

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 Halbreth 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

