

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCSV-2016-1344-ZC-CU-WDI	EBV-2016-1345-CE	6 – Padilla
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> N/A	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
6320 – 6344 ½ North Sepulveda Boulevard, Van Nuys, CA 91411		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Farzad N Nourollah (FN Property Investments 3) <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	(310) 420-9796	glatthut@gmail.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Nathan Freeman <input type="checkbox"/> N/A	(213) 220-1070	neffmg@gmail.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Christian Pearson	(213) 978-1181	Christian.pearson@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
<input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i> Zone Change (ZC)		

**FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:
(UNAPPEALED OR NON-APPEALABLE ITEMS)**

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL DOCUMENT:

REVISED:

<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

N/A

CITY COUNCIL NOTICE TIMING:

NOTICE LIST (SELECT ALL):

NOTICE PUBLICATION:

<input type="checkbox"/> 10 days	<input type="checkbox"/> Owner	<input type="checkbox"/> 10 days
<input type="checkbox"/> 15 days	<input type="checkbox"/> Applicant	<input type="checkbox"/> 15 days
<input type="checkbox"/> 24 days	<input type="checkbox"/> Adjacent/Abutting	<input type="checkbox"/> 24 days
<input type="checkbox"/> N/A / None	<input type="checkbox"/> 100' radius	<input type="checkbox"/> N/A / None
<input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> 300' radius	<input type="checkbox"/> Other: [enter here if applicable]
	<input type="checkbox"/> 500' radius	
	<input type="checkbox"/> Neighborhood Council	
	<input type="checkbox"/> Interested Parties	
	<input type="checkbox"/> Other: [enter here if applicable]	

FISCAL IMPACT STATEMENT: Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:

March 14, 2024

COMMISSION VOTE:

5 – 0

LAST DAY TO APPEAL:

June 26, 2024

DATE APPEALED:

None

COUNCIL TIME TO ACT:

- 30 days
- 45 days
- 60 days
- 75 days
- 90 days
- 120 days
- N/A / None
- Other: [enter here if applicable]

TIME TO ACT START:

- Appeal Filing Date
- Received by Clerk
- Last Day to Appeal
- N/A / None
- Other: [enter here if applicable]

TRANSMITTED BY:

April M. Hood

TRANSMITTAL DATE:

June 27, 2024



SOUTH VALLEY AREA PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUN 06 2024

Case No.: APCSV-2016-1344-CU-ZC-WDI
CEQA: ENV-2016-1345-CE
Plan Area: Van Nuys – North Sherman Oaks

Council District: 6 – Padilla

Project Site: 6344 North Sepulveda Boulevard

**Applicant/
Appellant:** Farzad N. Nourollah, FN Property Investments 3
Representative: Nathan Freeman, FMG

On **March 14, 2024**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following Project:

The legalization of 16 outdoor vacuum cleaner stations as an accessory use to an existing car wash, auto repair, and auto lube service, on a 1.2-acre site in the C2-1VL-RIO and P-1VL-RIO Zone. The requested entitlement is for a Zone Change from P-1VL-RIO to C2-1VL-RIO, in conformance with the General Commercial land use designation of the Van Nuys-North Sherman Oaks Community Plan and a Conditional Use Permit to allow the expansion of an auto related use (vacuum stations) within 500 feet of a residential use and to operate from 7:00 a.m. to 7:30 p.m. Monday through Friday, and 7:00 a.m. to 7:30 p.m. on Saturday in lieu of 9:00 a.m. to 8:00 p.m. and 7:00 a.m. to 7:30 p.m. on Sunday in lieu of 11:00 a.m. to 8:00 p.m. as otherwise required.

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 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 12.32 F of the Los Angeles Municipal Code (LAMC), a Zone Change from P-1VL-RIO to (T)C2-1VL-RIO;
 - a. **Denied** a waiver of improvement requirements along Halbreth Avenue.
3. **Approved**, a waiver of improvement requirements along Sepulveda Boulevard;
4. **Approved**, pursuant to LAMC Section 12.24 W.4, a Conditional Use to permit the expansion of an auto related use (vacuum cleaner stations) within 500 feet of a residential use or zone, and deviations from development standards of LAMC Sections 12.22 A.28(a)(4) and 12.22 A.28(a)(9), the operational standards of LAMC Section 12.22 A.28(b)(5);
5. **Dismissed**, pursuant to LAMC Section 12.97 I.3, a request for a Waiver of Dedication and/or improvement to waive improvement requests along Sepulveda Boulevard and Halbreth Avenue;
6. **Adopted** the attached Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Crockett
Second: Mather
Ayes: Barraza, Gourdikian, Karadjian

Vote: 5 – 0


Bryan Sanchez, Commission Executive Assistant I
South Valley 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 South Valley Area Planning Commission as it relates to the Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the South Valley Area Planning Commission, regarding the remaining approvals, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-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, CA 91401.

FINAL APPEAL DATE: JUN 26 2024

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: Zone Change Ordinance, Map, Conditions of Approval, Findings, and Appeal Filing Procedures

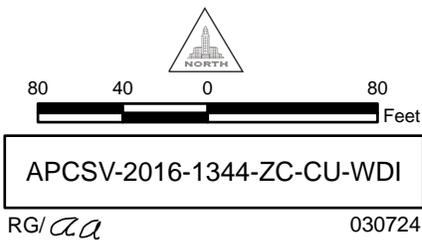
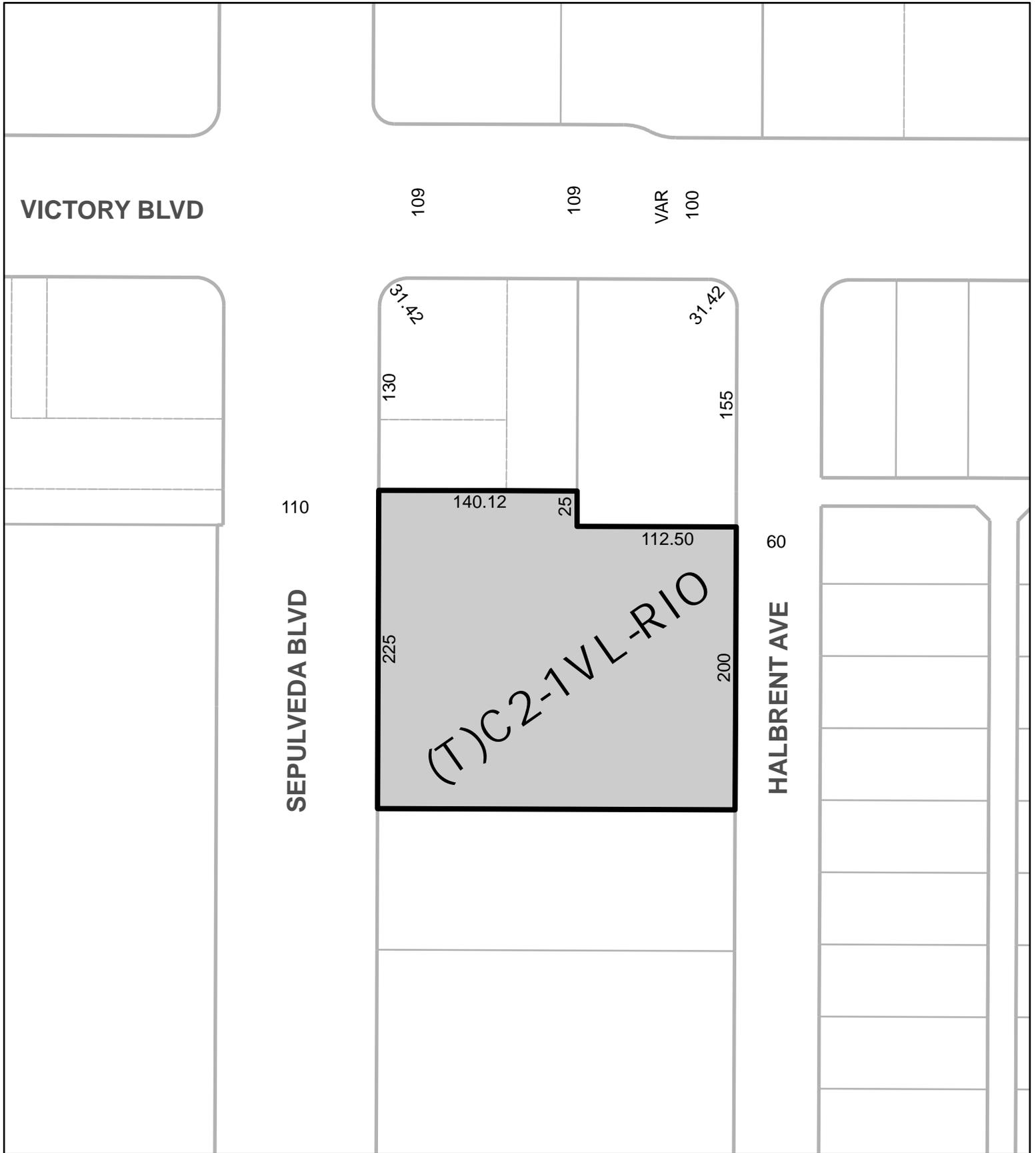
- c: Jojo Pewsawang, Senior City Planner
- Blake Lamb, Principal City Planner
- Maren Gamboa, City Planner
- Christian Pearson, City Planning Assistant

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



APCSV-2016-1344-ZC-CU-WDI
 RGI/aa 030724

City of Los Angeles



CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32.G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication Required:
 - Sepulveda Boulevard (Boulevard II): None
 - Halbrent Avenue (Local Street): None
2. Improvements Required:
 - a. Sepulveda Boulevard - Repair all broken, off-grade or bad order concrete curb and gutter. Upgrade all driveways to comply with ADA requirements.
 - b. Halbrent Avenue - Repair all broken, off-grade or bad order concrete sidewalk, curb and gutter. Upgrade all driveways to comply with ADA requirements or close all unused driveways with standard curb height, gutter and sidewalk.
 - c. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847 -3077.

Notes: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

3. No major drainage problems are involved.
4. Sewer lines exist in Sepulveda Boulevard. All Sewage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

Any questions regarding this report may be directed to Quyen Phan at 213-202-3495

6. The Bureau of Street Lighting's recommended condition of approval for the subject city planning case is as follows:

IMPROVEMENT CONDITION: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Sepulveda Boulevard. and one (1) on Halbrent Avenue.

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. 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 Zoning Administrator 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.
4. 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.
5. 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Prior to the effectuation of this grant, 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 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 for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
7. Authorized herein is the continued operation of an automotive laundry facility with a total of 16 vacuum cleaner stations and the following deviations from automotive standards:
 - a. **Hours of Operation.** Hours of operation for the car wash facility shall be from 7 a.m. to 7:30 p.m. daily.
 - b. **Over-in-Height Fence.** The project is permitted to maintain a maximum 8-foot in height fence along both Sepulveda Boulevard and Halbrent Avenue.
 - c. **Landscape buffer.** The project is permitted to provide a zero-foot landscape buffer along Halbrent Avenue and a zero-foot landscape buffer along Sepulveda Boulevard in lieu of 5 feet otherwise required along both street frontages.
8. **Site Landscaping.** All open areas not used for buildings, driveways, and parking areas, shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
9. **Lighting.** Each vacuum station lighting shall be directed downward, away from residential use, to prevent exposed lighting towards the surrounding residential uses.

10. **Parking.** All required on-site parking spaces shall be open and accessible to patrons using the site and shall not otherwise be obstructed or used for open storage of vehicles.
11. **Sound Wall.** A sound wall fronting Halbrent Avenue shall be maintained, in good condition, free of graffiti.
12. **Signage.** Signage shall be limited to subject property only and may not encroach onto the public right of way. Sign spinning mannequins are prohibited.
13. **Parking.** A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Los Angeles Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.

Administrative Conditions:

14. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
15. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
16. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
17. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
18. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
19. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
20. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
21. **Indemnification.** Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- c. 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).
- d. 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).
- e. 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

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Van Nuys – North Sherman Oaks Community Plan and is designated for General Commercial land uses, which corresponds to the C1.5, C2, C3, RAS3 and RAS4 Zone. The proposed zone change to (T)C2-1VL-RIO is consistent with the land use designation on the plan map and is therefore in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
2. **General Plan Text.** The Van Nuys – North Sherman Oaks Community Plan text includes the following relevant land use goals, objectives, policies and programs:

GOAL 2: A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY.

Objective 2-1: To conserve the strengthen viable commercial development.

Policy 2-1.1 New commercial uses shall be located in existing established commercial areas or existing shopping centers.

Program: The Plan Map identifies specific areas where commercial development is permitted.

Policy 2-1.2 Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Program: Chapter V – Urban Design, proposes, policies for commercial development which address this policy; the Plan also ensure more compatibility by downsizing and/or establishing more restrictive height limits.

Objective 2-2 To enhance the identity of distinctive commercial districts.

Policy 2-2.1 New development needs to add to and enhance the existing pedestrian street activity.

Program: Development within these areas is subject to the design standards established in the Design Guidelines for pedestrian oriented areas.

Policy 2-2.2 Ensure that commercial in-fill projects achieve harmony in design with the best of existing development.

Program: Implementation of the Design Guidelines in Chapter V.

Policy 2-2.3 Require that the older commercial business areas with pedestrian oriented districts be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses.

Program: The Plan includes Design Guidelines which Implement this policy for commercial projects and projects located within pedestrian oriented districts.

The proposed accessory use will meet the above objectives and policies of the plan area's needs, matching the use for this area by the Community Plan's General Commercial land use designation. The project would change the P-1VL-RIO to (T)C2-1VL-RIO zone for the ability to use a vacuum as an accessory use of the car wash within 500 feet of residential parcels.

The proposed C2 zone and legalization of 11 uncovered vacuum cleaners would be compatible with the existing General Commercial land use and character. Additionally, the project has been conditioned to improve the surrounding public rights-of-way, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood. At its meeting on March 14, 2024, the South Valley Area Planning Commission approved, in part, and denied in part, the applicants request to waive all street improvements along Sepulveda Boulevard and Halbrent Avenue. The commission expressed their satisfaction with the project's appearance on Sepulveda Boulevard and remarked it would be an unnecessary hardship on the business owner(s). However, the Commission agreed improvements were needed along Halbrent Avenue to better serve the residential street abutting the rear (east) of the site. Those improvements are conditioned as a part of this recommendation. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Sepulveda Boulevard and Halbrent Avenue were found to be adequate. Adequate access to the site is available from the surrounding streets and a common driveway will provide patrons with direct access from Sepulveda Boulevard and/or Halbrent Avenue.

Therefore, as conditioned, the recommendations contained in this report meet the objectives of the Community Plan and are consistent with the general plan land use designation.

B. Entitlement Findings

1. Zone Change, L.A.M.C. Sec. 12.32-F: The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The (T)C2-1VL-RIO zone is consistent with the existing General Plan Land Use designation in that this land use category allows for a corresponding zone of C2. The project is also convenient in location to serve major streets, such as Sepulveda Boulevard and Victory Boulevard and surrounding infrastructure. There is a necessity for a vacuum as an accessory use at the existing car wash to provide a higher level of service. There are no other car washes within 2 miles of the site. Thus, many residents and customers have come to rely on the services of the car wash and vacuum facilities. Properties in the immediate neighborhood primarily consist of single-family homes on R1-zoned lots east, across Halbrent Avenue and surrounding commercial uses on C2-zoned lots. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone change will be in good zoning practice by providing a harmonious service for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. Conditional Use Findings

- a. **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 property is located on the east side of Sepulveda Boulevard, near the Victory Boulevard intersection. The property is improved with a car washing facility station (Bellagio Car Wash) with 16 vacuum cleaner stations and 27 parking spots. The applicant is requesting the legalization of the existing car wash operations in the P-1VL-RIO Zone consisting of 11 vacuum cleaner stations.

The applicant is seeking a Conditional Use for the expansion of an auto related use (i.e. legalizing vacuum cleaner stations) within 500 feet of a residential use or zone, and deviations from operational standards of LAMC Section 12.22.A.28. The project is currently operating from 7:00 a.m. to 7:30 p.m. daily in lieu of Monday through Saturday 9:00 a.m. to 8:00 p.m and in lieu of Sunday 11:00 a.m. to 8:00 p.m. The existing car wash facility proposed provides a service that is beneficial to the community. The project is also seeking a Conditional Use for the approximately 8-foot, over in height fence in lieu of the 36 inches otherwise allowed. Lastly, the project is requesting an exception to the five (5) foot landscape buffer on Sepulveda Boulevard and Halbrent Avenue.

The Conditional Use will allow the existing car wash facility to continue servicing the community in a beneficial way. The car wash offers the convenience of cleaning the exterior and interior of automotive vehicles. The hours of operation of operation present more options for people to obtain the service beyond regular working hours. The over-in-height fence allows security and provides sound and light barriers to the residential neighborhood to the east. The waiver of landscape requirements are necessary due to the existing site conditions of the site. The building is built to the property line on Sepulveda Boulevard and the required parking exists along the property line along Halbrent Avenue. These are the original conditions of the site as developed in 1954. The legalization of the existing vacuum cleaner stations and deviations from the operational standards will support the surrounding community by continuing to provide a service that is convenient and beneficial to employees, visitors, and local residents.

- b. **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 subject interior lot is currently improved with an existing car wash facility (Bellagio Car Wash). Vehicular access to the site is provided through one driveway on Sepulveda Boulevard and one driveway along Halbrent Avenue. The applicant has requested to allow the continued use of the car wash facility as is, including the legalization of the 11 of the 23 vacuum cleaner stations featured on-site in the current P-1VL-RIO zone. The project is currently operating from 7:00 a.m. to 7:30 p.m. daily in lieu of Monday through Saturday 9:00 a.m. to 8:00 p.m and in lieu of Sunday 11:00 a.m. to 8:00 p.m. The existing car wash facility proposed provides a service that is beneficial to the community. The project is also seeking a Conditional Use for the approximately 8-foot, over in height fence in lieu of the 36 inches otherwise allowed. Lastly, the project is requesting an exception to the five (5) foot landscape buffer on Sepulveda Boulevard and Halbrent Avenue.

The car wash has existed at the site for many years. The existing vacuum cleaner stations will be compatible with and will not adversely affect adjacent properties. The vacuum cleaner station's location will remain within the parking lot of the car wash towards the east side of the property. The legalization of the vacuum cleaner stations will allow the car wash to continue to operate and serve members of the community.

No new development is proposed. Therefore, physical features of the project would not degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety of the public at large.

Surrounding properties are generally zoned parking, commercial, single-family residential, and multi-family residential. The northern abutting properties are zoned C2-1VL-RIO and P-1VL-RIO and are developed with a bank building. The western adjoining properties (across Sepulveda Boulevard) are zoned C2-1VL-RIO and are developed with a fast-food use and an automotive repair shop. The southern abutting property is zoned C2-1VL-RIO and P-1VL-RIO and is developed with an auto body repair shop and dealership. The eastern adjoining properties (across Halbrent Avenue) are zoned R1-1-RIO and are developed with single-family dwellings. The legalization of the existing vacuum cleaner stations and the continued operational standards will not alter the mode and character of the existing use and is not anticipated to result in any additional nuisance activity.

Therefore, the conditions of the grant address safety, security, and noise to ensure the use remains compatible with surrounding uses and does not further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs 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 implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements.

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The subject property is located within the Van Nuys-North Sherman Oaks Community Plan which designates the property for General Commercial land uses with corresponding zones of CR, C1 .5, C2, and C4. The car wash facility (and associated vacuum cleaner stations) is a permitted use in the C2 Zone that is consistent with the Plan land use category in the Van Nuys-North Sherman Oaks Community Plan. Furthermore, the subject request is aligned with the goals and policies of the General Plan, including Community Plan Policy 2-1.1 stating that "new commercial uses shall be located in existing established commercial areas or existing shopping centers."

The subject conditional use would legalize the expansion of existing car wash facility. The existing car wash is located in an existing established commercial area, following the intent of the plan. The legalization of the expanded car wash facility will allow the car wash to continue to operate and provide the community with a viable service that they have come to expect. The requested hours of operation, deviations to landscape setbacks, and over-in-height fences are existing conditions at the site. Further, at the latest public hearing, no additional comments/concerns were expressed from neighbors. Nevertheless, conditions have been incorporated that seek to address comments received from the prior hearing conducted in 2016. Limitations include specifications on lighting positions to reduce light spill to the residential communities, and conference with LADOT for circulation plan approval. As such, the project substantial conforms with the purpose, intent, and provisions of the General Plan and applicable Community Plan.

3. Conditional Use Supplemental Findings per LAMC Section 12.24 W-4

- a. **That project approval will not create or add to a detrimental concentration of automotive uses in the vicinity of the proposed automotive use.**

The subject property is an interior lot located on the east side of Sepulveda Boulevard. The property is improved with a car wash facility (Bellagio Car Wash). The applicant is seeking a Conditional Use for the expansion of an auto related use (i.e. legalizing vacuum cleaner stations) within 500 feet of a residential use or zone, and deviations from operational standards of LAMC Section 12.22.A.28. The project is currently operating from 7:00 a.m. to 7:30 p.m. daily in lieu of Monday through Saturday 9:00 a.m. to 8:00 p.m. and in lieu of Sunday 11:00 a.m. to 8:00 p.m. The existing car wash facility proposed provides a service that is beneficial to the community. The project is also seeking a Conditional Use for the approximately 8-foot, over in height fence in lieu of the 36 inches otherwise allowed. Lastly, the project is requesting an exception to the five (5) foot landscape buffer on Sepulveda Boulevard and Halbrent Avenue.

The existing car wash, which has been operating successfully for over 50 years, is surrounded by a variety of commercial uses, including other automotive uses such as a Jiffylube and motor vehicle dealerships. There are retail stores and dining opportunities in the immediate vicinity as well. The existing car wash facility on the subject site is the only one in the immediate vicinity and serves a large portion of the community. Therefore, the project will not create or add to a detrimental concentration of automotive uses in the vicinity.

- b. **That based on data provided by the Department of Transportation or a licensed traffic engineer, ingress to, egress from and associated parking of the automotive use will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The proposed project is for a zone change and conditional use to allow the expansion of an existing car wash within 500 feet of a residential zone or use. The change from P zone to C2 zone will legalize the existing vacuum stations located in the P zone and continued operation of the business that has been at that location for over fifty years. There is no change to the existing curb cuts, ingress or egress access to the site, nor parking spots. Queuing space for the car wash exists on site, and the orderly location of vacuum stalls prevent on-site congestion.

Nevertheless, the project has been conditioned to require that a parking area and driveway plan be submitted to the Department of Transportation prior to submittal of building permit plans for plan check by the Department of Building and Safety to ensure the continued use will not constitute a traffic hazard, cause significant congestion, or disrupt circulation on adjacent streets.

- c. **That any spray painting will be conducted within a fully enclosed structure located at least 500 feet away from a school or A or R zone, and that all spray painting will be conducted in full compliance with the provisions of Article 7, Chapter 5 of this Code, as well as South Coast Air Quality Management District Rules 1132 and 1151, regulating these installations.**

The proposed project is for a zone change and conditional use to allow the expansion of an existing car wash within 500 feet of a residential zone or use. The change from P zone to C2 zone will legalize the existing vacuum stations located in the P zone. This project is not proposing a spray-painting booth, therefore this finding does not apply.

- d. **That the applicant has submitted an appropriate landscape plan setting forth all plant materials and irrigation systems, and a written maintenance schedule indicating how the landscaping will be maintained.**

The proposed project is for a zone change from the P-1VL-RIO to C2-1VL-RIO on the eastern portion of the lot. The site has been previously developed with auto related uses, including a car wash built at the property line and also requires a new Conditional Use to allow expansion of the car wash on the eastern portion. The zone change and conditional use make the property subject to the automobile use standards in LAMC 12.24. The project seeks to waive out of the required landscape buffer due to the physical limitations of the site and the existing buildings. Additionally, as conditioned, all other open areas not used for buildings, driveways, and parking areas, shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

C. CEQA Findings

Based on the whole of the administrative record as supported by the justification prepared and found in the environmental case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 (Class 1, Existing Facilities) and CEQA Guidelines Section 15303 (Class 3, New Construction or Conversion of Small Structures), 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.

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of exiting public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in the guidelines are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

The project consists of the legalization of vacuum stations at an existing car wash through a zone change on a portion of the lot currently zoned P-1VL-RIO. The Zone Change will legalize 16 vacuum bays currently on the lot.

Class 3 consists of the construction and location of a limited number of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

The project consists of the legalization of vacuum stations at an existing car wash through a zone change on a portion of the lot currently zoned P-1VL-RIO. The Zone Change will legalize 16 vacuum bays currently on the lot.. The vacuum station are small, accessory structures to the main use of the car wash, which has been in operation for more than 50 years.

Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

The project consists of the legalization of vacuum stations at an existing car wash through a zone change on a portion of the lot currently zoned P-1VL-RIO. The Zone Change will legalize 16

vacuum bays currently on the lot. Vacuum stations are accessory to the main use of a car wash and is an added service for the car wash customers.

15300.2 Exceptions.

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project is located in an urbanized area and is an expansion of an existing use. The location is not in a particularly sensitive environment, and there are no environmental resources of hazardous or critical concern that are designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Further, the project incorporation of a sound wall and the resultant sound studies indicate that there are no impacts to the surrounding environment.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

There are no other car washes in the immediate vicinity, and the project is surrounded by other longstanding automobile uses. Therefore, expansion of the use does not result in cumulative impacts as there is not a succession of project of the same type in the same place over time.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances involved in the project or the site. The car wash has been operating on this site for over fifty years and is a use allowed by the General Plan Land Use and the zoning on a portion of the site.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The location of this project on Sherman Way in the Van Nuys – North Sherman Oaks Community Plan is not part of any scenic resource.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The project site is itself, or located near, a historic cultural monument, or any other historic resource identified by the city, or on a list of state and national historic resources.

Therefore, 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



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

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

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Filing