. Area has a sufficient number of automobile-oriented uses, especially car washes.

These are **policy issues and not California Environmental Quality Act (CEQA) concerns**, as 2 of the required findings to be made for a CUP require :

1. That the proposed use be consistent with and carry out the policies of the General Plan.
2. That the proposed use would not be a detriment to the surrounding community including public health, safety, general welfare, environmental quality or quality of life.

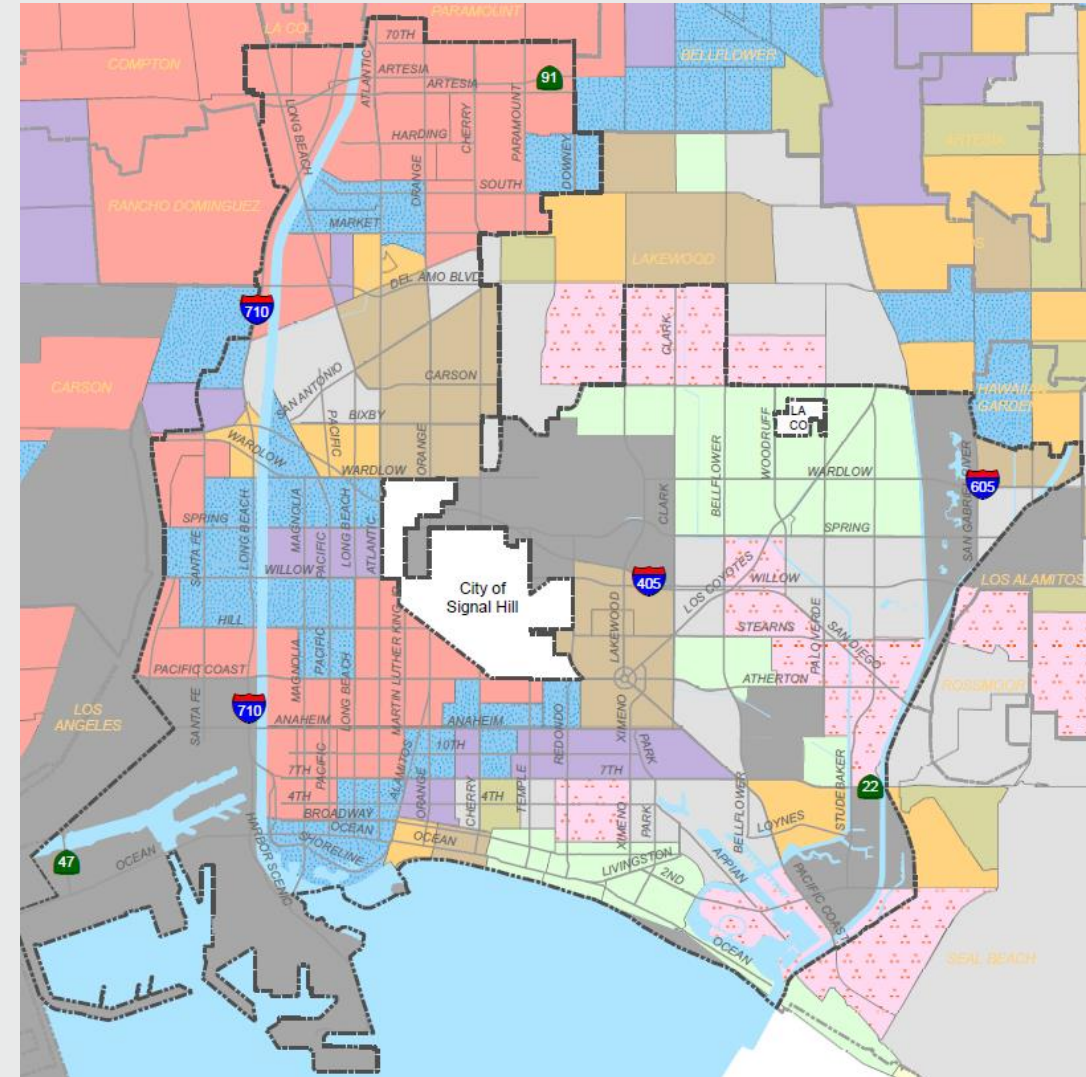
Impacted Communities Map



Land Use (LU) Policy 16-1 to “identify areas and populations of the City that are exposed to unsafe levels of environmental pollutants,” which are identified through Impacted Communities Map LU-6 in the Land use Element

General Plan

- **Land Use (LU) Strategy 14:** “promote the equitable distribution of services, amenities and investments throughout the City”
- **LU Strategy 16:** “prevent and reduce disproportionate environmental burdens affecting low-income and minority populations”
- **LU Policy 16-7:** which guides decision makers to “evaluate new land uses in a manner that is conscious of the cumulative impacts of pollutants and history of pollutant burden and public under investment in disadvantaged communities.”



Dooley Elementary School



Proposed Car Wash Site



Basketball Courts



Outdoor Assembly Area



Open Field



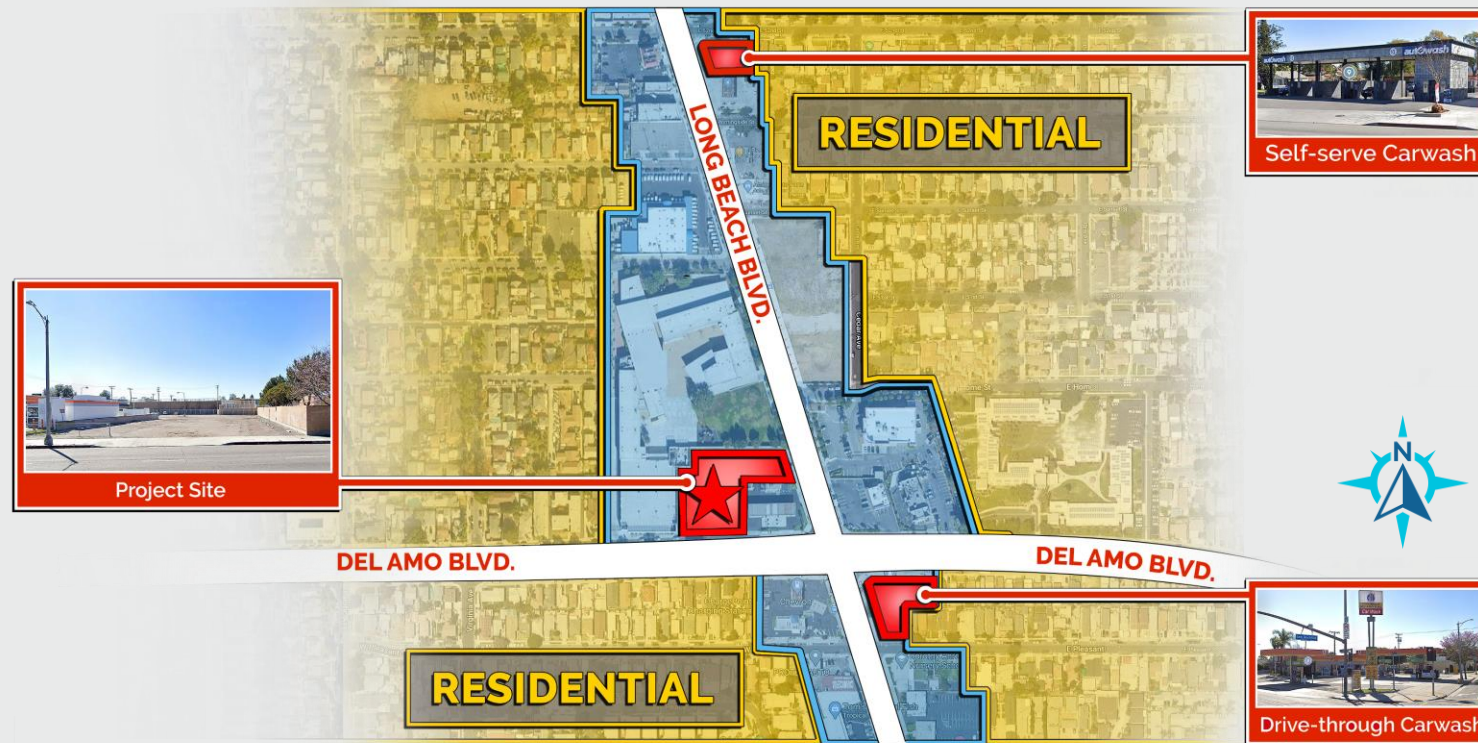
Play structure



**Hopscotch/
Four Square**

Project Vicinity

General Plan LU Policy - 14-3 “[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.”

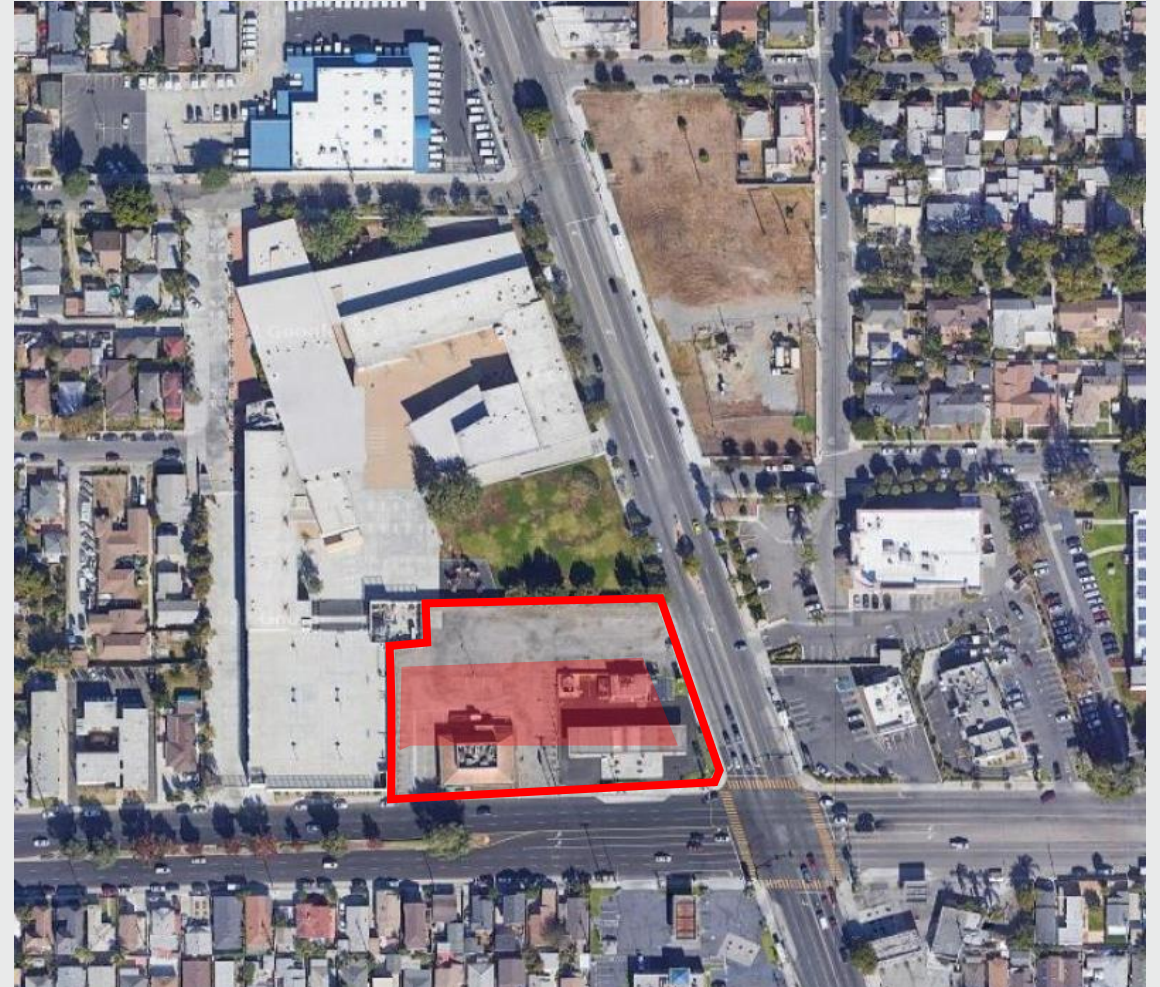


Approximately 1,100 feet north/east from project site

Approximately 75 feet to south/east of project site

Recommendation

Receive supporting documentation into the record and conclude the public hearing; consider an appeal; and, uphold the Planning Commission's decision to deny a Conditional Use Permit; or provide alternative direction to approve or approve with conditions.





Thank you

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