



**OWNER:**

Ishkhan Sahagian, SIS Ptro Mini-Mart Corp., 21452 Brookhurst St., Huntington Beach, CA 92646

**STATEMENT OF ISSUE:**

1. Is the project proposal consistent with the City of Huntington Beach land use regulations (i.e., General Plan land use designation, Zoning Map and Zoning Code including any specific plans and overlay districts where applicable)?
2. Does the project proposal satisfy all the findings required for approving an Entitlement Plan Amendment?
3. Has the appropriate level of environmental analysis been determined?

**RECOMMENDATION:**

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - Existing Facilities.
- B) Approve Entitlement Plan Amendment No. 19-010 with findings and conditions of approval (Attachment No. 1).

**ALTERNATIVE ACTION(S):**

- A) Continue Entitlement Plan Amendment No. 19-010 and direct staff to return with findings for denial.
- B) Continue Entitlement Plan Amendment No. 19-010 and direct staff accordingly.

**PROJECT PROPOSAL:**

**Background:**

The subject site is located on the northeast corner of Brookhurst Street and Hamilton Avenue. The site is fully developed with one single-story building that includes a car wash tunnel, a convenience market, and a 12 pump station fueling canopy. The site also includes ten parking spaces and landscaping.

On February 24, 2009, the Planning Commission approved Conditional Use Permit No. 08-020 and Negative Declaration No. 08-007 to permit the development of an approximately 2,400 sf, 24-hour convenience store with ancillary offsite alcohol sales, gas station, and an approximately 960 sf automated car wash. Negative Declaration No. 08-007 included an Acoustical Study (Attachment No. 5) which determined that noise levels would not cumulatively contribute to an increase in levels above established thresholds in the municipal code. The Acoustical Study found the car wash operations would not exceed the daytime (7:00 A.M. - 10:00 P.M.) ambient-based noise limits of the City municipal code at the nearest residential areas. According to the applicant's narrative, the business owner has installed new, quieter mechanical equipment this year (Attachment No. 3). The property owner requests to extend the car wash hours of operation to serve his customers

**Code Enforcement History:**

Code Enforcement staff has received one case related to noise at the existing car wash since it was approved in 2009. The case was generated due to the sounding of an alarm and the car wash operating overnight. The Code Enforcement Officer worked with the business owner to achieve compliance and the issue was resolved by physically closing down vehicular access to the car wash at the required hours. The Code Enforcement case was closed to the satisfaction of the reporting party. The business owner has agreed to continue this practice with the proposed extended hours of operation. Further, the business owner proposes to add signage on the fueling pumps which state the car wash closes at 10:00 P.M. in order to further clarify the car wash hours of operation.

**ISSUES AND ANALYSIS:**

**Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG (Commercial General)	CG (Commercial General)	Arco Gas Station, Market, and Car Wash
North of Subject Property:	CG (Commercial General)	CG (Commercial General)	Vacant
East of Subject Property:	RM (Residential Medium Density)	RM (Residential Medium Density)	Residential Condominiums
South of Subject Property:	CG (Commercial General)	CG - CZ (Commercial General - Coastal Zone Overlay)	Commercial shopping center
West of Subject Property:	CG (Commercial General)	CG (Commercial General)	Commercial shopping center

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is CG (Commercial General). The proposed extension of operational hours for an existing car wash is consistent with this designation and the goals and policies of the City’s General Plan as follows:

**Land Use Element**

**Goal LU-1:** New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

**Goal LU-13:** The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

**Policy LU-13.A:** Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The proposed extension of operational hours for the existing car wash will further the goals of the General Plan by providing a service to accommodate the needs of local residents and serve visitors from the surrounding area. The proposed hours of operation extension will contribute to the economic viability of the property, surrounding commercial shopping centers, and the responsible growth of the City.

The proposed extension of operational hours, as conditioned, is not anticipated to result in

negative impacts on surrounding businesses and adjacent properties, as the car wash tunnel is setback 47 ft. from the property line shared with an adjacent multifamily residential property. The nearest multifamily residential building is located approximately 131 ft. from the car wash tunnel. The multifamily residences are buffered from the car wash by an existing eight ft. tall block wall, carports, and a driveway. Moreover, the car wash is located along a major corridor and will not generate significant impacts to affect surrounding residential uses. A noise study, received and dated July 29, 2008, prepared by RK Engineering, found that the car wash operations would not exceed the daytime (7:00 A.M. - 10:00 P.M.) ambient-based noise limits of the City municipal code at the nearest residential areas. A supplemental operational noise study determined noise generated by the use will not exceed existing ambient noise levels and will comply with the City's noise ordinance. Noise is attenuated through onsite improvements and existing structures adjacent to the site which include a perimeter block wall and carport structures. Additionally, the property owner has retained the services of RK Engineering again to take new operational noise measurements (Attachment No. 4). The recent study demonstrates that noise generated from the car wash does not substantially increase noise levels at the adjacent multifamily residential building. As recommended by the Noise Study, the carwash is conditioned to require patrons to turn off engines and stereos while using vacuums, require patrons to turn off stereos while waiting in the queue, and limit operations to between 7:00 A.M and 10:00 P.M. daily.

**Zoning Compliance:**

The project complies with the requirements of the CG (Commercial General) zoning designation. Amending the previously approved hours of operation is subject to the approval of an Entitlement Plan Amendment by the Planning Commission.

**Urban Design Guidelines Conformance:**

Not applicable.

**Environmental Status:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - Existing Facilities, because the project involves no expansion of the existing facility.

**Coastal Status:**

Not applicable.

**Design Review Board:**

Not applicable.

**Subdivision Committee:**

Not applicable.

**Other Departments Concerns and Requirements:**

The Departments of Community Development, Public Works, and Fire have reviewed the application and had no comments regarding the proposed application. The Police Department reviewed the project and suggests adding new conditions regulating alcohol sales at the property (Attachment No. 6).

**Public Notification:**

Legal notice was published in the Huntington Beach Wave on November 28, 2019, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties. As of December 3, 2019 no communications supporting or opposing the request has been received.

**Application Processing Dates:**

DATE OF COMPLETE APPLICATION:      MANDATORY PROCESSING DATE(S):  
October 30, 2019                              December 30, 2019

**SUMMARY:**

Staff recommends the Planning Commission approve Entitlement Plan Amendment No. 19-010 based on the following:

- Consistent with the CG (Commercial General) Land Use Designation of the General Plan and the CG (Commercial General) zoning designation;
- Compatibility with the surrounding area; and
- Provides a necessary service to the local and regional community.

**ATTACHMENTS:**

1. Suggested Findings and Conditions of Approval
2. Plans received and dated October 3, 2019
3. Narrative received and dated October 3, 2019
4. Arco Car Wash Observed Noise Analysis received and dated December 3, 2019
5. Acoustical Study received and dated July 29, 2008
6. Code Requirements
7. Planning Commission Notice of Action for CUP No. 08-020/ND No. 08-007 dated February 25, 2009