



# EAST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

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## LETTER OF DETERMINATION

MAILING DATE: **MAY 26 2021**

**Case No. APCE-2019-7312-CU-SPP-DRB**

Council District: 14 – de Leon

CEQA: ENV-2019-7312-CE

Plan Area: Northeast Los Angeles

**Project Site:** 2711 West Colorado Boulevard

**Applicant:** Farzad Nourollah and Arash Nourollah  
Representative: Nathan Freeman, FMG

At its meeting of **April 14, 2021**, the East Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

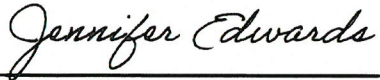
Removal of the existing service station and major remodel of the existing 9,000 square foot, one-story car wash to include the demolition of a 9,000 square foot car wash to reconstruct a new 9,708 square foot car wash and second story addition of 459 square feet. The Project also includes the construction of two 186 square foot detached vacuum equipment rooms, and a 1,225 square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The Project also includes the installation of two wall signs with individual channel letters reading "Bellagio Express Car Wash". The proposed building will be a maximum of 31 feet, 1 inch in height. The Project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section, 15301, Class 1, Section 15303, Class 3, Section 15311, Class 11 and Section 15331, Class 31 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 12.24 V of the Los Angeles Municipal Code (LAMC) and pursuant to the Colorado Boulevard Specific Plan Section 6.B (Ordinance Nos. 183,602 and 168,046), a Conditional Use Permit to allow the expansion of an existing automated carwash;
3. **Approved**, pursuant to LAMC Sections 11.5.7 C and 16.50, a Project Permit Compliance Review and Design Review for a Project located in Subarea I of the Colorado Boulevard Specific Plan;
4. **Adopted** the attached Modified Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Campos  
Seconded: Rascon  
Ayes: Stevens  
Absent: Arellano, Espinoza

**Vote: 3 – 0**



Jennifer Edwards, Commission Executive Assistant  
East Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**Effective Date/Appeals:** The decision of the East Los Angeles Area Planning Commission is appealable to the Los Angeles City Council 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JUN 10 2021

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings, Interim Appeal Filing Procedure

- c: Jane Choi, Principal City Planner
- Debbie Lawrence, Senior City Planner
- Nicole Sanchez, City Planner
- Adrineh Melkonian, City Planning Associate

## CONDITIONS OF APPROVAL

(As modified by the East Los Angeles Area Planning Commission at its meeting on April 14, 2021)

### Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped Exhibit "A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
4. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning Development Services Center to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
5. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
6. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
7. Prior to the issuance of a building permit, plans shall be submitted for review and approval to the Fire Department.
8. Prior to the issuance of a building permit, the Applicant shall demonstrate that the project complies with the Historic Assessment Report Memorandum for the Record by Sapphos Environmental Inc., dated July 21, 2020, as reviewed and verified by the Office of Historic Resources.
9. **Building Height.** The project shall be limited to a maximum building height of 31 feet, 1 inch as measured from grade. No portion of any building or structures shall exceed 15 feet in height within 20 feet of the rear yard setback. The project shall not be subject to the transitional height limits set forth in LAMC Section 12.21.1 A.10.
10. **Rear Yard.** The project shall observe a minimum rear yard setback of 10 feet.
11. **Buffering Walls.** The project shall provide a solid 2 feet 8 inches to 5 feet 1 inch tall retaining wall along the north property line with a distance of 7 feet 1 inch away from existing fence.

12. **Screening Walls.** The project shall maintain solid decorative masonry walls along the west and east property lines, except for the portion of the property line that requires an opening for ingress and egress to the project site.
13. **Vehicle Parking.** The project shall provide three (3) vehicle parking spaces for office uses and 38 vehicle parking spaces for commercial uses in accordance with LAMC Section 12.21 A.4.
14. **Street Access.** No building permit shall be issued until the Department of Transportation has reviewed and approved the parking lot design, including the number and placement of the driveway for street access.
15. Within 90 days from effective date of this grant, the business operator shall obtain from the Department of Transportation written clearance confirming that access, ingress and egress to the Commercial Corner Development will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets, based on data provided by the City's Department of Transportation or by a licensed traffic engineer with a concurrent copy of such clearance provided by the business operator to the Department of City Planning Development Services Center.
16. **Floor Area Ratio (FAR).** The project shall be limited to a maximum FAR of 1:1 for a maximum floor area of 10,167 square feet.
17. **Landscape Plan.** The applicant shall comply with the following landscape requirements:
  - A. 8,757 square feet of landscaped area of which 4,113 square foot of landscaped area shall be within the surface parking area.
  - B. At least two (2) new 24-inch box trees shall be planted in the parkway along the Sumner Avenue, three (3) new 24-inch box trees shall be planted in the parkway along the Lockhaven Avenue, and eight (8) new 10 feet trees shall be planted in the parkway along the Colorado Boulevard and Broadway.
  - C. The front yard shall be attractively landscaped.
18. Bellagio Express Carwash and Logo **Wall Signs.**
  - A. **Area.** The total sign area shall not exceed 106.53 square feet each.
  - B. **Height.** The signs shall be limited to 12-feet 3½-inches as measured vertically from the bottom of the sign to the top of the signs.
  - C. **Width.** The width of the signs shall be limited to 8-feet 8-inches in width.
  - D. **Type.** The type of signs shall be limited to internally illuminated pan Channel Letter and Logo Wall Signs.
  - E. **Materials.** The sign materials shall be approved by the Fire Department and the Department of Building and Safety.
  - F. **Location.** The Wall Signs shall be located above the business façade along Colorado Boulevard and Broadway.

- G. **Illumination.** The proposed Wall Signs shall be illuminated with white Light-emitting Diode modules. The project shall not direct light sources onto walls of residential units or windows of commercial buildings.
  - H. **Additional Signage.** There shall be no additional signage installed on the subject site except as approved in previous and subsequent approvals.
  - I. **Mountings.** All mountings shall be done to the satisfaction of the Department of Building and Safety.
19. **Landscape Maintenance.** The property owner of the subject lot shall be responsible for maintenance of all landscape features located on the property, including but not limited to plant materials, signs, walkways, benches and fountains. Each fabricated feature shall be maintained in a condition as near as possible to its original state when installed, both in structural integrity and cosmetic appearance. All vegetation shall be maintained in a first-class condition and designed in accordance with water conservation principles.
  20. **Utilities.** All new utility lines which directly serve a new Project shall be installed underground, and if underground service is not currently available, then provisions shall be made for future underground service.
  21. All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not available at the time the application is submitted and fees paid for plan check, then provisions should be made for future underground service to the satisfaction of the Bureau of Engineering, if determined necessary by the Department of Water and Power.
  22. **Lighting.** All exterior outdoor lamp fixtures shall be shielded to minimize illumination of adjacent properties and to reduce glare. Floodlighting of buildings and the use of low-pressure sodium lighting devices shall be prohibited. All exterior lighting, except for purposes of safety, security and to illuminate signs and billboards, shall be turned off at the end of business hours.
  23. **Hours of operation.** Hours of operation shall be limited to 7:00 a.m. – 7:00 p.m., daily. The hours of operation shall be posted at the front entrance of the office and the carwash. The driveway or any entrances to the carwash shall be closed for pedestrian or vehicular access during non-operating hours.
  24. Site cleaning, sweeping, trash collection, and deliveries to the site shall be limited to the following hours:
 

Monday through Friday	7:00 a.m. – 7:00 p.m.
Saturday and Sunday	8:00 a.m. – 5:00 p.m.

Notwithstanding the above, trash collection shall not be allowed on Sundays or legal holidays.
  25. Trash storage bins shall be located within a gated enclosure constructed of solid masonry and finished to match the exterior wall materials of the main building.
  26. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

27. Every wash rack shall be constructed or arranged so that entrances, exits and openings shall not face any school or residential dwelling units within 100 feet of the side of the building containing the bay door, vehicle entrance, exit or opening.
28. Arcades, game machines or public phones shall not be permitted.
29. Temporary canopy tents shall not be permitted when the tents are visible from the street or adjoining residential dwelling units.
30. On-site pennants, banners, ribbons, streamers, spinners, balloons and supergraphic signs are prohibited.
31. All windows and glass doors shall be maintained free of any signs.
32. Noise from activities on the property shall not exceed the limitations of the City Noise Ordinance.
33. No loudspeaker or public address system shall be permitted. Amplified music shall not be audible beyond outside premises.
34. A copy of the terms and conditions of this grant shall be posted on a wall of the office in plain view of the business owner at all times.
35. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material pursuant to Municipal Code Section 91.8104.
36. The applicant/the carwash operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that it is readily visible to any interested party. The hot line shall be:
  - Posted at the entrance, the egress at the adjoining alley and the cashier, responded to within 24-hours of any complaints/inquiries received on this hot line, and
  - documented in a log and available for review by the Los Angeles Police Department and the Department of City Planning Development Services Center upon request on when the calls were received, returned and the action taken at a minimum.
37. The applicant shall file an Approval of Plans application between 24 months and 27 months from the effective date of this grant to allow the Department of City Planning Development Services Center to assess compliance with the conditions. A notice of the public hearing shall be provided to the occupants and property owners within a 500-foot radius of the subject property and payment of applicable fees. At the time of filing, the applicant shall provide to the Department of City Planning Development Services Center evidence of compliance. The applicant shall submit evidence of compliance with each condition, enumerated by condition number with the Plan Approval application such as building permits, certificates of occupancy, any supporting documents and photographs, etc.

38. Prior to the issuance of any building permit, the street dedication and improvement, if any, shall be completed to the satisfaction of the Bureau of Engineering. Prior to the Department of City Planning Development Services Center's sign off of the plans, evidence of compliance with this condition shall be submitted to the satisfaction of the Department of City Planning Development Services Center.
39. At any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Department of City Planning Development Services Center reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause a notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, and the Los Angeles Police Department corresponding Division. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Department of City Planning Development Services Center may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.
40. Within 90 days of the effective date of this determination, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning Development Services Center for attachment to the subject case file.
41. **Revised Sign Plans.** Applicant shall submit plans to the Department of City Planning, Central Project Planning Division showing compliance with the Colorado Boulevard Specific Plan and the Municipal Code and seeking recommendation from the Colorado Boulevard Specific Plan Design Review Board for any modification on existing signage that required clearance from the Department of Building and Safety.

#### **Administrative Conditions**

42. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
43. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
44. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the



subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

45. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
46. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
47. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
48. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
49. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.
50. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
  - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole



discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.



## FINDINGS

### ENTITLEMENT FINDINGS

#### BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Area Planning Commission are located within Section 12.24 of the Los Angeles Municipal Code. In order for a conditional use permit for an automated carwash use to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject site is located on an irregularly shaped corner lot, which measures approximately 53,367 square feet. The property is developed as a 1,176-square foot gas station with a canopy, a 10,176-square foot existing carwash, and surface parking area in the [Q]C4-2D Zone. The project proposes the removal of the existing service station and major remodel of the existing 9,000-square foot, one-story carwash to include the demolition of a 9,000-square foot carwash to reconstruct a new 9,708-square foot first floor and second story addition of 459 square feet. The project also include construction of two (2) 186-square foot detached vacuum equipment rooms, and a 1,225-square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The project also includes the installation of two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". The proposed building will be a maximum of 31 feet, 1 inch in height. The project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area. The site is located in a highly urbanized setting, within the Colorado Boulevard Specific Plan Area Subarea I and Eagle Rock Neighborhood of the Northeast Los Angeles Community Plan. The property has a frontage along Sumner Avenue, Lockhaven Avenue, Colorado Boulevard, and Broadway.

The project proposes to rehabilitate the existing carwash while maintaining its historic function and features. The character-defining features on the project site, including the rectangular footprint, linear roof with thin fascia, brick columns which extend just beyond the roofline, carriage lights on top of columns, retaining wall at property line, landscape and setback from street, open pavilion, mechanical pulley system, visual connection of customer and carwash process, and pole sign, will be preserved. The Glen-Rock Carwash (proposed carwash) was identified in the 2017 Historic Resources Survey Report for the Northeast Los Angeles Community Plan Area as eligible for listing in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), and for designation as a Historic-Cultural Monument (HCM) as a rare example of a 1960s carwash in Eagle Rock.

The site has a nearly 55-year history of providing auto-related services to the community. The request to allow the expansion and remodeling of the existing carwash with hours of operation of 7:00 a.m. – 7:00 p.m. daily, at a Community Commercial land use designated lot will provide upgraded services that are essential and will serve the needs of the community. The Operations Plan prepared by FMG (Representative) dated November

2020 and Bellagio-Glen Rock Express Carwash Neighborhood Construction Remodel Pledge provided information on job site safety and workplace standards, site operation, employee requirements and restrictions, and community involvement and resolutions. The upgraded carwash features will provide quality carwash services with environmentally friendly equipment that allows for the recycling and the reduction of water use. In addition, the remodeled carwash will provide services with measures that cause less noise inherent to the new and upgraded mechanical equipment, and maintain the existing setbacks along the property lines. Additionally, the proposed project enhances the built environment as it is less traffic intensive than the existing operation. Per the focused traffic analysis prepared by Rifkin Transportation Planning Group, dated December 21, 2020, the proposed project results in a reduction in trip intensity from the existing gas station/carwash to carwash only. Also, based upon the expected trip generation and service rates of the automated carwash, there is not expected to be any potential queuing onto the local streets.

The Applicant proposes to provide the option for the community to post any up-coming community meetings, including school fundraising, on the designated board located on the existing Pole Sign. Any community group who wishes to utilize the designated messaging board on the Pole Sign would work with the applicant and/or property owner to do so. Therefore, the expansion and remodeling of the existing carwash will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project is the removal of the existing service station and major remodel of the existing 9,000-square foot, one-story carwash to include the demolition of a 9,000-square foot carwash to reconstruct a new carwash that includes a 9,708-square foot first floor and second story addition of 459 square feet. The project also includes construction of two (2) 186-square foot detached vacuum equipment rooms, and a 1,225-square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The project also includes the installation of two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". The proposed building will be a maximum of 31 feet, 1 inch in height. The project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area. The height of the proposed carwash structure is 31-foot 1-inch, which complies with the requirement of the zoning code.

The request to allow the expansion and remodeling of an existing carwash at a Community Commercial land use designated lot will not significantly increase the activity of the site but will serve the needs of the community in a manner that remains compatible with the surrounding area and will not adversely affect or further degrade the surrounding area, or the public health, welfare and safety. Per Los Angeles Department of Building and Safety permit application number LA69417/64 and Certificate of Occupancy issued on November 2, 1965, the lot was improved with an existing carwash and has coexisted with the abutting and surrounding residential properties for more than 55 years. The existing carwash is located toward the south of the site along Colorado Boulevard and Broadway, away from the abutting residential uses. A sloped landscaped area along the property line to the north of the lot and a retaining wall buffer the adjacent residential property to the north of the project site from the expansion of use. Per section 13.D of the Colorado Boulevard Specific Plan, the Department of the Transportation has reviewed, in detail, and approved the adequacy of the parking lot and number and placement of driveways for street access.

Also per section 13.E of the Colorado Boulevard Specific Plan, where the lot or lots to be developed have a lot line coterminous with a street other than Colorado Boulevard, then direct access to or from Colorado Boulevard shall not be encouraged. In both the existing and proposed project configuration there is no driveway access to Colorado Boulevard. A few of the character-defining features on the project site include the retaining wall at the property line, the landscape buffer along the front property line and the setback from the street. The proposed project, therefore, plans on preserving those features which will in turn create a compatible design and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. While the existing development allows full access to the site on either of the two adjacent Local Streets (Sumner and Lockhaven Avenues), the project is proposed to simplify the on-site traffic flow with two one-way driveways (enter from Sumner Avenue and exit on Lockhaven Avenue). A third driveway will provide emergency egress to Sumner Avenue in the rare situation where there is a malfunction of the carwash or if a client decides not to go through the carwash. Therefore, the project's street access is compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Per a noise impact assessment report prepared by Navcon Engineering Network, dated March 5, 2021, the noise impact is assessed by comparing the measured ambient noise levels with the noise levels predicted from the operation of the carwash. In accordance with the LAMC Chapter 11, the noise impact is considered significant if the predicted level is five (5) decibel or more higher than the ambient level. The proposed Bellagio Express Carwash impact assessment is conservative, in that the noise survey was conducted when the ambient levels are likely to be at their lowest and the carwash noise is predicted for a maximum hour of operation. As a result, the project's noise levels are not anticipated to adversely affect or degrade the surrounding areas.

The proposed car wash implements the following sustainable operating protocols: recycling 85 percent of their own water, capturing and reclaiming water used on-site prior to sending into the sewer system using variable frequency drives to conserve energy, using eco-friendly and biodegradable cleaning solutions, using high efficiency motors, and achieving Title 24 Green Building requirements. Therefore, the project proposes an environmentally sustainable carwash that will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

**3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of LAMC requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan. The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The Northeast Los Angeles Community Plan designates the property for Community Commercial land uses with corresponding zones of CR, C2, C4, P, PB, and RAS3, and it is zoned [Q]C4-2D. The property is within the Colorado Boulevard Specific Plan. The proposed project is consistent with the following Goals, Objectives, and Policies of the Northeast Los Angeles Community Plan:

- Goal 2: Strong and competitive commercial areas that suitably serve the needs of the community and attracts customers from outside the plan area by satisfying market demand and maximizing convenience and accessibility while preserving unique historic and cultural identities of each commercial area.
- Objective 2-1 To conserve and strengthen potentially viable commercial areas in order to stimulate and revitalize existing businesses and create opportunities for appropriate new commercial development.

The request to allow the major remodeling of the existing carwash will not significantly increase the activity on the project site and will serve the needs of the surrounding community. The landscape buffer and retaining walls along the property lines, adjacent to residential properties, will create a visual and noise barrier for the residential properties and will improve the physical quality of the built environment. The project is in conformance with the purpose and intent of the General Plan, which aims to allow the subject property and its immediate area to develop with healthy and viable commercial activity. With the proposed conditions, the surrounding properties will be protected from the potential impacts of the expansion of existing carwash use.

The Colorado Boulevard Specific Plan was established in 1992. One of the purposes of the Plan, as found in Section 3 Purposes, was to “address the problems in this Colorado Boulevard commercial strip, which is characterized by the concentration of auto-related businesses with no rear alleys in commercial zones, and with considerable traffic.” To that end, the Plan prohibited auto-related uses in Subareas II and III, including automobile service stations and other automobile-related retail uses, automobile repairing and painting, automobile storage, and fast-food drive-through restaurants. These same auto-related uses may be allowed in Subarea I of the Plan, but only after Area Planning Commission review and approval. As the subject site is in Subarea I, and the findings for approval of the project can be supported, the use will be consistent with the requirements and intent of the Colorado Boulevard Specific Plan. The Project Permit Compliance Review approval also shows that the project is consistent with the applicable specific plan.

### **DESIGN REVIEW BOARD AND PROJECT PERMIT COMPLIANCE REVIEW**

1. **A recommendation was made by the Colorado Boulevard Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:**

In accordance with Los Angeles Municipal Code (LAMC) Section 16.50 Design Review Board Procedures, no building permits for changes to the exterior façade or the replacement of signage can be issued unless plans depicting a graphic representation and location of the façade and signage have been reviewed for a recommendation by the Colorado Boulevard Specific Plan Design Review Board.

A Public Hearing was held for December 21, 2020, for the Colorado Boulevard Design Review Board to review the proposed work, which included installation of two (2) Wall Signs with individual channel letters reading “Bellagio Express Car Wash”. The Design Review Board recommended approval of the plans with a condition that the applicant will submit plans to the Department of City Planning, Central Project Planning Division showing compliance with the Colorado Boulevard Specific Plan and the Municipal Code and seeking recommendation from the Colorado Boulevard Specific Plan Design Review Board for any modification on existing signage that required clearance from the Department of Building and Safety.

The role of design review boards is to evaluate the placement of mass, form, spatial elements and overall quality of the design of proposed projects based on defined objectives established in specific plans. Design review boards should assist the City decision-makers, the community, private developers, property owners, and design professionals in implementing the design goals of communities contained within specific plan boundaries. Subsequently, the Director of Planning has reviewed and recommends that the APCE find that the proposed project complies with all applicable regulations, standards, and provisions of the Specific Plan and that the size, height, type, and color of the proposed Signs are consistent with Section 14 Sign Standards of the Colorado Boulevard Specific Plan as noted in the following Finding No. 2.

2. **The project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

- i. **Permitted Uses.** Section 6.A of the Specific Plan states that any use permitted in the C4 Zone shall be permitted within the Specific Plan area on C4 zoned lots with the limitations set forth in Section 6.B.1. Section 6.B. states that in Subarea I (where this project is located), automobile service stations and other automobile-related retail uses shall only be permitted after the Area Planning Commission has approved the use. Section 6.B.2 further stipulates that the Area Planning Commission shall have authority to approve any such use. The Area Planning Commission, in approving any of these uses, shall make the findings contained in L.A.M.C. Section 12.24 E. Approval of uses through this procedure shall not be construed as exempting the Project from other applicable provisions of this Specific Plan. The project proposes the removal of the existing service station and major remodel of the existing 9,000-square foot, one-story carwash to include the demolition of a 9,000-square foot carwash to reconstruct a new 9,708-square foot first floor and second story addition of 459 square feet. The project also include construction of two (2) 186-square foot detached vacuum equipment rooms, and a 1,225-square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The project also includes the installation of two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". The proposed building will be a maximum of 31 feet, 1 inch in height. The project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area. The carwash was in existence prior to adoption of Specific Plan, at the time of the subject request, and has a Certificate of Occupancy issued in 1965. As such, with the APC's approval of the proposed use through Findings under LAMC 12.24E (See, F-1 through F-3, above), the project complies with Section 6.B.1 of the Specific Plan.
- ii. **Ground Level Development.** Section 7.A of the Specific Plan states that every project shall include a street wall, which shall extend for at least 75 percent of the length of the street frontage and shall be located five (5) feet from the front lot line. Section 7.A further stipulates that blank walls shall be limited to segments of 15 feet in length, except that blank walls which contain a vehicle entry door shall be limited to the width of the door plus five (5) feet. The subject property has approximately 271 feet of street frontage along Colorado Boulevard, and therefore is required to provide a street wall that extends at least 230 feet along Colorado Boulevard and located five (5) feet from the front lot line. The proposed street wall is shown as approximately 161 feet 4 inches, which is less than the minimum requirement of 230 feet. The proposed street



wall is located approximately 8 feet 2 inches from the front lot line, which does not comply with the five (5) feet setback requirement. Since the project proposes to rehabilitate the existing carwash while maintaining its historic function and features, it will maintain the existing street wall length and setback along the primary façade of the street frontage. The character-defining features on the project site, including rectangular footprint, linear roof with thin fascia, brick columns which extend just beyond the roofline, carriage lights on top of columns, retaining wall at property line, landscape and setback from street, open pavilion, mechanical pulley system, visual connection of customer and carwash process, and pole sign, will be preserved. The Glen-Rock Carwash (proposed carwash) was identified in the 2017 Historic Resources Survey Report for the Northeast Los Angeles Community Plan Area as eligible for listing in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), and for designation as a Historic-Cultural Monument (HCM) as a rare example of a 1960s carwash in Eagle Rock. Therefore, pursuant to Section 5 of the Specific Plan and due to the requirement to preserve various historic features of the project, the provisions in Section 7.A.1 of the Specific Plan have been deemed not applicable to the proposed project scope. The proposed street wall does not have any blank walls that extend more than 15 feet in length. As such, it complies with Section 7.A.2 of the Specific Plan.

- iii. **Building Height.** Section 8 of the Specific Plan states that notwithstanding LAMC Section 12.21.1 A.10 to the contrary, no project within Subarea I shall exceed 55 feet in height above grade. The proposed building will have a maximum height of 31 feet, 1 inch, as measured from grade. As such, the project complies with Section 8 of the Specific Plan.
- iv. **Buffering Walls.** Section 9.A of the Specific Plan states that any project located on a lot which abuts a residentially zoned lot or a lot on which a residential use is located shall include a solid, decorative masonry wall that is six (6) feet in height, as measured from grade. The project site abuts R1-zoned properties to the north. There is an existing fence abutting the residential uses to the north. The height difference between the finish surface at the carwash and the bottom of the existing fence is over 6 feet. The project proposes a 2 feet 8 inches to 5 feet 1 inch retaining wall along the north property line 7 feet 1 inch away from existing fence. Therefore, the project complies with Section 9.A of the Specific Plan.
- v. **Screening.** Section 9.B.1 of the Specific Plan states that screening shall be required for auto-servicing uses, storage yards and surface parking. The project site abuts R1-zoned properties to the north. There is an existing fence abutting the residential uses to the north. The height difference between the finish surface at the carwash and the bottom of the existing fence is over 6 feet. The project proposes a 2 feet 8 inches to 5 feet 1 inch retaining wall along the north property line 7 feet 1 inch away from existing fence. Therefore, the project complies with Section 9.B.1 of the Specific Plan. Section 9.B.2 states that notwithstanding any other provision of the L.A.M.C. to the contrary, surface parking, when adjacent to a street, shall be screened with a four-foot high, solid, decorative, masonry wall. However, when surface parking abuts a residential use, then a minimum wall height of six feet shall be required. Existing retaining walls along surface parking area have less than four (4) feet height. Per Memorandum for the record prepared on July 21, 2020 by Sapphos Environmental Inc. the character-defining features of the building include a

retaining wall at the property line. Therefore, pursuant to Section 5 of the Specific Plan and due to the requirement to preserve various historic features of the project, the provisions in Section 7.A.1 of the Specific Plan have been deemed not applicable to the proposed project scope.. Section 9.B.3 also states that roof-mounted mechanical equipment and/or duct work which exceeds the height of the roof ridge or parapet wall, whichever is higher, shall be screened from a horizontal view with materials compatible with the design of the building. Per plans submitted by the applicant, the proposed rooftop mechanical equipment does not exceed the height of the parapet wall. Therefore, the project complies with Section 9.B.3 of the Specific Plan.

- vi. **Yards.** Section 10.B of the Specific Plan states that all lots shall have a five (5)-foot front yard and a 10-foot rear yard, and that no portion of a project above 15 feet in height shall be within 20 feet of the rear lot line. The existing carwash structure is located approximately 8 feet 2 inches from the front lot line, which does not comply with the five (5) feet setback requirement. Since the project proposes to rehabilitate the existing carwash while maintaining its historic function and features, it will maintain the existing front yard setback. The proposed vacuum equipment enclosure number 1 will be a maximum of 12 feet, in height. No portion of a project above 15 feet in height will be within 20 feet of the rear lot line. Therefore, the project complies with Section 10.B.2 of the Specific Plan.
- vii. **Landscaping.** Section 11 of the Specific Plan contains the following landscaping requirements for the proposed project:
  - At least five (5) percent of the project's total lot area shall be landscaped;
  - 24-inch box tree shall be planted at 25-foot intervals along the street frontage of the project site;
  - At least seven (7) percent of the total area of a surface parking area shall be landscaped; and
  - The front yard shall be attractively landscaped; however, no landscaping is required for driveways or passageway areas when surface parking or a parking structure is provided along the street frontage.

The project is required to landscape at least five (5) percent (2,669 square feet) of the 53,367 square feet of the lot, and seven (7) percent (1,752 square feet) of the total area of a surface parking (25,035 square feet). The project overall proposes 8,757 square feet of landscaped area. The landscape plan shows a 4,113-square foot landscaped area within the surface parking area. The project is required to provide at least six (6) 24-inch box trees along the street frontage of the project site on Sumner Avenue, which is approximately 170 in length, eight (8) 24-inch box trees along the street frontage of the project site on Lockhaven Avenue, which is approximately 210 in length width, and ten (10) 24-inch box trees along the street frontage of the project site on Colorado Boulevard and Broadway, which is approximately 271 feet in length. The applicant submitted a landscape plan, which shows three (3) existing trees to remain and two (2) new 24-inch box trees to be planted in the parkway along the Sumner Avenue street frontage of the project site. There are two driveways and a catch basin along Sumner Avenue which prevent the planting of the required number of trees. The landscape plan shows six (6) existing trees to

remain and three (3) new 24-inch box trees to be planted in the parkway along the Lockhaven Avenue street frontage of the project site. The landscape plan also shows one (1) existing tree to remain and eight (8) new 10 feet-wide trunk trees to be planted in the parkway along the Colorado Boulevard and Broadway street frontage of the project site. There are three (3) existing concrete and one (1) existing ramp to remain along Colorado Boulevard and Broadway street frontage which prevent the planting of the required number of trees. Therefore, it does not need to comply with Section 11.B of the Specific Plan. The landscape plan shows that the front yard will be attractively landscaped. The Specific Plan further stipulates that it shall be the responsibility of the property owner of the project to maintain all landscape features located on private property in accordance with the following criteria:

- Each fabricated feature shall be maintained in a condition as near as possible to its original state when installed, both in structural integrity and cosmetic appearance; and
- All vegetation shall be maintained, i.e., watered, fertilized, trimmed, etc., in a first-class condition and shall be designed in accordance with water conservation principles.

Therefore, the project complies with Section 11 of the Specific Plan.

viii. **Existing Uses.** Section 12 of the Specific Plan contains the following requirements for the proposed project:

- Existing uses on lots within the Specific Plan area shall be made to conform to the screening and buffering requirements of Section 9 within five years from the effective date of this Specific Plan.
- The owner of any lot in the Specific Plan area which contains landscaping or on which landscaping is planted shall maintain that landscaping in a first class condition.
- The owner of any lot in the Specific Plan area which contains landscape features, including but not limited to signs, walkways, benches and fountains shall maintain these features in a condition as near as possible to their original state when installed, both in structural integrity and cosmetic appearance. If more than normal maintenance work is required to comply with this requirement, as determined by the Director, then the features shall be made to comply within one year of the effective date of this Plan.

The project has been conditioned showing compliance with the screening and buffering provisions of the Specific Plan and to maintain all landscape features on the subject property in accordance with the Specific Plan.

ix. **Parking.** Per the Specific Plan, the project is required to provide three (3) parking spaces for office use. The plans submitted by the applicant shows the project proposes to provide 41 parking spaces. Therefore, the project complies with Section 13.A.2 of the Specific Plan.

**Street Access.** Sections 13.D and E of the Specific Plan state that no building permit shall be issued for a Project located on a lot which has a coterminous lot line with Colorado Boulevard, until the Department of Transportation has reviewed, in detail, and approved the adequacy of the parking lot or parking

structure design, including the number and placement of driveways for street access and where the lot or lots to be developed have a lot line coterminous with a street other than Colorado Boulevard, then direct access to or from Colorado Boulevard shall not be encouraged. The plans submitted by the Applicant shows the project proposes driveways for street access to or from site from streets other than Colorado Boulevard. In both the existing and proposed project configuration there is no driveway access to Colorado Boulevard. While the existing development allows full access to the site on either of the two adjacent local streets (Sumner and Lockhaven Avenues), the project proposes to simplify the on-site traffic flow with two one-way driveways (enter from Sumner Avenue and exit on Lockhaven Avenue). A third driveway will provide emergency egress to Sumner Avenue in the rare situation where there is a malfunction of the carwash or if a client decides not to go through the carwash. As conditioned, the Department of Transportation will review in detail the adequacy of the parking lot, including the number and placement of driveways for street access prior to issuance of any building permit. The project is in conformance with Section 13.D and E of the Specific Plan. Section 13.G states that no parking shall be permitted on that portion of a lot located between the front lot line and any portion of a building which faces Colorado Boulevard, Eagle Rock Boulevard or any street. The project complies with Section 13.G of the Specific Plan.

x. **Sign Standards (Prohibitions).**

a. Off-site signs, except existing legally erected off-site commercial signs located in the Specific Plan area, may be replaced at a new site provided that the new location is in Subarea I or III, and the new sign otherwise is permitted pursuant to Division 62 - Sign (Section 91.6220 - Off-Site Signs) of the L.A.M.C. and meets all of the current ordinance requirements. The new sign shall not exceed the display area of the sign being replaced and shall be set back 5 feet from the front property line.

*The proposed sign is not an offsite sign.*

b. No roof signs shall be permitted.

*No roof sign is proposed.*

c. No pole signs shall be permitted.

*No new pole sign is proposed*

d. No animated Sign, including flashing neon Sign shall be permitted.

*No digital, flashing or neon sign is proposed.*

e. No mural signs shall be permitted.

*No mural sign is proposed.*

The project is proposing two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". Since the project is not proposing any new Off-Site Sign, Roof Sign, new Pole Sign, Animated Sign, or Mural Sign, Section 14.B (Prohibitions) does not apply.

- xi. **Floor Area Ratio (FAR).** Per Section 15.A of the Specific Plan, projects within the Specific Plan area shall have a Base Permitted FAR of 1:1. The project proposes 10,167 square feet on a 53,367-square foot lot, resulting in a maximum FAR of 0.24:1. Therefore, the project complies with Section 15.A of the Specific Plan.
  - xii. **Preservation of Cultural Resources.** Per Section 16.A of the Specific Plan, to the maximum extent feasible, Cultural Resources shall be retained and enhanced. The project proposes to rehab the existing carwash while maintaining its historic function. Therefore, the project complies with Section 16.A of the Specific Plan. The character-defining features on the project site, including rectangular footprint, linear roof with thin fascia, brick columns which extend just beyond the roofline, carriage lights on top of columns, retaining wall at property line, landscape and setback from street, open pavilion, mechanical pulley system, visual connection of customer and carwash process, and pole sign will be preserved. The Glen-Rock Carwash (proposed carwash) was identified in the 2017 Historic Resources Survey Report for the Northeast Los Angeles Community Plan Area as eligible for listing in the National Register, California Register, and for designation as a HCM as a rare example of a 1960s carwash in Eagle Rock. The proposed project would rehabilitate the current carwash while maintaining its historic function. The proposed project will update the current machinery, add design features and signage to the fascia and roof, add structural support behind the original brick columns, maintain setback and landscaping on primary façade, and maintain the customer connection to the carwash process with a ride-in vehicle function.
  - xiii. **Underground Utilities.** Section 17 of the Specific Plan states that all new utility lines which directly serve a new project shall be installed underground, and if underground service is not currently available, then provisions shall be made for future underground service. The project has been conditioned to install all new utility lines underground. Therefore, as conditioned, the project complies with Section 17 of the Specific Plan.
  - xiv. **Lighting.** Section 18 of the Specific Plan states that all exterior outdoor lamp fixtures shall be shielded to minimize illumination of adjacent properties and to reduce glare. Section 18 further stipulates that floodlighting of buildings and the use of low-pressure sodium lighting devices shall be prohibited. The Specific Plan also states that all exterior lighting, except for purposes of safety, security and to illuminate signs and billboards, shall be turned off at the end of business hours. The project has been conditioned to comply with the lighting provisions of the Specific Plan. Therefore, as conditioned, the project complies with Section 18 of the Specific Plan.
3. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The City of Los Angeles determined that based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1, Section 15303, Class 3, and Section 15331, Class 31, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant

effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

### **CEQA FINDINGS**

The Department of City Planning (DCP) determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15301, Class 1, Section 15303, Class 3, Section 15311, Class 11, and Section 15331, Class 31 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The site is located at **2711 West Colorado Boulevard**.

The project proposes the removal of the existing service station and major remodel of the existing 9,000-square foot, one-story carwash to include the demolition of a 9,000-square foot carwash to reconstruct a new 9,708-square foot first floor and second story addition of 459 square feet. The project also include construction of two (2) 186-square foot detached vacuum equipment rooms, and a 1,225-square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The character-defining features on the project site, including rectangular footprint, linear roof with thin fascia, brick columns which extend just beyond the roofline, carriage lights on top of columns, retaining wall at property line, landscape and setback from street, open pavilion, mechanical pulley system, visual connection of customer and carwash process, and pole sign will be preserved. The project also includes the installation of two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". The proposed building will be a maximum of 31 feet, 1 inch in height. The project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area. Ingress and egress to and from the site will be via the existing driveways on Lockhaven and Sumner Avenues.

There are six (6) Exceptions which must be considered in order to find a project exempt under Class 3: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Site; and (f) Historical Resources.

The site is zoned [Q]C4-2D and has a General Plan Land Use Designation of Community Commercial. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 1.2 acres. Lots adjacent to the subject site are developed with single-family residential and commercial uses. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare, or threatened species. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff.

While the subject site is located within the Raymond Fault Zone, in an Urban Agriculture Incentive Zone, in a Very High Fire Hazard Severity Zone, and in a Special Grading Area, lands identified to be located in a Hillside Area based on the latest Bureau of Engineering Basic Grid Map A-13372, per Section 91.7003 of the Building Code, RCMs in the City of Los Angeles regulate the grading and construction of projects in proximity of these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. These include Aesthetics (RC-AE-3 (Vandalism) and RC-AE-4 (Signage): Compliance with provisions of the Los Angeles Building Code)); Air Quality (RC-AQ-1 (Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403), RC-AQ-2, RC-AQ-3, RC-AQ-4, RC-AQ-5, RC-AQ-6)); Geology and Soils (RC-GEO-1 and RC-GHG-2 (Green Building Code)); Hydrology and Water

Quality (RC-WQ-3: Low Impact Development Plan); Noise (RC-NO-1 (Demolition, Grading, and Construction Activities)); and Public Utilities and Service Systems (RC-WS-2 (Green Building Code), and RC-EN-1 (Green Building Code)). These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study per email received on July 22, 2019. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of the new single-family dwelling will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for Class 3.

As mentioned, the project proposes the removal of the existing service station and major remodel of the existing 9,000-square foot, one-story carwash to include the demolition of a 9,000-square foot carwash to reconstruct a new 9,708-square foot first floor and second story addition of 459 square feet. The project also include construction of two (2) 186-square foot detached vacuum equipment rooms, and a 1,225-square foot pay station canopy, removal of 11 non-protected trees, and the export of approximately 959 cubic yards of earth on a property that is 53,367.9 square feet in size. The project also includes the installation of two (2) Wall Signs with individual channel letters reading "Bellagio Express Carwash". The proposed building will be a maximum of 31 feet, 1 inch in height. The project will provide 41 vehicle parking spaces and 8,757 square feet of landscaped area. All adjacent lots are developed with single-family and commercial uses. The project proposes a Floor Area Ratio (FAR) of 0.24:1 on a site that is permitted to have a maximum FAR of 1.5:1. The project proposes a height of 31 feet 1 inch high which is not unusual for the vicinity of the subject site, and is similar in scope to other existing structures in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The Topanga Canyon State Scenic Highway is about 22 miles west of the subject site. Therefore, the subject site will not create any impacts within a designated as a state scenic highway. While there is an existing fueling service station on-site, a Phase 1 Environmental Site Assessment and Addendum prepared by Fulcrum Resources Environmental dated August 15, 2019 shows that the existing underground storage tanks (USTs) were installed in 1997 and are currently in compliance with all fueling station requirements. Furthermore, a Remedial Action Completion Letter was issued in 2017 by the State Water Resources Board. While a portion of the proposed project does include removal of this existing fueling service station, during the demolition permit process one of the regulatory requirements for permit approval will be that the Applicant will need to receive Los Angeles Fire Department approval. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. Therefore, the subject site is not a Hazardous Waste Site and the proposed project will not create any impacts to hazardous waste. The project site has been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. A Historic Assessment Report Memorandum for the Record was prepared by Sapphos Environmental, Inc., dated July 21, 2020. This Memorandum was reviewed by the Department of City Planning's Office of Historic Resources. On August 11, 2020, the Office of Historic Resources approved the design of the proposed project and recommended that the Historic Assessment Report Memorandum for the Record prepared by Sapphos Environmental, Inc. be adopted as part of the CEQA review for the project. The Historic Assessment Report Memorandum for the Record has found the project



will not result in any impacts to a historical resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

# COVID-19 UPDATE

## Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

### OPTION 1: Online Appeal Portal

([planning.lacity.org/development-services/appeal-application-online](https://planning.lacity.org/development-services/appeal-application-online))

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

### OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

#### **Metro DSC**

(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012

#### **Van Nuys DSC**

(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401

#### **West Los Angeles DSC**

(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment