

**SITE PLAN REVIEW
ADMINISTRATIVE USE PERMIT
CONDITIONS OF APPROVAL
Application No. 0909-21
Address: 4201 E. Willow Street
Date: June 2, 2011**

1. The use permitted on the subject site, in addition to the other uses permitted in the CHW (Regional Highway District) zone and subject to the following conditions, shall be an automated carwash. The Site Plan Review approval is for the construction of a new 4,296-square-foot building for the automated carwash and a 9,121-square-foot retail building that will partially reuse a historically significant structure on the site. There will be 58 parking spaces provided on-site (the total required spaces is 53).
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes, if any, set forth in the conditions of approval to the satisfaction of the Zoning Administrator.

Special Conditions:

4. The original pole sign shall be maintained and refurbished for continued use on the site. Additionally, a sign program shall be submitted prior to the issuance of building permits for review and approval. The sign program shall include locations for tenant signs, materials, lighting, et cetera. The program shall also include information on how the original pole sign will be programmed.
5. The applicant shall work with staff on finalizing the details of the art panels proposed for the west elevation of the retail building. The final approved design shall be to the satisfaction of the Director of Development Services.
6. The applicant shall comply with all mitigation measures of Mitigated Negative Declaration No. 08-10. Mitigation measures must be printed on all plans submitted for plan review.

17. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
18. The project shall comply with the following development standards pursuant to the City's Green Building Construction ordinance:
 - a. Canopy trees shall provide shade coverage, after five (5) years of growth, of forty percent (40%) of the total area dedicated to parking stalls and associated vehicular circulation, or paving materials with a Solar Reflectance Index of at least twenty-nine (29) shall be used on a minimum of fifty (50%) percent of paving surfaces dedicated to parking stalls and associated vehicular circulation;
 - b. Bicycle parking shall be provided at a minimum of one (1) space for every five thousand (5,000) square feet of commercial building area. Fractions shall be rounded up to whole numbers.
 - c. Roofs shall be designed to be solar-ready by allowing for an additional eight (8) pounds per square foot of dead load and providing a conduit from the electrical panel to the roof.
 - d. A designated area for the collection of recyclables shall be provided adjacent to the area for the collection of waste.
19. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.
20. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services prior to the issuance of a building permit.
21. All parking areas serving the site shall provide appropriate security lighting pursuant to Section 21.41.259. All exterior lighting shall be operated by a photocell that activates the lighting when it senses darkness. Such lighting shall be adequately shielded to prevent intrusion of light and glare upon neighboring properties. The Chief of Police may require other security measures to be provided.

22. The applicant shall incorporate all measures listed in the memo to the Planning Bureau from the Long Beach Police Department dated June 2, 2010. Please contact Sergeant David Marander at (562) 570-5767 for more information.
23. The applicant shall incorporate all measures listed in the email to the project planner from the Long Beach Water Department dated June 10, 2010. Please contact Dennis Santos at (562) 570-2381 for more information.
24. The applicant shall provide the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

PUBLIC RIGHT-OF-WAY

- b. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

ENGINEERING BUREAU

- c. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.
- d. The Developer shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- e. The Developer shall provide for the resetting to grade of existing

manholes, pullboxes, and meters in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.

- f. The Developer shall reconstruct deteriorated, uplifted, or depressed sections of sidewalk along the perimeter of the project site to the satisfaction of the Director of Public Works.
- g. The Developer shall submit grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes for review and approval by the Director of Planning and Building Services and the Director of Public Works prior to approval of the map and/or release of any building permit.
- h. The Developer shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- i. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.

TRAFFIC & TRANSPORTATION BUREAU

- j. Lakewood Boulevard between Willow Street and a point approximately 260 feet south of Spring Street is unimproved for pedestrians, as this range contains several freeway on and off ramps, a freeway underpass, and an airport runway tunnel. Pedestrians are to be discouraged from using this route until such time as it is improved for safe use by pedestrians. Landscaping along the Lakewood Boulevard frontage is acceptable, but a 4-foot wide walkable edge shall be maintained along the curbside for emergency use.
- k. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- l. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- m. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- n. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices

(MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

- o. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.
- p. Lakewood Boulevard is a State highway under the jurisdiction of the California Department of Transportation (Caltrans). A street improvement permit from (Caltrans) will be required for all work within public property along Lakewood Boulevard. Contact Joyce Minzey at (213) 897-7632 to request additional information regarding the Caltrans permitting process.

Standard Conditions:

- 25. This approved land use is required to comply with these Conditions of Approval as long as the use is on the subject site. As such, the site shall be available for periodic re-inspections, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
- 26. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
- 27. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow including the forfeiture of the rights granted under this Conditional Use Permit.
- 28. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Long Beach Development Services. These conditions must be printed on the site plan or a subsequent reference page.
- 29. The operator of the approved use shall prevent loitering and loud noises around the project site, and in all parking areas serving the use during and after hours of operation. Failure to comply with this condition shall be grounds for permit revocation. If loitering and/or noise problems develop, the Director of Development Services may require additional preventative measures such as, but not limited to, additional lighting, private security guards and/or alteration of business hours.

30. Any graffiti found on the site must be removed within 24 hours of its appearance.
31. Site development, including landscaping, shall conform to the approved plans on file in the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
32. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
33. Separate building permits are required for any signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting, foundations and planters, as applicable.
34. Demolition, site preparation, and construction activities are limited to the following (except the pouring of concrete, which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. – 6:00 p.m.; and
 - c. Sundays: not allowed.
35. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
36. The Director of Long Beach Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Planning Commission.
37. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

**APPLICATION No. 0909-21
4201 E. WILLOW STREET
FINDINGS**

SITE PLAN REVIEW FINDINGS

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the site plan review committee or the Planning Commission shall not approve a site plan review unless the following findings are made:

- 1. The design is harmonious, consistent and complete within itself and is compatible in design, character and scale, with neighboring structures and the community in which it is located; and**
- 2. The design conforms to any applicable special design guidelines or specific plan requirements, PD guidelines or the General Plan;**

The site is improved with an auto dealership that was built in 1963 in a Googie architectural style as the Ray Vines Chrysler Plymouth dealership. It was last occupied by the Cal Worthington Ford dealership. The Googie architectural style, characterized by sharp angular rooflines and dramatic roof overhangs, is unique in Long Beach with this dealership being one of the last remaining examples of the style after the Java Lanes Bowling Alley was demolished approximately five years ago.

An assessment of the site determined that the improvements to the site were historically significant. Consequently, the original plans to demolish all the buildings on site were revised to preserve the dealership showroom which features the character-defining features of the Googie style and reuse it as part of the retail building proposed for the site. Further, the distinctive shadow block on the buildings to be demolished as part of the project will be salvaged and used on the new car wash tunnel and on the new portions of the retail building. The applicant has identified a contemporary shadow block to match the existing ones if enough blocks cannot be salvaged from the demolition activities.

The design of the new car wash tunnel also incorporates an angled roof element that speaks to the Googie design of the dealership showroom being preserved and the additional materials proposed for the exterior of the car wash include compatible metal panels and glazing that will harmoniously tie in with the showroom and retail building.

The design of the proposed retail building and car wash tunnel is harmonious, consistent, and complete within itself.

- 3. The design will not remove significant mature trees or street trees, unless no alternative design is possible;**

The site is currently devoid of any vegetation including significant mature trees. Further there are no mature street trees as the curb face to property line portion

of the public right-of-way does not include a parkway and is fully dedicated to a paved sidewalk. The proposed development includes a full landscaping plan that will add 100 trees to the site, 15 of which will be located in the public right-of-way as street trees with the rest located onsite. Further, the proposal will add a minimum 6-foot wide landscape buffer around the perimeter of the site as well as parking lot trees and a planter that divides the car wash use from the retail building. The addition of landscaping will be a huge improvement on this site that has until now been completely paved over for the display of vehicles for sale.

4. **There is an essential nexus between the public improvement requirements established by the Ordinance and the likely impacts of the proposed development; and**

Proposed improvements in the right-of-way are minimal for this project and consist of the planting of street trees, providing ADA accessibility to the site from the public right-of-way, and repairing any public improvements damaged as a result of the construction activity. The requirements are reasonable and minor given the scope of the proposed project.

5. **The project conforms to all requirements set forth in Chapter 21.64 (Transportation Demand Management).**

The requirements of Chapter 21.64 are not applicable to this project.

ADMINISTRATIVE USE PERMIT FINDINGS

Pursuant to Section 21.25.407 of the Municipal Code, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

1. **The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all Zoning Regulations of the applicable district.**

The subject property has a zoning designation of CHW (Regional Highway District) and is within Land Use District 8 of the General Plan, Major Commercial Corridor. The CHW zone is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. The zoning is consistent with the General Plan Land Use District No. 8, which is designed for use along major business corridors in the City and is intended for large scale office and retail uses that are community or region serving, rather than local or neighborhood service. The proposed project is consistent with the designated uses for LUD #8, as a retail use and car wash located at a major intersection it will provide services for a large community from local residents to commuters exiting or entering the 405 freeway to those traveling to the Long Beach Airport.

The subject property is not located with the Coastal Zone.

The proposal meets all the requirements of the zoning regulations for the CHW zone; however, the proposed use of an automated carwash requires approval of an Administrative Use Permit (AUP) in the CHW zone.

2. The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life.

A Mitigated Negative Declaration (ND-08-10) was prepared to analyze, address, and mitigate any potential detrimental environmental impacts from the proposed project. The primary impact of the retail building focused on the preservation and reuse of a significantly historic structure. The site is improved with an auto dealership that was built in 1963 in a Googie architectural style as the Ray Vines Chrysler Plymouth dealership. It was last occupied by the Cal Worthington Ford dealership. The Googie architectural style, characterized by sharp angular rooflines and dramatic roof overhangs, is unique in Long Beach with this dealership being one of the last remaining examples of the style after the Java Lanes Bowling Alley was demolished approximately five years ago.

The applicant's original proposal for the site was to completely remove the existing dealership and build an automated carwash on the Lakewood Boulevard street frontage and a one-story retail strip center along the interior side property line. However, after a Historic Resources Assessment of the site was conducted by Sapphos Environmental and peer-reviewed by LSA Associates, it was determined that the dealership is a historical resource as defined by the California Environmental Quality Act (CEQA). Consequently, if the applicant elected to move forward with the original proposal to demolish the dealership, an Environmental Impact Report (EIR) would be required to assess the impacts of the project. Alternatively, the city consultant's, LSA, suggested that the applicant could revise the plans to reuse a portion of the existing showroom and the project could be evaluated through a Mitigated Negative Declaration (MND) process instead of an EIR.

The applicant chose to move forward with a revised plan that incorporated portions of the dealership showroom which includes all of the character defining features that make this structure historically significant. By keeping the showroom and the entire west wall of the main dealership building and salvaging the distinctive shadow blocks from the buildings to be demolished and using them to construct the new carwash, the aesthetic and cultural resource impacts were considered mitigated to less than significant impact.

Car washes are known to have noise impacts. To address potential negative impacts to surrounding uses, such as the extended stay hotel immediately to the west of the site, the car wash has been designed with a sound proof wall around the blower and the tunnel extends 20 feet beyond the blower to further muffle the noise. Conditions of approval also require that an acoustical analysis be completed to ensure the car wash does not violate Chapter 8.08 (Noise) of the

Municipal Code and the hours of operation have been limited from 7:00 am to 9:00 pm every day to further lessen the impacts from its operation.

In addition to the areas mentioned above that were analyzed, the MND also looked at a number of additional potential impacts including, but not limited to, air quality, geology and soils, greenhouse gas emissions, hydrology and water quality, and transportation/traffic and found where impacts did occur they would have a less than significant impact with mitigation incorporated.

The mitigation measures of the MND and conditions of approval will combine to ensure the approval of this project will not be detrimental to the surrounding community including public health, safety or general welfare, environmental quality or quality of life.

3. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52.

The following conditions shall apply to auto repair shops, service stations, car washes, auto upholstery shops, auto parts and tire sales, camper installation businesses, van conversion businesses and the like:

A. In the CB district, such uses shall be limited to locations inside parking structures;

The CB zoning district is no longer used in the City.

B. In the CR and CO zones, conditional use permits shall be limited to the expansion of existing nonconforming uses;

The subject site is not located in the CR or CO zone.

C. Automobile service station uses shall be limited to: retail sales of fuel, oil and small vehicle parts;

The proposed project is not an automobile service station.

D. The proposed use shall not intrude into a concentration of retail uses and shall not impeded pedestrian circulation between retail uses;

The proposed car wash use is part of a larger development that includes a retail component. However, the retail building is separate from the structure housing the car wash and the queue for the car wash and vacuum stations have been designed in such a way as to have little to no impact on the adjacent retail use.

A condition of approval has been included that would require the applicant to take corrective actions to shorten the carwash cycle if vehicle queuing for the carwash becomes a problem by increasing the number of employees or providing other operational changes to the satisfaction of the Director of Development Services.

This intent of this finding is to prevent an automobile-serving use from interrupting a block of pedestrian-oriented uses. Here the subject site is located on a major intersection and there are not adjacent pedestrian-oriented retail uses that will be impacted as the 405-freeway is located to the rear of the site, Lakewood Boulevard and Willow Street along the front and one side of the property with a extended stay hotel on the other side.

E. The proposed use shall not create unreasonable obstructions to traffic circulation around or near the site;

Initially, the design for the project called for vehicles entering the car wash queue to make an immediate left once they entered the site from Willow Street, which would have created a number of issues related to traffic circulation on the site. For instance, if the queue lane was full, vehicles would start to back-up into Willow Street and obstruct vehicles from exiting the site.

In working with the applicant, the design of the site has undergone a number of revisions to ensure that traffic circulation is not an issue. The current configuration requires vehicles wanting to use the car wash to enter the site and drive to the northern end of the property and then start queuing in a drive aisle that extends the length of the property before entering the car wash on the south side of the property. Once the vehicle has completed its wash cycle, it exits from the north end of the tunnel and can either exit the site the same way he entered or turn right where 14 vacuum stalls are available and then proceed to exit at the southern end turning right to approach the main drive aisle to exit the site.

This current site design is the best configuration available to avoid unreasonable obstructions to traffic circulation around or near the site.

F. No curb cuts shall be permitted within forty feet (40') of any public roadway intersection;

The project will utilize the existing curb cut along Willow Street.

G. No vehicles may be stored at the site for purposes of sale, unless the use is also a vehicle sales lot or for the use as parts for vehicles under repair; and

No vehicles will be stored at the site for the purposes of sale. The site will no longer be used as a vehicle sales lot with the proposed improvements. These items are included as conditions of approval for the project.

H. The site shall comply with all applicable development standards for open storage and repair uses specified in chapter 21.45, "Special Development Standards."

No open storage or repair uses are proposed as part of this project.