

From: Brower, Neill [mailto:NBrower@JMBM.com]
Sent: Monday, August 15, 2022 3:57 PM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Alexis Oropeza <Alexis.Oropeza@longbeach.gov>; Reznik, Benjamin M. <BMR@JMBM.com>
Subject: Case No. 22-0966 / Aug. 16 Council Agenda Item No. 15: Letter from Applicant/Appellant [JMBM-LA.FID1966854]

-EXTERNAL-

Ms. La Garza and Ms. Oropeza:

I have attached our letter, on behalf of Bliss Car Wash, for inclusion in the record for the above-referenced case and distribution to the Council. Please inform our office if you have any trouble with the attachment.

Thank you,

—Neill



Neill E. Brower | Partner
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Ref: 80918-0001

August 15, 2022

BY EMAIL

Hon. Dr. Robert Garcia, Mayor
Hon. Members of the City Council
City of Long Beach
411 W. Ocean Boulevard
Long Beach, CA 90802
E-Mail: cityclerk@longbeach.gov

Re: Case No. 22-0966
Bliss Car Wash
5005 Long Beach Blvd.
Hearing Date: August 16, 2022
Agenda Item No. 15

Dear Hon. Dr. Garcia and Councilmembers:

We represent Bliss Car Wash (“Bliss”) an environmentally and community conscious car wash company with a demonstrated history of quality operations and community engagement and involvement. Bliss is the applicant and appellant for the requested conditional use permit (“CUP” or “Project”) for a state-of-the-art car wash at 5005 Long Beach Boulevard (the “Property”), an established commercial corner at a major intersection. As detailed further below, the proposed Project was thoughtfully designed and then further modified—on several occasions—to address specific concerns regarding neighboring uses, noise, and traffic. We write to address the letter dated June 13, 2022, from the Long Beach Unified School District (the “District”), which contains several errors, and to discuss the further modifications Bliss has implemented to address community concerns.

1. Bliss Worked Directly to Address the District’s Concerns.

The District’s letter states the District met with Bliss “to no avail.” In fact, Bliss initially consulted with the Principal of Dooley Elementary—who supported the Project—and then after the District’s concerns regarding the Project emerged, pursued the District for **months** to schedule a meeting to discuss those concerns. At that meeting, District staff rejected any possibility of any solution to address its concerns even partially, and did not offer any specific suggestions or even avenues to explore. Despite this, Bliss had worked to further ensure impacts would not occur to the surrounding community: as provided in the updated technical reports on file for the Project, and as described in detail in our prior correspondence, the air quality, traffic, and noise effects of the project are below applicable thresholds, both for Project-specific impacts and for cumulative impacts. Further, any

zoning-compliant project could reach or potentially exceed the height of the proposed structure: the claims of the district regarding the height of a commercial building in an urbanized area do not constitute evidence of any significant environmental impact.

(a) Bliss Worked to Reduce Noise Levels Significantly Below Threshold Levels.

Despite the fact that the Municipal Code provides for the use of alternative noise levels in evaluating projects located in noisier areas, the Project incorporated features—including specialized equipment and coatings on the interior of the proposed building—to reduce Project-related noise to compliant levels even under the City’s standard thresholds. Simply put, the Project would generate noise at lower levels than those that exist in the immediate vicinity right now. Despite this, Bliss has developed additional Project design features, described below, *to reduce noise levels even further*.

(b) Bliss Would Reduce the Number of Existing Locations at Which Vehicles Would Cross the Sidewalk.

Regarding traffic, the Project would reduce the number of curb cuts, and therefore the number of locations at which vehicles would enter the Property. As described in our prior correspondence, the Project would eliminate one of the curb cuts on Long Beach Boulevard, the route that school children take to Dooley Elementary. This would *reduce* the potential for interactions between pedestrians on Long Beach Boulevard and vehicles entering the Property, as the staff report acknowledges. Further, Bliss staff actively manage vehicle queues as a matter of practice, and would avoid vehicle queuing into Long Beach Boulevard.

Simply put, the record establishes that no significant Project-specific or cumulative impacts would occur, and the District offers no evidence for its assertions to the contrary. That said, Bliss fully understands and supports the goal of the District to protect its students, and remains willing to engage with the District and the school in constructive discussions about any further feasible improvements to the Project. Bliss takes seriously its obligations to the communities in which it operates, and is dedicated to good corporate citizenship.

2. Bliss has Redesigned the Building to Enclose and Orient the Building Exit Completely Away from the School, Further Reducing Noise Levels.

As shown in the rendering attached as Exhibit “A” and the site plan attached as Exhibit “B,” Bliss has taken additional measures to protect the school from noise. Specifically, the exit from the car wash into the parking lot and vacuum area is now fully enclosed and faces south, completely away from Dooley Elementary. The entrance and exit now use roll-up doors, though those doors will generally remain open during operation of the car wash. This new design will absorb and direct additional exit noise away from the school and toward the commercial uses along Del Amo Boulevard.

Hon. City Councilmembers
5005 Long Beach Boulevard
August 15, 2022
Page 3

That change, along with the all of the current measures to minimize operational noise, will further reduce noise experienced on the school's playground or in the classrooms to the north. As shown in the attached update to the noise study prepared by BridgeNet (Exhibit "C"), the design change will reduce by an additional 10 decibels ("dBA") any noise experienced by the school as a result of noise from the car wash exit. The noise generated by the car wash will occur below threshold levels, and at least 15 dBA below the **existing** measured noise levels.¹

3. The City Council Should Grant the Appeal and Approve the CUP.

As described in detail above, the Project is consistent with the applicable zoning regulations—including the CUP provisions, as described in detail above—and with the applicable provisions of the General Plan. The Project would provide a high-quality, sensitively designed use, on a highly constrained site, consistent with the principles and intent of the General Plan Land Use Element. For all of these reasons, the City Council should grant the appeal and the requested CUP.

Sincerely,



BENJAMIN M. REZNIK and
NEILL E. BROWER of
Jeffer Mangels Butler & Mitchell LLP

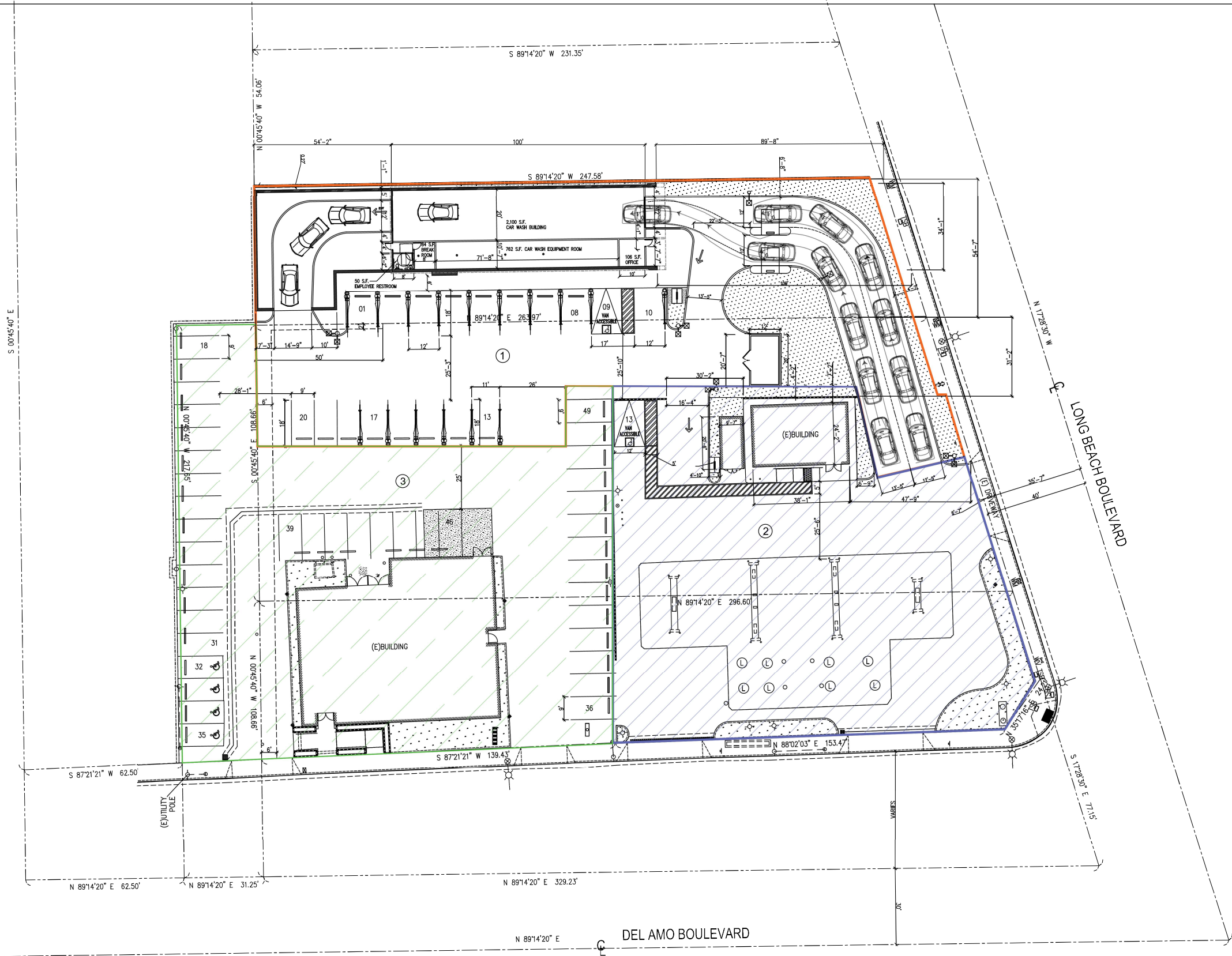
NB:nb4
cc: Alexis Oropeza

¹ As provided in the June 22, 2021 noise report prepared by BridgeNet, the lowest existing noise level was 56.5 dBA (L50 measurement); the proposed design would generate a maximum noise level of 42.7 dBA at school facilities on the entrance side of the car wash, and 34.7 dBA at school facilities on the exit side of the car wash.

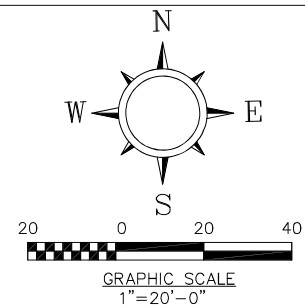
Exhibit A



Exhibit B

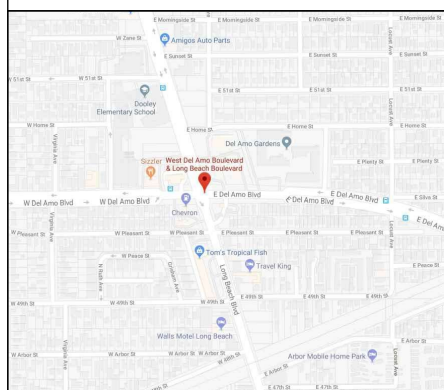


DIRECTIONAL ARROW/ GRAPHIC SCALE



GRAPHIC SCALE
1"=20'-0"

VICINITY MAP



SITE INFORMATION

ITEM	SIZE	LOT %	AREA (SQ.FT.)
TOTAL LOT AREA	N/A	N/A	66,551.00
EXISTING FOOD MART	24'-2" x 38'-1"	1.42	920.3
EXISTING STORY STUCCO BUILDING	AS SHOWN	6.90	4,300
EXISTING CANOPY	91'-5" x 30'-0"	4.23	2,743
NEW CAR WASH	100'-0" x 20'-0"	3.08	2000

LOT INFORMATION
TOTAL LOT AREA = 66,551 SQ.FT.
1. BLISS CAR WASH = 24,532 SQ.FT.
2. C-STORE & GAS = 19,504 SQ.FT.
3. EXISTING BUILDING = 22,514 SF

PARKING REQUIREMENTS:

STORE : 920 SQ.FT. = 920/250 = 4 SPACES
STORY STUCCO BUILDING: 4,475 SQ.FT. = 4,300/100 = 43 SPACES
TOTAL REQUIRED: 47 SPACES

PARKING PROVIDED:

TOTAL OF 6 (17'x18'-HANDICAP PARKING)
11 (12'x18' - VACUUM SPACES)
46 (9'x18' STANDARD PARKING)

TOTAL: 63 SPACES

01/04/2019	ER
01/11/2019	IJ
01/14/2019	IJ
02/15/2019	SH
04/28/2020	SH
01/05/2020	SH
03/15/2021	SH
07/08/2022	SK
09/01/2022	
10/01/2022	
11/01/2022	
12/01/2022	
01/01/2023	
02/01/2023	
03/01/2023	
04/01/2023	
05/01/2023	
06/01/2023	
07/01/2023	
08/01/2023	

PLANS PREPARED BY:
A & S ENGINEERING
PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
28405 SAND CANYON RD. SUITE 300 CANYON COUNTRY, CA 91387
PHONE # (661)250-9300 FAX # (661) 250-9333

Platinum Energy
30343 Comwood Street, Suite 200 Agoura Hills, CA 91301
Phone # (818) 206-5700
STORE # : -
ADDRESS: 5005 LONG BEACH BLVD
LONG BEACH, CA 90805

DRAWN
SH
CHECKED
DATE
10/30/2018
SHT. TITLE
PROPOSED SITE PLAN
SCALE
1"=20'-0"
SHEET
S1

Exhibit C



20201 SW Birch Street, Suite 150
Newport Beach, CA 92660
P: 714-272-2302
Mike.Holritz@BridgeNet.us

July 28, 2022

Mr. Ahmad Ghaderi
A & S Engineering

Revised site design at the *5005 Long Beach Boulevard Car Wash* project
Long Beach, California

Dear Mr. Ghaderi:

BridgeNet International previously performed an assessment of the projected car wash noise levels at the noise-sensitive areas (Dooley Elementary School) adjacent to the *5005 Long Beach Boulevard Car Wash* project (Report #2019-003-C; May 31, 2020). With the planned site design and equipment, the projected noise levels are listed in Table 1.

Table 1
PROJECTED NOISE LEVELS
(Original Site Design)

Location	L50 (dBA)
<u>Exit End</u>	
School Building to NW	43.0
School Playground to NW	51.7
School Playground to N	52.2
<u>Entrance End</u>	
School Playground to N	50.2
School Playground to NE	47.1
School Building to N	26.5

With the planned site design and equipment, the noise levels would meet the City's adjusted Noise Ordinance limits (i.e., with the adjustment for the measured ambient levels, the L50 standard would be 60 dBA).

Subsequently, the City requested that the developer go beyond the Noise Ordinance requirements, and that the project be designed to generate noise levels 7 dB below the adjusted Noise Ordinance limits. We performed a revised assessment (Report #2019-003-D; June 22, 2021) to determine the mitigation needed to accomplish this. In order to comply with this request, absorption (2,350 square feet of QuietFiber QF4) was included in the modeling of the car wash interior to absorb some of the noise. With this absorption, the noise levels would be reduced by approximately 7.5 dB, and the projected noise levels are listed in Table 2.

Table 2
PROJECTED NOISE LEVELS
(Original Site Design with Added Absorption)

Location	L50 (dBA)
<u>Exit End</u>	
School Building to NW	35.5
School Playground to NW	44.2
School Playground to N	44.7
<u>Entrance End</u>	
School Playground to N	42.7
School Playground to NE	37.6
School Building to N	19.0

The revised analysis showed that with the planned site design and equipment, and with the specified absorption added to the interior of the car wash building, the noise levels would be at least 7 dB below the City's adjusted Noise Ordinance limits (i.e., with the adjustment for the measured ambient levels, the L50 standard would be 60 dBA). It should be noted that these levels also meet the City's regular 50 dBA L50 standard (with no adjustment for measured ambient levels).

Since the preparation of that report, the developer has revised the site design. The current design calls for the exit end to be entirely enclosed, with solid walls and a solid roof. The exit opening will now face south (away from the school). Artist renderings of the project show roll-up doors at both the entrance and exit ends. However, these doors will remain open during car wash operations. With the current design, noise levels from the car wash operations are expected to be reduced by at least another 10 dB for receptors in the school area near the exit end. (Noise levels near the entrance end would not change significantly). The projected noise levels are listed in Table 3.

Table 3
PROJECTED NOISE LEVELS
(New Site Design with Added Absorption)

Location	L50 (dBA)
<u>Exit End</u>	
School Building to NW	25.5
School Playground to NW	34.2
School Playground to N	34.7
<u>Entrance End</u>	
School Playground to N	42.7
School Playground to NE	37.6
School Building to N	19.0

The most stringent noise standard is the 50 dBA L50 limit. With this revised site design and added absorption, noise levels from the car wash are now expected to be far below the Noise Ordinance limits (without including any adjustment for ambient).

With the new design, we would recommend that at least 50% of the added absorption be located in the exit area (after the blowers).

If you have any questions or require additional information, please do not hesitate to contact me.

Mike Holritz, INCE
Environmental Specialist
BridgeNet | A Tetra Tech Company

W & J HIGGINS INVESTMENTS L.P.

August 15, 2022

Bliss Car Wash
29501 Canwood Street
Agoura Hills Ca 91301

Re: Permit Approval

W&J Higgins Investments LP is in full support of granting permit approval allowing Bliss Car Wash to construct and operate a proposed car wash on the back portion of the designated premises located at 15 W Del Amo Blvd. Long Beach Ca. 90805.

Since 1972, W&J Higgins Investments operated the Sizzler restaurant on the front portion of the properties premises facing Long Beach Blvd. The restaurant is currently being converted to a Bebe's Diner and is in the final stages of a (6) month long construction process that is scheduled to be completed within the next 4 to 6 weeks. When completed the substantial remodel upgrades to the building's infrastructure, interior and exterior facades will greatly enhance the properties street appeal and added benefit to the he community.

Approving construction of the proposed car wash to the back portion of the premises would not only provide an additional service for the local community, but also aid in helping increase revenue of other businesses in the surrounding area, that in turn would generate increased local tax revenue for the City of Long Beach for years to come.

For the further benefit of the Long Beach community, local business and the City of Long Beach, W&J Higgins Investments respectively supports and requests that the City approve and grant the building permit submitted on behalf of Bliss Car Wash for constructing the proposed car was on the designated premises located at 15 W Del Amo Blvd.

Sincerely,



Jeff Higgins

Owner

W&J Higgins Investments

22391 Gilberto Suite D Rancho Santa Margarita Ca. 92688