

AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

August 8, 2023

Pursuant to Government Code Section 54953(b), the following City Council meeting includes teleconference participation by Council Member Cassandra Chase from: Kent Hall, 111 West Santa Ana Street, Ojai, California 93023

ADJOURNED MEETING: 5:30 p.m.
STAFF PRESENTATION AND COUNCIL DISCUSSION OF *EXECUTIVE BOARD ROOM*
ORDINANCE NO. 2023-6; AMENDING THE CITY OF LAKEWOOD MUNICIPAL CODE TO
UPDATE AND ADD VARIOUS REGULATIONS INCLUDING THOSE REGARDING PUBLIC
NUISANCES OF BEES/WASPS AND BIRD FEEDING, WASTE HAULER ENFORCEMENT,
FRONT YARD SAFETY AND PARKING STANDARDS, WALL/FENCE/HEDGE HEIGHT REVIEW
PROCEDURES, APPEAL TIMELINES AND OTHERS.

APPEAL OF CONDITIONAL USE PERMIT NO. 279, AMENDMENT NO. 3, 6:00 p.m.
RESOLUTION NO. 2023-52 - Staff recommends City Council conduct a de novo *COUNCIL CHAMBERS*
hearing and decide the appeal.

CALL TO ORDER 7:30 p.m.

INVOCATION: Pastor Chris Kirish, Renovate Church

PLEDGE OF ALLEGIANCE: Scout Troop 1883

ROLL CALL: Mayor Ariel Pe
Vice Mayor Todd Rogers
Council Member Cassandra Chase
Council Member Steve Croft
Council Member Jeff Wood

ANNOUNCEMENTS AND PRESENTATIONS:

Presentation by Captain Dan Holguin, Lakewood Sheriff's Station, Regarding Quarterly Public Safety Report

ROUTINE ITEMS:

All items listed within this section of the agenda are considered to be routine and will be enacted by one motion without separate discussion. Any Member of Council may request an item be removed for individual discussion or further explanation. All items removed shall be considered immediately following action on the remaining items.

RI-1 MEETING MINUTES - Staff recommends City Council approve Minutes of the Meeting held June 13, 2023.

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ROUTINE ITEMS: - Continued

- RI-2 PERSONNEL TRANSACTIONS - Staff recommends City Council approve report of personnel transactions.
- RI-3 REGISTERS OF DEMANDS - Staff recommends City Council approve registers of demands.
- RI-4 CITY COUNCIL COMMITTEES' ACTIVITIES - Staff recommends City Council receive and file the report.
- RI-5 MONTHLY REPORT OF INVESTMENT TRANSACTIONS - JUNE 2023 - Staff recommends City Council receive and file the report.
- RI-6 QUARTERLY SCHEDULE OF INVESTMENTS - AS OF JUNE 30, 2023 - Staff recommends City Council receive and file the report.
- RI-7 RESOLUTIONS OF DESTRUCTION FOR OBSOLETE CITY RECORDS MORE THAN TWO YEARS OLD IN ACCORDANCE WITH STATE LAW, RESOLUTIONS NO. 2023-53 THROUGH NO. 2023-60 - Staff recommends City Council adopt proposed resolutions.
- RI-8 APPROVAL OF AGREEMENT WITH THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TOTAL MAXIMUM DAILY LOAD - Staff recommends City Council approve the five year agreement.
- RI-9 JUSTICE ASSISTANCE GRANT PROGRAM FUNDING FOR CONTRACTED DRONE SERVICES - Staff recommends City Council approve the proposed JAG Program funding project to contract with a drone service provider for on-demand drone services; authorize the Mayor to sign the Certifications and Assurances by the Chief Executive of the Applicant Government; authorize the City Manager to sign the appropriate award acceptance documents; and direct the Director of Finance & Administrative Services to appropriate \$20,043 of JAG funds in the FY2023-2024 budget.
- RI-10 APPROVAL OF AGREEMENT FOR FEST-OF-ALL FAMILY ENTERTAINMENT AND AMUSEMENTS - Staff recommends City Council authorize Mayor to approve the agreement for the 2023 Fest-Of-All with Elite Special Events.
- RI-11 AUTHORIZATION OF TEMPORARY INCREASE IN CITY MANAGER SIGNATURE AUTHORITY FOR CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (CUPCAA) PROJECTS TO AWARD CENTRE PAINTING AND CENTRE CARPET INSTALLATION - Staff recommends City Council temporarily increase the City Manager's contracting authority from August 8th to September 12th on public projects to \$200,000, specifically to award the Centre carpet installation and painting at portions of the Centre.
- RI-12 AUTHORIZATION OF ADDITIONAL ARCHITECTURAL SERVICES – DAHLIN GROUP – PALMS COMMUNITY CENTER IMPROVEMENTS - Staff recommends City Council authorize additional design work for the Palms Community Center Improvements per the Dahlin Group proposal dated June 20, 2023, in an amount not-to-exceed \$22,000, and authorize the Mayor to sign the proposal.

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ROUTINE ITEMS: - Continued

RI-13 APPROVAL OF ADDITIONAL CONSULTING SERVICES FOR MAYFAIR WATER CAPTURE PROJECT BY TETRA TECH, INCORPORATED (AMENDMENT #11) - Staff recommends City Council approve Amendment No. 11 to provide additional support services for the Mayfair Park Water Capture Project in an amount of \$49,413, and authorize the Mayor to sign the Amendment.

RI-14 RATIFY PURCHASE OF F-550 VEHICLE - Staff recommends City Council appropriate \$110,000 for purchase of the F-550 vehicle and associated costs for the installation of the chipper body and ratify the purchase of the F-550 vehicle from Knight Sunrise Hollywood LLC, in the amount of \$61,216.31.

RI-15 AMENDMENT NO. 3 TO AGREEMENT FOR EMPLOYMENT OF CITY MANAGER – It is recommended that the City Council approve the proposed amendment.

RI-16 RATIFICATION OF PURCHASE OF REPLACEMENT VARIABLE FREQUENCY DRIVE MOTOR CONTROLLERS FOR MAYFAIR POOL - Staff recommends City Council appropriate \$125,000 for the replacement of failed pool equipment, contingency, and associated miscellaneous supplies required for the maintenance work; ratify the purchase and installation of the replacement VFDs from California Commercial Pools in amount of \$91,900; and authorize staff to approve a cumulative total of change orders, as necessary not-to-exceed \$9,000, to California Commercial Pools, during the installation of the replacement variable frequency drive motor controllers.

PUBLIC HEARINGS:

1.1 CONFIRMING REPORT OF DELINQUENT FEES AND CHARGES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL, RESOLUTION NO. 2023-61 - Staff recommends City Council hold a public hearing and adopt proposed resolution confirming Report of Delinquent Fees.

1.2 INTRODUCTION OF ORDINANCE NO. 2023-6; AMENDING THE CITY OF LAKEWOOD MUNICIPAL CODE TO UPDATE AND ADD VARIOUS REGULATIONS INCLUDING THOSE REGARDING PUBLIC NUISANCES OF BEES/WASPS AND BIRD FEEDING, WASTE HAULER ENFORCEMENT, FRONT YARD SAFETY AND PARKING STANDARDS, WALL/FENCE/HEDGE HEIGHT REVIEW PROCEDURES, APPEAL TIMELINES AND OTHERS - Staff recommends the City Council introduce the proposed 2023 LMC Update ordinance and approve the associated CEQA exemption.

1.3 COLLECTION OF 90-DAY DELINQUENT ADMINISTRATIVE CITATION FINES, RESOLUTION NO. 2023-62 - Staff recommends City Council conduct a lien hearing and consider all competent evidence presented related to any outstanding delinquent fine amounts, late fees and related costs from fiscal year 2022-2023; adopt the proposed resolution finding that the final list of delinquent 2023 fines and related costs are due to the City as cost of nuisance abatement; order the outstanding delinquent fines to be paid; and direct staff to forward a final list of the unpaid fines to the County Tax Assessor for collection as a lien on the related property, as part of the annual property tax assessment.

REPORTS:

3.1 APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES - Mayor recommends City Council approve appointments.

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REPORTS: - Continued

- 3.2 DESIGNATION OF VOTING DELEGATE FOR LEAGUE ANNUAL CONFERENCE – It is recommended that the City Council appoint a Council Member to represent the City as the delegate for voting purposes at the League Annual Business Meeting, or, in lieu of a Council Member, the City Manager.

- 3.3 APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS - Staff and the CIP Committee recommends City Council appropriate funds for the Annual Projects Park Hardscape (\$50,000), Fire and Security (\$50,000), Fence (\$25,000), Facility Roof Repairs (\$50,000), and Painting Improvements (\$50,000) from the Measure L reserve for Capital Improvements; appropriate funds for the Annual Maintenance Project (\$600,000) from the Measure L reserve for Capital Improvements; appropriate funds for Annual Playground Project (\$50,000) from the Measure L reserve for Capital Improvements; appropriate funds for the Burns Daycare Kitchen Improvements (\$200,000) from the Measure L reserve for Capital Improvements; and appropriate funds for the Palms Park Basketball Court LED Lighting Conversion (\$60,000) from the Measure L reserve for Capital Improvements.

AGENDA

LAKWOOD HOUSING SUCCESSOR AGENCY

1. REGISTER OF DEMANDS - Staff recommends Housing Successor Agency approve registers of demands.

ORAL COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you are a qualified individual with a disability and need an accommodation to participate in the City Council meeting, please contact the City Clerk's Office, 5050 Clark Avenue, Lakewood, CA, at 562/866-9771, ext. 2200; or at cityclerk@lakewoodcity.org at least 48 hours in advance to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

Agenda items are on file in the Office of the City Clerk, 5050 Clark Avenue, Lakewood, and are available for public review during regular business hours. Any supplemental material distributed after the posting of the agenda will be made available for public inspection during normal business hours in the City Clerk's Office. For your convenience, the agenda and the supporting documents are available in an alternate format by request and are also posted on the City's website at www.lakewoodcity.org

Adjourned

COUNCIL AGENDA
REVISED - August 8, 2023

TO: Honorable Mayor and City Council

SUBJECT: Study Session for clarification of two items in the 2023 LMC Update Ordinance

PURPOSE AND OBJECTIVES OF STUDY SESSION

The purpose of this Study Session is to advise the City Council of the results of the Planning and Environment Commission (PEC) public hearing on July 6, 2023, regarding the 2023 LMC Update Ordinance and to request clarification of two provisions in this proposed ordinance. The first reading of this ordinance is scheduled before the regular City Council public hearing on August 8, 2023. The points of clarification that are requested are:

1) **Proposed Ordinance Section 25:** Do Council Members wish to impose a one-quarter of a mile or a one-half of a mile radius for the Child Safety Visual Corridor. The PEC is recommending the one-half mile radius.

SECTION 25. Subsection 9320. K. of the Lakewood Municipal Code, regarding R-1 Zone residential front yard safety standards is hereby added to read as follows:

K. Front Yard Safety Standards. The City Council hereby finds that the following development standards are necessary to protect residents, especially children, from potential harm that may be caused by the location of any structures in the front yards of residential lots. These standards are each individually necessary to protect the public health, safety, and welfare of the residents of the City of Lakewood from potential safety hazards and other unsafe conditions. These standards shall apply to all areas within the front yard setback area and within any adjacent side yard setback area that is the same distance from the front property line as the front yard setback area. The Community Development Director is authorized to make determinations and regulatory interpretations of these provisions in order to reasonably implement the stated objectives regarding the application or waiver of the following front yard standards, especially as it applies to any existing or proposed vegetation and/or structures (*e.g., a tree or a flagpole*)...

2. Child Safety Visual Corridor. In order to preserve and promote safe passageways for children walking to and from schools, libraries, and public parks along city sidewalks, no structure over 42” in height shall be constructed within ten (10) feet of a public sidewalk that is within **one-half** of a mile from a school, library, or public park.

2) **Proposed Ordinance Sections 27 and 37:** In sections 27 and 37 of the ordinance regarding respectively off-street parking and driveway widths, staff requests confirmation of the addition of the following provision “The internal edge of the existing **legally conforming** driveway width (as it existed on August 8, 2023) may be expanded by no more than ten (10) feet to allow one additional paved parking space in the front yard, except in the instance, where a circular drive **exists or** is allowed to be installed.”

SECTION 27. Section 9321 of the Lakewood Municipal Code, regarding off-street parking standards is hereby amended to read as follows:

9321. OFF-STREET PARKING, SINGLE FAMILY RESIDENTIAL. A private garage or carport providing not less than two (2) automobile covered parking spaces shall be maintained for the first dwelling unit on a lot and at least one (1) additional paved parking space shall be provided for each additional dwelling unit on a lot, except as waived or modified by state law. Such a garage or carport shall not be within the front yard, however, the paved driveway area in the front yard may be used for required parking spaces. Tandem parking is allowed on the paved driveway. The internal edge of the existing **legally conforming** driveway width (as it existed on August 8, 2023) may be expanded by no more than ten (10) feet to allow one additional paved parking space in the front yard, except in the instance, where a circular drive **exists or** is allowed to be installed. In addition, any area paved between the external edge of the driveway and the nearest side property line may be used for parking. If a property owner has a vehicle with a valid unexpired placard or license plate for the disabled, then an additional five (5) feet wide walkway may be paved towards the interior of the lot to accommodate a walkway access for the disabled. This disable access walkway is in lieu of and replaces the otherwise allowed two (2) wide foot passenger walkway. In no instance shall any additional paving allowed by this section exceed the maximum allowed front yard hardscape area as specified by Section 9322.10. C of this Code. All required parking spaces shall be kept clear of storage, furniture, appliances, equipment, plants, or accumulations of trash, rubbish, or debris, and shall remain accessible for the parking of vehicles.

Notwithstanding the foregoing, a private garage or carport providing one (1) automobile storage space shall be maintained for each single-family residence validly erected and conforming on February 27, 1958, provided, however, one (1) additional paved automobile parking space is provided on the lot.

SECTION 37. Subsection 9322.10.B.2 of the Lakewood Municipal Code, regarding driveway width standards is hereby amended to read as follows:

...

(d) The internal edge of the existing driveway width (as it existed on August 8, 2023) may be expanded by no more than ten (10) feet to allow one additional paved parking space in the front yard, except in the instance, where a circular drive is allowed to be installed.


3) PEC Resolution 5-2023 states the PEC further recommends to the City Council in consideration of testimony received at the PEC hearing on July 6, 2023, to consider allowing controlled


“backyard” honeybee keeping within specified areas and under specified conditions within Lakewood and to instruct the Community Development Director to conduct a study and prepare an ordinance to allow such honeybee keeping opportunities.

RECOMMENDATION:

It is the recommendation of the Planning and Environment Commission that the City Council.

1. Direct staff to include provisions for a one-half mile radius for the child safety visual corridor and additional residential parking in the 2023 LMC Update Ordinance.
2. Direct the Community Development Director to initiate a study of backyard beekeeping as a potential allowed land use in the City of Lakewood. This study shall include a review of such regulations in adjacent jurisdictions.

Abel Avalos 
Community Development Director


Thaddeus McCormack
City Manager

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CITY COUNCIL AGENDA

August 8, 2023

TO: Honorable Mayor and City Council

SUBJECT: De Novo Hearing on Conditional Use Permit No. 279, Amendment No. 3
Reconstruction and Expansion of a Carwash Tunnel at an Existing Service Station,
4311 South Street

INTRODUCTION

On May 4, 2023, the Planning and Environment Commission (PEC) adopted Resolution No. 3-2023 approving Conditional Use Permit (CUP) No. 279, Amendment No. 3 on a 5-0 vote. CUP 279 Amendment No. 3 is for the reconstruction and expansion of a carwash, covered outdoor vacuum stations, and walls exceeding 7'-6" in height at an existing service station with a convenience store on a property in the C-3 (Intermediate Commercial) zone located at 4311 South Street.

On May 25, 2023, the project appellant submitted a timely appeal of the PEC's decision which was filed in accordance with Section 9407 of the Lakewood Municipal Code (LMC). The appeal consisted of a letter from Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP representing Shakouri Investment Group, LLC, requesting the City Council overturn the decision of the PEC objecting to the project based on potential noise, traffic congestion, and other issues.

On June 16, 2023, the applicant, Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC Mr. Jeffrey P. Carlin of Alston & Bird representing the CUP applicant, Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC, and appellant, Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP, representing Shakouri Investment Group, LLC, submitted a joint letter requesting that City Council consider the appeal with new information and set a De Novo hearing to do so.

At its June 27, 2023, meeting, the City Council considered the appeal and voted to conduct a De Novo hearing. A De Novo hearing allows the City Council to consider new and/or additional evidence as it relates to this application, rather than be limited to only the evidence received by the PEC. Pursuant to LMC Section 9407.5, the City Council set a De Novo hearing for the proposed CUP No. 279, Amendment No. 3 to be heard on August 8, 2023.

STATEMENT OF FACTS

The request for CUP No. 279, Amendment No. 3 was made pursuant to Section 9341.B, 9 of the LMC which requires all uses to be conducted wholly within a building but exempts vacuums, vacuum stations, and other outdoor equipment and activities normally associated with a carwash from this requirement as normally permitted in conjunction with such carwash facilities. LMC Section 9347.A allows uses permitted in the C-1 zone to also be allowed in the C-3 zones under the same specified conditions, this applies to the convenience store and fuel sales.

LMC Section 9347.D.11 requires a CUP to establish a carwash in the C-3 zone. That Section allows for "...vehicle wash racks, carwashes, or any permanent facility offering hand and/or mechanical

washing, which includes detailing, waxing, or cleaning of non-commercial vehicles, and whether self or full-service. Carwash facilities may include outdoor vacuums, vacuum stations, and other outdoor equipment and activities normally associated with a carwash. Other activities and uses may co-locate with a carwash as deemed acceptable by the Planning and Environment Commission.”

ADDITIONAL INFORMATION (ATTACHMENTS)

The following items are attached to this report and were presented, reviewed, and considered by the PEC at the May 4, 2023, meeting, regarding the proposed use:

- 1) Report to the PEC on the application for CUP No. 279, Amendment No. 3, which includes:
 - a. Staff report for CUP No. 279, Amendment No. 3
 - b. Vicinity Map and Aerial View of the property and the surrounding area
 - c. Exhibit “A” – Site Plan
 - d. Exhibit “B” – Floor Plan
 - e. Exhibit “C” – South & West Elevations
 - f. Exhibit “D” – East & North Elevations
 - g. Exhibit “E” – South, North, West Elevations
 - h. Exhibit “F” – Trash Enclosure
 - i. Exhibit “G” – Colored Renderings
 - j. Noise Study Measurement Data
 - k. Resolution No. 11-82
 - l. Resolution No. 1-84
 - m. Resolution No. 22-89
 - n. Los Angeles County Sheriff’s Department letter dated March 25, 2023
 - o. Development Review Board letter dated April 22, 2023
 - p. Resolution No. 3-2023

In addition, attached is a letter dated May 25, 2023, from Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP, representing Shakouri Investment Group, LLC. This (“Guadiana”) letter requests the City Council to reverse the May 4, 2023, PEC approval of this carwash upgrade project and then proceeds to set forth the details of the various justifications for such an appeal, including failures to follow procedures and regulations. The appeal is of the May 4, 2023, PEC’s decision to adopt Resolution 3-2023 approving CUP No. 279, Amendment No. 3, subject to conditions.

Additionally, the Law Offices of William J. Beverly, representing Thomas Baaden and Jeffrey Wysard, the Managing Members of 5830 Lakewood LLC, the property owners of 5830-5836 Lakewood Boulevard sent a letter dated June 26, 2023. This property is immediately adjacent to the north side of the project site. This letter is a request to add a condition of approval that will require the proposed project to include a design feature to prevent any intrusion of water from the carwash facility or its operations onto adjacent properties or penetrate adjacent structures. Action Alternative 2 in the recommendation has a suggested accommodation of this request.

Furthermore, Mr. Jeffrey P. Carlin of Alston & Bird representing the CUP applicant, Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC, sent a letter dated July 28, 2023, encouraging the City Council to reject the appeal and uphold the PEC’s decision. The “Carlin” letter provides a point-by-point discussion that details a response to every challenge to the approval set forth in the Guadiana letter of appeal from the appellant. The Carlin letter also includes the following items:

- 1) Letter to the City Council on the application for CUP No. 279, Amendment No. 3, which includes:
 - a. Letter dated May 25, 2023, from Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP, representing Shakouri Investment Group, LLC
 - b. Joint Letter dated June 16, 2023, from Mr. Jackson D. McNeill of Elkins Kalt Weintraub Reuben Gartside, LLP, representing Shakouri Investment Group, LLC and Mr. Jeffrey P. Carlin of Alston & Bird representing the CUP applicant, Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC
 - c. Letter dated June 26, 2023, from the Law Offices of William J. Beverly, representing Thomas Baaden and Jeffrey Wysard, the Managing Members of 5830 Lakewood LLC, the property owners of 5830-5836 Lakewood Boulevard
 - d. Letter dated July 28, 2023, from Mr. Jeffrey P. Carlin of Alston & Bird representing the CUP applicant, Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC
 - e. Attachment “A” – Noise Study Measurement Data
 - f. Attachment “B” – Traffic Study Measurement Data
 - g. Attachment “C” – Queuing Plan – 5730 Lakewood Boulevard (Lakewood Car Wash)
 - h. Attachment “D” – Letter to Applicant from National Carwash Solutions dated June 23, 2023
 - i. Attachment “E” – Closure Authorization for Hazardous Substance Underground Storage Tanks (UST).
 - j. Attachment “F” – Form 400 South Coast Air Quality Management District

SUMMARY OF LETTERS FROM APPELLANT AND APPLICANT ATTORNEYS

<u>Topic (CW = carwash)</u> Primary Issues in Appeal	<u>Appellant (Guadiana)</u> Appeal Allegation	<u>Applicant (Carlin)</u> Response
1. Economic Devastation	Shakouri Investment business will be impacted by competition	“CEQA is not a fair competition statutory scheme. Economic impacts cannot be considered.
2. <u>CEQA Exemptions</u> Class 1 is for minor Alteration projects:	<u>Staff applied incorrectly</u> Project is major not minor	<u>Appellant errs, as follows:</u> Class 1 allows 10,000 SF Project is only 5,511 SF
Class 2 is to allow	CW is new not replacement	34-year-old CW needs update

Replacement projects		And that is allowed by Class 2 And by City ordinance.
Class 3 is for small structures	CW is not a small facility	Applies to noise attenuation walls - small structures.
Unusual Circumstances Exception to Category	CW is on large lot	Lot size does not qualify for Exception.
Piecemealing	CW on top of UST (Underground Tanks)	No piecemealing/ separate UST project w/ separate Agency & Predates filing for CW & UST will be completed prior CW.
3. Noise	CW noise will impact neighboring residential	Noise Study: All < 60 dB(A) Meets City Standards
4. Traffic/Circulation	NO traffic Study - unknown impacts to circulation	Completed Study <0.2% Minimal Impact.
5. VMT	Unstudied Impact	VMT starts at 50,000 SF Project is only 5,511 SF total
6. CW Car Queue	Insufficient, unsafe, conflicts	18 car queue is adequate.
7. DRB Due Process	Appellant denied Due Process	DRB is only Advisory Appellant testified at PEC
8. Hazardous Materials	CW will use hazardous materials	CW uses only biodegradable per National Carwash Solutions

Code Requirements

LMC Section 9401, et seq., establishes the basis for approval or denial of a CUP. Subsection A of Section 9401 sets forth the principles and standards that each case must comply with in order to be granted a CUP. A review of the subject application, in light of Subsection A, reveals the following:

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The site is in the C-3 (Intermediate Commercial) zone and is designated as Commercial by the General Plan. The proposed use is commercial in nature and therefore compatible with both the

General Plan land use and designations of the site. Potential conflicts with the General Plan relating to specific areas, such as noise and traffic, have been prepared for this project and mitigation measures were identified and have been included in the proposed Resolution of Approval.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no CUP shall be granted where such use will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

Noise

The carwash will include various pieces of mechanical equipment. Proposed equipment includes blowers for drying automobiles, vacuum stations, and pumps for spraying water, soaps, and wax in the carwash tunnel. The closest residential property line is located approximately 89 feet from the carwash entry tunnel to the residential property line located east of the subject site. That property is zoned as Multi-Family Residential and currently developed as a duplex.

The applicant retained the services of a noise consultant to prepare an acoustical analysis for this project. A noise measurement was conducted on November 29-30, 2022, placed at the northeast property line closest to the residential boundary location. The highest noise levels with the existing carwash were recorded at 64.7 dB(A) at 7:00 AM and 6:00 PM. The maximum noise levels of the proposed carwash tunnel is estimated to be 57.1 dB(A) per Table 6 of the Noise Study conducted by acoustical consultant. The study concluded that that the maximum noise level in the model is lower than the existing noise level. The maximum noise levels of the proposed vacuum equipment is estimated to be 54 dB(A) per Table 4 of the noise study conducted by acoustical consultant. The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the carwash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dB(A) at the residential noise sensitive receptors to the west, north and east. The proposed noise levels comply with LMC Section 9376.1 with a maximum level of 60 dB(A). That analysis found that the project would not result in a significant noise impact because the project includes the following features:

1. Limit operating hours to the proposed hours of 7:00 AM to 8:00 PM.
2. Minimum nine-foot, seven-foot, and six-foot high noise barriers at the north and east side, per Figure 6 of the Noise Study, to direct carwash and vacuum noise away from residences.
3. The maximum noise levels of the proposed carwash tunnel is estimated to be 57.1 dB(A) per Table 6 of the Noise Study.
4. The noise barrier height is relative to the carwash pad elevation.
5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit.
6. A minimum 10-foot-high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.
7. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance

with all applicable mechanical, fire, and safety codes.

- 3. The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The subject site is adequate in shape to accommodate the proposed carwash and the required yards, walls, fences, parking facilities, landscaping, and other development features. LMC Section 9490.H requires one parking space for every 250 gross square feet of retail area. The project will maintain the 765 square-foot convenience store that is used as retail sales which requires three parking spaces. LMC Section 9490.E.1 requires three parking spaces for a self-serve carwash and LMC Section 9490.X requires one space for each bay and two additional parking spaces for employee parking. The project will provide nine open parking spaces and nine parking spaces with vacuum stations for a total of 18 parking spaces. The project will have one carwash tunnel. The extra nine vacuum stations provides a sufficient cushion for customers who choose to vacuum their cars. There is sufficient parking to accommodate the proposed use.

- 4. The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

Traffic. The site is served by Lakewood Boulevard, South Street, and a public alley. The General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways. The adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use. Therefore, any traffic impacts from the proposed conditional use would be less than significant. The applicant retained services of a traffic engineering firm to prepare a traffic study, Attachment B, to address the comments that were submitted in the appeal. The proposed design would accommodate a queue of eight vehicles entering the carwash and a queue of 10 vehicles to the driveway adjacent to South Street without blocking the on-site parking spaces with vacuuming stations. There will be two full-time employees assisting with payment and queueing of vehicles during peak periods. The traffic analysis found that the proposed would not result in a significant traffic impact as the traffic will increase by only 0.2%, the project will not have any vehicle miles traveled (“VMT”) impacts under CEQA, and shall accommodate the maximum forecasted car queues.

- 5. That all other conditions and limitations imposed by this Chapter in connection with the proposed application for a CUP have been made.*

The existing service station complies with the standards imposed by LMC Sections 9340.C.2.(b) and 9340.C.2.(c). The proposed CUP complies with the standards imposed by LMC Section 9347.D.11 as the proposed carwash design and noise study includes mitigation measures to prevent any noise impacts in excess of 60 dB(A) to adjacent properties. The traffic study prepared

for this project found that the project will have a less than significant impact to traffic and on-site queuing.

CEQA

The proposed project is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended.

Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures. This classification was used as the proposed project will include the shade canopies for vacuum stations and queueing lane, upgrade and extend the existing utilities to the vacuum equipment, replacement of on-site existing signage, on-site lighting improvements, on-site landscaping, trash enclosure improvements, and refurbishment of the existing service station.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This classification was used as the proposed project is a reconstruction and replacement of the existing 34-year-old outdated carwash that was approved in 1989 with CUP No. 279, Amendment No. 2. The refurbished carwash will be serving the same purpose as the existing carwash, which along with the convenience store, is to provide customers with ancillary and supportive services that are accessory and subordinate to the primary use of fuel sales. Customers primarily stop to get fuel and then get a carwash and/or supplies from the convenience store, before getting back on the road to continue to their destination.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures. This classification was used as the project is less than 10,000 square feet with a total size of 5,511 square feet. The carwash tunnel measures 3,227 square feet and the attached equipment room measures 2,932 square feet. The proposed concrete masonry walls that will enclose the vacuum turbine and surround the northeast portion of the property to assist with noise attenuation requires a CUP as they exceed a maximum height of 7'-6".

SUMMARY

The applicant submitted an application for CUP No. 279, Amendment No. 3 for the reconstruction and operation of a carwash tunnel with three canopies, nine vacuum stations, and for the construction of a 9'-8" foot high block wall along the east property line adjacent to the facility with covered outdoor vacuum stations and a convenience store located at 4311 South Street. The PEC approved the CUP on May 4, 2023.


Subsequently, a timely appeal was filed on May 25, 2023, requesting that the decision of the PEC be overturned by the City Council. On June 27, 2023, the City Council considered the request and appeal and set August 8, 2023, as the date to hold a De Novo Hearing to consider new and/or additional


evidence regarding the proposed carwash.

RECOMMENDATION

The City Council has the following three possible action alternative regarding the Planning and Environment (PEC) decision to approve CUP No. 279, Amendment No. 3, and the appeal thereof:

1. ADOPT a resolution to UPHOLD the PEC decision to grant CUP No. 279, Amendment No. 3 and DENY the appeal, including findings to justify the action.
2. ADOPT a resolution to UPHOLD the PEC decision to grant CUP No. 279, Amendment No. 3 and DENY the appeal, but modify the conditions of approval for CUP No. 279, Amendment No. 3, as discussed in the hearing to include a condition that states: “The proposed project shall comply with all applicable grading and drainage requirements so as to prevent all water, including water from the carwash tunnel, water from irrigation, and/or rainfall, from flowing, draining, or otherwise crossing onto abutting private property. The carwash facility and operation shall be designed in such a manner that there is no water penetration into adjoining structures or any other water intrusion onto adjoining private properties.”
3. Adopt a resolution to UPHOLD the appeal and DENY CUP No. 279, Amendment No. 3, including findings to justify the action.

Abel Avalos 
Director of Community Development


Thaddeus McCormack
City Manager

RESOLUTION NO. 2023-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DENYING THE APPEAL OF CONDITIONAL USE PERMIT NO. 279, AMENDMENT NO. 3 AND UPHOLDING THE PLANNING AND ENVIRONMENT COMMISSION'S APPROVAL FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The City Council finds that the Planning and Environment Commission, by Resolution No. 3-2023, approved an application for a Conditional Use Permit No. 279, Amendment No. 3, for the reconstruction of an existing automated car wash tunnel at an existing service station and to construct three shade canopies, nine vacuum stations, and an excess height wall in conjunction with an existing service station and an excess height wall on a property located at 4311 South Street, pursuant to the provisions of Sections 9347.D.3, 9347.D.11, AND 9384.C of the Lakewood Municipal Code, Lakewood, California, on May 4, 2023.

SECTION 2. The City Council finds that Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP representing Shakouri Investment Group, LLC, 10345 W. Olympic Blvd., Los Angeles, CA, 90064, timely filed a written appeal of the Planning Commission decision with the City Council on May 25, 2023. A copy of the written appeal is attached hereto and made a part hereof.

SECTION 3. The City Council finds that, at its June 27, 2023 meeting, it considered the appeal by Mr. Ernest J. Guadiana and voted to continue the hearing to conduct a hearing De Novo so that it may consider new and/or additional evidence as it relates to this application.

SECTION 4. The City Council does hereby report that a public hearing De Novo was held before it in respect to said appeal on the August 8, 2023, and the City Council does hereby find and determine that said appeal should be denied for the following reasons:

A. The nature, conditions and development of adjacent uses, buildings and structures have been considered, and it is hereby found that the proposed use will not jeopardize or adversely affect or will not be detrimental to the public health, safety and welfare, or to the surrounding property and residences for the following reasons:

1. The request is for approval of Conditional Use Permit No. 279, Amendment No. 3 is based on Exhibits "A", "B", "C", "D", "E", "F", and "G".

2. The subject use will not to be in conflict with the goals of the General Plan, nor is the proposed use in conflict with the Commercial land use designation of the General Plan.

3. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found the use will not adversely affect or is materially detrimental to adjacent uses, buildings, or structures provided that the conditions contained have been met and maintained.

4. The noise study conducted for this Project demonstrates that noise levels generated by the project will be below the 60 dB(A) at the nearest residential receptor.

5. The traffic study prepared for this Project establishes that (1) adequate streets and highways exist to support the Project, which will increase traffic by only 0.2%, (2) the Project will provide adequate site access and circulation, and accommodate the maximum forecasted car queues, and (3) the Project will not have any vehicle miles traveled (“VMT”) impacts under CEQA.

6. The PEC properly concluded the Project is categorically exempt from CEQA. In a published decision involving a nearly identical challenge to a nearly identical carwash project, the Court of Appeal held the carwash was Categorical Exempt under CEQA Guidelines Section 15303(c), and rejected an argument that “unusual circumstances” applied. (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809.) The *Walters* decision is binding and confirms the Project is exempt from CEQA review.

7. Appellant’s “piecemealing” claim under CEQA is incorrect. The existing underground fuel storage tanks must be removed by December 31, 2025, to comply with state law changes to the design requirements for underground tanks. Prior to applying for a CUP amendment, the Applicant applied with the County of Los Angeles and the South Coast Air Quality Management District for approval to close, remove, replace, and re-locate the existing tanks. This activity is under the jurisdiction of separate agencies that are responsible for CEQA compliance, and will fulfill a separate an independent purpose from the carwash, which is compliance with state law.

8. The new underground tanks will be installed in a location that is outside the footprint of the reconstructed carwash. Accordingly, there will be no Fire Code violation as alleged by Appellant.

9. Because the Project proposes the reconstruction of an existing carwash approved in 1989 through Amendment No. 2 to CUP No. 279, it is not subject to the City-wide ban on new carwash facilities set forth in LMC section 9347.D.11. Section 9347.D.11 states that a “previously approved carwash shall be allowed to submit amendments to the approved July 28, 2023 Page 3 conditional use permit to modify the previously approved carwash,”

which is the process the Applicant has followed here.

10. Appellant’s claim that its constitutional right to due process was violated because it did not receive notice of the Development Review Board (“DRB”) hearing is incorrect because, pursuant to LMC sections 9480 and 9481.C, the DRB’s action on a project is “advisory only” and no publicly noticed hearing is required. Appellant was afforded notice and an opportunity to be heard at the PEC meeting, as evidenced by its participation in that proceeding and its pending appeal.

11. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

12. The proposed project is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended.

13. The record does have substantial evidence supporting the decision of the Planning and Environment Commission.

ADOPTED AND APPROVED this 8th day of August, 2023, by the City Council of the City of Lakewood voting as follows:

	AYES	NAYS	ABSENT
Mayor Pe	_____	_____	_____
Council Member Chase	_____	_____	_____
Council Member Croft	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2023-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DENYING THE APPEAL OF CONDITIONAL USE PERMIT NO. 279, AMENDEMENT NO. 3 AND UPHOLDING THE PLANNING AND ENVIRONMENT COMMISSION'S APPROVAL FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The City Council finds that the Planning and Environment Commission, by Resolution No. 3-2023, approved an application for a Conditional Use Permit No. 279, Amendment No. 3, for the reconstruction of an existing automated car wash tunnel at an existing service station and to construct three shade canopies, nine vacuum stations, and an excess height wall in conjunction with an existing service station and an excess height wall on a property located at 4311 South Street, pursuant to the provisions of Sections 9347.D.3, 9347.D.11, AND 9384.C of the Lakewood Municipal Code, Lakewood, California, on May 4, 2023.

SECTION 2. The City Council finds that Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP representing Shakouri Investment Group, LLC, 10345 W. Olympic Blvd., Los Angeles, CA, 90064, timely filed a written appeal of the Planning Commission decision with the City Council on May 25, 2023. A copy of the written appeal is attached hereto and made a part hereof.

SECTION 3. The City Council finds that, at its June 27, 2023 meeting, it considered the appeal by Mr. Ernest J. Guadiana and voted to continue the hearing to conduct a hearing De Novo so that it may consider new and/or additional evidence as it relates to this application.

SECTION 4. The City Council does hereby report that a public hearing De Novo was held before it in respect to said appeal on the August 8, 2023, and the City Council does hereby find and determine that said appeal should be denied for the following reasons:

A. The nature, conditions and development of adjacent uses, buildings and structures have been considered, and it is hereby found that the proposed use will not jeopardize or adversely affect or will not be detrimental to the public health, safety and welfare, or to the surrounding property and residences for the following reasons:

1. The request is for approval of Conditional Use Permit No. 279, Amendment No. 3 is based on Exhibits "A", "B", "C", "D", "E", "F", and "G".

2. The subject use will not to be in conflict with the goals of the General Plan, nor is the proposed use in conflict with the Commercial land use designation of the General Plan.

3. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found the use will not adversely affect or is materially detrimental to adjacent uses, buildings, or structures provided that the conditions contained have been met and maintained.

4. The noise study conducted for this Project demonstrates that noise levels generated by the project will be below the 60 dB(A) at the nearest residential receptor.

5. The traffic study prepared for this Project establishes that (1) adequate streets and highways exist to support the Project, which will increase traffic by only 0.2%, (2) the Project will provide adequate site access and circulation, and accommodate the maximum forecasted car queues, and (3) the Project will not have any vehicle miles traveled (“VMT”) impacts under CEQA.

6. The PEC properly concluded the Project is categorically exempt from CEQA. In a published decision involving a nearly identical challenge to a nearly identical carwash project, the Court of Appeal held the carwash was Categorically Exempt under CEQA Guidelines Section 15303(c), and rejected an argument that “unusual circumstances” applied. (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809.) The *Walters* decision is binding and confirms the Project is exempt from CEQA review.

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8. The new underground tanks will be installed in a location that is outside the footprint of the reconstructed carwash. Accordingly, there will be no Fire Code violation as alleged by Appellant.

9. The proposed project shall comply with all applicable grading and drainage requirements so as to prevent all water, including water from the carwash tunnel, water from irrigation, and/or rainfall, from flowing, draining, or otherwise crossing onto abutting private property. The carwash facility and operation shall be designed in such a manner that there is no water penetration into adjoining structures or any other water intrusion onto adjoining private

properties.

10. Because the Project proposes the reconstruction of an existing carwash approved in 1989 through Amendment No. 2 to CUP No. 279, it is not subject to the City-wide ban on new carwash facilities set forth in LMC section 9347.D.11. Section 9347.D.11 states that a “previously approved carwash shall be allowed to submit amendments to the approved July 28, 2023 Page 3 conditional use permit to modify the previously approved carwash,” which is the process the Applicant has followed here.

11. Appellant’s claim that its constitutional right to due process was violated because it did not receive notice of the Development Review Board (“DRB”) hearing is incorrect because, pursuant to LMC sections 9480 and 9481.C, the DRB’s action on a project is “advisory only” and no publicly noticed hearing is required. Appellant was afforded notice and an opportunity to be heard at the PEC meeting, as evidenced by its participation in that proceeding and its pending appeal.

12. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

13. The proposed project is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended.

14. The record does have substantial evidence supporting the decision of the Planning and Environment Commission.

ADOPTED AND APPROVED this 8th day of August, 2023, by the City Council of the City of Lakewood voting as follows:

	AYES	NAYS	ABSENT
Mayor Pe	_____	_____	_____
Council Member Chase	_____	_____	_____
Council Member Croft	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2023-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE APPEAL OF CONDITIONAL USE PERMIT NO. 279, AMENDMENT NO. 3 AND DENYING THE PLANNING AND ENVIRONMENT COMMISSION'S APPROVAL FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

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SECTION 2. The City Council finds that Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP representing Shakouri Investment Group, LLC, 10345 W. Olympic Blvd., Los Angeles, CA, 90064, timely filed a written appeal of the Planning Commission decision with the City Council on May 25, 2023. A copy of the written appeal is attached hereto and made a part hereof.

SECTION 3. The City Council finds that, at its June 27, 2023 meeting, it considered the appeal by Mr. Ernest J. Guadiana and voted to continue the hearing to conduct a hearing De Novo so that it may consider new and/or additional evidence as it relates to this application.

SECTION 4. The City Council does hereby report that a public hearing De Novo was held before it in respect to said appeal on the August 8, 2023, and the City Council does hereby find and determine that said appeal should be approved for the following reasons:

A. The nature, conditions and development of adjacent uses, buildings and structures have been considered, and it is hereby found that the proposed use will jeopardize or adversely affect or will be detrimental to the public health, safety and welfare, or to the surrounding property and residences for the following reasons:

1. The proposed use is in conflict with the General Plan as follows:_____.

2. The nature, condition and development of adjacent uses, buildings, and structures have been considered and it has been found that the proposed use will jeopardize, or adversely affect, or be detrimental to the public health, safety and welfare, or to the surrounding property and residences for the following reasons: _____.

3. The Applicant has failed to show that the proposed conditional use meets the principles and standards specified in Section 9401.A of the Lakewood Municipal Code, and Section _____.

4. (Here, set forth any additional applicable grounds for denying the application.).

B. The record does not have substantial evidence supporting the decision of the Planning and Environment Commission.

ADOPTED AND APPROVED this 8th day of August, 2023, by the City Council of the City of Lakewood voting as follows:

	AYES	NAYS	ABSENT
Mayor Pe	_____	_____	_____
Council Member Chase	_____	_____	_____
Council Member Croft	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

**8/8/2023 CITY COUNCIL
APPEAL MEETING -
ATTACHMENTS**

RECEIVED

Ernest J. Guadiana
D: (310) 746-4425
EGuadiana@elkinskalt.com

3643 '23 MAY 25 P1:49

CITY OF LAKEWOOD
CITY CLERK

May 25, 2023

VIA HAND DELIVERYCity Council
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

Re: Appeal of Planning & Environment Commission's Approval of Conditional Use Permit No. 279, Amendment No. 3.

Dear Councilmembers:

Our office represents Shakouri Investment Group, LLC ("**Shakouri**"), the owner of the Lakewood Car Wash & Detail Center, located across the street from the proposed expansion of Mo's Xpress Gas and Car Wash at 4311 South Street ("**Property**"). On May 4, 2023, the Planning and Environment Commission ("**PEC**") approved Amendment No. 3 to Conditional Use Permit No. 273 ("**CUP Amendment**") authorizing the demolition of the existing carwash on the Property and the construction of a new carwash that is five-times (5x) larger and three-times (3x) longer ("**Project**") than the one it replaces. By demolishing the existing "roll-over" car wash and replacing it with the proposed express, "tunnel"-style car wash, the Project will process several times more cars per hour, generating unstudied traffic and circulation impacts. This letter constitutes our client's appeal of the Project.

Not only does the Project fly in the face of this Council's stated policy to reduce the proliferation of carwashes in the City and mitigate their impacts, it violates the law. As discussed below:

- The City cannot make findings to approve the CUP amendment;
- The City impermissibly relies upon CEQA exemptions that do not apply, and the City must conduct additional review under CEQA before it can render a decision on the Project;
- The Project constitutes impermissible piecemealing under CEQA;
- The Project violates the Fire Code by dangerously placing the new carwash on top of existing fuel storage tanks;

5054621.5

- The Project violates the Lakewood Municipal Code's ("LMC" or "Code") prohibition on new carwashes; and
- The City violated Shakouri's due process rights by failing to give Shakouri the legally required notice of the Development Review Board hearing.

Setting aside the legal impermissibility of the Project, the Project will devastate Shakouri's business, which has remained a fixture of Lakewood for almost seven decades. For these reasons and as further explained below, our client appeals the Project, and the City Council should uphold the appeal. At minimum, because the City failed to provide proper notice of the Design Review Board ("DRB") hearing, the City Council must vacate the decision of the Planning Commission and remand the Project for a hearing before the DRB upon proper notice to the Property.

I. Relevant Background

A. The Applicant Proposes to Demolish the Existing Carwash and Construct a New, Dramatically Larger, High-Capacity Carwash.

The Project is located at 4311 South Street, which lies at the northeast corner of South Street and Lakewood Boulevard. The site is accessed by two (2) driveways along Lakewood Boulevard, two (2) driveways from South Street, and a public alley to the east. *See* PEC Agenda Report for the PEC's May 4, 2023 meeting ("**Agenda Report**"), pp. 1-2. We attach the Agenda Report and exhibits as **Exhibit A**.

A small carwash authorized by CUP 279, Amendment No. 2 exists on the northern boundary of the Property and consists of an approximately 648 square-foot, 35-foot carwash tunnel plus five (5) vacuum stations. *See* May 4, 2023 Agenda Report for CUP No. 279, Amendment No. 3 ("**Agenda Report**"), p. 2. As a "roll-over" or "in-bay" carwash, users drive their vehicle into the wash bay, put their car in park or neutral, and the car wash machine moves back and forth over the vehicle in a number of passes until the vehicle is totally washed and dried. While extremely compact, roll-over car washes have the disadvantage of only being able to wash one vehicle at a time.

This third amendment would completely change the car wash's operations. The Project proposes a new 3,227 square-foot, one-hundred and one foot (101') car wash tunnel (and associated equipment room), approximately five-times (5x) as big and three-times (3x) as long as the existing carwash. *See* Agenda Report, p. 2. The Project would also increase the number of vacuums from five (5) to nine (9). More importantly, the applicant proposes to replace the roll-over car wash with an express "tunnel" or "conveyor"-style carwash operation. In a tunnel carwash, the car is moved by a conveyor along the wash bay, where washing and drying systems

are longitudinally installed. Because more than one car moves through the carwash at a time, tunnel car washes can wash many time more cars per hour.¹ For reference, we attach the specifications for the relevant MacNeil carwash system as **Exhibit B**, which the applicant’s noise study (among other records) confirms the Project will use. *See* Mo’S Express Wash and Gas Noise Study, dated March 23, 2023, p. 8.

To date, neither the City nor the applicant have submitted or provided any traffic analysis for the Project.

B. Procedural Background

The Agenda Report to the PEC indicates that “[t]he Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023.” Agenda Report, p. 3.

Although the Code does not require the DRB “to hold noticed public hearings” (*see* LMC § 0481.B), the Code provides that “any interested persons shall be afforded reasonable opportunity to be heard by the Board.” City Planning staff confirmed during the PEC hearing on May 4, 2023, that it did not mail a notice or otherwise notify Shakouri of the proposed Project, much less provide any opportunity to be heard. City staff further indicated that the City does not post a DRB agenda or a list of pending DRB projects at City Hall or on its website. In fact, no method exists for any interested person or member of the public to determine whether a project is before the DRB except to call or email City planning staff directly.

Following DRB’s approval of the Project, the Project was agendized for the Planning Commission’s May 4, 2023, hearing. The Planning Commission then heard and approved the Project on May 4, 2023, over objections made by Shakouri, its counsel, and objections in public testimony. This appeal follows.

II. Basis for Appeal

A. The Findings for the Conditional Use Permit Amendment Cannot be Made.

To approve a CUP amendment, the City must find that “[t]he site for the conditional use [is] served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.” LMC § 9401.A.4. The City must support its

¹ See <https://www.reliableplus.com/in-bay-automatic-vs-tunnel-wash/>

findings with evidence that is “reasonable in nature, credible, and of solid value.” *See Protect Tustin Ranch v. City of Tustin* 70 Cal.App.5th 951, 960 (2021).

1. Inadequate Streets and Highways Exist to Support the Project.

The City cannot find that the streets and highways are adequate. In purporting to make this finding, the PEC Agenda Report relied solely on the fact that “[t]he General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways” and a rote statement that “[t]he adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use.” Agenda Report, p. 5. The resolution provides even less detail. During the PEC hearing, likewise, the City and applicant offered no analysis, study, report, testimony, or any other credible evidence to support this conclusion.

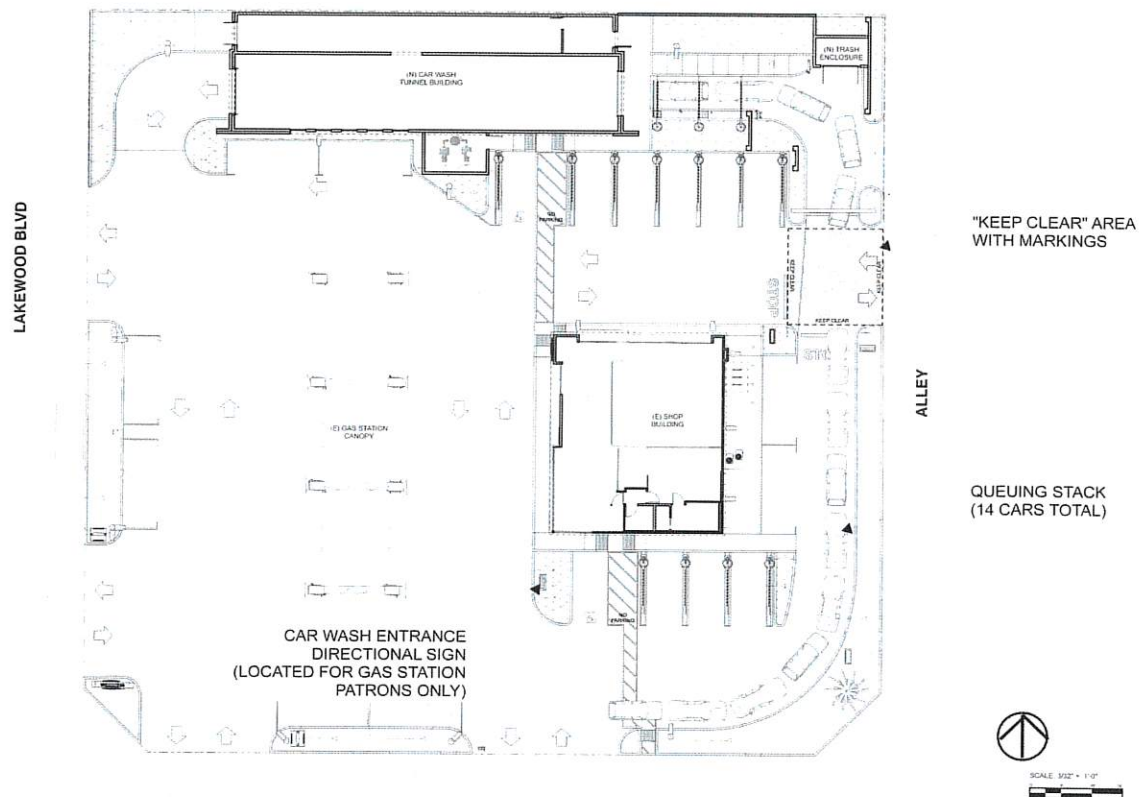
Lakewood Boulevard and South Street are admittedly arterial roadways. *See* General Plan Map, March 2013.² But even assuming these streets can carry additional traffic (which no evidence in the record supports), this does not demonstrate that the streets or highways are adequate to serve the Project or that the use will not adversely affect or materially detriment the adjacent uses. In fact, the increased car volume entailed by the Project is likely to lead to a whole host of impacts that have little or nothing to do with the size or width of Lakewood Boulevard or South Street or their designation as arterial roadways. These impacts include, without limitation, circulation conflicts, increased wait times at the South Street/Lakewood Boulevard stop light, vehicle conflicts with pedestrians at Property driveways (e.g., on Lakewood Boulevard), queuing or traffic in the public alley, and increased Vehicle Miles Travelled (“VMT”).

Shakouri and its counsel raised these concerns during the May 4, 2023, PEC hearing. Neither the City nor the applicant meaningfully responded to them. At most, applicant’s architect stated in general terms that Shakouri’s concerns were unfounded. But the architect is not an traffic engineer or similar professional, and his testimony does not constitute substantial evidence upon which the City can make its findings. *See Roddenberry v. Roddenberry*, 44 Cal.App.4th 634, 651 (1996) (“[o]pinion testimony which is conjectural or speculative 'cannot rise to the dignity of substantial evidence.'”); *People v. Fiore*, 227 Cal.App.4th 1362, 1384 (2014) (“[A] lay opinion must involve a subject that is of such common knowledge that men of ordinary education could reach a conclusion as intelligently as the witness.”) (internal quotation marks omitted). ”

Further, neither the City nor the applicant provided any study or analysis to determine if the proposed car wash site plan has sufficient capacity to accommodate the expected peak hour

² Available here: <https://www.lakewoodcity.org/files/assets/public/about/documents/lakewoodgenplan.pdf>

service demand or queue-length. Even a cursory review of the queuing plan reveals limited space for vehicles queue behind the tunnel. Inadequate queuing space will create circulation conflicts and will cause vehicles to back up into the streets and/or alleys—a common issue with high-capacity car washes.³ We attach the queuing plan (provided by staff subsequent to the PEC hearing) as Exhibit C and show it here for reference:



Even assuming that (1) vehicles would line up as shown; (2) that the cars are drawn to scale; and (3) that there would be no oversize cars or trucks, this plan necessarily depends on hyper-observant drivers uniformly obeying “keep clear” markings and patiently making space for vehicles entering/exiting driveways and parking spaces. In reality, drivers will almost certainly block the driveways on South Street and the public alleyway. Further, patrons are likely to enter (or try to enter) the carwash queue from the drive aisle to the north of the convenience store. This

³ See <https://www.carwash.com/carwash-queuing-backup-proves-ongoing-problem/>

will create conflicts with the drive aisle to/from the gas pumps on the northern side of the convenience store and block in the parking spaces at the northern end of the project site. The queuing plan similarly fails to leave room for vehicles entering/existing parking spaces to the south of the convenience store. In short: This plan makes no sense.

City staff and applicant did little to address these concerns. During the PEC hearing, staff and the applicant's architect reiterated the queuing plan purportedly shows adequate queuing length. Staff indicated that the queuing plan has been reviewed by public works and the fire department. PEC Audio Recording at 16:35. But no indication was made that staff or the applicant's architect are qualified traffic engineers or similar professionals, and their testimony does not constitute substantial evidence upon which the City can make its findings. *Roddenberry, supra*, 44 Cal.App.4th at 651; *People v. Fiore, supra*, 227 Cal.App.4th at 1384. The applicant bears the burden of demonstrating that the plan is sufficient. They have not done so here.

In short, no substantial evidence supports the finding that the streets and highways are adequate. At the same time, real questions exist about the traffic, circulation, queuing, and vehicular conflict issues raised by the Project. Until analysis is conducted to address these issues, the findings cannot be made and the Project must be denied.

2. The Project Will Create Adverse and Detrimental Effects on Adjacent Uses.

The City cannot issue a CUP amendment where the project "will adversely affect or be materially detrimental to ... adjacent uses, buildings or structures." LMC § 9401.A.2.

By placing a new, high-capacity carwash directly across the street, the Project will detrimentally and adversely affect Shakouri's long-standing business. Shakouri testified to this impact during the PEC hearing, and no evidence in the record substantially disputes this. Further, the traffic, circulation, queuing, and vehicular conflict issues will detrimentally impact the adjacent residential uses to the east. *See* Agenda Report, p. 4 ("The closest residential property line is located approximately 89 feet from the car wash entry tunnel to the residential property line located east of the subject site."). In fact, a multitude of multi-family residential and single-family residential uses exist within a 500-foot radius of the Project.⁴ At the same time, the City Council recently expressed concern over the "adequacy of carwash regulations pertaining to ... traffic generation in close proximity to residential areas." *See* Ordinance No. 2018-6, Section 1.

⁴ For reference, *see* the City's zoning map, available here:

<https://www.lakewoodcity.org/files/assets/public/about/documents/zoningmap.pdf>

Because the Project will detrimentally and adversely affect the adjacent residential neighborhood and Shakouri's business across the street, the City cannot make the required findings and the Project must be denied.⁵

B. The Project Impermissibly Relies upon CEQA Exemptions That Do Not Apply and the City Must Conduct Additional Review Under CEQA Before It Can Render a Decision on the Project.

The Agenda Report and Resolution state in a conclusory manner that the Project is categorically exempt from CEQA pursuant to Sections 15301, 15302(b), and 15303(e) of the CEQA Guidelines. Agenda Report, p. 6 (i.e., stating that the Project is entitled to Class 1, Class 2, and Class 3 exemptions).

The Project fails to meet the plain criteria for these exemptions. Separately, the unusual circumstances exception to the exemptions applies. Accordingly, additional review is required under CEQA.

1. The Class 1 Exemption (Guidelines Section 15301) does not apply.

Class 1 exemptions apply to "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." Cal. Code Regs. tit. 14, § 15301. Neither the PEC Agenda Report, the City staff presentation, nor the public testimony purports to explain why the City believes it can apply a Class 1 exemption.

In fact, the City cannot apply the Class 1 exemption for at least two reasons: First, the exemption only applies to minor alterations to existing facilities or structures. *Id.* Here, the applicant proposes the total "reconstruction" of the car wash. As confirmed by the site plan, no portion of the existing structure will remain. We attach the site plan as **Exhibit D**. The Project is not an "existing facility" to which this exemption may apply.

Second, the exemption only applies to activities involving "negligible or no expansion of existing or former use." Here, the Project will be approximately three times as long and five times as big as the existing carwash, and it will operate in a manner that allows it to wash many times

⁵ During the PEC hearing, concerns were raised with the applicant's noise study and with the noise generated by the Project. Appellant reserves the right to supplement its appeal and challenge the Project based on these concerns and/or the Project's failure to comply with the City's noise ordinance.

more cars per hour. This is not a “negligible expansion” of the existing use.⁶ *See Cnty. of Amador v. El Dorado Cnty. Water Agency*, 76 Cal. App. 4th 931, 967 (1999) (change in facility operation to permit consumptive use of water was “not a negligible expansion of current use.”); *Saint Ignatius Neighborhood Assn. v. City & Cnty. of San Francisco*, 301 Cal. Rptr. 3d 641, 645 (2022) *review denied and ordered not to be officially published* (Mar. 22, 2023) (“*Saint Ignatius*”) (Class 1 exemption did not apply to new stadium lighting where lighting would allow for increased use of stadium at nighttime).

Shakouri’s counsel raised these arguments in its May 3, 2023 correspondence and in public testimony during the May 4, 2023 hearing. Neither applicant, nor City staff, nor public testimony addressed these points.

2. The Class 2 Exemption (Guidelines Section 15302) does not apply.

Class 2 exemptions apply to the “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.” Cal. Code Regs. tit. 14, § 15302. The Agenda Report and Resolution specifically rely upon Guidelines section 15302(b), which allows for the “[r]eplacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.” Cal. Code Regs. tit. 14, § 15302(b). City staff gives no elaboration as to why this exemption is purportedly applicable.

Again, nothing indicates that the Project will result in a carwash similar in size or capacity as the existing carwash. While Courts have ruled that the reconstructed facilities need not be “precisely or literally the same size” as the old structures to apply the Class 2 exemption, they must be “substantially the same size.” *Dehne v. Cnty. of Santa Clara*, 115 Cal. App. 3d 827, 839 (1981) (Class 2 exemption only allowed because reconstructed plant would be smaller, with similar or less capacity, in basically the same location as the original plant, and would reduce environmental impacts). Here, the applicant proposes a new car wash approximately three times as long and five times as big as the existing carwash that will allow the applicant to dramatically increase carwash capacity. No reasonable argument can be made that the Project is “substantially the same size” or capacity as the existing facility. The Class 2 exemption does not apply.

⁶ Without prejudice to this argument, we acknowledge that the Class 1 exemption allows for certain “additions to existing structures” up to 10,000 square feet. *See* Guidelines Section 15301(e). However, the existing car wash structure will not remain, and this is not an addition project.

Like its other CEQA objections, Shakouri's counsel raised these objections in its May 3, 2023, correspondence and in public testimony during the May 4, 2023, hearing. Neither applicant, nor City staff, nor public testimony addressed these points.

3. The Class 3 Exemption (Guidelines Section 15303) does not apply.

Class 3 exemptions consist of the "construction and location of limited numbers 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." Cal. Code Regs. tit. 14, § 15303. The City Agenda Report and resolution rely upon Guidelines section 15303(e), which allows for "[a]ccessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences." Cal. Code Regs. tit. 14, § 15303(e).

"Exemption categories are not to be expanded beyond the reasonable scope of their statutory language." *San Lorenzo Valley Cmty. Advocs. for Responsible Educ. v. San Lorenzo Valley Unified Sch. Dist.*, 139 Cal. App. 4th 1356, 1382 (2006) (emphasis added) (internal citations and quotations omitted). Here, the proposed car wash is not an "accessory structure" under any reasonable definition of that term. If constructed, the car wash will be by far the largest building on the Property—almost 1,000 square feet larger than the small gas station convenience store. *See* Agenda Report, Exhibit "A." As such, it bears no reasonable relationship to the other examples of "accessory structures" provided in the CEQA guidelines, such a "swimming pool" or "fence." *See* Cal. Code Regs. tit. 14, § 15303(e); *see also Saint Ignatius, supra*, 301 Cal. Rptr. 3d at 646 (new stadium light poles did not qualify for Class 3 exemptions where they were fundamentally dissimilar from other examples in the CEQA Guidelines).

The City's Zoning Ordinance, likewise, defines an "accessory use" as a "use customarily incidental and accessory to the principal use of a lot or building located upon the same lot or building site." LMC § 9302.2. It defines an "accessory building" as "a subordinate building on the lot or building site, the use of which is incidental to that of the main building, and which is used exclusively by the occupants of the main building...." LMC § 9302.1. Again, nothing about the proposed carwash—which will be larger than all other structures on the Property and which will not be used "exclusively by the occupants" of the gas station building—is "subordinate" or "accessory" under any reasonable construction of those terms.

City staff gives no explanation as to why this exemption is purportedly applicable. As shown above, it unequivocally does not. Staff has not met its burden to apply the Class 3 exemption.

4. Unusual Circumstances Preclude the City from Applying an Exemption.

Even if the Project qualified for a categorical exemption (which we dispute), categorical exemptions do not apply to “activit[ies] where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” Cal. Code Regs. tit. 14, § 15300.2(c).

As the California Supreme Court opined, “A party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, by showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance. Alternatively, ... a party may establish an unusual circumstance with evidence that the project will have a significant environmental impact.” *Berkeley Hillside Pres. v. City of Berkeley*, 60 Cal. 4th 1086, 1105 (2015).

Unusual circumstances apply here because, among other things, (1) the Property is larger than virtually all nearby commercial parcels; (2) the proposed carwash operation is unusually large compared to both the existing and other carwashes in the City; (3) the Property’s location adjacent to and nearby residential uses and residentially zoned properties, in combination with the nature of the high-volume car wash operation, increases the risk of impacts to residential tenants in a way that other, similar commercial uses do not; and (4) the Property’s location next to Lakewood Boulevard, South Street, and a public alley will create vehicular impacts in a way not created by other, similar commercial operations. Among other things, these impacts include circulation conflicts, increased wait times at the South Street/Lakewood Boulevard stop light, vehicle conflicts with pedestrians at Property driveways (e.g., on Lakewood Boulevard), queuing or traffic in the public alley, and increased VMT.

Because unusual circumstances exist, none of the categorical exemptions apply. Cal. Code Regs. tit. 14, § 15300.2(c). Accordingly, the City must conduct an initial study under CEQA.

C. The Project Constitutes Impermissible Piecemealing Under CEQA.

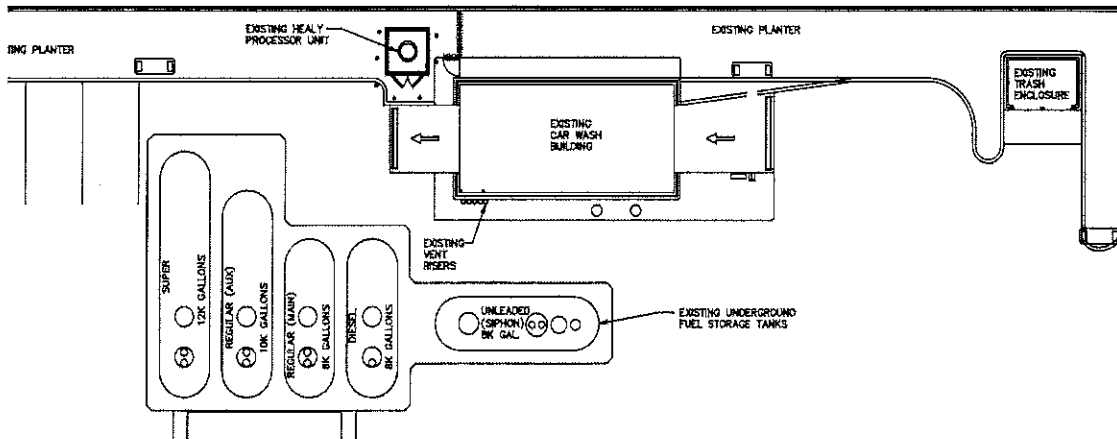
Under CEQA, a project is defined as the “whole of an action” with the potential to physically change the environment. Cal. Code Regs. tit. 14, § 15378(a). Thus, a development proposal thus cannot be “piecemealed” into several segments, each viewed in isolation from the others, for purposes of CEQA analysis. *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal. App. 4th 1209, 1222 (2012) (“Agencies cannot allow environmental considerations [to] become submerged by chopping a large project into many little ones”) (internal quotations omitted).

To avoid piecemealing, an agency's environmental review of a project under CEQA must address all aspects of a project that are a "reasonably foreseeable consequence" of the project and would be "significant" such that "it will likely change the scope or nature of the initial project or its environmental effects." *McCann v. City of San Diego*, 70 Cal. App. 5th 51, 84 (2021) (quoting *Laurel Heights Improvement Association v. Regents of the University of California*, 47 Cal.3d 376, 253 Cal.Rptr. 426 (1988)).

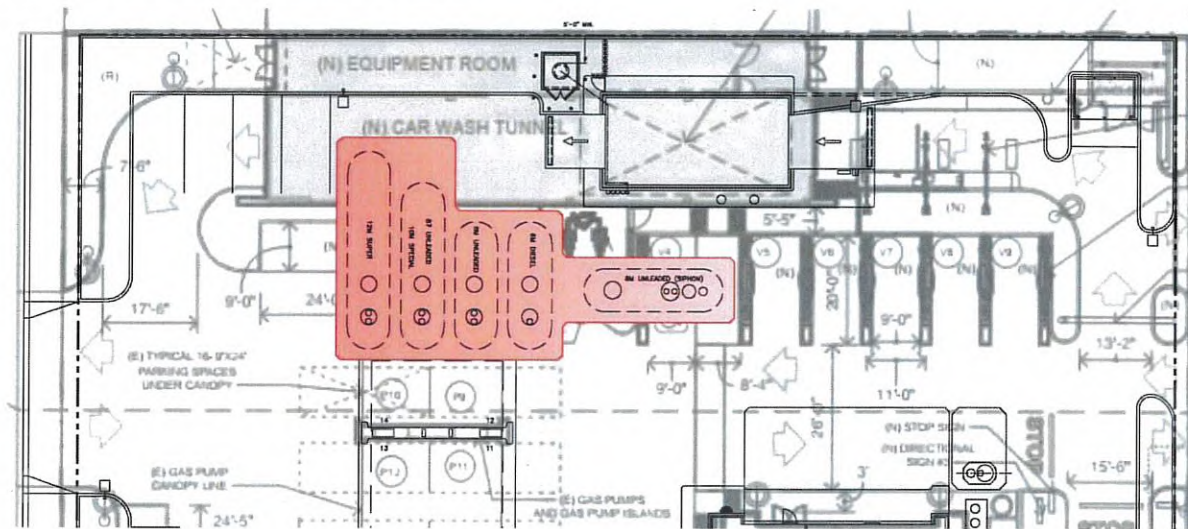
In this case, the applicant intends to upgrade various other portions of the carwash. The plans, for example, clearly show updated and renovated exterior elevations (including signage) on the convenience store. *See* Agenda Report, Exhs. C-G; *see also* PEC Audio Recording beginning at 12:56. Further, as explained below, the Fire Code will require the applicant to relocate its underground storage tanks. None of these aspects were included in the "project" or considered in the City's application of the CEQA exemptions. The law forbids ignoring these impacts by segmenting the project. *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal. App. 4th 1209, 1222 (2012). The City cannot do so here.

D. The Project Violates the Fire Code by Developing Over Underground Fuel Storage Tanks.

A site plan of the existing carwash obtained from public records, below, shows that there are underground fuel storage tanks ("Fuel USTs") immediately west of the existing car wash tunnel. We attach a site plan showing the Fuel USTs as **Exhibit E**. The proposed carwash would build a new carwash over the existing Fuel USTs. In addition, the Project proposes to build vacuum producers and stalls over an existing Fuel UST. The following image shows the location of the Fuel USTs as they exist today:



The following graphic, meanwhile, shows the location of the Fuel USTs superimposed over the proposed Project. **This image demonstrates that the Project will lie directly on top of existing underground storage tanks:**



This violates the Fire Code, which states that “[t]anks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.” CFC § 5704.2.11. Here, the Project will be located directly on top of the Fuel USTs in direct violation of the Fire Code. No evidence exists that the fire department or applicant are even aware of this issue, much less that they have addressed it.

Besides being illegal, siting the Project over the USTs is deeply concerning. Doing so risks damage to the USTs, which could result in leaking, contamination, and harms to the public and environment; further, it will make maintenance, repair, or future removal of the USTs difficult or impossible. **Appellant’s architect—Ahmad Ghaderi, who has worked on dozens if not hundreds of gas station and carwash projects—is not aware of a single project in which a carwash or other building has been located on top of Fuel USTs.**

In addition, we note that the Project would build over the existing vent rises at the southwest corner of the existing carwash. Vent pipes are put in place to equilibrate pressures in the tanks and must be located outside of buildings. *See generally* Hilpert M, Rule AM, Adria-Mora B, Tiberi T., *Vent pipe emissions from storage tanks at gas stations: Implications for setback distances*, Sci Total Environ., Feb. 10, 2019; CFC § 5704.2.7.3.3 (“Vent pipe outlets for tanks ... shall be located such that the vapors are released at a safe point outside of buildings.”). Applicant

must explain where and how it will relocate these vents. Unless and until the applicant addresses these issues, the Project remains not only unwise, but illegal and unsafe. Thus, as presently proposed, the Project must be denied.

E. The Project Violates the Municipal Code Because It Constitutes a New Carwash.

The applicant describes the Project as a “reconstruction” and equipment upgrade of an existing car wash, a description the Agenda Report adopts. *See, e.g.*, Agenda Report, pp. 1, 3. Staff repeated this assertion during the PEC hearing. Presumably, the applicant and City staff characterize the Project this way because the LMC allows applicants to “modify” an existing car wash while specifically prohibiting new carwash facilities. LMC § 9347.D.11. This prohibition was adopted, among other things, out of concern for the “proliferation of car washes” in the City and because of their noise and traffic impacts. *See City Council Minutes*, October 9, 2018, Ordinance No. 2018-6 (“Mayor Croft concurred that there was a proliferation of car washes”); Ordinance No. 2018-6, Section 1 (need for carwash regulations in order to address noise and traffic generation from car washes).

The characterization of the Project as the “reconstruction” of an existing car wash is inaccurate. To reiterate, the new car wash will be approximately three times as long and five times as big as the existing carwash, and will operate in an entirely different manner and format that allows it to wash exponentially more cars per hour. No part of the existing car wash will remain. By any logical standard, the Project constitutes a new car wash. As such, the Project is prohibited by the code. LMC § 9347.D.11.

F. Because the City Violated Shakouri’s Due Process Right, the City Must Remand the Project to the Design Review Board

This Project is subject to review by the Design Review Board. LMC §§ 9480, 9482. While the DRB only provides a recommendation to the Planning Commission, and not final approval (LMC § 9480), the DRB hearing remains a critical opportunity for the City and interested parties to identify issues and concerns with proposed projects and for applicants to address them.

The Agenda Report to the PEC stated that “[t]he Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023.” Agenda Report, p. 3. Although the Code does not require the DRB “to hold noticed public hearings” (*see* LMC § 9481.C), the Code provides that “any interested persons shall be afforded reasonable opportunity to be heard by the Board.” *Id.*

While the ordinance does not delineate “reasonable opportunity to be heard,” the U.S. Supreme Court has said that “[a]n elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950).

Shakouri undoubtedly qualifies as a “interested person” that this language is meant to protect; the Project will fundamentally harm Shakouri’s business across the street. However, absolutely no effort was made to apprise Mr. Shakouri of the Board’s meeting or to provide Shakouri with an opportunity to present his objections. In fact, City Planning staff did not contest that it did not mail a notice or otherwise notify Shakouri of the proposed Project; and City staff indicated that the City does not post a DRB agenda or a list of pending DRB projects on its website, at City hall, or anywhere else. Indeed, staff stated that no method exists for any interested person or member of the public to determine whether a project is before the DRB except to inquire with planning staff. *See* PEC Audio Recording beginning at 1:33:20; and beginning 1:35:50.

This does not comport with due process. *See Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 14 (1978) (“The purpose of notice under the Due Process Clause is to apprise the affected individual of, and permit adequate preparation for, an impending hearing.”). The only remedy is to remand the Project to the DRB, where Shakouri can present his objections. Then, should the DRB still recommend approval of the Project, the applicant can proceed to a hearing before PEC at that time. Until then, the action taken by the PEC and any decision taken by the City Council remain unenforceable.

G. The Project Will Devastate the Adjacent Carwash

Shakouri owns the car wash operation to the south across South Street. This multi-generational family business was approved and built in the 1950’s, and the carwash maintains significant community support and a strong local following.

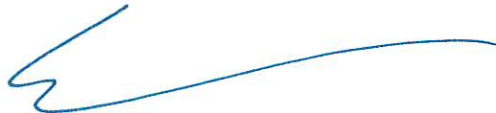
At the same time, no pressing need exists for another car wash in this area and, indeed, the City has previously expressed concern about the proliferation of car washes. *See* City Council Minutes, October 9, 2018, Ordinance No. 2018-6. Permitting an essentially new, high-capacity car wash across the street will decimate Shakouri’s business—a harm that is particularly unjust given the illegalities described above and the City’s prohibition of new carwashes. The Commission should deny the application.

III. Conclusion

The Agenda Report describes this as a minor “reconstruction.” In reality, the Project impermissibly proposes to replace the existing car wash with a new, dramatically larger and more efficient operation. The proposed new operation raises substantial questions about the impacts of the Project and its detrimental effects on adjacent uses. The City fails to analyze or address these impacts, and the findings for the CUP amendment cannot be made. In addition, the categorical exemptions that the City relies upon under CEQA do not apply. Even if these exemptions applied, the City failed to consider the planned renovation of the remainder of the site in its analysis—an impermissible “piecemealing” under CEQA. Thus, even if a factual basis existed to make the required findings, an initial study is required under CEQA before the Project can be considered or approved. More concerning still, the Project builds over the existing fuel storage tanks and riser vents, a dangerous violation of the Fire Code.

For the foregoing reasons, our client appeals the Project, and the City Council should uphold the appeal and deny the Project.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'ERNEST J. GUADIANA', with a long horizontal stroke extending to the right.

ERNEST J. GUADIANA
Elkins Kalt Weintraub Reuben Gartside LLP

EJG:jdm

EXHIBIT A

APPLICATION FOR: Conditional Use Permit No. 279, Amendment No. 3
LOCATION: 4311 South Street
APPLICANT: Mohamad Elbiali representing Mo's Xpress Gas + Wash
PROPOSAL: Reconstruct Carwash and Construct Excess Height Fencing.
ZONING: C-3 (Intermediate Commercial)

INTRODUCTION

The applicant, Mohamad Elbiali representing Mo's Xpress Gas + Wash, is requesting approval of a Conditional Use Permit No. 279, Amendment No. 3, to reconstruct and expand an existing carwash tunnel at an existing service station and to add a wall exceeding 7'-6" in height. The site is located at 4311 South Street (Site) and is designated by the General Plan for commercial uses and the Site is located in the C-3 (Intermediate Commercial) zone.

Pursuant to Lakewood Municipal Code (LMC) Section 9341.B, all uses in the C-1 zone "shall be conducted wholly within a building except... *vehicular parking and loading spaces, vacuums, vacuum stations, and other outdoor equipment and activities normally associated with a carwash as permitted in conjunction with such facilities*, and other accessory uses, displays, and storage, which are normal and incidental to the primary permitted commercial use, where otherwise allowed or authorized by this Part." LMC Section 9347.A allows any use permitted as a matter of course in the C-1 zone in the C-3 zone under the same conditions. Pursuant to LMC Section 9347.D.11 a Conditional Use Permit is required to modify or update any existing carwash in the C-3 zone.

STATEMENT OF FACTS

Area Description

The Site is located at the northeast corner of Lakewood Boulevard and South Street (see Vicinity Map and Aerial View). The following table lists the land uses and zoning designations for the Site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Site	Service Station & Car Wash	C-3 (Intermediate Commercial)
North	Lumber Liquidators & PPG Paints	C-3 (Neighborhood Commercial)
East	Multi-Family Homes Pharmacy	C-1 (Intermediate Commercial) M-F-R (Multi-Family Residential)
South	Carwash Commercial center	C-3 (Intermediate Commercial)
West	Commercial center Restaurant, Pancho's Heritage	C-3 (Intermediate Commercial)

Site Description

As shown in Exhibit "A," the project site is square shaped and is approximately 0.96 acres in area. The site is designated by the General Plan as Commercial and is located in the C-3 (Intermediate Commercial) zone. A convenience store is located on the eastern portion of the site, a drive-through car wash building is on the northern portion of the site and four fuel islands. There is currently 12 parking spaces located on the lot. The building consists of an unused two-bay lube facility, a convenience store, restroom, and a storage area. The convenience store and gas pumps are open 24 hours a day. The hours of operation for the carwash allowed with the existing Conditional Use Permit, CUP No. 279 Amendment No. 2, is limited between 6:00 am to 9:00 pm, Monday through Friday; and 7:00 am to 9:00 pm, Saturday and Sunday. This building is 2,284 square feet in area and the existing car wash tunnel is 648 square feet in area and five (5) vacuum stations. The site is accessed by two (2) driveways along Lakewood Boulevard, two (2) driveways from South Street, and a public alley to the east.

The trash enclosure for the project site is located on the northeast corner of the building and will be upgraded to comply with current City standards. The proposed Resolution of Approval contains a requirement that proper approval and permits shall be obtained for all proposed exterior signage. There are no outstanding code enforcement cases for this property.

Prior CUPs

This application is the third proposed amendment to CUP No. 279. The original CUP and the first two amendments are summarized below.

CUP No. 279 was approved by the Planning and Environment Commission (PEC) in 1982 to construct a storeroom addition at an existing Mobil Oil Service Station. The service station currently has an active business license dated November 2, 2022.

CUP No. 279, Amendment No. 1 was approved by the PEC in 1984 to demolish the existing service station, liquor store, and food stand for construction of a new service station and mini-market. The fuel pumps and mini-market currently have active business licenses dated November 2, 2022.

CUP No. 279, Amendment No. 2 was approved by the PEC in 1989 for the carwash, an additional gas pump island, and expansion of the existing mini-market. The carwash, mini-market, and fuel pumps currently have active business licenses dated November 2, 2022. The mini-market, carwash and gas bay islands are still active on site. A condition in the proposed Resolution of Approval explicitly requires all businesses conducted on site to be licensed.

Proposed Conditional Use

The proposed project is for the reconstruction of a 3,227 square-foot tunnel carwash and 13 linear feet of a 9'-8" tall block wall at the northeast corner of the site. The drive-thru car wash tunnel will be ancillary to the primary use which is a service station. The carwash tunnel will have a single entrance/exit driveway approach with one (1) queue lane and a pay kiosk where customers select the type of wash and make their payment near the tunnel entrance. The tunnel is 101'-4" feet long and will include a blower to dry cars as they exit. After exiting the carwash tunnel, drivers make a 90-degree left turn back towards the gas pumps or exit towards Lakewood Boulevard. There will be three (3) canopies with permanent posts attaching fire rated fabric to provide shade for the cars entering the car wash tunnel and customers utilizing the vacuum stations.

There will be a total of nine (9) vacuum stations with a 202 square-foot vacuum equipment enclosure abutting the south wall of the tunnel. The vacuum stations are activated after the car wash is operated by customers. There will be nine (9) open parking spaces in all. The carwash tunnel includes a 2,284 square-foot equipment room located north of the car wash tunnel.

Although the carwash is self-serve, there will be employees available to help customers pay at the entrance kiosks and to guide drivers into the carwash conveyor rack (customers remain in their vehicles during the wash process). The proposed hours of operation for the carwash will be from 7:00 am to 8:00 pm, daily. The existing freestanding sign adjacent to Lakewood Boulevard will be refaced to match the new branding.

Development Review Board

The Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023. The DRB conditions of approval have been incorporated into the proposed Resolution of Approval.

Code Requirements

A Conditional Use Permit for the proposed project use can only be approved upon findings of the Planning and Environment Commission that the use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the proposed use is in accord

with the following principles and standards is necessary in each case, as specified in Section 9401 of the Lakewood Municipal Code.

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The subject site is designated for Commercial uses by the General Plan and is in the C-3 (Intermediate Commercial) zone. The proposed use is commercial in nature and therefore compatible with both the General Plan land use and the zoning designation of the property. Potential conflicts with the General Plan relating to specific areas, such as noise, have been included in the proposed Resolution of Approval.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be granted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The carwash will include various pieces of mechanical equipment. Proposed equipment includes blowers for drying automobiles, vacuum stations, and pumps for spraying water, soaps, and wax in the carwash tunnel. The blower for drying automobiles is capable of producing excessive levels of noise. The closest residential property line is located approximately 89 feet from the car wash entry tunnel to the residential property line located east of the subject site. That property is zoned as Multi-Family Residential and currently developed as a duplex.

The applicant retained the services of a noise consultant to prepare an acoustical analysis for this project. A noise measurement was conducted on November 29-30, 2022 was placed at the northeast property line closest to the residential boundary location. The current noise levels with the existing car wash measures at 64.7 dB(A) at 7:00 AM and 6:00 PM. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1 dB(A) per Table 6 of the Noise Study conducted by acoustical consultant. The maximum noise levels of the proposed vacuum equipment is estimated to be 54 dB(A) per Table 4 of the noise study conducted by acoustical consultant. The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dB(A) at the residential noise sensitive receptors to the west, north and east. The proposed noise levels comply with the LMC Section 9376.1 with a maximum level of 60 dB(A). That analysis found that the project would not result in a significant noise impact because the project includes the following features:

1. Limit operating hours to the proposed hours of 7:00 AM to 8:00 PM.
2. Minimum nine-foot, seven-foot, and six-foot high noise barriers at the north and east side, per Figure 6 of the Noise Study, to direct car wash and vacuum noise away from residences.
3. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1

dB(A) per Table 6 of the Noise Study.

4. The noise barrier height is relative to the car wash pad elevation.
 5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit.
 6. A minimum 10-foot high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.
 7. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire, and safety codes.
3. *The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The subject site is adequate in shape to accommodate the proposed car wash and the required yards, walls, fences, parking facilities, landscaping, and other development features. LMC Section 9490.H requires one parking space for every 250 gross square feet of retail area. The project will maintain the 765 square-foot convenience store that is used as retail sales which requires three (3) parking spaces. LMC Section 9490.E.1 requires three (3) parking spaces for a self-serve carwash and LMC Section 9490.X requires one space for each bay and two (2) additional parking spaces for employee parking. The project will provide nine (9) open parking spaces and nine (9) parking spaces with vacuum stations for a total of 18 parking spaces. The project will have one carwash tunnel. The extra nine (9) vacuum stations provides sufficient cushion for those customers whom choose to vacuum their cars. There is sufficient parking to accommodate the proposed use.

4. *The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The site is served by Lakewood Boulevard, South Street and a public alley. The General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways. The adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use. Therefore, any traffic impacts from the proposed conditional use would be less than significant.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

The existing service station complies with the standards imposed by LMC Sections 9340.C.2.(b) & (c). The proposed CUP requested complies with the standards imposed by

LMC Section 9347.D.11 as the proposed revised carwash design and noise study includes mitigation measures to prevent any noise impacts to adjacent properties.

Sheriff's Report

The Director of Public Safety and the Los Angeles County Sheriff's Department provided comment on this application (see attached Sheriff's Department letter dated March 25, 2023). The Sheriff's Department's review of calls for service at this location revealed no significant incidents since March 25th, 2020 that would otherwise cause concern related to the proposed CUP amendment. If this CUP amendment is approved, the Sheriff's Department recommends that certain conditions be included in the Resolution of Approval. Their recommendations have been incorporated into the proposed Resolution of Approval. The recommended conditions are as follows:

1. Increased security lighting (two staged) both front and rear.
2. Increased number and quality of security cameras both front and rear.
3. Maintain any existing alarm features.
4. Landscape to be trimmed to avoid potential hiding places.
5. This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

CEQA

The proposed project is Categorical Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures.

Public Notice

Notification of the public hearing for this CUP was mailed to owners of property that are within a 300-foot radius of the subject property and posted at the subject site on April 21, 2023, and was posted on the City's webpage, April 24, 2023 pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

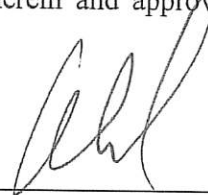
The applicant is applying for a Conditional Use Permit for the reconstruction and operation of car wash tunnel with three (3) canopies, nine (9) vacuum stations and for the construction of a 9'-8" foot tall block wall along the east property line adjacent to the trash enclosure. The proposed use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code, regarding conditional use permits.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the public hearing move to adopt the proposed Resolution granting approval of Conditional Use Permit No. 279, A-3 subject to the conditions contained therein and approve the associated Categorical Exemption.



Frankie Griffiths
Assistant Planner

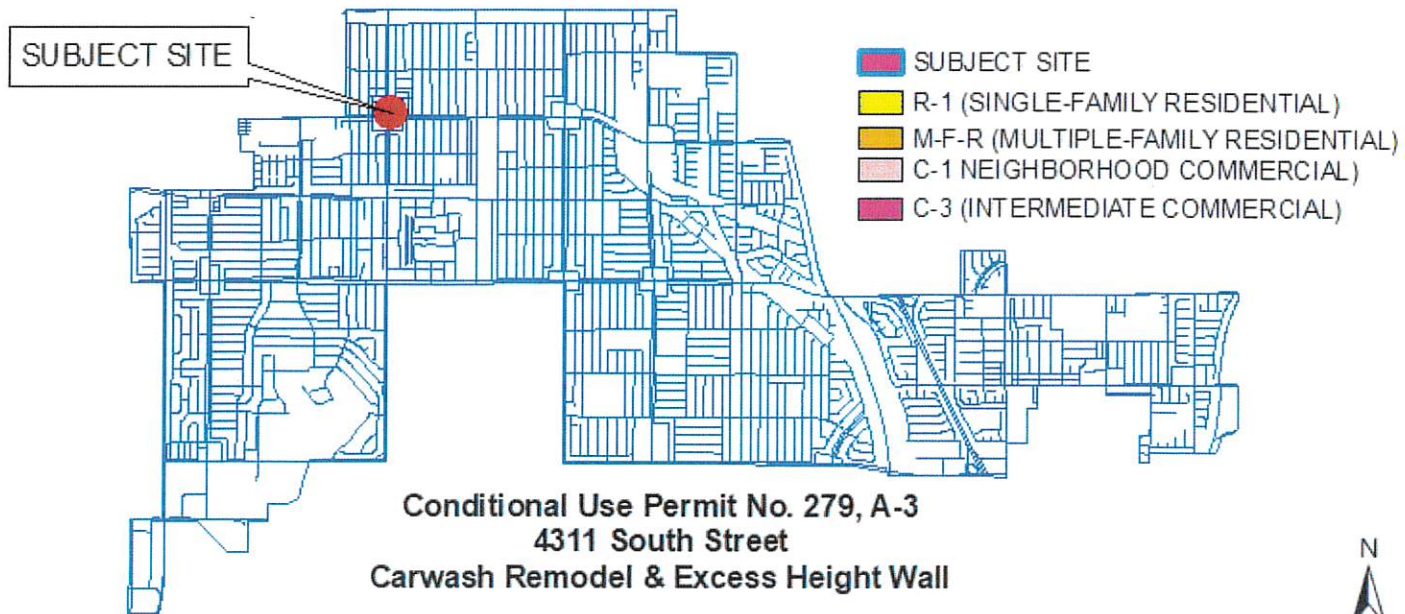
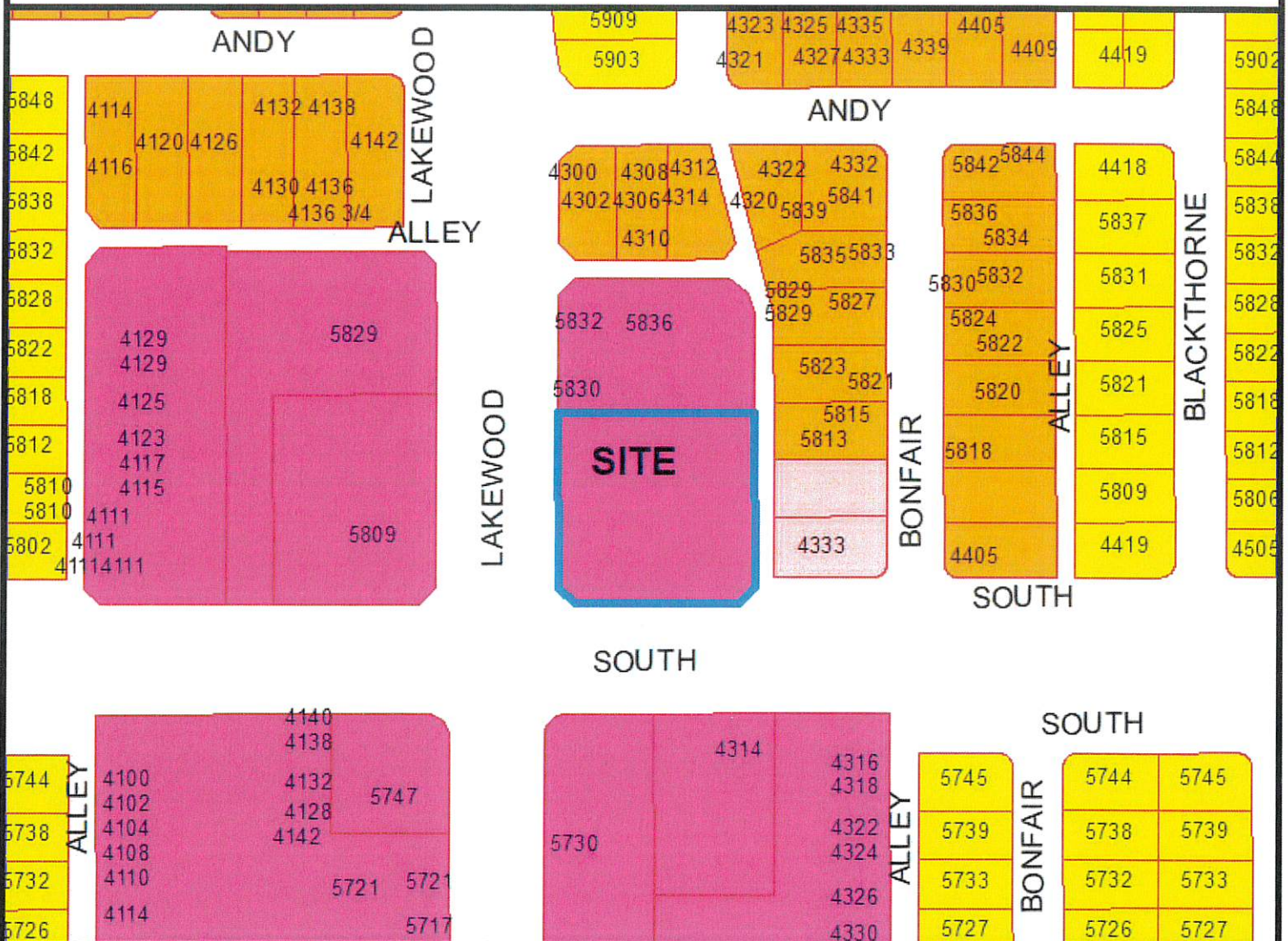


Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Vicinity Map
- 2) Aerial View
- 3) Exhibit "A" – Site Plan
- 4) Exhibit "B" – Floor Plan
- 5) Exhibit "C" – South & West Elevations
- 6) Exhibit "D" – East & North Elevations
- 7) Exhibit "E" – South, North, & West Elevations
- 8) Exhibit "F" – Trash Enclosure
- 9) Exhibit "G" – Colored Renderings
- 10) Noise Study Measurement Data
- 11) Resolution No. 11-82
- 12) Resolution No. 1-84
- 13) Resolution No. 22-89
- 14) Los Angeles County Sheriff's Department letter dated March 25, 2023.
- 15) Development Review Board letter dated April 22, 2023.
- 16) Proposed Resolution of Approval

VICINITY MAP



AERIAL VIEW

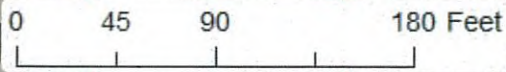
LAKELWOOD BOULEVARD

ALLEY

ALLEY

SITE

SOUTH STREET



CONDITIONAL USE PERMIT NO. 279, A-3
4311 SOUTH STREET
REMODEL CARWASH & EXCESS WALL HEIGHT

EXHIBIT "A"

PROJECT DESCRIPTION:

REPLACEMENT OF AN EXISTING 10,000 SQ. FT. AUTOMATED CAR WASH BUILDING WITH A NEW STATE OF THE ART, 10,000 SQ. FT. AUTOMATED CAR WASH BUILDING.

REPLACEMENT OF EXISTING SELF-VACUUM SPACES AND EQUIPMENT WITH STATE OF THE ART SELF-VACUUM SPACES AND EQUIPMENT.

REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNELS.

REPAIR AND IMPROVEMENT OF EXISTING MAIN BUILDING STRUCTURE TO WITHSTAND CAR WASH TUNNELS, BUILDING, FINISHES, AND PARTS. REPAIR AND IMPROVEMENT OF EXISTING DRIVEWAY AND PAVEMENT WITH A NEW PAVING SYSTEM AND INSTALLATION OF NEW METAL CLADDING TO UPPER PART OF FACADE.

REPLACEMENT TRASH ENCLOSURE AT APPROPRIATE OF THE SAME LOCATION AS THE EXISTING ONE.

REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING FACILITY WITH NEW SIGNAGE. SIGNAGE SHALL BE TO BE PERMITTED EXCEPT AS SHOWN OTHERWISE.

NEW ON-SITE PARKING, DEDICATED PARKING TRAVEL, AND OTHER SITE ACCESS IMPROVEMENTS.

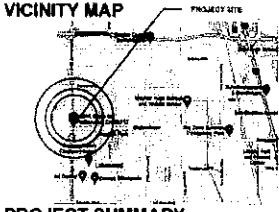
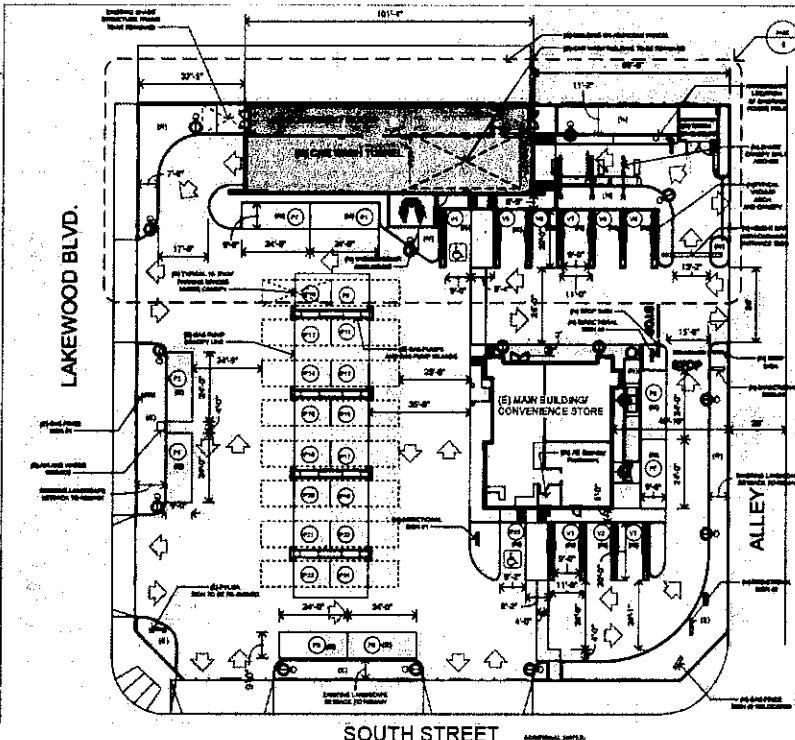
IMPROVED SITE CIRCULATION, TRAFFIC SIGNAGE AND NEW FUNCTIONAL SIGNAGE.

ADJUSTMENT OF DRIVEWAY ACCESS FROM THE ALLEY, ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO PARAPET AS IS.

NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW POLE LIGHTS AND ON BUILDING LIGHTS.

LANDSCAPE AREA INCREASE AND PLANTING UPGRADES.

- ### LEGEND
- (R) BUILDING FOOTPRINT
 - (S) EXISTING SIGNAGE
 - (N) NEW SIGNAGE TO BE REPLACED (S)
 - TRAFFIC DIRECTION
 - (V) VACUUM SPACE
 - (P) PARKING SPACE
 - (D) DECK/DECKED
 - (N) NEW
 - (E) EXISTING
 - (L) LANDSCAPING
 - (F) NEW BUILDING FOOTPRINT



PROJECT SUMMARY

CLUP #279 Amendment No 3- ORB# XXX

CONFORMANCE INDEX	REQUIREMENT	COMPLIANCE
PROPOSED MAX. CAR WASH	MAX. 10 CAR WASH	10 CAR WASH
PROPOSED MAX. VACUUM	MAX. 10 VACUUM	10 VACUUM
PROPOSED MAX. DRIVEWAY	MAX. 10 DRIVEWAY	10 DRIVEWAY
PROPOSED MAX. SIGNAGE	MAX. 10 SIGNAGE	10 SIGNAGE
PROPOSED MAX. LANDSCAPING	MAX. 10 LANDSCAPING	10 LANDSCAPING
PROPOSED MAX. TRAFFIC	MAX. 10 TRAFFIC	10 TRAFFIC
PROPOSED MAX. LIGHTING	MAX. 10 LIGHTING	10 LIGHTING
PROPOSED MAX. UTILITIES	MAX. 10 UTILITIES	10 UTILITIES
PROPOSED MAX. STRUCTURE	MAX. 10 STRUCTURE	10 STRUCTURE
PROPOSED MAX. ACCESS	MAX. 10 ACCESS	10 ACCESS
PROPOSED MAX. SAFETY	MAX. 10 SAFETY	10 SAFETY
PROPOSED MAX. ENVIRONMENT	MAX. 10 ENVIRONMENT	10 ENVIRONMENT
PROPOSED MAX. COMPLIANCE	MAX. 10 COMPLIANCE	10 COMPLIANCE

PROPERTY INFORMATION

OWNER: MONARCHED ELBULLACE OIL, LLC
 12115 SOUTH STREET, LAKEWOOD, CA 90712
 PHONE: (310) 461-1474

ARCHITECT: BMA ARCHITECTURE, 3470 WILSON BLVD
 SUITE 200, WESTLAKE VILLAGE, CA 91391
 PHONE: (818) 886-1100

PROJECT ADDRESS: 4111 SOUTH STREET 1, LAKEWOOD, CA 90712

APR # (APR): 7158-001-013

ZONING: C-3

TYPE OF CONSTRUCTION: NEW CAR WASH BUILDING

TYPE OF OCCUPANCY: NEW CAR WASH TUNNEL BUILDING

LEGAL DESCRIPTION: TRACT 7 (PART PART B) OF ALPHE PARALLELS WITH AND WEST 1/4 OF THE 1/4 SECTION 17, T14N, R14E, S14E, COUNTY OF LOS ANGELES, CALIFORNIA

PROPOSED SITE PLAN

DATE: 1/17/2023



EXHIBIT "B"

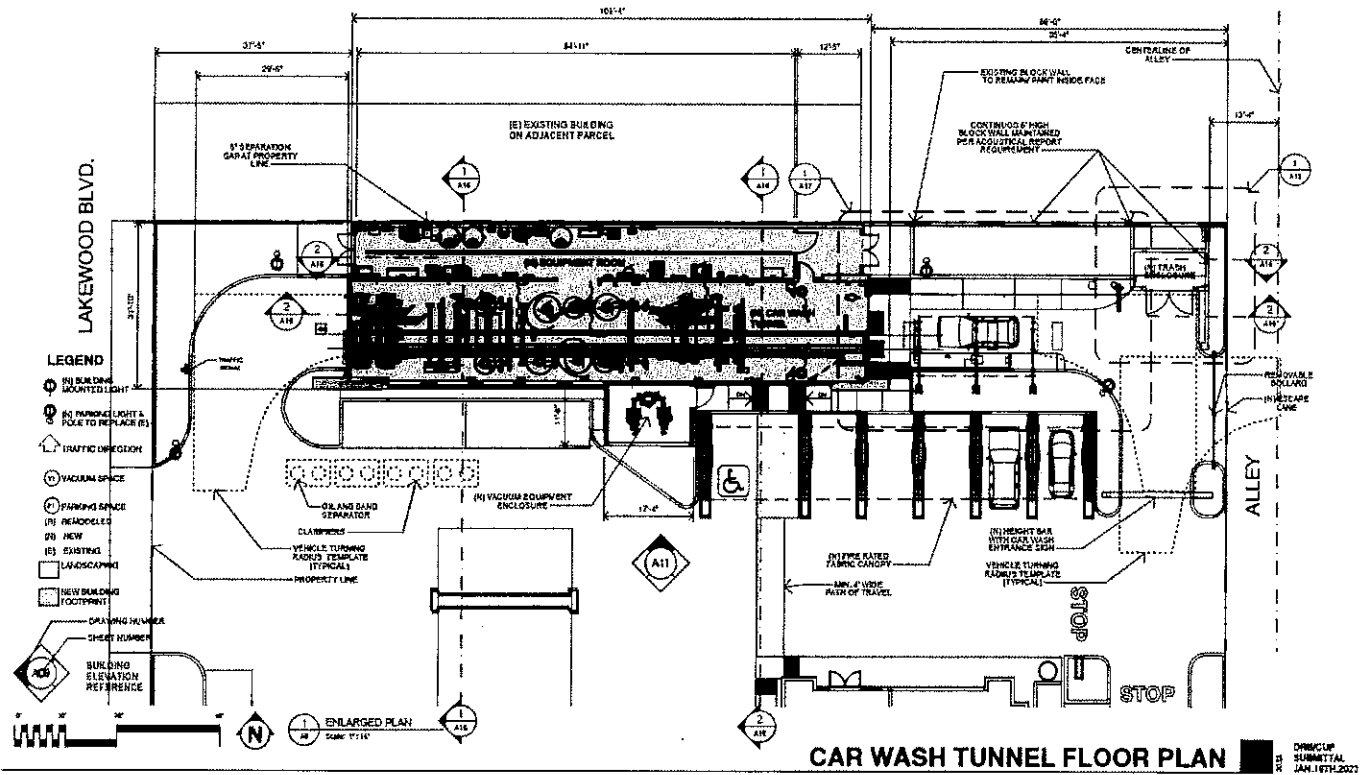
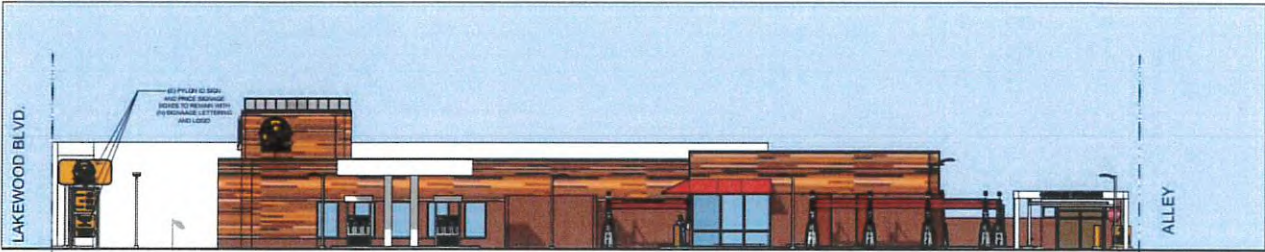


EXHIBIT "C"



1 SOUTH ELEVATION
AS Scale: 1" = 10'



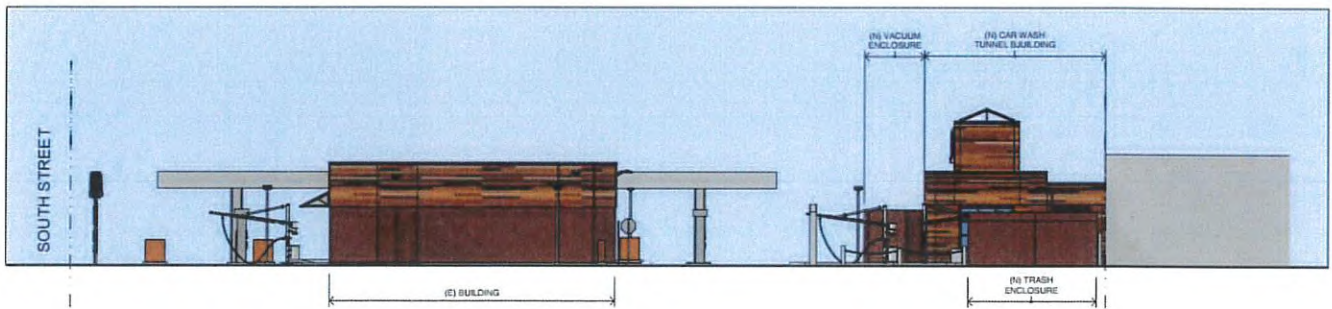
2 WEST ELEVATION
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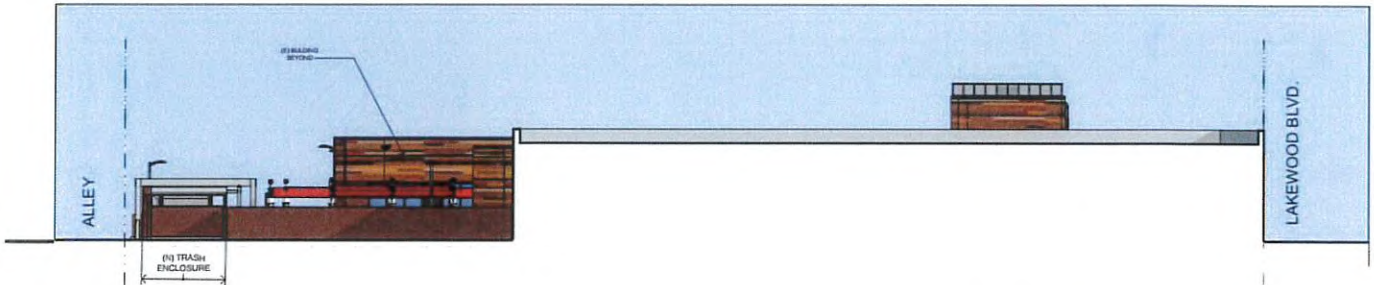
COLOR BUILDING ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

EXHIBIT "D"



1 EAST ELEVATION
419 Scale: 1" = 10'



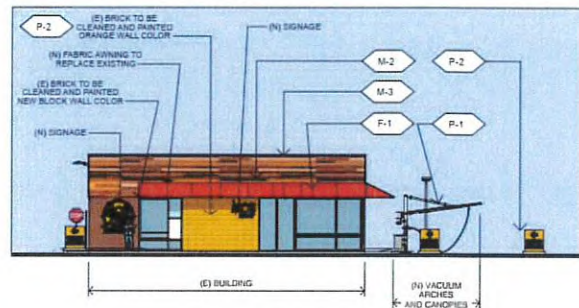
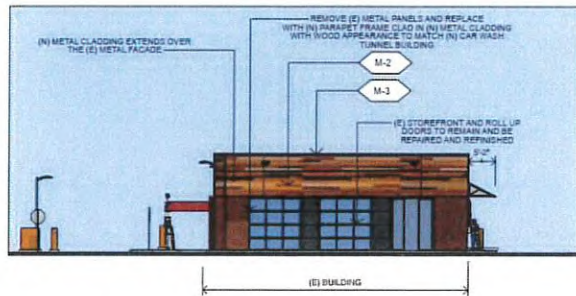
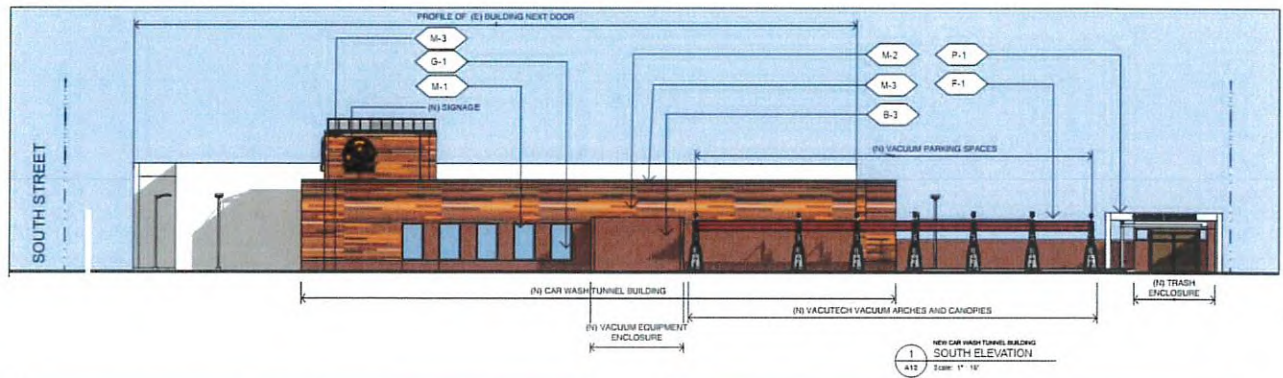
2 NORTH ELEVATION
419 Scale: 1" = 10'



COLOR BUILDING ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

EXHIBIT "E"



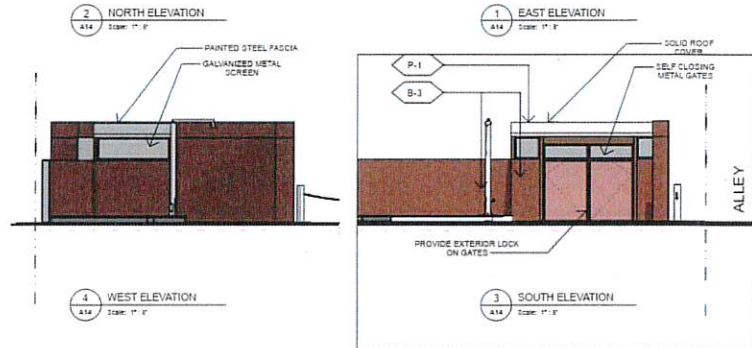
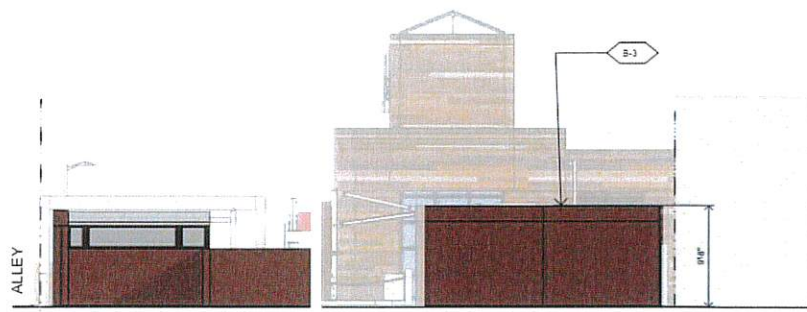
3
EXISTING SERVICE STATION BUILDING
NORTH ELEVATION
Scale: 1" = 10'

2
EXISTING SERVICE STATION BUILDING
WEST ELEVATION
Scale: 1" = 10'

COLORED BUILDING ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH. 2023

EXHIBIT "F"



COLOR TRASH ENCLOSURE ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH 2023

EXHIBIT "G"



AERIAL CORNER VIEW RENDERING



AERIAL ALLEY VIEW RENDERING



LAKWOOD BLVD. RENDERING



SOUTH STREET RENDERING 1



Mo's EXPRESS WASH AND GAS NOISE STUDY

MARCH 23, 2023

PREPARED FOR:
MGE OIL, LLC

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





Mo's Express Wash and Gas Noise Study – Lakewood, CA

Prepared for:

Mr. Mohamed Elbiali
MGE OIL, LLC
4311 South Street
Lakewood, CA 90712

Prepared by:

ROBERT WOO – Principal Acoustical Consultant, INCE
ANGELICA NGUYEN – Senior Acoustical Consultant

ACOUSTICS GROUP, INC.

CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION

(877) 595-9988



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EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the City's Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and to further reduce noise at the nearest noise sensitive receptors.

This report has been organized into multiple sections for ease of reference. Section 1 introduces the Project and provides a general discussion on the Project Components. Section 2 discusses Noise Fundamentals, and Section 3 presents the Noise Standards. Section 4 discusses the Noise Measurement. Section 5 presents the Noise Analysis; Section 6 discusses the Impact Assessment and Section 7 discusses the Noise Control Analysis. Section 8 presents the Noise Control Recommendations. Section 9 discusses the Conclusion.

1. INTRODUCTION

The Project proposes to replace the existing car wash with the proposed car wash at the project site located at 4311 South Street in Lakewood, CA with operating hours between 7AM to 8PM. Both the existing and proposed carwash operations are automatic carwashes with no car wash designated employees. The proposed car wash includes nine self-service vacuums that will replace the five existing self-service vacuums. Refer to Figure 1 for the general location of the Site and a Vicinity Map. Land uses immediately surrounding the site are commercial and residential. The main noise concern is car wash operations affecting the nearest residential properties to the west, north and east. The nearest residential property line is located directly east of the project site. Refer to Figure 2 for the Site Plan and Location of the Future Car Wash.

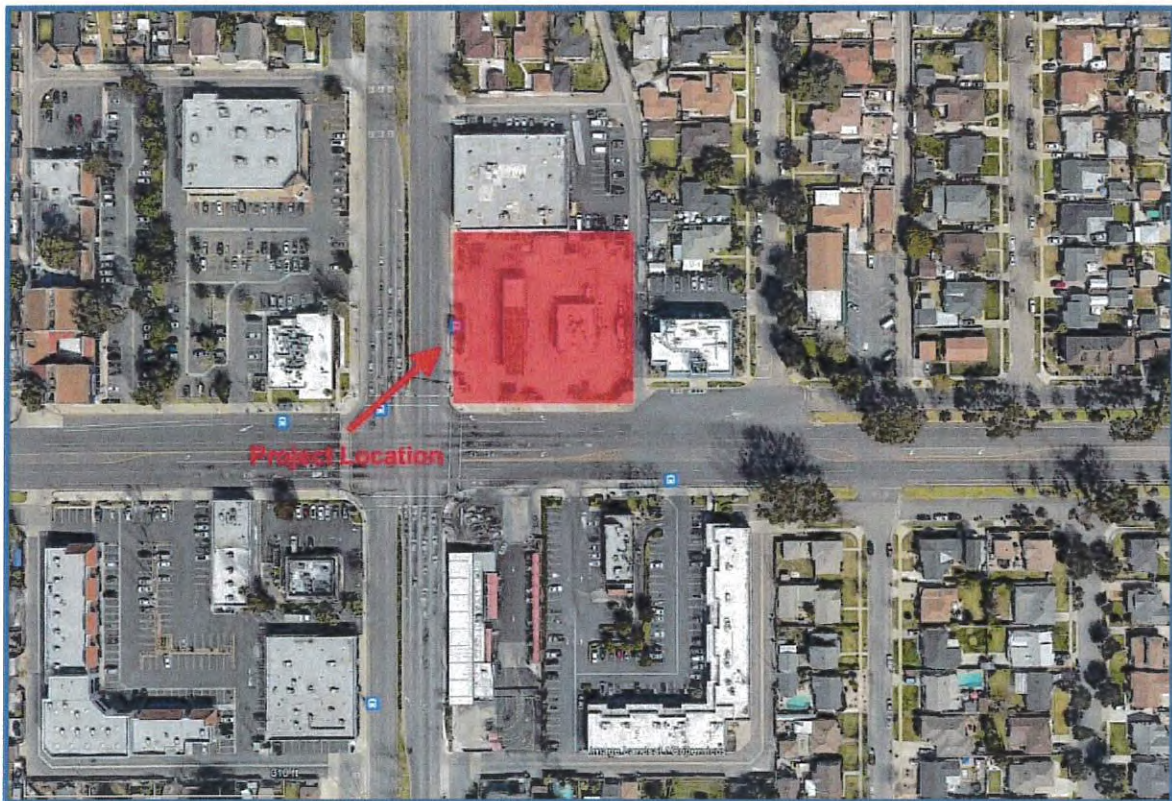


Figure 1. Project Location

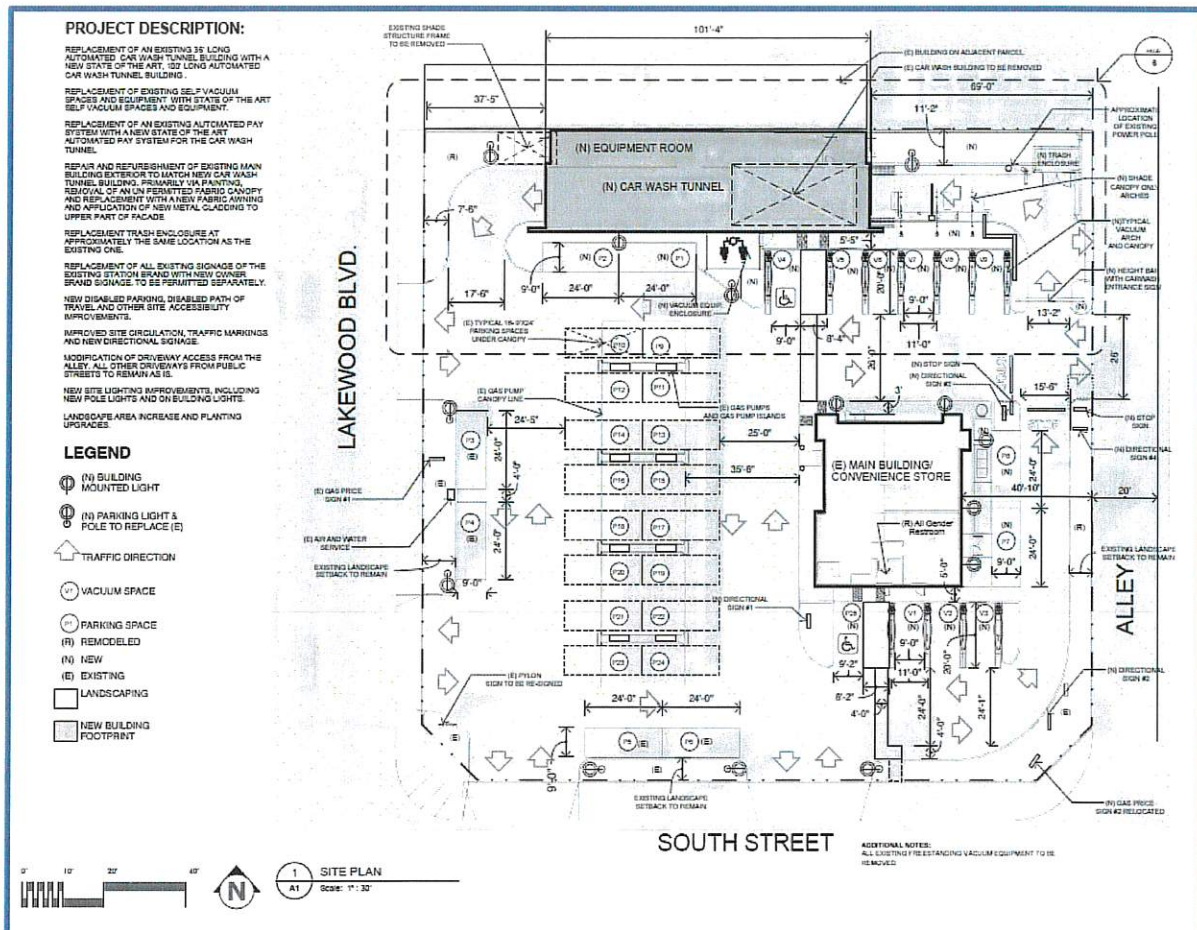
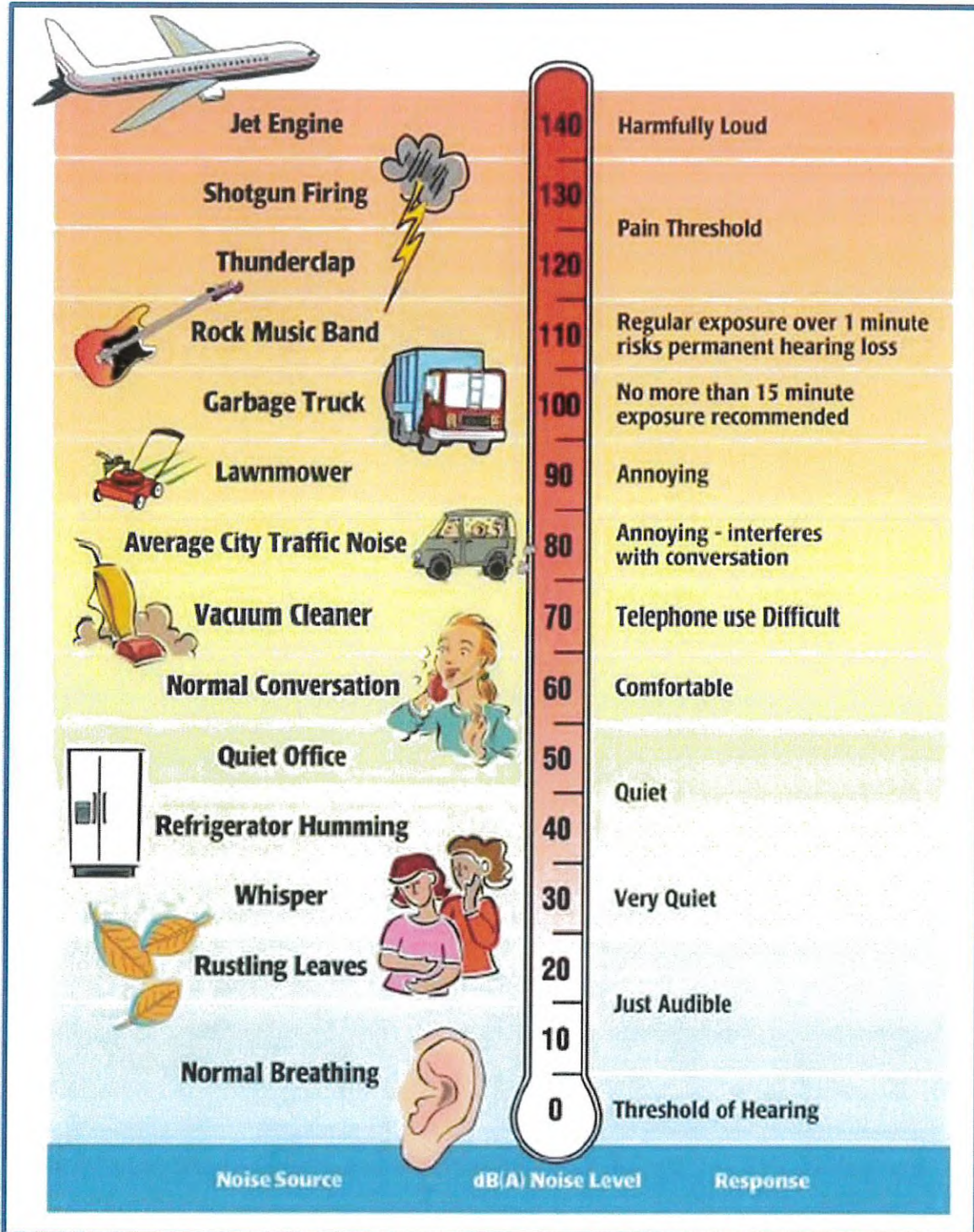


Figure 2. Site Plan

2. NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30 minutes in a 60-minute period.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



3. NOISE STANDARDS

The City of Lakewood Municipal Code has adopted regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise (Section 9376). The City of Lakewood limits intrusive exterior noise for commercial and residential to not exceed 60 dBA at the residential receptor property. Table 1 summarizes the City's Noise Ordinance Standard.

Table 1. City of Lakewood Noise Standard

Land Use	Noise Standard, Leq, dBA
Residential Receptor	60

4. NOISE MEASUREMENT

AGI conducted a site visit on November 29-30, 2022 to observe the project site and document ambient baseline noise levels at the project site. The noise measurement procedures outlined in LMC Section 9376.1A are not entirely appropriate for quantifying the ambient noise environment where the background is fluctuating as a result of vehicular traffic, the car wash and other sporadic community noise sources such as aircraft, community noise, birds, insects, construction activity, residences, etc. Thus, AGI performed continuous hourly noise measurements over 24-hours to provide the most accurate and conservative assessment of the ambient background noise, per standard industry practice. The noise measurements were conducted with a Type I precision acoustical analyzer that was operated with the microphone located at least 3 feet from reflective surfaces and at least 5 feet above the ground. The noise measurement could not be performed on the residential boundary because the boundary is directly adjacent to the driveway/alley and prevented locating a sound level meter in the middle of the unprotected roadway. Therefore, one long-term noise measurement was conducted at the project property line nearest the closest residential boundary location to the east (NM1).

The hourly ambient noise level during the measurement ranged from 49.9 to 64.7 dBA. During the proposed operating period of 7AM to 8PM, the hourly ambient noise level ranged from 59.4 to 64.7 dBA. Without car washes, the hourly ambient noise level during the measurement ranged from 55.4 to 61.6 dBA. Noise sources encountered during the 24-hour measurement period included the car wash, vehicular traffic, aircraft, community noise, birds, insects, construction activity, and residences. Table 2 summarizes the noise measurement data. Table 3 below summarizes the Hourly ambient background noise with and without car wash operations and the number of car wash events observed within each hour. Figure 4 shows the location of the noise measurement.



Table 2. Summary of Measured Ambient Noise Level

Receptor	Time	Lmax, dBA	Lmin, dBA	A-weighted Noise Level, Leq, dBA	Contributing Noise Sources
NM1	11/29/22 11:00 AM – 11/30/22 11:00 AM	86.5	37.6	49.9 – 64.7	Vehicular Traffic, car wash, aircraft, community noise, birds, insects, construction activity, residences

Table 3. Measured Hourly Ambient Noise Level – With and Without Car Wash

Date	Time	Ambient with Existing Carwash, Leq, dBA	Ambient without Car Wash, Leq, dBA ¹	Number of Carwashes
11/29/22	11:00 AM	63.1	59.3	4
11/29/22	12:00 PM	63.8	61.0	3
11/29/22	1:00 PM	63.4	59.0	4
11/29/22	2:00 PM	64.3	60.6	3
11/29/22	3:00 PM	63.7	58.3	5
11/29/22	4:00 PM	64.0	59.8	4
11/29/22	5:00 PM	64.4	61.4	3
11/29/22	6:00 PM	64.7	61.6	3
11/29/22	7:00 PM	59.4	59.4	0
11/29/22	8:00 PM	57.2	57.2	0
11/29/22	9:00 PM	59.6	57.5	2
11/29/22	10:00 PM	56.3	56.3	0
11/29/22	11:00 PM	57.8	57.8	0
11/30/22	12:00 AM	52.7	52.7	0
11/30/22	1:00 AM	49.9	49.9	0
11/30/22	2:00 AM	50.3	50.3	0
11/30/22	3:00 AM	50.0	50.0	0
11/30/22	4:00 AM	51.8	51.8	0
11/30/22	5:00 AM	56.7	56.7	0
11/30/22	6:00 AM	58.0	58.0	0
11/30/22	7:00 AM	64.7	59.7	3
11/30/22	8:00 AM	64.0	60.5	4
11/30/22	9:00 AM	61.4	57.9	2
11/30/22	10:00 AM	63.4	55.4	6

Note: ¹Continuous noise measurements were conducted at NM1. Car wash operations were removed in post-processing to determine hourly ambient noise levels without the car wash.

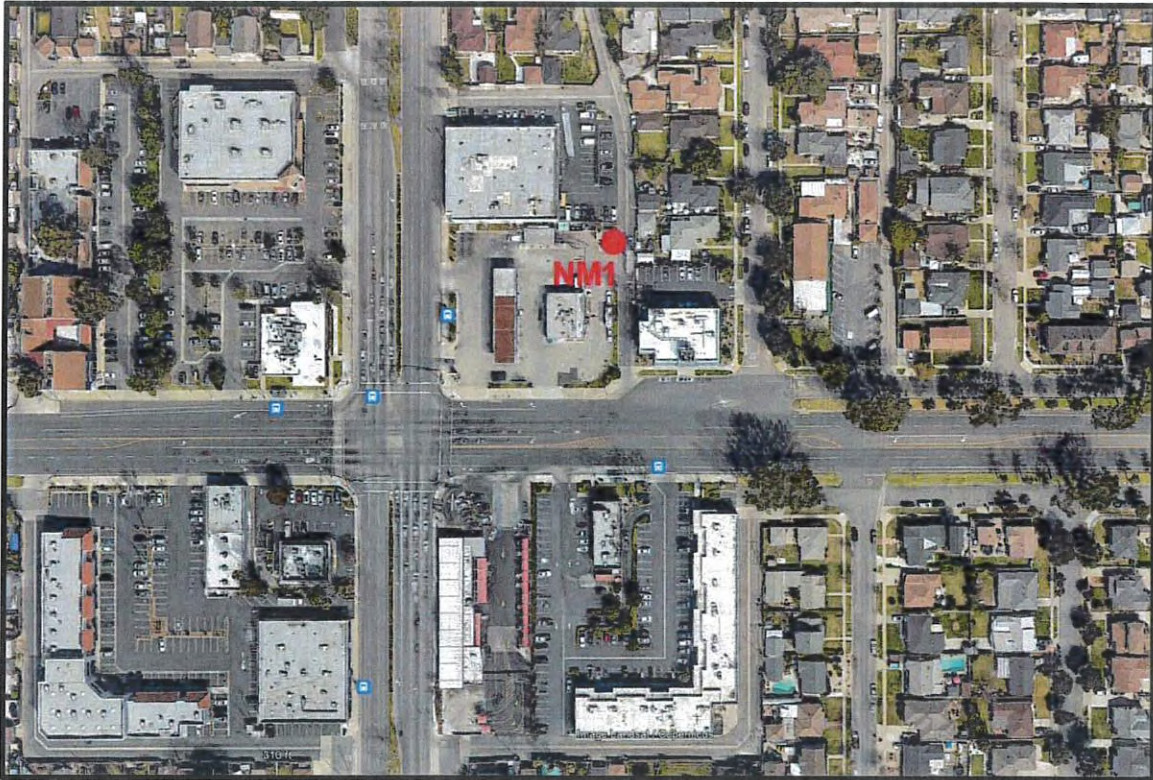


Figure 4. Noise Measurement Location

5. NOISE ANALYSIS

The noise generated from the car wash's future operations has the potential to impact nearby properties. The methodology used to analyze and predict operations noise from the project involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by future operations was calculated by inputting acoustical sources at the project site. Manufacturer's acoustical data was provided by the client for the analysis. The MacNeil Tech 21 15HP Dryer System with Powerlock Closed and Vacutech Turbine was evaluated for the Project Site. Table 3 lists the car wash equipment noise sources used for the analysis.



Table 4. Car Wash Equipment Noise Sources

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the residential noise sensitive receptors to the west, north and east, respectively. Real operating conditions may not achieve this level of activity but could possibly include one or possibly two continuous hour(s) of activity during the day. Refer to Figure 5 for a noise contour map of the future car wash noise without noise control.



Figure 5. Noise Contour Map of the Future Car Wash Operations - Worst Case without Noise Control



6. ASSESSMENT

The noise level from future car wash operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood’s noise standard of 60 dBA. Refer to Table 5 for a summary of the future car wash noise levels and impact assessment with City Standard.

Table 5. Summary of Operations Noise Impact Assessment - without Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	37.4	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	57.1	60	Compliance

Additionally, when the future car wash noise is compared with the ambient background either with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 6 for a comparison and impact assessment of the future car wash noise level with the ambient noise level at R3/NM1.



Table 6. Comparison and Impact Assessment of Future Car Wash Noise Levels with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	57.1	52.7	52.7	-
1:00 AM	57.1	49.9	49.9	-
2:00 AM	57.1	50.3	50.3	-
3:00 AM	57.1	50.0	50.0	-
4:00 AM	57.1	51.8	51.8	-
5:00 AM	57.1	56.7	56.7	-
6:00 AM	57.1	58.0	58.0	-
7:00 AM	57.1	64.7	59.7	Compliance
8:00 AM	57.1	64.0	60.5	Compliance
9:00 AM	57.1	61.4	57.9	Compliance
10:00 AM	57.1	63.4	55.4	Compliance
11:00 AM	57.1	63.1	59.3	Compliance
12:00 PM	57.1	63.8	61.0	Compliance
1:00 PM	57.1	63.4	59.0	Compliance
2:00 PM	57.1	64.3	60.6	Compliance
3:00 PM	57.1	63.7	58.3	Compliance
4:00 PM	57.1	64.0	59.8	Compliance
5:00 PM	57.1	64.4	61.4	Compliance
6:00 PM	57.1	64.7	61.6	Compliance
7:00 PM	57.1	59.4	59.4	Compliance
8:00 PM	57.1	57.2	57.2	-
9:00 PM	57.1	59.6	57.5	-
10:00 PM	57.1	56.3	56.3	-
11:00 PM	57.1	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

7. NOISE CONTROL ANALYSIS

Additional noise control measures were evaluated to further reduce the noise from the future car wash. Although, these additional noise control measures are not required, ownership desires to be a good neighbor with the surrounding residents and minimize car wash noise. With noise barriers (as per Figure 6) along the car wash exit to further shield equipment noise, the future car wash noise will be further reduced to as high as 45.6, 31.8, and 55.4 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Future noise levels from the car wash at the nearest residential properties to the west, north, and east would continue to comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background, the car wash noise will be lower and will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 7 for a summary of the future car wash noise levels with noise control and impact assessment with City Standard. Refer to Table 8 for a comparison and impact



assessment of the future car wash noise level with noise control with the ambient noise level at R3/NM1.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	55.4	52.7	52.7	-
1:00 AM	55.4	49.9	49.9	-
2:00 AM	55.4	50.3	50.3	-
3:00 AM	55.4	50.0	50.0	-
4:00 AM	55.4	51.8	51.8	-
5:00 AM	55.4	56.7	56.7	-
6:00 AM	55.4	58.0	58.0	-
7:00 AM	55.4	64.7	59.7	Compliance
8:00 AM	55.4	64.0	60.5	Compliance
9:00 AM	55.4	61.4	57.9	Compliance
10:00 AM	55.4	63.4	55.4	Compliance
11:00 AM	55.4	63.1	59.3	Compliance
12:00 PM	55.4	63.8	61.0	Compliance
1:00 PM	55.4	63.4	59.0	Compliance
2:00 PM	55.4	64.3	60.6	Compliance
3:00 PM	55.4	63.7	58.3	Compliance
4:00 PM	55.4	64.0	59.8	Compliance
5:00 PM	55.4	64.4	61.4	Compliance
6:00 PM	55.4	64.7	61.6	Compliance
7:00 PM	55.4	59.4	59.4	Compliance
8:00 PM	55.4	57.2	57.2	-
9:00 PM	55.4	59.6	57.5	-
10:00 PM	55.4	56.3	56.3	-
11:00 PM	55.4	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM



8. NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended to further reduce the noise from the future car wash:

1. Limit operating hours to the proposed hours of 7AM to 8PM.
2. A minimum 6-ft, 7-ft, and 9-ft high noise barriers at the north and east side of the project site as per Figure 6 to direct car wash noise away from residences.
3. Minimum 9-ft and 3-ft high noise barriers as per Figure 6 to reduce car wash and vacuum noise from residences.
4. The noise barrier height is relative to the car wash pad elevation.
5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit, stucco-on-wood, metal panel, plexi-glass, or any combination of these materials.
6. A minimum 10-ft high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.

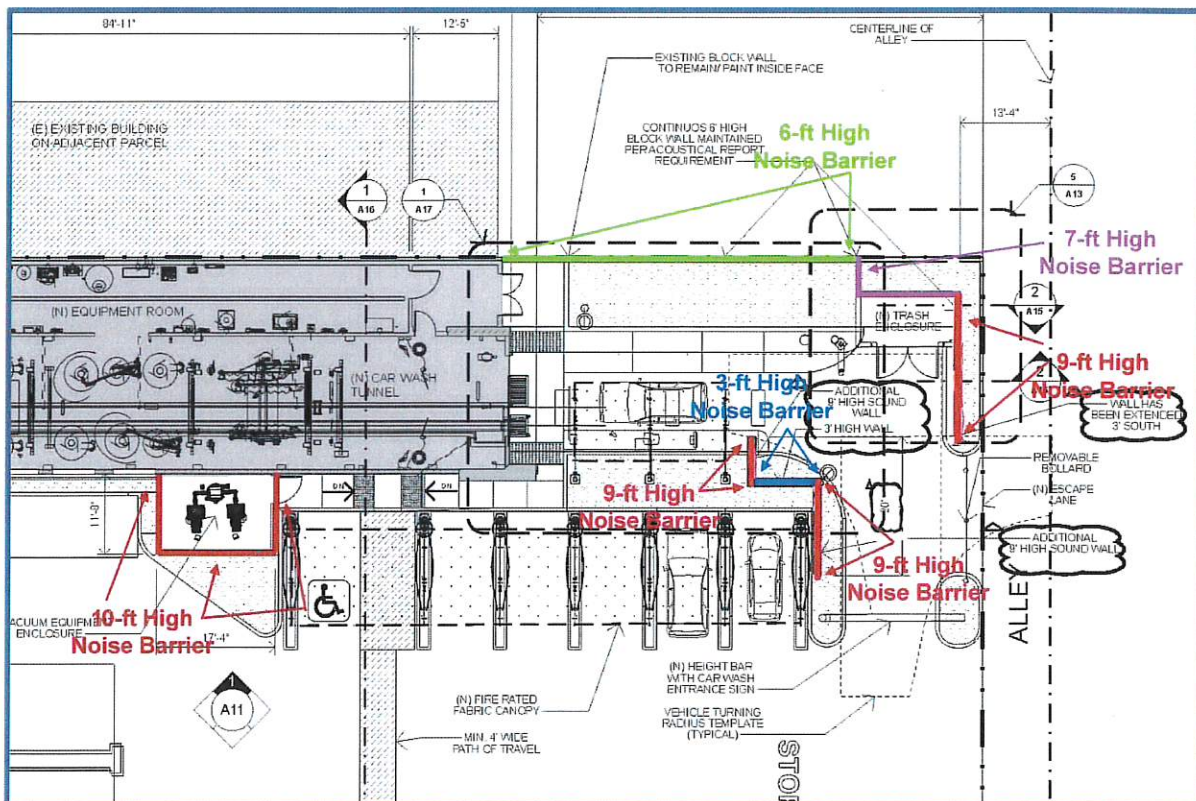


Figure 6. Location of the Recommended Car Wash Noise Barriers



7. The car wash equipment shall not exceed the following equipment noise source levels:

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

8. Refer to the Appendix for the manufacturer's product literature.
9. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire and safety codes.

9. CONCLUSION

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and further reduce noise at the nearest noise sensitive receptors.



REFERENCES

1. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
2. Car Wash Drawings, prepared by WSCS Design
3. AutoVac Industrial Vacuum & Air Systems Equipment Decibel Certification
4. International Drying Corporation Stealth Predator Dryer System Specifications



APPENDIX

NOISE STANDARDS

FIELD DATA

MODELING INPUT & OUTPUT

PRODUCT LITERATURE



NOISE STANDARDS

C. Where the shelter is constructed beneath the front yard area, entrances and vents not only shall be located out of the front yard area and the side yard area on corner lots, but shall be screened with shrubs, wall or fencing from direct view of the street on which the front yard or corner side yard fronts.

The Planning Commission may, in its discretion, in a proper case, modify or waive any or all of the aforementioned requirements contained in Subparagraphs A, B, or C.

(Added by Ord. 271)

9374. FUTURE STREETS. Where future street lines have been established by a Master or General Plan, no building or structure shall be erected within the future street line. Where future street lines have been adopted pursuant to a Master or General Plan, said future street lines shall be used in determining lot lines for the purposes of this Chapter. The application of this section to any person may be waived by the Planning Commission upon a showing that the waiver thereof will not materially affect putting into effect the Master Plan. (Added by Ord. 306)

9375. WALLS ABUTTING R-1 AND R-A PROPERTY. Where property in any zone other than R-1 and R-A sides or rears on the property line of an adjoining R-1 or R-A lot or parcel, a reinforced six-foot block or masonry wall shall be erected and maintained along the line of such lot adjoining said R-1 or R-A lot, except where a building, otherwise authorized, is erected and maintained on said property line. No such wall shall exceed forty-two inches, however, in the required front yard set-back, if any. (Added by Ord. 392)

9376. AIR CONDITIONERS, MECHANICAL EQUIPMENT AND MACHINERY NOISE IN RESIDENTIAL AREAS. No person within any area of the City zoned for residential use or any area adjacent thereto shall own, possess, control, or maintain any machinery, equipment, pumps, fans, air conditioning or air-handling apparatus, or similar mechanical devices which cause the noise level at the property line of any property zoned for residential uses to exceed the sound pressure level permitted herein by more than five decibels. The production or maintenance of any sound in excess of said levels is hereby declared to be an unnecessary interference with the enjoyment of residential property and contrary to the public health and general welfare. The ownership, maintenance, operation, or control of any such machinery or equipment producing said excess sound pressure levels is hereby declared to be a public nuisance.

9376.1. SAME: DECIBEL MEASUREMENT CRITERIA. The sound pressure level permitted herein shall be measured at any point on the property line of the residential property affected and is sixty decibels, reference 0.002 microbar, read on the A scale of a sound level meter. Reading shall be taken in accordance with the instrument manufacturer's instructions, using the slowest meter response, and as follows:

A. PLACEMENT OF MEASURING MICROPHONE. Placement of the microphone can be at any point on the property line, but shall not be closer than three (3) feet from any wall and not less than three (3) feet above the ground where the above-listed maximum sound pressure level shall apply. At any point the measured level shall be the average of not less than three (3) readings, taken at two-minute intervals. To have valid readings, the levels must be five (5) decibels or more above the levels prevailing at the same point, excluding noise caused by the objectionable machinery.

B. SOUND LEVEL METER. Sound pressure levels shall be measured with a sound level meter manufactured according to U.S.A. Standard S1.4-1961, published by the United States of America Standards Institute, New York City, New York.

9376.2. SAME: LOCATION OF MECHANICAL EQUIPMENT. No such sound producing machinery, equipment, pumps, fans, air conditioners, air handling apparatus, or similar mechanical devices shall be installed, located, or maintained in any residential zone unless so installed, or maintained in the manner or fashion determined by the Director of Community Development, or his authorized representative, as to not unreasonably interfere with the enjoyment or use of life and property in the vicinity, and provided, further, that the following minimum regulations are complied with:

A. ROOF. No mechanical equipment, except wind turbines, shall be erected, constructed, placed or maintained on or upon the roof of any building or structure located in the R-1, R-A, or A zones, unless the roof structure is so designed as to provide for the inclusion of said equipment as an integral part of the structure, and said installation has been approved by the Development Review Board. (Amended by Ord. 77-5)

B. FRONT YARD. Such unit may be located between a front lot line or side lot line and the nearest building on the lot, if the unit is screened and soundproofed to protect the surrounding properties from excessive noise or unsightly appearance.

C. REAR YARD. Such unit may be located within that area designated as the rear yard provided that it is not placed in the rear yard area of a corner lot parallel to and within twenty (20) feet of any lot line common to the required side yard of an abutting residential lot.

D. "UNITS" as used herein shall include all appurtenances, including ducts.

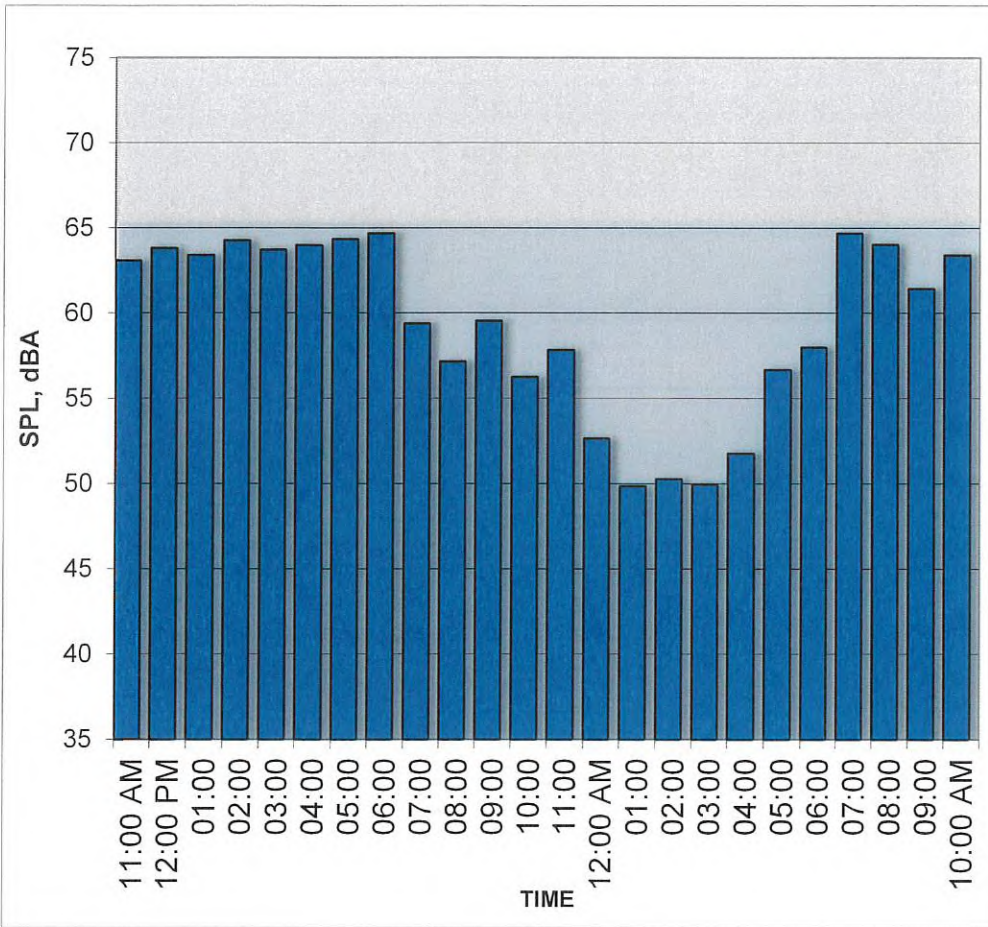


FIELD DATA

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Mobile Car Wash Expansion Project
 Address: 4311 South Street, Lakewood, CA
 Location: Light pole
 Noise Sources: Vehicular Traffic, Car Wash

Date: 11/29/2022
 - 11/30/2022
 Position: NM1



TIME	HNL, dB(A)
11:00 - 12:00 PM	63.1
12:00 - 01:00 PM	63.8
01:00 - 02:00 PM	63.4
02:00 - 03:00 PM	64.3
03:00 - 04:00 PM	63.7
04:00 - 05:00 PM	64.0
05:00 - 06:00 PM	64.4
06:00 - 07:00 PM	64.7
07:00 - 08:00 PM	59.4
08:00 - 09:00 PM	57.2
09:00 - 10:00 PM	59.6
10:00 - 11:00 PM	56.3
11:00 - 12:00 AM	57.8
12:00 - 01:00 AM	52.7
01:00 - 02:00 AM	49.9
02:00 - 03:00 AM	50.3
03:00 - 04:00 AM	50.0
04:00 - 05:00 AM	51.8
05:00 - 06:00 AM	56.7
06:00 - 07:00 AM	58.0
07:00 - 08:00 AM	64.7
08:00 - 09:00 AM	64.0
09:00 - 10:00 AM	61.4
10:00 - 11:00 AM	63.4
CNEL:	64.3

Notes:





Certificate of Calibration

17922 Sky Park Circle Suite "P"
Irvine, CA 92614
Phone:(949) 724-9474 Fax: (949) 724-9472

Customer:
Acoustics Group Inc.
2082 Business Center Dr
Irvine, CA 92612
Contact: Robert Woo
Phone#: (877) 595-9988

Service Record #: SR-CI048935
Issue Date: 03/10/2021
Technician: Samuel Brambila
Job No: J-AA50250
Customer PO #: Verbal Per Robert
Calibration Date: 03/10/2021
Next Cal Due: 03/10/2023

Device Under Test	Manufacturer: Bruel Kjaer	Model: 2250	Serial #: 3011736	
	Description: Sound Level Meter		ID #: None Visible	
Device Conditions	As Received: Out of Tolerance	As Returned: In Tolerance	Adjusted?: Yes	Limited Use?: No
Environmental Conditions	Field Calibration?: Yes		Temperature: 21°C	Relative Humidity: 41%
Comments: Changed Ch. 1 sensitivity from 52.72 to 44.52 mV/Pa.				
Facility:	Area:	Position:		
Tolerance: ± 0.5 dB				

Sample Data Points

Description	Nominal	As Found	As Left
Sound Level @ 1 kHz	94.0 dB	91.6 dB *	93.6 dB

* Denotes out of tolerance measurement data.

Standard Used

Manufacturer	Model	Description	Next Cal Due	Traceable #
Extech	407766	Sound Level Calibrator	08/31/2021	T-1387
Procedure Used:	G-0005	Sound Level Meters		

Test Calibration data, if applicable, is available upon request (fee required)

The standards and calibration program of usCalibration complies with the requirement of ANSI/NCSL Z540-1-1994 and ISO/IEC 17025:2005

Standards used in this calibration, described in the referenced calibration procedure with associated uncertainties or tolerances, are traceable to the National Institute of Standards and Technology (N.I.S.T.).

No allowances have been made for the instability of the test device due to use, time, etc.; such allowances would be made by the customer as needed

The test uncertainty ratio (TUR) for this calibration is no less than 4:1, unless otherwise specified.

There are no special limitations of use imposed on the calibrated item, unless specified

This report applies only to the item described and shall not be reproduced except in full, without the written approval of usCalibration.

3/10/21

Samuel Brambila, Technician

Date





MODELING INPUT & OUTPUT

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: No Noise Control

Receiver		ID	Level Lr		Limit Value		Land Use		Height	Coordinates			
Name	M.		Day [dBA]	Night [dBA]	Day [dBA]	Night [dBA]	Type	Auto		Note	Type	X [m]	Y [m]
Exit			80	80	0	0	x		Total	1.5 r	274.75	297.69	1.5
Entrance			78.6	81.5	0	0	x		Total	1.5 r	308.3	297.78	1.5
West			45.6	45.6	0	0	x		Total	1.5 r	213.37	364.02	1.5
North			32.5	33	0	0	x		Total	1.5 r	305.45	355.53	1.5
East			53.8	55.4	0	0	x		Total	1.5 r	332.5	297.66	1.5
East			56.1	58.4	0	0	x		Total	1.5 r	332.32	296.67	1.5
East			57.1	59.2	0	0	x		Total	1.5 r	332.35	299.62	1.5

Point Source		ID	Result: P.W.L			Lw/Li	Value	norm. dB(A)	Correction			Sound Reduction		Attenuation		KD	Freq.	Direct	Height	Coordinates		
Name	M.		Day [dBA]	Evening [dBA]	Night [dBA]				Type	Day [dB(A)]	Evening [dB(A)]	Night [dB(A)]	R	Area [m²]	Day [min]					Special [min]	Night [min]	[dB]
Exit			97.8	97.8	97.8	Lw	Exit	0	0	0	0	0	0	0	0	0	(none)	3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance	-3	0	0	0	0	0	0	0	0	(none)	3 r	307.26	297.89	3	
Turbine			77.3	74.3	74.3	Lw	T	3	0	0	0	0	0	0	0	0	(none)	2 r	294.35	292.12	2	
V1			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.35	258.51	1.22	
V2			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.83	258.51	1.22	
V3			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.41	258.47	1.22	
V4			74.3	74.3	74.3	Lw	T	0	0	0	0	0	0	0	0	0	(none)	1.22 r	289.21	291.81	1.22	
V5			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	306.61	291.85	1.22	
V6			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.74	291.85	1.22	
V7			70.9	70.9	70.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V8			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V9			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	319.37	291.81	1.22	

Buildings		ID	Absorption		Z-Fac.	Cantilever	Height	End
Name	M.		left	right				
					9.7	0	5.18 r	
					0.76		5.18 r	
					9.7	0	5.18 r	
					0.76		5.18 r	
							5.18 r	
							5.18 r	
							2.44 r	
							1.82 r	

Sound Level		ID	Type	Octave Spectrum (dB)										Source
Name	M.			Weight	31.5	63	125	250	500	1000	2000	4000	8000	
Machell Ex Exit		Lw		91	95	92	92	93	91	89	86	97.8	100.8	
Machell Ex Entrance		Lw		91	95	92	92	93	91	89	86	97.8	100.8	
Turbine T		Lw		55	55	57	70	72	69	68	62	74.3	75.3	
Vacuum V1		Lw		66.9	67.1	69.3	66.5	63.2	63.3	74.1	75.1	72.6	79.9	

Result Table		Land Use	Limiting Value		rel. Axis	Distance	Height	Lw/o Noise Control				Lw/w Noise Control		Exceeding		passive NC
Name	ID		Day [dB(A)]	Night [dB(A)]				Station	Day	Night	Day	Night	Day	Night	Day	
Exit			0	0				80	80	80	80	0	0	-	-	
Entrance			0	0				78.6	81.5	78.6	81.5	0	0	-	-	
West			0	0				45.6	45.6	45.6	45.6	0	0	-	-	
North			0	0				32.5	33	32.5	33	0	0	-	-	
East			0	0				53.8	55.4	53.8	55.4	0	0	-	-	
East			0	0				56.1	58.4	56.1	58.4	0	0	-	-	
East			0	0				57.2	59.2	57.2	59.2	0	0	-	-	

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: Noise Control

Receiver												
Name	M.	ID	Level	Limit	Land	Auto	Noise	Height	Coordinates			
			Day	Day	Type		Type	(m)	X	Y	Z	
			(dBA)	(dBA)					(m)	(m)	(m)	
Exit			80	0	0	x	Total	1.5 r	274.75	287.99	1.5	
Entrance			78.6	81.5	0	0	Total	1.5 r	308.3	297.78	1.5	
West			45.6	45.6	0	0	Total	1.5 r	213.27	364.62	1.5	
North			31.8	32.4	0	0	Total	1.5 r	305.45	355.53	1.5	
East			52.2	54.5	0	0	Total	1.5 r	332.5	290.67	1.5	
East			49	51.6	0	0	Total	1.5 r	332.32	290.67	1.5	
East			55.4	58.2	0	0	Total	1.5 r	332.35	293.82	1.5	

Point Sources																						
Name	M.	ID	Result	PWL	Lw / U	Correction	Sound Reduction	Attenuation	Operating Time	K0	Freq.	Direct	Height	Coordinates								
			Day	Evening	Night	Type	Value	norm.	Day	Evening	Night		Day	Special	Night	(dB)	(Hz)	(m)	X	Y	Z	
			(dBA)	(dBA)	(dBA)			dB(A)	dB(A)	dB(A)	dB(A)		(min)	(min)	(min)			(m)	(m)	(m)	(m)	
Exit			97.8	97.8	97.8	Lw	Exit		0	0	0	0	0	0	0	0	0	3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance		-3	0	0	0	0	0	0	0	0	(none)	2 r	507.26	297.83	3
Turbine			72.5	74.3	74.3	Lw	T		3	0	0	0	0	0	0	0	0	(none)	2 r	294.55	296.12	2
V1			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.36	288.51	1.22
V2			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.83	288.51	1.22
V3			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	313.41	288.47	1.22
V4			74.3	74.3	74.3	Lw	T		0	0	0	0	0	0	0	0	0	(none)	1.22 r	289.21	291.81	1.22
V5			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	305.11	291.78	1.22
V6			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	308.82	281.85	1.22
V7			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.34	281.85	1.22
V8			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	281.74	1.22
V9			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	319.37	281.81	1.22

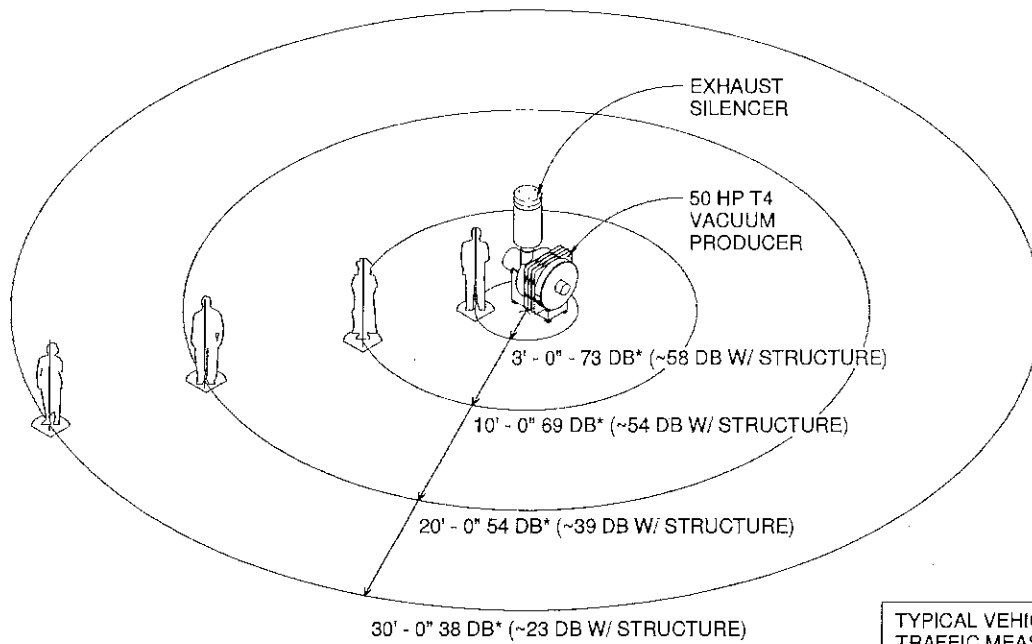
Buildings												
Name	M.	ID	Absorption	Z-Ext.	Can/lever	Height	Height	End				
			left	right	(m)	hori.	vert.	Begin				
					(m)	(m)	(m)	(m)				
							0 r					
						9.7	0	5.18 r				
								5.18 r				
					0.76			5.18 r				
						9.7	0	5.18 r				
								5.18 r				
					0.76			5.18 r				
								5.18 r				
								5.18 r				
								2.44 r				
								1.82 r				

Sound Level													
Name	ID	Type	Octave Spectrum (dB)										Source
			Weight.										
			31.5	63	125	250	500	1000	2000	4000	8000	A	lin
Machell Ex Exit	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Machell Er Entrance	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Turbine T	Lw			51	55	57	70	72	69	61	51	74.3	76.3
Vacuum V1	Lw			66.9	67.4	69.3	66.5	63.2	68.3	74.1	72.6	79.9	80.4

Result Table												
Receiver	Land Use	Limiting Value	rel. Axis	Distance	Height	Lw/o	Noise Control	dL req.	Lw/o	Noise Control	Exceeding	passive NC
Name	ID	Day	Night	Station	m	Day	Night	Day	Night	Day	Night	dB(A)
		(dBA)	(dBA)	m	m	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)
Exit		0	0			80	80	85	80	0	-	-
Entrance		0	0			78.6	81.5	78.6	81.5	0	-	-
West		0	0			45.6	45.6	45.6	45.6	0	-	-
North		0	0			31.8	32.4	31.8	32.4	0	-	-
East		0	0			52.2	54.5	52.2	54.5	0	-	-
East		0	0			49	51.6	49	51.6	0	-	-
East		0	0			55.4	58.2	55.4	58.2	0	-	-



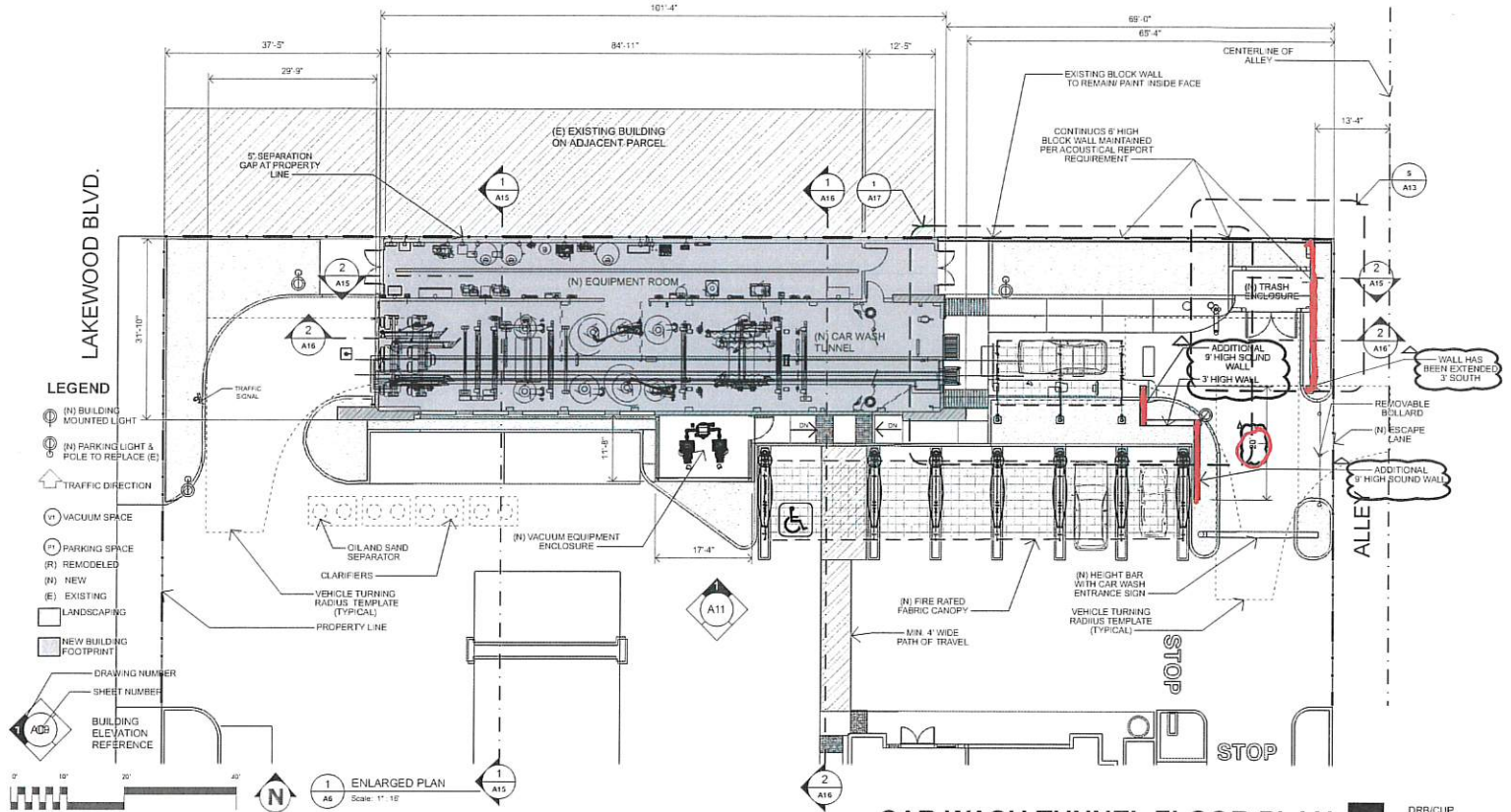
MANUFACTURER'S PRODUCT LITERATURE AND LAYOUT



TYPICAL VEHICULAR TRAFFIC MEASURES 60-75 DB ON MOST CITY STREETS

*BASED ON READINGS TAKEN OUTDOORS, UNOBSTRUCTED, ON A CONCRETE SURFACE

TURBINE SOUND INTENSITY - 50 HP



CAR WASH TUNNEL FLOOR PLAN

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023
A06

BBA BEHR BROWERS ARCHITECTS
INCORPORATED
Architecture

THOUSAND OAKS
CALIFORNIA 91300
805.857.4777

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Mo's Xpress Gas+Wash
4311 South Street, Lakewood, CA
Owner: Mohamed Elbiali

RESOLUTION NO. 11-82

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR AN EXISTING SERVICE STATION

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobil Oil Corporation, 612 South Flower Street, Los Angeles, California, requesting a Conditional Use Permit pursuant to the provisions of Section 9340.C, of the Lakewood Municipal Code for addition to and maintenance of an existing service station site, on that certain real property within the City of Lakewood described as Portion of Lot 12, Block O of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California

all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 3rd day of June, 1982, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified and by reason of the imposition of the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use, as amended by staff, is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses, buildings and structures has been considered and the use will not adversely affect or be materially detrimental to said adjacent uses, buildings or structures.

C. The site for the conditional use is adequate in size and shape to accommodate the yard, walls, fences, parking, and loading facilities, landscaping and other development features required by the zoning ordinance, or is required as a condition in order to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

E. That the request for Conditional Use Permit No. 279 is to add to the existing service station at 4311 South Street, a 168 square foot storage room.

F. That by imposing conditions for approval, the above required findings can be made.

G. That a previous Conditional Use Permit was denied after Mobil Oil asked to continue the hearing but then never responded to the imposed conditions.

H. That on the service station site are two additional uses, a liquor store and a food stand.

I. That the buildings of the other uses have not been maintained as well as the service station buildings.

J. That no trash enclosures exist for any of the three uses.

K. That no parking or circulation is indicated on the site.

L. That the service station conducts auto repair in two of its three bays at present because the third is used to store supplies.

M. That approximately 2% of the site is landscaped and no street trees are located adjacent to the site in the public right-of-way.

N. That the proposed project will conserve existing structures and facilities, adding and modifying where necessary.

O. That no other uses are proposed for the site other than the existing service station with auto repair, the liquor store, and the food stand.

P. That the proposed uses comply with all other limitations imposed by the Zoning Ordinance for the issuance of a Conditional Use Permit.

Q. That the Development Review Board will review the project upon approval of the Conditional Use Permit to comment on design and to insure all conditions and codes are complied with.

R. That the project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15103, Class 3, of the California Environmental Quality Act, as Amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, provided, however, the following conditions are observed and complied with at all times:

A. That approval of the service station addition be based upon Exhibits A and B.

B. That the inclusion of other uses, including trailers, trucks, or other equipment rental or parking, are not a permitted part of the Conditional Use Permit.

C. That a circulation system and required parking spaces be provided, as per Section 9490, et seq., Section 9340.C.2, and the Development Review Board.

D. That perimeter and interior landscaping be installed, pursuant to Section 9493 and the Development Review Board.

E. That street trees be installed in the adjacent public right-of-way, in accordance with City requirements.

F. That trash enclosures be installed per City specifications at each individual use.

G. That the attached shed to the liquor store be repaired, in accordance with Building and Zoning Codes.

H. That the free-standing sign in front of the food stand be repaired or removed in accordance with the Building and Zoning Codes.

I. That the mansard roof on the food stand be repaired in accordance with the Building and Zoning Codes.

J. That the applicant submit final drawings of landscaping, parking, circulations, signing, and building elevations, to the Development Review Board for review and approval prior to the issuance of any building, plumbing, electrical, or mechanical permits.

RESOLUTION NO. 1-84

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 1, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR A SERVICE STATION AND MINI-MARKET

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobile Oil Corporation, 3655 South Soto Street, Los Angeles, CA 90058, requesting a Conditional Use Permit, pursuant to the provisions of Section 9340C(2), of the Lakewood Municipal Code for the construction of a service station and mini-market on that certain real property within the City of Lakewood described as Lot 12, Block 0, Tract 13153, and more particularly described as 4311 South Street, Lakewood, CA 90712; all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 5th day of January, 1984, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses buildings and structures has been considered and the use will not be detrimental to the adjacent uses, buildings, or structures, subject to conditions of this Conditional Use Permit.

C. The site for the conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping and other development

features required by the zoning ordinance, or as required as a condition to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic which use would generate.

E. The request for CUP No. 279 is to replace the existing structures on the site with a 2,876 square foot service station and snack shop and three gas service islands with a combined area of 1,992 square feet.

F. The proposed project will demolish the existing service station, the liquor store and the Orange James food stand.

G. The proposed plans include a thirty (30) foot wide, unusable dirt strip between the planter and the block wall at the north end of the site.

H. The proposed wall on the north and east property lines will result in security and visibility problems to adjacent sites.

I. The proposed mini-market will sell beer and wine on-premise for off-premise consumption.

J. The proposed project is deficient in parking spaces, but has adequate room on the site to accommodate the required stalls.

K. The proposed project provides interior and perimeter landscaping.

L. A left turn from the station's south driveway onto South Street cannot be made without making a U-turn at Lakewood Boulevard. Thus, a driveway onto the alley at the east property line will serve to provide easterly access to South Street.

M. The Development Review Board has reviewed the proposed conditional use and made their recommendations for the project.

N. The project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15302, Class 2, of the California Environmental Quality Act, as amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determination, hereby granted the use as requested in Conditional Use Permit Case No. 279, Amendment No. 1, provided, however, the following conditions are observed and complied with at all times:

A. That the approval of the service station be based upon Exhibits A through D.

B. That gasoline sales, auto servicing in compliance with Section 9341J and a mini-market with beer and wine sales, for off premise consumption, shall be the only uses permitted.

C. That other uses, including trailers, trucks, or other equipment rental or parking, shall not be a permitted part of this Conditional Use Permit.

D. A minimum of nine (9) parking spaces shall be provided on the site, minimum of nine (9) feet by twenty (20) feet in size. Also, one (1) handicapped space shall be provided, minimum fourteen (14) feet by twenty (20) feet in size, designed and developed according to city requirements.

E. The landscaping shall be installed as per Development Review Board requirements.

F. That fifteen (15) gallon liquid amber trees shall be installed, per the City's Master Plan for street trees and per approval by the City for placement.

G. That a driveway shall be installed at the east property line onto the alley.

H. That the thirty (30) feet vacant space between the north planter and the north property line shall be eliminated by moving the planter to the north property line.

I. That the wall at the north and east property lines shall be eliminated.

J. That the sales of beer and wine at the mini-market shall be for off-premise consumption only.

K. That the applicant shall submit final drawings of landscaping, parking, circulation, signing and building elevations to be reviewed by the Community Development Department for compliance with the required conditions before the issuance of any building, plumbing, electrical or mechanical permits.

L. That the proper permits be obtained from the Building and Safety Division prior to the reconstruction of the service station.

M. That this Conditional Use Permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

N. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

O. That the proposed conditional use shall comply with the requirements of Section 9341.J of the Lakewood Municipal Code.

SECTION 4. A certified copy of the excerpts of the Minutes application to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 5th day of January, 1984, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Griffiths, Heckman, Minor, and Rodger
NOES: Commissioners: None
ABSENT: Commissioners: None

Burt J. Minor CHAIRMAN

ATTEST:

OK
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Amendment No. 1 to Conditional Use Permit No. 279, and Resolution No. 1-84, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

J. H. Huntberry

DATED 1-11-84

Received _____ (Community Development Department)

K. That the proper permits be obtained from the Building and Safety Division prior to the remodeling of the existing service station.

L. That this conditional use permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

M. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

N. That the "Liquor" roof sign shall be removed from over the public right-of-way.

ADOPTED AND APPROVED this 3rd day of June, 1982, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor and Rodgers
NOES: Commissioners: None
ABSENT: Commissioners: Kane and Shingleton

Christine Shingleton
CHAIRMAN

ATTEST:

James R. Smith
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, and Resolution No. 11-82, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

DATED _____

Received _____ (Community Development Department)

EXHIBIT A

3

RESOLUTION NO. 22-89

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 2, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR THE ADDITION OF A CAR WASH, A FUTURE PUMP ISLAND AND EXPANSION OF A MINI-MARKET TO AN EXISTING MOBIL OIL SERVICE STATION.

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood having had submitted to it the application of Mobil Oil Corporation, 1255 Corporate Center Drive, Suite 201, Monterey Park, California 91754-7611, owner of an interest in the following described real property, requesting a Conditional Use Permit, pursuant to the provisions of Sections 9340.C.2, of the Lakewood Municipal Code for the addition of a car wash, a future pump island and expansion of an existing mini-market, on that certain real property within the City of Lakewood described as lot 12 of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

Section 2: The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 1st day of June, 1989, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The request is for Amendment No. 2 to Conditional Use Permit No. 279 for the addition of a car wash, a future pump island and expansion of a mini-market to an existing Mobil service station at 4311 South Street.

B. The service station is subject to the conditions of approval of Conditional Use Permit No. 279, and Amendment No. 1 to the same.

C. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.

D. The subject site is served by Lakewood Boulevard and South Street which are arterial streets that are adequate in width to carry the kind and quantity of traffic the use generates.

E. The proposed project is consistent with the City's General Plan.

F. A mitigated Negative Declaration has been prepared, pursuant to Section 15070 of the California Environmental Quality Act Guidelines, as amended with mitigating measures to eliminate potential noise impacts created by the project.

G. Notification of the public hearing has been provided in accordance with Section 9422, et seq., of the Lakewood Municipal Code.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, Amendment No. 2, provided, however, the following conditions are observed and complied with at all times:

A. Said conditions are complied with within six (6) months from the date of the granting of this application and not thereafter violated or deviated from except where authorized by amendment to this resolution adopted in accordance with the provisions of this resolution and the Municipal Code. The granting of said conditional use permit and this resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of said conditional use permit subject to the conditions herein set

forth are binding on the heirs, assigns and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval of Amendment No. 2 to Conditional Use Permit No. 279 is based on Exhibits A through D.

C. A digital or token system shall be used for the car wash.

D. Brick veneer is to be used at those areas where the bays are proposed to be enclosed, rather than sheet metal.

E. All existing and proposed signs shall conform to the conditions of the Development Review Board and the minimum requirements of the Lakewood Sign Ordinance.

F. An eight (8) feet high masonry wall shall be constructed in the planter area on the northeast side of the property, west of the trash enclosure, and along the north property line; as shown on Exhibit A; and the car wash shall be operated with the entrance door (automatic) closed.

G. The hours of operation of the car wash shall be limited between 6:00 A.M. to 9:00 P.M., Monday through Friday; and 7:00 A.M. to 9:00 P.M., Saturday and Sunday.

H. In the event the use of said premises as a service station is vacated, abandoned, or suspended, all buildings and structures shall be removed from said premises within a period of sixty (60) days following the vacation, abandonment, or suspension of use of said premises for a continuous period of six (6) months.

I. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of adoption of the resolution approving the same, or this approval shall become null and void.

J. Proper permits shall be obtained for all work related to the project.

K. To monitor the mitigation impacts the following actions will be undertaken:

1. During the plan check of the project the location and height of the masonry wall required by condition "F" will be verified on the plans before building permits are issued.

2. Staff shall verify the location and height of the wall during the construction work and before a building final is granted.

3. After the car wash commences operation the hours of operation as specified in condition "G" shall be monitored by staff on a random basis at least four times per year. The results shall be recorded in the CUP case file.

L. Revised plans shall be reviewed by the Development Review Board for confirmation of adequate circulation through the car wash.

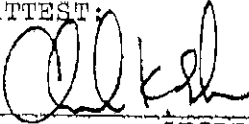
SECTION 4. A certified copy of the excerpts of the minutes applicable to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 2nd day of July, 1987, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor, Wade
NOES: Commissioners: None
ABSENT: Commissioners: LaTourette


CHAIRMAN

ATTEST:



SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, Amendment No. 2, and Resolution No. 22-89, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

Dated _____

Received _____ (Community Development Department)



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 25th, 2023

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to provide you with our concerns regarding **Conditional Use Permit 279, A-3**, and amendment for the tunnel expansion of "Mo's Xpress Gas & Wash", located on the property of 4311 South Street, an existing service station.

REVIEW OF CONDITIONAL USE PERMIT (CUP) 279, A-3 and Amendment
Review of the application for Conditional Use Permit and amendment at "Mo's Xpress Gas & Wash".

We have conducted a review of calls for service since March 25th, 2020, at the above location. We are pleased to report there have been no incidents that reflect negatively on the business. During that time, there were 54 calls for service, which is typical for an area adjacent to a busy intersection.

Should the city of Lakewood approve the conditional use permit and amendment, we would like to make the following recommendations:

- Increased security lighting (two staged) both front and rear.
- Increased number and quality of security cameras both front and rear.
- Maintain any existing alarm features.
- Landscape to be trimmed to avoid potential hiding places.
- This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

Should the city of Lakewood approve the conditional use permit and

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

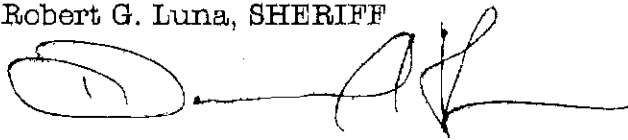
A Tradition of Service
— Since 1850 —

amendment, we recommend management from "Mo's Xpress Gas & Wash" have an ongoing liaison/ relationship with the Sheriff's Department and the City of Lakewood, to ensure a strong level of communication for crime prevention and problem-solving efforts.

If there are any further questions, you may contact Sergeant Theo K. Gekas at (562) 623-3657.

Sincerely,

Robert G. Luna, SHERIFF

A handwritten signature in black ink, appearing to read "R. Luna", with a long horizontal line extending to the right.

Daniel Holguin, Captain
Unit Commander, Lakewood Station

April 22, 2023

Mo Enterprises, LLC. (*MGE Oil, LLC.*)
Attn: Mohamad Elbiali
2749 E. Ocean Boulevard
Long Beach, CA 90803
E-mail: mgepetroleum1@gmail.com
Phone: (310) 926-8472

BBA Architecture
Attn: Francisco Behr, AIA/LEED AP BD&C
100 Thousand Oaks Boulevard, Suite #243
Thousand Oaks, CA 91360
E-mail: Franciso@bba-arch.com
Phone: 805.857.4777

DRB CASE NO. 9230 - Mo's Xpress Gas + Wash (*CUP No.279 Amendment No. 3*)
Site: 4311 South Street, Lakewood, CA 90712

The Development Review Board (DRB) after review and consideration **RECOMMENDS APPROVAL to the Planning and Environment Commission (PEC)**, of a Conditional Use Permit (CUP) No.279 Amendment No.3 to allow the requested reconstruction and equipment upgrade of an existing carwash facility to create a new express carwash format. This recommended action by unanimous remote vote of a quorum of the Development Review Board (DRB) was taken in consideration that all the required findings specified by the Lakewood Municipal Code (LMC) Section 9484.1 are being made in a positive manner supporting the development of the related project. This action is not appealable as it is an advisory recommendation only. The Development Review Board is recommending to the PEC the following conditions, which if adopted by the PEC shall be completed by the applicant to the satisfaction of the Community Development Department.

DRB recommends that this project be found exempt from the California Environmental Quality Act (CEQA), in accordance with the CEQA Guidelines Article 19 Section 15301, Existing Facilities, Class 1, as it includes renovation of an existing carwash, where the project is in an area where all public services are available, and the area is not environmentally sensitive. A Notice of Exemption (NOE) may be prepared and recorded based on this finding, if requested.

1. Project Description. The "Project" includes:
 - a) Demolition of a 648 SF existing carwash facility with 5 vacuum stations.
 - b) Construction of a 3, 227 SF express carwash with equipment and 9 vacuum stations.
 - c) Construction of a 202 SF vacuum equipment enclosure.
 - d) Repair and repaint three existing gas station canopies (2,836 SF), including roof.
 - e) Construction of a sound attenuation wall (13 linear feet and 9' 8" in height).
 - f) Construction of a new 120 SF trash enclosure to conform to city standards.
 - g) Remodel and add restrooms in an existing 2,284 SF convenience store with storage.
 - h) Preservation of a 16-pump gasoline station (*Mobil brand*)

The .96-acre project site is zoned (C-3) (Intermediate Commercial) the land uses and structures shall adhere to all the regulations and development standards of the Lakewood Municipal Code (LMC), including the C-3 zone (*LMC Section 9347 et seq.*)

2. Permits. Provided CUP No, 279 Amendment No.3 is approved by the PEC, the applicant shall submit plans, obtain permits, and construct the requested Project as described above and in accordance with the PEC approved plans, which are on file with the Community Development Department and obtain successful final inspections. *A signed final should be provided to the property owner, prior to final payment to the contract.*) These site improvements shall be constructed and operated in accordance with the following:
 - a) Los Angeles County Building and Safety. Comply with all California building, and construction codes as currently and most recently adopted by the City of Lakewood and the County of Los Angeles, including but not limited to building, structural, mechanical, electrical, plumbing, Title 24, and the Green codes.
 - b) Los Angeles County Fire and Public Health. Comply with any required County Fire and County Public Health plan reviews and inspections. These are independent from the Los Angeles County Building and Safety review and need to be submitted separately to each respective agency. Any food storage and/or preparation uses shall obtain approval from LA County Public Health.
 - c) Landscaping and Irrigation. Prior to issuance of any building permits or ground disturbing activities, -the final landscape and irrigation plans shall be approved by the DRB Landscape Expert detailing planting sizes, placement, and species.
 - d) Lakewood Public Works. All encroachment permits, the trash collection program, industrial waste permits, and any required Low Impact Development (LID) stormwater system shall be subject to review and approval by the Lakewood Public Works Department.
 - e) Noise Study Compliance. The project shall comply with any mitigation measures specified in the related noise study for this project.
3. Compliance. All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any non-complying structures shall either be removed or properly permitted, prior to final inspection of the requested improvements.
4. Materials. The applicant shall coordinate and/or match throughout all architectural elements, including the size, style and shape of roof overhangs, rafters, and fascia. All windows and doors shall match in terms of trim and style on each elevation. All roofing materials shall match, and all exterior materials, textures and colors shall blend. The applicant shall prepare, paint, and otherwise cover the exterior of the new structures in accordance with the materials specifications that are included in this approval.
5. Paint. The applicant shall repaint the existing structures. Any exterior portion of the commercial structure or any accessory structure that has cracked, faded, stained, or peeled paint shall be repainted, as necessary in the future.
6. Vehicle and Bicycle Parking. The approved plans have a total 34 proposed parking spaces (9 for vacuum stations and 25 open parking) that shall be doubled striped in parking lots prepared in accordance with approved plans and the City of Lakewood parking lot standards for striping, signage, and traffic circulation direction, including stop signs, stop limit striping, pedestrian crossings, and indicate left and right turns. Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility. A bike rack shall be provided (minimum 2 bikes.)

7. Los Angeles County Fire. Any required fire lane shall be maintained in a clear and unobstructive manner at all times around the perimeter of the entire building. There shall be no temporary or permanent storage in this area. In addition, there shall be no storage of combustible materials within eight (8) feet of any property line. The address number of the building shall be clearly visible from the street and a painted roof number is recommended.
8. Storage Containers. The retail store shall not place shipping containers on the site as a source of temporary secured storage for goods without a temporary use permit issued by the Community Development Department. Any containers allowed by such a permit shall be removed in accordance with the time limits imposed by the permit.
9. Waste Collection Procedures (Public Works). The construction debris and waste collection procedures program and trash enclosures shall comply with current City and State requirements and standards. Prior to final inspection, the property owner shall prepare and obtain approval from the City Public Works Department of a comprehensive solid waste collection and recycling procedures program. This shall be reviewed and be acceptable to both the City Public Works Department and EDCO, the City's franchised solid waste hauler. The waste collection and recycling procedures program shall include:
 - a) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
 - b) Sufficient capacity and storage areas for all required forms of collection, this includes normal solid waste, required recycling (*split bin is possible*) and required organic (*food and landscape*) waste storage, as required to comply with all related current state laws.
 - c) Methods to address compliance with SB 1383 (Lara -2016) regarding organic recycling and the required reduction of Short-Lived Climate Pollutants (SLCP), such as methane, hydrofluorocarbon gases, and anthropogenic black carbon.
 - d) The waste collection program shall address automotive waste (*including oil, tires, and batteries*), the use of a trash compactor and the external storage of many wood pallets and bales of compacted cardboard.
 - e) Any trash enclosure is required to be properly maintained by the property owner/operator/tenant with all trash inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed.
 - f) All trash bins shall either be located inside the building OR in an exterior fully secured, roofed, illuminated and lockable trash enclosure. There shall be no unscreened and unsecured exterior storage of waste materials.
 - g) Any trash enclosures on this site shall comply with the current city guidelines for a fully secured trash enclosure. Fully secured trash enclosures
 - h) shall be constructed with:
 - 1) Rainproof roof tall enough to accommodate fully opening the top of the bins,
 - 2) Welded wire mesh between the roof and wall with no gap greater than two inches,
 - 3) Lockable entry door with a spring or hydraulic door closer, and
 - 4) The trash enclosure area shall be illuminated during all hours of darkness to discourage unauthorized access, disposal, vandalism, or scavenging.
10. Litter and Solid Waste. Each parking lot shall be maintained daily and kept litter free. There shall be a minimum of two trash barrels (35-50 gallon) located proportionally throughout the lot (*e.g., one per aisle.*) The trash barrels shall be lined with heavy-duty plastic trash bags that are emptied daily to be deposited into an approved trash bin in an approved trash enclosure and subsequently collected and hauled away by an approved waste hauler. Where

possible, recyclables shall be separated and diverted from the solid waste stream into separate containers.

11. Sign/Façade Preparation. The background façade behind each proposed wall sign shall be properly patched and fully repainted one continuous color prior to installation of the sign(s). There shall be no visible shadowing or silhouette of previous signage. All signage is required to be reviewed and approved separately by the Community Development Department.
12. Hours of Operation: The service station and convenience store may operate 24 hours a day every day and the car wash may operate from 7 a.m. to 8 p.m. daily.
13. Store Operations. The store shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway or the view of the Point-of-Sale counter.
14. Site Lighting. The parking lot, trash enclosures and loading dock areas shall be maintained with sufficient lighting to illuminate the appearance and conduct of all persons in the parking areas and adjacent public sidewalks. There shall be sufficient lighting around the exterior perimeter of the premises to illuminate the areas sufficiently for security camera resolution. The lighting shall not exceed .5 foot-candles at the property line.
15. Public Safety and Security Plan. The property owner shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the Lakewood Public Safety Department (PSD) for each building. The PSSP shall be reviewed in coordination with the Los Angeles County Sheriff's Department. Building management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. This relationship shall include providing to the Sheriff Department and Lakewood PSD the applicant's written store security protocols. The security plans shall include:
 - a) Letter of Agency. The applicant shall sign a Letter of Agency with the County Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
 - b) Security System. A state-of-the-art security system shall be designed and installed that will combine motion detectors, contacts at doors, audio alarm and a closed-circuit television system to secure the premises. Data from security cameras shall be stored for a minimum of 30 days, and employees shall be trained to provide data to the Sheriff when requested. The security system shall be monitored by an offsite monitoring service and if possible, have backup data stored for 30 days in an offsite location. The video surveillance system shall be designed to assist the Los Angeles County Sheriff's Department personnel in criminal investigations.
 - c) Security Camera System. The security camera system shall have a minimum of 480 x 720 picture quality, capable of capturing video under 2 lux lighting conditions, and it shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition. A floor plan shall be prepared to illustrate the surveillance camera locations and area of coverage. The storage medium shall be secured in such a manner as to not facilitate the easy removal by unauthorized personnel or store employees under duress. This system shall include a) 24-hour, closed circuit video cameras with audio capabilities, b) Color monitors and c) Alarm systems equipped with both fixed and remote devices.

- d) Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed unless being used for the delivery of supplies.
 - e) Alarm/Panic System. The applicant shall install/maintain an alarm/panic system.
 - f) Parking Lot Signage. No Loitering signs shall be placed and remain clearly posted around the business, and any loitering should be strictly monitored and aggressively discouraged by management, including homeless encampments.
16. Landscaping and Irrigation Plans. Final Landscape Plans that meet commercial requirements shall be required to be submitted and approved by the Community Development Department in coordination with the DRB Landscape Expert, prior to issuance of building permits to include the following:
- a) Final Landscape Plans. These plans shall provide full details as to the number, size, placement, grouping, species, anticipated mature growth in terms of height and the spread width of coverage, and the estimated time each plant type will reach mature growth. Plans shall also indicate areas to be mulched and any stormwater detention/retention/infiltration facilities. Any missing or damaged plants or trees shall be replaced with a vibrant planting.
 - b) Plant Selection. The property owner should choose plant materials that are water conserving, require lower maintenance and are not aggressive with the capability of damaging hardscape or adjacent structures with root growth or tree limb breakage. Protection or restoration of native species and natural vegetation is encouraged, and the use of invasive/noxious plants is discouraged.
 - c) Water Conservation. The plans shall use plants and irrigation system components that are water conserving and that comply with the city's "Water Conservation in Landscape" ordinance. Hydrozones shall be created for plants with similar watering demands.
 - d) Mulch. Mulch shall be applied at the rate of four cubic yards per 1,000 SF of landscaped area with an average yield of a three-inch-deep layer of mulch on all uncovered soil areas.
 - e) Planters. The planters adjacent to turf shall have a concrete mow strip a minimum of 6 inches wide and 6 inches deep or be raised. The plans shall include a planter around any proposed freestanding sign. This planter shall be planted with regularly maintained annuals or select plant material that is eye appealing and distinctly different from adjacent plantings.
 - f) Trees shall be a minimum of 15 gallons in size with multiple branches and a main trunk diameter that is 1" or greater at three feet from soil level, including a staking plan.
 - g) Shrub plantings shall be a minimum of five gallons in size, planted in groups of three or more and on maximum five-foot centers.
 - h) Ground cover plantings shall be planted on a maximum of 12" on center and shall achieve 90% coverage within two years.
 - i) Utility box screening. Any utilities including transformers, gas meters, and backflow devices shall, when possible, be painted forest green and screened with landscaping. These shall be in such a manner that they are not readily visible to the public.
 - j) Parking Lot Landscaping. The parking lot shall be landscaped in accordance with Section 9492.P of the Lakewood Municipal Code.
17. Maintenance - Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner no longer than seven (7) days from discovery and notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area top to bottom and continuously blend with the adjacent surface. It shall not leave the appearance of a patchwork cover up.

18. General Maintenance. Commercial and Industrial property owners are required to maintain their Commercial/Industrial buildings and surrounding landscaping properly, always in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, walls/fences, ADA paths-of travel, parking lot surface and striping.
 - a) Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility.
 - b) Any cracked, faded, stained, or peeling painted surface shall be repaired and repainted.
 - c) All exterior surfaces shall be repaired regularly to provide a new appearance.
 - d) There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant plants do require trimming.
19. Business License. All contractors, including sign installers, and tenants shall have properly issued city business licenses. This will be confirmed prior to each final inspection.

Advisory Notes. *The DRB advises that:*

- Construction Debris. *Any construction activities that involve hauling away demolition or construction debris needs to be coordinated with and approved by the City Department of Public Works. The city has an authorized hauler, which is currently EDCO.*
- Stormwater Protection. *Any construction or operational activities that could potentially result in any water leaving the site as drainage shall be coordinated with the Lakewood Department of Public Works to assure proper procedures have been implemented (e.g., installation of waddles and track-out devices.)*
- Temporary Banners (e.g., *Now Open, Grand Opening, Sale etc.*) *require a separate permit with a deposit and shall be removed before the allowed permit time expires.*
- Unauthorize Signs. *Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles, or trailers being used as portable signs, human sign twirlers and mechanical mannequins are **NOT ALLOWED.***

Should you have any further questions concerning this matter, please do not hesitate to contact the Assistant Director of Community Development, J. Patrick McGuckian, at (562) 866-9771, extension 2302.

Sincerely,

J. Patrick McGuckian, AICP
Assistant Director of Community Development
Copies to: Building and Safety, Public Works, and Public Safety

PLAN CHECK REVIEW AND BUILDING PERMIT ISSUANCE

City of Lakewood – Community Development Department
Contact the Assistant Director at (562) 866-9771, Ext. 2302 for any questions.

When you receive an Action Letter and a set of plans titled “**Planning Approval**” then complete the following to submit your construction drawings to the Los Angeles County Building and Safety Online Plan Check system (“BSOP”) for plan check review and issuance of building permits.

DO NOT SUBMIT TO THE BSOP until you have a set of plans titled “Planning Approval.”

APPLICANT WILL (Designer or Property Owner):

1. **Assemble** the following PDF files that are each less than 15MB. Do not submit individual plan sheets. Combine all plan sheets into a single plan file do not submit as separate documents to include:
 - a) **PLANNING PLANS** – Plans titled “**Planning Approval**” with approval stamps that start with an 8.5”x11” inspector’s copy of site plan with official zoning compliance description and followed by a full-scale site plan, floor plan, roof plan and elevations of each side of the project structure.
 - b) **BUILDING PLANS**” - All other plans required for building plan check (*e. g. framing, electrical*)
 - c) **BUILDING CALCULATIONS** - Title 24 documents and engineering calculations
2. **Establish** an account with the LA County Building and Safety Online Plan Check System (BSOP). <https://dpw.lacounty.gov/BSO/BSOP/> (*City contracts with LA County for plan check & inspections*)
3. **Upload** the Planning Plans, Building Plans and Building Calculations into your personal account on the BSOP system, only after planning approval. (*Do not use the EPIC system.*)
 - a. The Plan Check Engineer (Plan Checker) will review the submittal to assure that all necessary documents are included. The Plan Checker will either accept it for processing or reject it with a list of missing items. The applicant will be notified within their BSOP account.
 - b. The Building Clerk will then generate a plan check file and send a request for plan check fee payment and forward a copy of that to the Administrative Services Department (ASD).
4. **Pay** the plan check fees to the ASD. This may be done by mailing a check payable to “City of Lakewood” to ASD or by credit/debit card by calling ASD at (562) 866-9771, extension 2622. The plan check payment must be accompanied with a copy of the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are placed in a workload queue based on the date received.
 - b. The Plan Checker will identify any needed corrections in approximately 2-3 weeks and return their comments and corrections to the applicant through the BSOP system.
5. **Make** the requested plan corrections and resubmit the corrected plans through the BSOP (*1-2-week review period.*) Once a corrected set of plans is approved by the Plan Checker, planning staff will transfer the approval stamps and confirm plan consistency. The applicant will be notified.
6. **Submit** an application for building permits to myplans@lakewoodcity.org. The Building Clerk processes the permit application, calculates the building permit fees, and sends the applicant an email with the amount of permit fees due.
7. **Pay** the required permit fees combined with the required business license fees for all contractors working on this project to ASD (*see step 5*). Also pay the “Construction of Dwelling Unit Tax” and record any required “Notice of Condition.” The building permits can now be issued to a licensed contractor or to a homeowner (*only on their primary residence*). Owners of commercial, rental or second homes are required to use a licensed contractor who must have a city business license.
8. **Keep** on the project site:
 - a. The official job card that was mailed to you for inspection signatures, and
 - b. One full set of the approved construction plans and an approved site plan. (*Printed by applicant*)
 - c. Call for inspections at least one day before and have the job ready at the scheduled inspection time.
 - d. Confirm the final inspection is signed on the job card and property owner should retain a copy.

(APPROVAL)

RESOLUTION NO. -2023

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING AMENDMENT NO. 3 TO THE APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 279 FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Mr. Mohamad Elbiali is requesting an amendment to the existing Conditional Use Permit for the reconstruction of an existing automated car wash tunnel at an existing service station and to construct three shade canopies, nine vacuum stations, and an excess wall height in conjunction with an existing service station, pursuant to the provisions of Sections 9347.C.1, 9347.D.1, 9350.A, and 9384.C of the Lakewood Municipal Code on that certain real property within the City of Lakewood described as a portion of Lot 12 of Parcel Map No. 13153 as per map recorded in Book 256, Pages 1-5 of Parcel Map in the Office of the County Recorder of Los Angeles County, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission finds that the proposed project, Conditional Use Permit No. 279 Amendment No. 3, is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to said application on the 4th day of May, 2023, and the Planning and Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of Conditional Use Permit No. 279 Amendment No. 3, for the reconstruction of a carwash tunnel and excess wall height at 4311 South Street, Lakewood, all as shown on Exhibits "A", "B", "C", "D", "E", "F", and "G".

B. The proposed conditional use is found not to be in conflict with the goals of the General Plan, nor does the proposed use conflict with the commercial land use designation of the General Plan.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and are in continual compliance.

D. Lakewood Boulevard, South Street, and the public alley are adequate in width and improved as necessary to serve the traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The project will include nine (9) off-street open parking spaces, which will provide sufficient parking to accommodate the proposed use.

F. The subject site is adequate in size and shape to accommodate the yards, walls, landscaping, and other development features required by the Code. The site will adequately accommodate the parking requirements of the proposed use.

G. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 279 Amendment No. 3 provided, however, the following conditions are observed and complied with at all times:

A. The conditions, unless otherwise specified herein, shall be complied with within one year from the date of the granting of this application, and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of said Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (Exhibits excluded) has been recorded in the Office of the Los Angeles County Recorder. The granting of said Amendment, subject to the conditions herein set forth, are binding on their heirs, assigns, and successors in interest of the applicant and their heirs, assigns, and successors in interest.

B. All conditions from the previous CUPs for this property, contained in PEC Resolutions 11-82, 1-84, and 22-89 shall remain in full force and effect, except where a condition in this Resolution conflicts with a condition in a prior Resolution, in which case the condition in this Resolution shall supersede the prior condition.

C. Approval for the proposed car wash tunnel is based on Exhibits "A," "B," "C," "D," "E," "F," "and "G".

D. The car wash and vacuums shall operate only between from 7 a.m. to 8 p.m. daily.

E. The business operator shall instruct the employees to notify law enforcement should they observe any criminal activity.

F. The use shall comply with the Recommended Guidelines contained in the LASD correspondence dated March 25, 2023.

G. The use shall comply with the Conditions of Approval contained in the DRB correspondence dated April 22, 2023 for DRB Case No. 9230.

H. Graffiti Protection. The applicant shall cover all perimeter walls with a wall-climbing perennial to discourage graffiti, (e.g. creeping fig or similar) and shall paint the perimeter walls with a graffiti-resistant paint or surfacing, where it is not possible to cover the wall with plant material. If there is exposed glass, the Development Review Board requires adding a graffiti-resistant vinyl covering.

I. Trash Enclosure. The trash enclosure shall be constructed to have a three-bin capacity to accommodate trash, organic waste, and recycling. The enclosure shall have a rainproof roof with wire mesh screen between the wall and roof to discourage unauthorized dumping. The drain from the enclosure shall be connected to the sanitary sewer system not the storm water system.

J. Proper permits shall be obtained from the Building and Safety Section for all interior and exterior work, prior to the commencement of such work, as necessary.

K. General Maintenance. The landscaping shall be properly maintained in an aesthetically pleasing manner. Any cracked, faded, stained or peeling painted surfaces throughout all sides of the facility shall be repainted as necessary. All exterior surfaces shall be maintained to provide a new or near-new appearance. Trash collection/enclosures shall comply with City requirements, including three bin capacity for trash, organic waste, and recycling installation of a rainproof roof and screening.

L. All contractors, including subcontractors, shall have properly issued city business licenses.

M. Mechanical noise producing equipment (e.g., compressors, pumps, and vacuums) shall be housed within mechanical equipment rooms/enclosures and shall not exceed 65 dB(A) at residential property lines.

N. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of the adoption of the Resolution approving the same, or this approval shall become null and void.

O. This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission should they determine that the proposed uses or

conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

P. The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, or arising out of the operation of the business, save and except that caused by City's active negligence.

Q. By signing or orally accepting the terms and provisions of this permit, entered into the minutes of these proceedings, the Permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of said permits could subject Permittee to further hearings before the Planning and Environment Commission on the issue of revocation or modification.

SECTION 5. A certified copy of the excerpts of the minutes applicable to this case and this Resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 4th day of May, 2023, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

EXHIBIT B

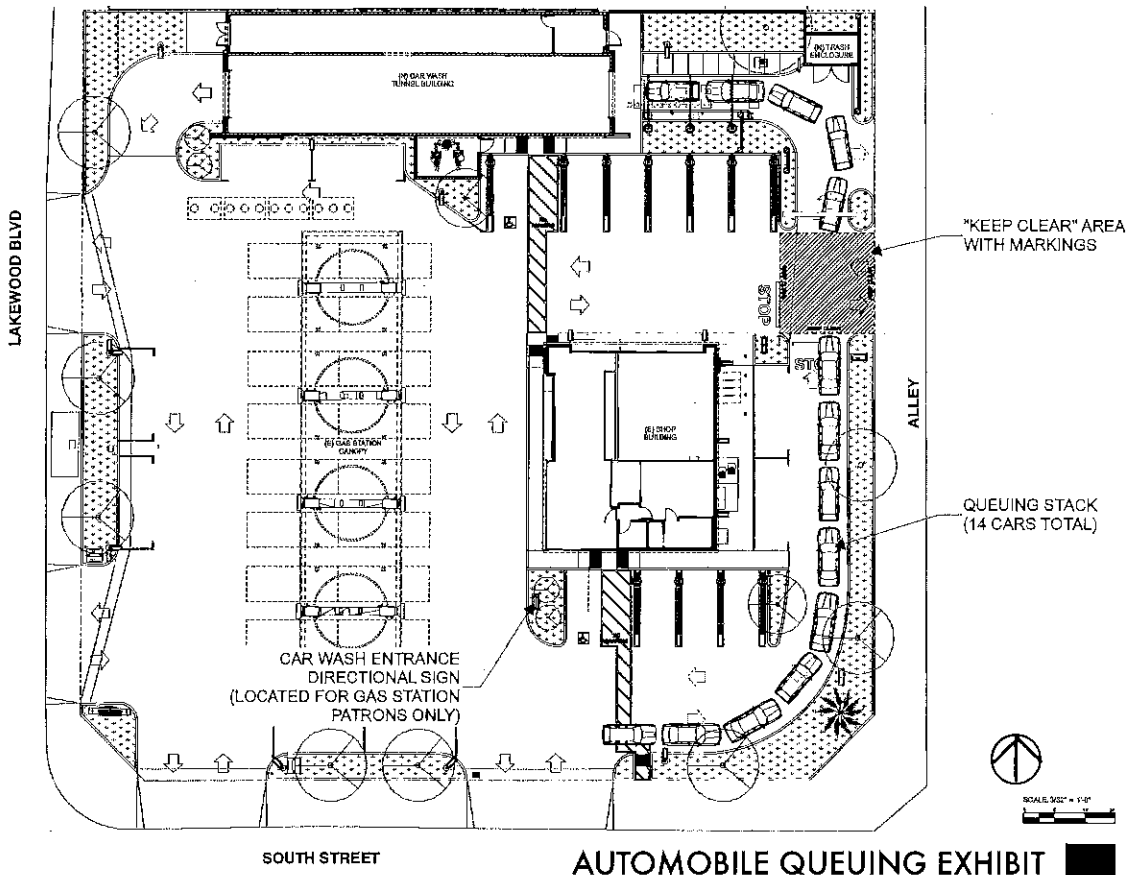


100' Express

Cleans up to 100 cars per hour

- RG-44- Conveyor
- RS-701 SuperFlex Wraparound Combo
- RS-1000 Top Brush
- Versa Arches
- Tech 21 Drying System
- Wheel & Tire Add-ons: Gloss Boss, Wheel Boss, Magnum Wheel Blaster-6 nozzle with following feature

EXHIBIT C



SOUTH STREET

AUTOMOBILE QUEUING EXHIBIT

MO'S XPRESS GAS+WASH
 4311 SOUTH STREET, LAKEWOOD, CA.
 MOHAMED ELBIALI

QUEUING
 EX. 1

BBA BEHR • BROWERS ARCHITECTS INCORPORATED
 4311 South Street, Lakewood, CA 90712
 Phone: (562) 441-1111
 Fax: (562) 441-1112
 Website: www.bbaa.com

EXHIBIT D

PROJECT DESCRIPTION:

REPLACEMENT OF AN EXISTING 56 LONG AUTOMATED CAR WASH TUNNEL BUILDING WITH A NEW STATE OF THE ART, 500' LONG AUTOMATED CAR WASH TUNNEL BUILDING.

REPLACEMENT OF EXISTING COIL VACUUM SPACES AND EQUIPMENT WITH 5 STATE OF THE ART COIL VACUUM SPACES AND EQUIPMENT.

REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNEL.

REPAIR AND REFINISHMENT OF EXISTING MAIN BUILDING EXTERIOR TO MATCH EXISTING MAIN TUNNEL BUILDING. PRIMARILY VIA PAINTING. REMOVAL OF AN IN PROHIBITED CANOPY AND REPAIR ALIASY WITH A NEW FABRIC CANOPY AND APPROXIMATE 10' NEW METAL CLADDING TO UPPER PART OF FACADE.

REPLACEMENT TRAFFIC LIGHTS AND SIGNALS AT APPROXIMATELY THE SAME LOCATION AS THE EXISTING ONE.

REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING FACILITY SIGNAGE WITH NEW CONCRETE BRAND SIGNAGE TO BE PLACED TO BE SEPARATELY, FRONT, SIDE AND REAR.

NEW DISABLED PARKING, DISABLED PATH OF TRAVEL, AND OTHER SITE ACCESSIBILITY IMPROVEMENTS.

IMPROVED SITE CIRCULATION, TRAFFIC MARKINGS AND NEW EXISTING SIGNAGE.

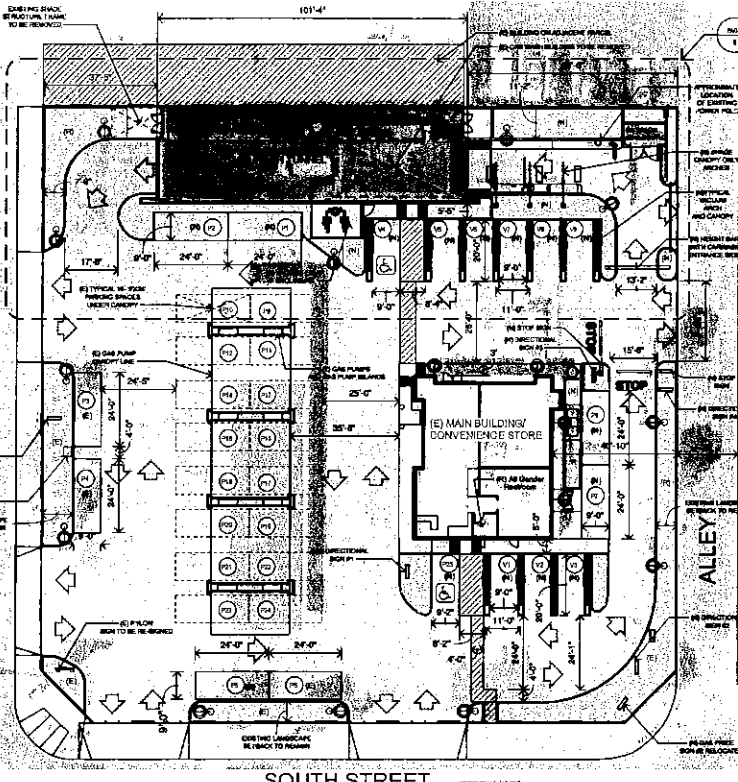
MODIFICATION OF DRIVEWAY ACCESS FROM THE ALLEY. ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO REMAIN AS IS.

NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW PARKING LIGHTS AND NEW BUILDING LIGHTS.

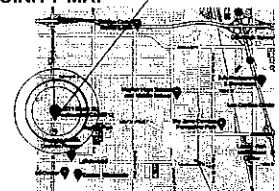
LANDSCAPE AREA INCREASE AND PLANTING UPGRADE.

LEGEND

- (N) BUILDING MOUNTED LIGHT
- (NL) INDOOR LIGHT & POLE TO REPLACE (E)
- (TD) TRAFFIC DIRECTION
- (V) VACUUM SPACE
- (P) PARKING SPACE
- (Q) (R) EXISTING
- (N) NEW
- (L) LANDSCAPING
- (B) NEW BUILDING FOOTPRINT



VICINITY MAP



PROJECT SUMMARY

GUP #279 Amendment No 3- DR54 9230

EXISTING BUILDING AREA	PROPOSED BUILDING AREA	PROPOSED SITE AREAS	LOT COVERAGE RATIO	PARKING SUMMARY
EXISTING CAR WASH TUNNEL (56x52) EXISTING MAIN BUILDING (24x32)	NEW CAR WASH TUNNEL (500x52) TOTAL PROPOSED BUILDING AREA 4,811 SF	TOTAL SITE AREA 41,706 SF TOTAL PROPOSED AREA 51,376 SF TOTAL LANDSCAPED AREA 4,918 SF (187 SF) (SEE DETAIL OF LANDSCAPE)	6.11% (SEE 20% FOOTPRINT (CALC)) LANDSCAPED (1% MIN) 51,376/52,000 = 98.8%	REQUIRED FOR SERVICE ENTRY 4 SPACES REQUIRED FOR ALTERNATE CALC 3 SPACES REQUIRED FOR GAS BAY PARKING 16 SPACES TOTAL PROVIDED 23 SPACES TOTAL PROVIDED (1 VAM SPACE) TOTAL PROVIDED 22 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES TOTAL PROVIDED 0 SPACES

PROPERTY INFORMATION

OWNER: MOHAMED ELBALAL WISE OIL, LLC, 4311 South Street, Lakewood, CA 90712, PHONE: (310) 438 6472

ARCHITECT: BBA ARCHITECTURE, 3400 W 14TH ST, FRENCH CREEK, FRENCH CREEK, CA 92621, PHONE: (949) 438 1511

PROJECT ADDRESS: 4311 SOUTH STREET, LAKEWOOD, CA 90712

APN # (AIN): 7156-00-013

ZONING: D-3

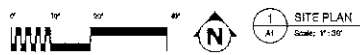
TYPE OF CONSTRUCTION: NEW CAR WASH TUNNEL BUILDING

TYPE OF OCCUPANCY: NEW CAR WASH TUNNEL BUILDING

LEGAL DESCRIPTION: TRACT # 3265 THAT PART 5 OF A LINE PARALLEL WITH AND DISTANT 140.85 FT FROM N.E. COR. OF LOT 12 8 X 12 D

PROPOSED SITE PLAN

Mo's XPress Gas+Wash
4311 South Street, Lakewood, CA
Owner: Mohamed Elbalal



BBA BEHR BROWERS ARCHITECTS INCORPORATED

3000 E. 15th Street, Suite 100, Lakewood, CA 90712
Phone: (310) 438-1199

THOMAS G. CATO
California #1396
805 438-1199
305 857-4777 Mexico

This document is the property of the architect and shall remain the property of the architect. It is to be used only for the project and site for which it is prepared. It is not to be used for any other project or site. The architect assumes no liability for any errors or omissions in this document. The architect is not responsible for any construction defects or delays. The architect is not responsible for any construction defects or delays. The architect is not responsible for any construction defects or delays.



DATE: 01/17/2023
JOB: A01

EXHIBIT E

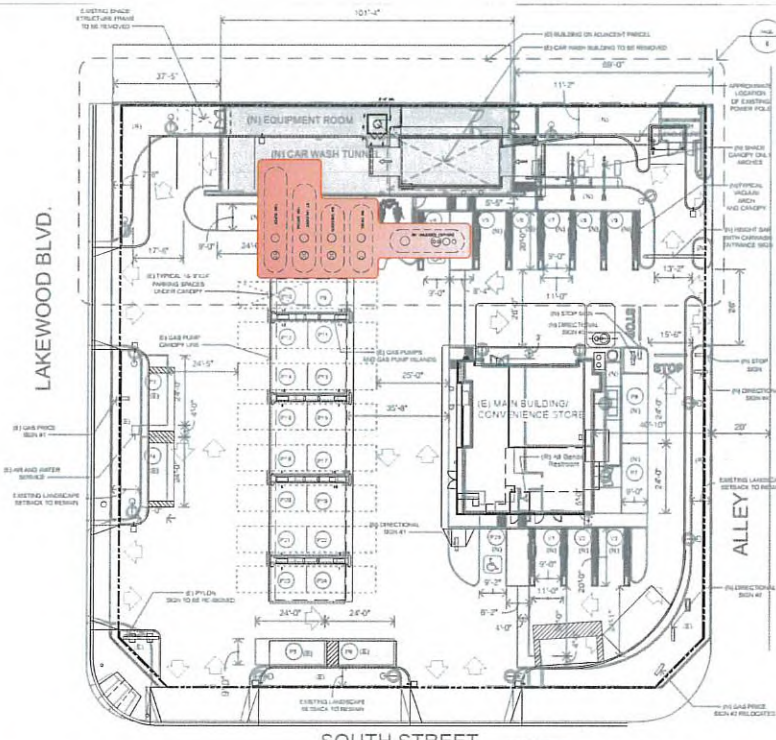
EXHIBIT "A"

PROJECT DESCRIPTION:

- REPLACEMENT OF AN EXISTING 10'-0" DIA. MOUNTED LIGHT IN MAIN BUILDING WITH A NEW 17'-0" DIA. MOUNTED LIGHT IN MAIN BUILDING.
- REPLACEMENT OF EXISTING SELF-AUTOMATIC SPRINKLER AND EQUIPMENT WITH STATE OF THE ART SELF-AUTOMATIC SPRINKLER AND EQUIPMENT.
- REPLACEMENT OF AN EXISTING PLUMBING 2" DI. STEEL WITH A NEW 2" DI. STEEL WITH A PLUMBING 2" DI. SYSTEM FOR THE CAR WASH.
- REPAIR AND REPLACEMENT OF EXISTING MAIN BUILDING BRIDGE TO MATCH NEW 10'-0" DIA. MOUNTED LIGHT IN MAIN BUILDING.
- REPAIR AND REPLACEMENT OF EXISTING CAR WASH EQUIPMENT WITH A NEW FABRIC CANOPY AND PROTECTION OF NEW METAL COLLARS TO COVER SHIP OF FACADE.
- REPLACEMENT TRASH ENCLOSURE AT APPROXIMATELY THE SAME LOCATION AS THE EXISTING ONE.
- REPLACEMENT OF ALL EXISTING CANOPY OF THE EXISTING CAR WASH WITH A NEW CANOPY BRIDGE CANOPY TO BE PERMITTED (DEPARTURE).
- NEW COLORED PARKING SIGNABLE 4'-0" X 8'-0" "NEW" SIGN AND OTHER SITE VISIBILITY SIGNAGE.
- IMPROVED SITE CIRCULATION TRAFFIC MARKINGS AND NEW DIRECTIONAL SIGNAGE.
- REVISION OF DRIVEWAY ACCESS FROM THE ALLEY TO OTHER DRIVEWAY FROM PUBLIC STREET TO REMAIN AS IS.
- NEW SITE LIGHTING IMPROVEMENTS INCLUDING NEW POLE LIGHTS AND DRILL LIGHTS.
- LANDSCAPE TREE REMOVAL AND PLANTING IMPROVEMENTS.

LEGEND

- (M) IN BUILDING MOUNTED LIGHT
- (L) IN PARKING LIGHT POLE TO REPLACE IS
- (T) TRAFFIC DIRECTION
- (S) LANDSCAPE SPACE
- (P) PARKING SPACE
- (R) REMOVED
- (N) NEW
- (E) EXISTING
- (L) LANDSCAPING
- (F) NEW BUILDING FOOTPRINT



VICINITY MAP



PROJECT SUMMARY

CLIP #279 Amendment No 3- DRB XXX

EXISTING BUILDING AREA	EXISTING ROOM	EXISTING AREA
(IN) CAR WASH BRIDGE	2,287 SF	
(IN) CAR WASH TUNNEL	1,548 SF	
(IN) EQUIPMENT ROOM	2,932 SF	
(IN) MAIN BUILDING	5,831 SF	
PROPOSED BUILDING AREA	2,287 SF	2,287 SF
(IN) CAR WASH BRIDGE	2,287 SF	
PROPOSED SITE AREAS	47,150 SF	47,150 SF
TOTAL PAVED AREA	2,287 SF	
TOTAL LANDSCAPED AREA	44,863 SF	
TOTAL EXISTING UNCOVERED AREA	7,907 SF	
TOTAL EXISTING COVERED AREA	11,728 SF	
LOFT COVERAGE RATIO	0.051	0.051
LANDSCAPING PERCENT	97.14%	
PARKING SUMMARY	REQUIRED FOR SERVICE STATION	12 SPACES
REQUIRED FOR MAIN BUILDING	12 SPACES	
REQUIRED FOR ALLEYWAY PARKING	12 SPACES	
TOTAL REQUIRED	36 SPACES	
TOTAL PROVIDED	36 SPACES	
LANDSCAPING PERCENT	97.14%	
EXISTING SPACES	12 SPACES	
ADDITIONAL SPACES	24 SPACES	
ADDITIONAL SPACE	12 SPACES	
TOTAL SPACES PROVIDED	36 SPACES	

PROPERTY INFORMATION

OWNER
 MOHAMED ELBIALI MDE CO. LLC
 4311 SOUTH STREET, LAKWOOD, CA 90712
 PHONE: 310.453.8475

ARCHITECT
 EBA ARCHITECTURE, 1000 WESTLAKE BLVD.
 SUITE 200, WESTLAKE VILLAGE, CA 91362
 FRANCISCO, CA 94945
 PHONE: 310.308.0813

PROJECT ADDRESS
 4311 SOUTH STREET, LAKWOOD, CA 90712

SPR # (AIN)
 3714-001-012

ZONING
 C-3

TYPE OF CONSTRUCTION
 NEW CAR WASH

TYPE OF OCCUPANCY
 NEW CAR WASH

LEGAL DESCRIPTION
 TRACT # 13152 THAT PART S OF 1/4 P.6 PARCEL 1, 4TH AND 5TH S 17 1/2 R 14 E S 10 1/2 N 1/4 S 10 1/2 E 17 1/2 S 10 1/2 E

PROPOSED SITE PLAN

DRB/CUP SUBMITTAL
 JAN. 10TH, 2013



① SITE PLAN
 Scale: 1" = 12'

CITY OF LAKEWOOD
Internal Cash Control Form

Received from Jackson D. McNeill

Address: 3977 Rose Avenue
Long Beach, CA 90807

For: Planning Commission Appeal Fee

CITY OF LAKEWOOD
PAID

Credit 1010-0012-46214 MAY 25 2023 \$ 300-

ADMINISTRATIVE
SERVICES

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here

June 16, 2023

VIA ELECTRONIC MAIL ONLY

Mayor and Honorable City Councilmembers
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
Email: CityCouncil@lakewoodcity.org

Paul Kuykendall AICP, Senior Planner
City of Lakewood
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Frankie Griffiths, Assistant Planner
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
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Re: Applicant and Appellant's joint request to hear the appeal of Conditional Use Permit No. 279, Amendment No. 3 *de novo* and to set a hearing on the merits for August 8, 2023.

Mayor and Honorable City Councilmembers:

Our firm represents appellant Shakouri Investment Group, LLC in the appeal of Conditional Use Permit No. 279, Amendment No. 3 concerning 4311 South Street in Lakewood, California ("**Appeal**"). Alston & Bird LLP represents applicant Mohamad Elbiali. Staff intends to agendize the Appeal for the City Council's June 27, 2023, meeting.

The Lakewood Municipal Code ("LMC") provides that "the City Council may, by majority action at any time during the course of the review of a decision of the Planning Commission ... determine that a new hearing should be heard for the purpose of taking new or additional evidence...." LMC § 9407.5. It continues: "In such an event, a new hearing shall be set by the City Council...." *Id.*

Pursuant to this section, applicant and appellant jointly request that the City Council open the public hearing on June 27, 2023, and immediately adopt a motion to hear the Appeal *de novo*

Lakewood City Council
June 16, 2023
Page 2

and continue the hearing to August 8, 2023.¹ Applicant and appellant make this request for the purposes of providing new and additional evidence and in order to serve the convenience of the parties.

Should you have any questions regarding this request, please do not hesitate to contact applicant or appellant's attorneys.

Very truly yours,



JACKSON D. MCNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

JOINED ON BEHALF OF APPLICANT:

Very truly yours,



JEFFREY CARLIN
Alston & Bird LLP

cc: Ed Casey (ed.casey@alston.com)
Steve Skolnik (sskolniklaw@gmail.com)

¹ Per LMC section 9407.5, and based on conversations with counsel for the City of Lakewood, Steve Skolnik (copied here), we understand that, upon adopting a motion to hear the Appeal *de novo*, the Council cannot hear the Appeal immediately thereafter, but must set a new date to hear the Appeal on the merits.

LAW OFFICES
WILLIAM J. BEVERLY
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CITY NATIONAL BANK BUILDING
3424 CARSON STREET, SUITE 400
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June 26, 2023

Members of the City Council
c/o Paul Kuykendall, Senior Planner
Lakewood City Hall
5050 Clark Avenue
Lakewood, California 90712

Re: Conditional Use Permit No. 279
4311 South St., Lakewood, CA

Dear City Council Members:

This office represents Thomas Baaden and Jeffrey Wysard, the Managing Members of 5830 Lakewood LLC, which is the owner of the real property at 5830 & 5832 Lakewood Blvd., Lakewood, CA (the "LLC Property"). The LLC Property is located contiguous to and to the north of the property that is the subject of Conditional Use Permit No. 279, which is an application to approve a new car wash facility and related structures at 4311 South St., Lakewood, CA (the "Mobil Property").

While we do not object to the nature and scope of the project in general, we are requesting that the Planning Commission and /or City Council impose a condition of approval of the of the project requiring that a design feature be created and implemented which will prevent the intrusion of water from the Mobil Property project in, on, or under the LLC Property and which will protect the LLC Property from continued damage from such intrusion. This is a health, safety, and public welfare issue which requires the intervention and supervision of the City. Such design and implementation should be subject to the approval of the City and representatives of the LLC Property owners working collaboratively with the owners of the Mobil Property.

A brief history of the ownership experience of the LLC Property owners may be helpful in reaching a determination of this request. Shortly after acquiring their property in December 2005, my clients noticed water intrusion through the base of the south wall of their building. Extensive investigations were conducted to identify the source of this water intrusion. The investigation included detailed inspections by licensed roofing, plumbing, and civil engineering contractors. Ultimately, it was determined that the water intrusion was the result of the grade of the Mobil Property being higher than the grade of the finished floor of the LLC Property. It has been noted over the years that this water intrusion occurs during and immediately after periods of

June 26, 2023

Members of the Lakewood City Council

Page 2

heavy or prolonged rainfall. In short, the water intrusion is being caused by improper drainage management from the adjacent Mobil Property.

During the term of my clients' property ownership, multiple attempts have been made to mitigate this water intrusion problem. Most notably, in 2013, Mobil Corporation installed a retaining wall in an attempt to correct the condition. This wall was installed adjacent to the north of the existing Mobil car wash structure and abutting the easterly 40+ feet of my clients' south building wall. The installation of this retaining wall did not resolve the problem. The subsequent owner of the Mobil property (KAZMO LLC) was generally uncooperative with my clients' efforts to find a solution to the water intrusion issue. The prior owner ultimately agreed to allow my clients to contract for the installation of underground drains behind the car wash. These drains also proved ineffective. It should be noted that the tenant space in my clients' building that is directly affected by this ongoing water intrusion problem is occupied by Social Vocational Services, Inc. (SVS). The SVS facility provides a comprehensive array of services for individuals with developmental disabilities. These individuals are especially susceptible to the potential hazards created by water intrusion (i.e. slips and falls, toxic mold, etc.). It is therefore imperative to resolve this water intrusion problem as quickly as possible.

My clients are aware that the Mobil Property was recently acquired by Mo Ents, LLC and that this new ownership is planning to construct a newer, larger car wash in the vicinity of the property line shared with my clients' property. In a recent meeting with a representative of the new owners (Mr. Mohammad El Biali), my clients were encouraged to learn that the new owners are receptive to incorporating design elements into their proposed project that would fully mitigate my clients' water intrusion problem. We welcome such a cooperation, but feel a condition of approval securing such cooperation is in order.

Clearly, any complete and permanent solution to this water intrusion problem will require all rainwater runoff and excess water flow generated by the Mobil property to be managed and contained entirely within the boundaries of the Mobil. In summary, we request that the City include an additional condition of approval for CUP No. 279, requiring that the applicant's project be conditioned to include improvements necessary to mitigate this water intrusion problem to the satisfaction of both the city and my clients. Please consider this correspondence as a part of the official record of proceedings in this matter.

Respectfully submitted,

*Law Offices of William J. Beverly,
a Professional Corporation*

William Beverly, Esq.



ALSTON & BIRD

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Los Angeles, CA 90071-1410
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Jeffrey P. Carlin

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Email: jeff.carlin@alston.com

July 28, 2023

Via E-mail

Mayor and Honorable City Councilmembers
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

Re: Conditional Use Permit No. 279, Amendment No. 3

Dear Mayor and Honorable City Councilmembers:

We write on behalf of Mohamed Elbiali, MGE Oil, LLC, and Mo Enterprises, LLC (collectively, the “Applicant”), in connection with Amendment No. 3 to Conditional Use Permit (“CUP”) No. 279 (the “Project”). This Amendment would allow the Applicant to reconstruct an existing automated carwash tunnel at an existing service station located at 4311 South Street. In advance of the *de novo* hearing set for August 8, 2023, at 6:00 p.m., this letter is sent to provide additional information and evidence to support the Planning and Environment Commission’s (“PEC”) May 4, 2023 approval of the Project, as well as to respond to the arguments in the May 25, 2023 appeal filed by Shakouri Investment Group, LLC (“Appellant”). Under Lakewood Municipal Code (“LMC”) section 9407.5, the City Council may consider “new or additional evidence” and is not limited to the record before the PEC.

Appellant, which owns a carwash across the street from the Project site, concedes that its opposition is premised on economic rather than environmental considerations, as Appellant fears that competition from Applicant’s upgraded carwash “will devastate” its business. But “CEQA is not a fair competition statutory scheme,” and “CEQA expressly excludes social or economic impacts as environmental impacts.” (*Regency Outdoor Adver., Inc. v. City of W. Hollywood* (2007) 153 Cal.App.4th 825, 829-830; see also *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 581.) CEQA and the applicable provisions of the LMC are designed to protect the environment, not to insulate one business from competition by another business.

The City Council should reject the Appeal and affirm the PEC's approval of Amendment No. 3 to CUP No. 279 for the following reasons:

- The Applicant has previously submitted an expert noise study (attached hereto as **Attach.A**) demonstrating that noise levels generated by the Project will be below the LMC's 60 dBA standard at the nearest residential receptors to the Project site.
- The Applicant has prepared an expert traffic study (attached hereto as **Attach.B**), establishing that (1) adequate streets and highways exist to support the Project, which will increase traffic by only 0.2%, (2) the Project will provide adequate site access and circulation, and accommodate the maximum forecasted car queues, and (3) the Project will not have any vehicle miles traveled ("VMT") impacts under CEQA.
- The PEC properly concluded the Project is categorically exempt from CEQA. In a published decision involving a nearly identical challenge to a nearly identical carwash project, the Court of Appeal held the carwash was categorically exempt under CEQA Guidelines section 15303(c), and rejected an argument that "unusual circumstances" applied. (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809.) The *Walters* decision is binding and confirms the Project is exempt from CEQA review.
- Appellant's "piecemealing" claim under CEQA is incorrect. The existing underground fuel storage tanks must be removed by December 31, 2025, to comply with state law changes to the design requirements for underground tanks. Prior to applying for a CUP amendment, the Applicant applied with the County of Los Angeles and the South Coast Air Quality Management District for approval to close, remove, replace, and re-locate the existing tanks. Because this activity is under the jurisdiction of separate agencies that are responsible for CEQA compliance, and will fulfill a separate an independent purpose from the carwash (compliance with state law), Appellant's piecemealing claim fails.
- The new underground tanks will be installed in a location that is outside the footprint of the reconstructed carwash. Accordingly, there will be no Fire Code violation as alleged by Appellant.
- Because the Project proposes the reconstruction of an **existing** carwash approved in 1989 through Amendment No. 2 to CUP No. 279, it is not subject to the City-wide ban on **new** carwash facilities set forth in LMC section 9347.D.11. Section 9347.D.11 states that a "previously approved carwash shall be allowed to submit amendments to the approved

conditional use permit to modify the previously approved carwash,” which is the process the Applicant has followed here.

- Appellant’s claim that its constitutional right to due process was violated because it did not receive notice of the Development Review Board (“DRB”) hearing fails because, pursuant to LMC sections 9480 and 9481.C, the DRB’s action on a project is “advisory only” and no publicly noticed hearing is required. Appellant was afforded notice and an opportunity to be heard at the PEC meeting, as evidenced by its participation in that proceeding and its pending appeal.

I. The PEC Properly Made the Findings Required by the LMC

The PEC staff report articulated the bases for its findings that the Project meets the principles and standards required for a CUP amendment under LMC section 9401. Appellant challenges two of these findings. For reasons detailed below, Appellant’s arguments lack merit.

A. The Applicant’s Expert Traffic Analysis Confirms that Adequate Streets and Highways Exist to Support the Project

First, Appellant contends that no evidence exists to support a finding under LMC section 9401.A.4 that the Project site “shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.” Appellant asserts without any supporting analysis by a qualified traffic consultant that the Project will create “additional traffic” and “increased car volume” that will have a “whole host” of impacts including circulation conflicts, increased wait times, excess queuing, and increased VMT. Substantial evidence refuting each of these claims is included in the expert traffic study attached hereto as **Attachment B**.

Contrary to Appellant’s claims that reconstructing an existing carwash would add substantial traffic, expert trip generation analysis shows any additional traffic would be negligible, as traffic volumes on adjacent roadways are expected to increase by a mere 0.2%. The 0.2% anticipated increase in traffic volumes would not cause any impact on traffic-related delay as the existing levels of service on Lakewood Boulevard and South Street would be maintained. Similarly, the Project is designed to handle the maximum estimated queues, based on national carwash queue surveys as well as queue counts conducted in July 2023 at a similar carwash facility in Long Beach. The Project would also place staff in the carwash drive-through area during peak times to assist with payment and entering procedures and to facilitate ingress and egress and utilization of the maximum queuing space.

Likewise, the traffic study shows that there would be no impacts from queuing as to site access and circulation. Appellant's speculated queuing impacts cannot overcome the expert traffic analysis submitted by Applicant. (See *Walters, supra*, 1 Cal.App.5th at 825.) Appellant's concerns are also belied by the fact that the site has "successfully accommodated a car wash . . . for decades" with "the old car was tunnel [] in a similar location to the new tunnel." (*Id.* at 826.)

In addition, the Project would not increase VMT or cause a VMT-related significant impact under CEQA. Given the size and location of the Project (net addition of approximately 3,579 square feet of retail development), it would be considered a "local-serving" retail development that may be presumed to create a less than significant transportation impact based on the thresholds provided in the California Governor's Office of Planning and Research's published technical advisory regarding VMT (retail establishments with less than 50,000 square feet are presumed not to have a VMT impact), as explained in the Applicant's traffic study.

B. The Project Will Not Create Adverse and Detrimental Effects on Adjacent Uses

Next, Appellant argues that the City cannot make the finding under LMC section 9401.A.2 that the Project will not "adversely affect or be materially detrimental to said adjacent uses, buildings or structures."

First, Appellant contends the Project's upgraded carwash would compete with Appellant's carwash. But section 9401.A.2 is not an anti-competition statute designed to preclude upgraded services and amenities from being offered to the community.

Second, Appellant re-asserts the same traffic-related arguments that are refuted by Applicant's traffic study, as discussed in the preceding section.

Third, Appellant contends this finding cannot be made because residences are located near the Project site, including the nearest home approximately 89 feet from the proposed carwash tunnel. This argument is ironic given that Appellant's much-larger carwash tunnel across the street is located approximately 91 feet from the closest adjacent residence. (See **Attach. C** [diagram depicting Appellant's carwash].) Regardless, Applicant's expert noise and traffic studies confirm that neighboring residences will be protected as noise levels will be below LMC standards and there will be no traffic-related impacts. (See *Walters, supra*, 1 Cal.App.5th at 826 [rejecting opponents' argument that noise and traffic from a proposed carwash adjacent to residences would violate municipal code provisions regarding health, safety, and welfare because the project "requires strict compliance with the City's noise ordinance, and substantial evidence establishes that it will not significantly impact traffic flow in the area."].) The *Walters* analysis squarely applies here.

II. The PEC Correctly Concluded the Project Is Categorically Exempt from CEQA Review

CEQA requires the Secretary of the Natural Resources Agency to designate in the CEQA Guidelines classes of projects that the Secretary has found do not have a significant effect on the environment and are therefore exempt from CEQA. (Pub. Res. Code § 21084(a); CEQA Guidelines § 15300.) By statute, CEQA does not apply to these classes of exempted projects, which are generally referred to as “categorical exemptions.” (CEQA Guidelines § 15354.) The Project is categorically exempt for the reasons detailed below.

A. The Reconstructed Carwash Tunnel Is Categorically Exempt Under CEQA Guidelines Section 15303(c)

CEQA Guidelines section 15303(c) exempts the construction of up to four commercial structures in an urbanized area, not exceeding 10,000 square feet total, where the area is zoned for such uses, the surrounding area is not environmentally sensitive, the project will not use significant amounts of hazardous substances, and all necessary public services and facilities are available. (CEQA Guidelines § 15303(c).) In an opinion published in 2016 arising from a carwash project in the City of Redondo Beach, the Court of Appeal concluded that the construction of a full-service carwash and small coffee shop was categorically exempt under CEQA Guidelines section 15303(c). (*Walters, supra*, 1 Cal.App.5th 809.) The facts in *Walters* are remarkably similar to the issues raised in this appeal, and, as a published opinion, *Walters* is binding here and in any subsequent judicial review.

In *Walters*, the Court of Appeal held that “the types of equipment installed at a car wash, such as blowers, vacuums, air nozzles and waste treatment” fit within the exemption in section 15303(c) because “car washes are similar to stores, motels, offices and restaurants in that they are commercial businesses that serve consumers, require the parking of consumers’ vehicles, contain equipment and often are located in or near residential areas.” (*Walters, supra*, 1 Cal.App.5th at 818.) The Court also noted that the carwash there at issue would be built in an urbanized area that was zoned for commercial use, with all necessary public services and facilities available, and that the surrounding area was not considered environmentally sensitive. (*Id.* at 818-819.) The *Walters* court rejected the opponent’s claim that the exemption did not apply because carwashes allegedly use hazardous chemicals. To the contrary, the evidence demonstrated that products used were biodegradable and verified non-hazardous by OSHA. (*Id.* at 819.)

CEQA Guidelines section 15303(c) and the *Walters* opinion squarely apply here to exempt the Project:

(1) the Project's carwash tunnel will be 3,227 square feet and 101'-4" long, and thus falls within the 10,000 square foot commercial structure limitation in section 15303(c) (in *Walters*, the carwash tunnel was 90' long and totaled 4,080 square feet including an attached coffee shop);

(2) the Project site is zoned C-3 (Intermediate Commercial), the existing carwash was approved by CUP in 1989, and a carwash is permissible at the Project site under LMC sections 9341.B, 9347.A, and 9347.D.11 (in *Walters*, the carwash site was also zoned commercial and a carwash was first approved through a 1965 CUP);

(3) the Project site here, as in *Walters*, is located in an urbanized area that is not environmentally sensitive;¹

(4) all necessary public services and facilities are available for a carwash, which use has existed at the site for several decades along with Appellant's commercial carwash across the street, which Appellant contends has operated for almost 70 years; and

(5) the Project will not involve the use of significant amounts of hazardous materials. To the contrary, documentation attached to this letter as **Attach. D** confirms the soaps and detergents are biodegradable and non-hazardous, as in *Walters*.

The City's factual determination that the Project fits within a particular categorical exemption is subject to the deferential "substantial evidence" standard of review. (E.g., *Protect Tustin Ranch v. City of Tustin* (2021) 70 Cal.App.5th 951, 960.) Under this standard, courts do not weigh conflicting evidence, and the City's decision will be upheld so long as it is supported by any "substantial evidence," which is defined to mean "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (CEQA Guidelines § 15384(a) [defining "substantial evidence" under CEQA].) Substantial evidence in the record establishes that construction of the carwash tunnel fits within the categorical exemption set forth in CEQA Guidelines section 15303(c).

B. No "Unusual Circumstances" Exist to Preclude a Categorical Exemption

Appellant also argues that even if the Project qualifies for a categorical exemption, it would nevertheless be subject to an exception applicable "where there is

¹ As explained in the PEC Staff Report, the Project site is zoned commercial with commercial zoning designations to the north, south, east, and west of the site, including Appellant's commercial carwash directly across the street. To the east of the Project site there is also a multi-family-residential zone.

a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (CEQA Guidelines § 15300.2(c).) As the party challenging the application of a categorical exemption, Appellant “has the burden of producing evidence supporting an exception.” (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105.) To make this showing, Appellant must demonstrate “that the project has some feature that distinguishes it from others in the exempt class, such as its size or location,” along with “a reasonable possibility of a significant effect due to that unusual circumstance.” (*Ibid.*) Whether a particular project presents “unusual circumstances” is a factual determination to be made by the City, and its decision is subject to the deferential substantial evidence standard of review described above. (*Protect Tustin Ranch*, 70 Cal.App.5th at 961-62.) The City’s determination that there are no “unusual circumstances” will be upheld “if there is any substantial evidence, contradicted or uncontradicted,” to support it. (*Id.* at 962.)

Alternatively, Appellant must show that the Project *will* have a significant effect on the environment. (*Berkeley, supra*, 60 Cal.4th at 1105.) The City’s determination on this point is also reviewed for substantial evidence. (*Id.* at 1115.) Appellant cannot make either showing.

Notably, in *Walters* the Court rejected a claim of “unusual circumstances” for a carwash project that was nearly identical to the arguments advanced here by Appellant. In *Walters*, the Court held that “there was nothing particularly unusual about the proposed car wash” given that “there are many other car washes in the surrounding area, including a car wash within a minute’s drive from the project site,” and because the project site “itself was a car wash and snack bar for nearly 40 years, strongly suggesting that the circumstances are not the least bit unusual.” (*Walters, supra*, 1 Cal.App.5th at 821.) Here, the proposed Project site has hosted a carwash for several decades and a service station for more than seven decades, and Appellant points out that it has operated a carwash across the street for almost 70 years.

In addition, Appellant’s carwash tunnel across the street is almost twice the size of the proposed Project’s tunnel (approximately 185’ long as compared to 101’-4”), notwithstanding Appellant’s claim that the Project would be “unusually large . . . compared to . . . other carwashes in the City.” Plainly, there is nothing “unusual” about maintaining a carwash at this location. (E.g., *Protect Tustin Ranch, supra*, 70 Cal.App.5th at 963 [“courts may also look to conditions in the immediate vicinity of a proposed project to determine whether a circumstance is unusual. This includes whether the project is consistent with the surrounding zoning and land uses.”].)²

² Through enactment of LMC section 9347.D.11 in 2015, the City prohibited the construction of “new” commercial carwashes but allowed carwashes that had been

Walters also rejected the claim that a carwash is unusual because it includes large air blowers and outdoor activities conducted seven days a week. According to the Court, carwashes are not “qualitatively different” than the example commercial structures listed in 15303(c), such as restaurants, stores, and motels, which are also open seven days a week (and in some cases for 24 hours a day), and routinely include outdoor seating and other outdoor activities. (*Walters, supra*, 1 Cal.App.5th at 821.) Importantly, the Court held that “[t]he general effects of an operating business, such as noise, parking and traffic, cannot serve as unusual circumstances in and of themselves.” (*Ibid.*)

Walters further rejected the argument that the proximity of residences near the carwash was an “unusual circumstance.” (*Id.* at 822.) Notably, Appellant makes this argument despite the fact that its carwash tunnel is located approximately 91’ from the nearest residential structure, nearly the same distance (approximately 89’) as between the Project’s tunnel and the nearest residential receptor. (See **Attach.C.**) Again, what Appellant describes as “unusual” for the Project is already occurring at Appellant’s carwash across the street, showing the Project would be typical in its location.

Finally, Appellant claims the Project would be “unusual” because its location next to Lakewood Boulevard, South Street, and a public alley would create unique vehicular impacts not created by “other, similar commercial operations,” apparently including Appellant’s much larger carwash across the street. As detailed above, however, Applicant is submitting herewith an expert traffic study establishing that the Project will not create any impacts related to traffic, circulation, queuing, vehicle delay, or VMT. The Project will not cause any traffic-related significant impacts, and there is nothing “unusual” about the Project from a traffic-related perspective. (See, e.g., *Fairbank v. City of Mill Valley* (1999) 75 Cal.App.4th 1243, 1260-1261 [“While the addition of any small building to a fully developed downtown area is likely to cause minor adverse changes in the amount and flow of traffic and in parking patterns in the area, such effects cannot be deemed ‘significant’ without a showing of some feature of the project that distinguishes it from any other small, run-of-the-mill commercial building or use. Otherwise, no project that satisfies the criteria set forth in Guidelines section 15303(c) could ever be found to be exempt.”].)

Appellant does not contend that there are “unusual circumstances” related to noise, or that noise would create a significant impact. The Project has submitted an expert noise study (attached hereto as **Attach.A**) demonstrating that Project noise levels will be 45.6, 37.4, and 57.1 dBA, respectively, at the nearest residential noise

previously approved by CUP to be maintained and modified by CUP amendment. The City thus chose to permit carwashes to remain at previously approved locations such as the Project site, while precluding development in different areas.

sensitive receptors to the west, north, and east of the Project Site. The Project will therefore comply the LMC's noise standard of 60 dBA. In addition, Project noise will be below the ambient background noise during the proposed operating hours of 7 a.m. to 8 p.m. Project noise will be reduced even further through noise barriers incorporated as design features. Although noise barriers are unnecessary because Project noise levels will be below LMC standards without them, noise barriers are voluntarily included by the Applicant to further reduce off-site noise levels to 45.6, 31.8, and 55.4 dBA, respectively, at the nearest residential noise sensitive receptors to the west, north, and east of the Project Site. The Project is also conditioned to limit carwash operations to between the hours of 7 a.m. to 8 p.m., and to require compliance with the City's noise ordinance.³

C. The Other Components of the Project Are Likewise Categorically Exempt

Appellant also appears to argue that upgrades to various other portions of the Project site are identified on the Project plans and application materials but are also not part of the "project" considered by the City. Appellant further argues these components are not categorically exempt from CEQA. Appellant is incorrect.

Project application materials and approval documents including the DRB's recommendation, the PEC Staff Report, and the PEC approval resolution, show that the Project will include, in addition to the reconstructed carwash tunnel: (1) nine self-vacuum stations with shade canopies with permanent posts attaching fire-rated fabric to provide shade for cars using the self-vacuum stations (these will replace five existing self-vacuum stations for a net addition of four stations), (2) a 202-square-foot vacuum equipment enclosure, (3) two canopies with permanent posts attaching fire-rated fabric to provide shade for cars using the pay station, (4) a sound attenuation wall, (5) a City-required 120-square foot trash enclosure, (6) the repair and repainting of the existing gas station canopies, (7) the cosmetic upgrading of the existing convenience store, and

³ LMC section 9376.1 provides a 60 dBA noise level at residential properties, and LMC section 9376 provides that noise levels at any property zoned for residential uses shall not exceed specified noise levels by more than five dBA. Hence, a condition of the PEC's approval provides that noise shall not exceed 65 dBA at residential property lines. (PEC Resolution, § 4.M.) As explained above, the noise report conservatively applied the 60 dBA standard, and concluded that the Project would not generate noise in excess of 60 dBA at adjacent residential properties. (See also *Walters, supra*, 1 Cal.App.5th at 823-824 [approving the city's "belt and suspenders approach" of conditioning a carwash to comply with city's noise standards even though an expert study showed noise levels would be satisfied].)

(8) bathroom renovations to comply with the latest Building Code and ADA requirements.

As explained above, the construction of the new carwash tunnel is categorically exempt under Guidelines section 15303(c). The carwash vacuum stations, shade canopies, trash enclosure, and sound attenuation wall are accessory or appurtenant to the carwash, as these components are incidental to the carwash and will be used by its patrons. These facilities are thus exempt under CEQA Guidelines section 15303(e), which applies to “accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.”

Repair and repainting of the existing gas station canopies, as well as cosmetic upgrades to the convenience store and bathroom renovations, are categorically exempt under CEQA Guidelines section 15301, which applies to “the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” Included among the examples of activities subject to section 15301 are “[r]estoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.” Here, the cosmetic upgrades to the existing service station will not involve any expansion of its use, and, among other things, renovations will ensure the bathrooms comply with current regulatory standards.⁴

It is well established that a lead agency may apply multiple exemptions to a project, including separate exemptions for separate components of a project, to establish the project is categorically exempt from CEQA. (E.g., *Surfrider Found. v. California Coastal Comm’n* (1994) 26 Cal.App.4th 155-156.)

⁴ Appellant asserts that exterior signage is part of the Project. To the contrary, however, exterior signage must be permitted through a separate process and is not part of the Project. Nonetheless, exterior signage is exempt under CEQA Guidelines section 15301 (which includes as an applicable example “New copy on existing on and off-premise signs”) and CEQA Guidelines section 15311 (exempting “construction, or replacement of minor structures accessory to (appurtenant to) existing commercial . . . facilities, including but not limited to: (a) On-premise signs . . .”)

III. Appellant’s “Piecemealing” Claim Fails Because the Removal, Replacement, and Re-Location of the Existing Storage Tanks Is an Independent Project Being Reviewed by the County and SCAQMD

The existing underground fuel tanks on the Project site need to be removed by December 31, 2025, to conform with Health & Safety Code section 25292.05. Section 25292.05 implements changes to state law regarding the design and construction of underground storage tanks (“USTs”), requiring USTs with single-walled tanks and/or piping to be closed by December 31, 2025.

USTs within the City are regulated by the County of Los Angeles. (https://pw.lacounty.gov/epd/UST/jur_org.cfm). Title 11, Division 4, of the County Code contains detailed regulations regarding USTs, which are also subject to regulation by state and federal law. Pertinent here, County Code sections 11.80.010-11.80.060 provide the standards for applying for and obtaining issuance of UST permits or addendums, section 11.80.070 provides the standards for closure of a UST, and section 11.80.100 specifies that the County’s Director of Public Works is responsible for approving or denying an application for a permit or an addendum, including to make a CEQA compliance determination. Hence, the County is responsible for reviewing and approving the Applicant’s separate and independent request to close, remove, and replace its existing USTs, including to make a CEQA compliance determination. The South Coast Air Quality Management District (SCAQMD) also has jurisdiction over this action as it relates to potential air pollution emissions.

The Applicant initiated a process to remove and replace the existing tanks with the County on January 1, 2023, before it applied for a CUP amendment to reconstruct the carwash. Attached hereto as **Attach. E** is a copy of the application materials submitted to the County. On December 30, 2022, the Applicant submitted an application to the SCAQMD, which will also make a CEQA compliance determination. (**Attach. F.**) As reflected on the plans submitted to the County and SCAQMD, the new tanks and venting system will be installed in a different location on the Project site and will be well outside the footprint of the proposed carwash reconstruction. On July 12, 2023, the County approved the Applicant’s request to remove the existing tanks. (**Attachment G.**)

Appellant’s “piecemealing” argument under CEQA fails because removal of the existing USTs and installation of new tanks is an independent project with an independent purpose that is subject to review and approval by separate agencies responsible for CEQA compliance. (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 699 [“The rule prohibiting segmentation of a CEQA project into smaller projects does not apply here because the assignments are two separate projects independent of each other. The assignments were approved by different independent

agencies.”]; *National Parks & Conservation Assn. v. County of Riverside* (1996) 42 Cal.App.4th 1505, 1518-1519 [rejecting argument that an EIR for a proposed regional landfill was required to evaluate impacts of future materials recovery facilities that would have to be approved by other public agencies]; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 97 [rejecting piecemealing claim for a refinery upgrade because the construction of a pipeline that would export hydrogen from the upgraded refinery was a separate project subject to CEQA review by a separate agency].)

Further, the closure and replacement of the existing tanks is not dependent upon the subsequent re-construction of the carwash, as the replacement of the tanks is required by state law regardless of whether the carwash is reconstructed. (*CBE, supra*, 184 Cal.App.4th at 98 [rejecting piecemealing claim because refinery upgrade was “independently justified” and would be developed regardless of whether a hydrogen pipeline was built].)⁵ For the foregoing reasons, there is no improper “piecemealing” and CEQA compliance for the tank removal and replacement project will be conducted by the agencies with jurisdiction over that action.

Even if the City had jurisdiction over the tank removal and replacement, that activity is now before the City Council and the City can properly find it to be categorically exempt under CEQA Guidelines sections 15330 and 15302.

CEQA Guidelines section 15330 applies to “minor cleanup actions to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous substance” costing less than \$1 million. Examples of such minor actions “include but are not limited to” the “[r]emoval of sealed, non-leaking drums or barrels of hazardous waste or substances” and “excavation” of hazardous materials. Here, the activity will include removal of tanks containing fuel and the installation of replacement tanks, with costs estimated to be less than \$1 million. The activity thus fits within section 15330, as it is similar to the activities enumerated in the exemption. (*Centinela Hospital Assn. v. City of Inglewood* (1990) 225 Cal.App.3d 1586, 1600 [applying section 15303 categorical exemption to the construction of a 15-bed psychiatric facility because it was “similar” to apartments and duplexes listed as examples in subdivision (b), and small commercial structures listed as examples in subdivision (c)]; *Walters, supra*, 1 Cal.App.5th at 818 [applying section 15303(c) exemption to a carwash because it is “similar” to stores,

⁵ Stated differently, Appellant’s piecemealing claim fails because the tank removal and replacement project has “independent utility” separate from reconstruction of the carwash. (*Del Mar Terrace Conservancy v. City Council* (1991) 10 Cal.App.4th 712, 733-734.)

motels, offices, and restaurants listed as applicable examples subject to the exemption].)

CEQA Guidelines section 15302 applies to the “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.” Here, the existing tanks will be replaced with new tanks located on the same Project site, serving the same purpose, and having substantially the same capacity as the existing tanks. Although the tanks will be in a different location on the Project site, the caselaw is clear that the new structure or facility needs to be located on the same site but “[o]bviously . . . need not be in exactly the same location.” (*Dehne v. County of Santa Clara* (1981) 115 Cal.App.3d 827, 837-839.) Likewise, the replacement structures must be “‘substantially’ the same size, not precisely or literally the same size, as [the] old structures.” (*Id.* at 837.) The new tanks, with a total capacity of 50,000 gallons, will replace tanks with a capacity of 42,000 gallons, thus satisfying this criteria as well.

IV. There Will Be No Fire Code Violation Because the Reconstructed Carwash Will Not Be Built Over the Existing Tanks

Appellant’s argument that the Project would violate the Fire Code is based on an erroneous contention that the existing USTs will remain at the site with a reconstructed carwash built over them. As explained, the existing USTs will be removed to comply with state law, and new tanks will be installed in a new location. The footprint of the reconstructed carwash tunnel will not cover the new USTs. Accordingly, Appellant’s Fire Code argument lacks merit. Appellant’s claim that the reconstructed carwash would be built over vent pipes also fails because the vent pipes will be relocated with the installation of the new USTs. (Compare **Attach. E** [site plan depicting location of new USTs] with PEC Staff Report Exhibits A and B [site and floor plans depicting location of reconstructed carwash].)

To ensure the tank-related work is satisfactorily completed, the City may include a condition of approval providing that reconstruction of the carwash shall not begin until the tanks have been removed and replaced to the satisfaction of the County and SCAQMD, in accordance with the County Code and other applicable law.

V. The City’s Prohibition on “New” Carwashes Does Not Apply to the Project

Appellant contends that LMC section 9347.D.11’s prohibition on “new” carwashes precludes amendment of a 1989 CUP to reconstruct a carwash that has existed for decades. Appellant’s argument is refuted by the plain terms of section 9347.D.11, which provide in relevant part:

Any commercial carwash that was approved with a conditional use permit prior to and that was valid on the [2015] effective date of this Ordinance, shall remain as a fully authorized land use . . . ***A valid previously approved carwash shall be allowed to submit amendments to the approved conditional use permit to modify the previously approved carwash, subject to the review and discretion of the Planning and Environment Commission.***

(LMC § 9347.D.11, emphasis added.)

Because the existing carwash was approved in 1989 through Amendment No. 2 to CUP No. 279, LMC section 9347.D.11 specifically supplies the PEC with discretion to authorize reconstruction through a third amendment to CUP No. 279. The PEC properly exercised that discretion in approving the Project.

Appellant relies on a portion of section 9347.D.11 stating that “[n]o new carwash facility . . . shall be approved in the C-3 zone at any time following the effective date of this section.” Section 9347.D.11 was added in 2015, through Ordinance 2015-5 (and amended by Ordinance 2018-6). The existing carwash was approved by CUP approximately 26 years before section 9347.D.11 was adopted, such that its prohibition on “new” carwashes is facially inapplicable to the Project.

Appellant also contends the Project actually proposes a “new” carwash rather than a “reconstruction” of an existing carwash because the new facility will be larger and more efficient. Semantics aside, this argument ignores the key factor for determining whether a carwash is “new” under section 9347.D.11, which is whether a carwash has been approved by CUP before section 9347.D.11 became effective. If so, the previously approved CUP may be amended to modify the existing carwash in any manner deemed acceptable in the discretion of the PEC.

VI. Appellant’s Due Process Argument Lacks Merit

Appellant claims its constitutional right to due process was impaired because it did not receive notice of the DRB’s hearing on the Project. This argument lacks merit for several reasons.

First, the DRB’s role under the LMC “shall be advisory only and not be subject to appeal.” (LMC § 9480.) Appellant acknowledges in its letter that due process requires only a “reasonable opportunity to be heard” in any proceeding “which is to be accorded finality.” (Appeal, at 14 [citing *Mullane v. Cent. Hanover Bank & Tr. Co.* (1950) 339 U.S. 306, 314].) The DRB’s advisory recommendation is not to be accorded finality under the plain terms of the LMC; hence, no due process claim can attach to Appellant’s alleged failure to receive notice of the DRB hearing.

Second, the DRB “shall not be required to hold noticed public hearings” under LMC section 9481.C, so there can be no claim that the DRB failed to provide proper public notice of its hearing.

Third, there is no dispute that PEC properly noticed its public hearing on the Project. Appellant submitted oral and written comments in connection with the PEC hearing, and has exercised its right to appeal to the City Council. Appellant will thus have the opportunity to appear at two public hearings on the Project, and to submit written comments in connection with both proceedings. Due process has been satisfied.

Due process generally requires only the provision of adequate notice and an opportunity to be heard before a governmental deprivation of an individual’s life, liberty, or property. (*Goldberg v. Kelly* (1970) 397 U.S. 254, 267; see also *Horn v. County of Ventura* (1979) 24 Cal.3d 605, 612.) To present a valid procedural due process claim, a plaintiff must show that the government action deprived the plaintiff of a protected property interest. (*Harris v County of Riverside* (9th Cir. 1990) 904 F2d 497, 501.) Here, Appellant indisputably has had “an opportunity to be heard”—as explained, it submitted written and oral comments in connection with the PEC hearing, appealed that determination, and will have the opportunity to submit additional comments before the City Council. Further, Appellant cannot show that it would be deprived of any protected property interest; Appellant simply complains that competition from the Project may affect its business. Appellant’s due process claim lacks merit.

VII. Appellant’s Concern that the Project Would Compete with Appellant’s Business Provides No Basis to Deny Approval of the Project

Lastly, Appellant claims that the Project will “devastate” its business. Appellant provides no support for this proposition, which is inconsistent with its representations that it has operated a carwash at its current location for almost 70 years with a strong local following. Regardless, Appellant cites no authority that CEQA or the LMC are designed to shield businesses from competition. To the contrary, “**CEQA is not a fair competition statutory scheme**. Numerous findings and declarations were made by the Legislature with respect to CEQA. None of them suggest a purpose of fostering, protecting, or otherwise affecting economic competition among commercial enterprises.” (*Regency Outdoor Adver., Inc. v. City of W. Hollywood* (2007) 153 Cal.App.4th 825, 829-830, citations omitted, emphasis added; see also *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 581 [“CEQA expressly excludes social or economic impacts as environmental impacts.”].) Appellant’s claim that the Project should be denied because it would compete with Appellant’s business is not cognizable under CEQA or the LMC.

If accepted, Appellant’s position would also “devastate” the City and its residents, as businesses could exploit environmental laws to prevent upgraded facilities

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and services from being offered to the community any time the upgraded facilities would compete with existing businesses. Fortunately, Appellant's position is not the law. Because the Project complies with the LMC and CEQA, as outlined above, the Applicant respectfully requests that the City Council affirm the PEC's approval of the Project.

Very truly yours,

A handwritten signature in blue ink that reads "Jeff P. Carlin". The signature is written in a cursive, flowing style.

Jeffrey P. Carlin
Alston & Bird

LEGAL02/43129575

ATTACHMENT "A"



Mo's EXPRESS WASH AND GAS NOISE STUDY

MARCH 23, 2023

PREPARED FOR:
MGE OIL, LLC

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





Mo's Express Wash and Gas Noise Study – Lakewood, CA

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EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the City's Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and to further reduce noise at the nearest noise sensitive receptors.

This report has been organized into multiple sections for ease of reference. Section 1 introduces the Project and provides a general discussion on the Project Components. Section 2 discusses Noise Fundamentals, and Section 3 presents the Noise Standards. Section 4 discusses the Noise Measurement. Section 5 presents the Noise Analysis; Section 6 discusses the Impact Assessment and Section 7 discusses the Noise Control Analysis. Section 8 presents the Noise Control Recommendations. Section 9 discusses the Conclusion.

1. INTRODUCTION

The Project proposes to replace the existing car wash with the proposed car wash at the project site located at 4311 South Street in Lakewood, CA with operating hours between 7AM to 8PM. Both the existing and proposed carwash operations are automatic carwashes with no car wash designated employees. The proposed car wash includes nine self-service vacuums that will replace the five existing self-service vacuums. Refer to Figure 1 for the general location of the Site and a Vicinity Map. Land uses immediately surrounding the site are commercial and residential. The main noise concern is car wash operations affecting the nearest residential properties to the west, north and east. The nearest residential property line is located directly east of the project site. Refer to Figure 2 for the Site Plan and Location of the Future Car Wash.

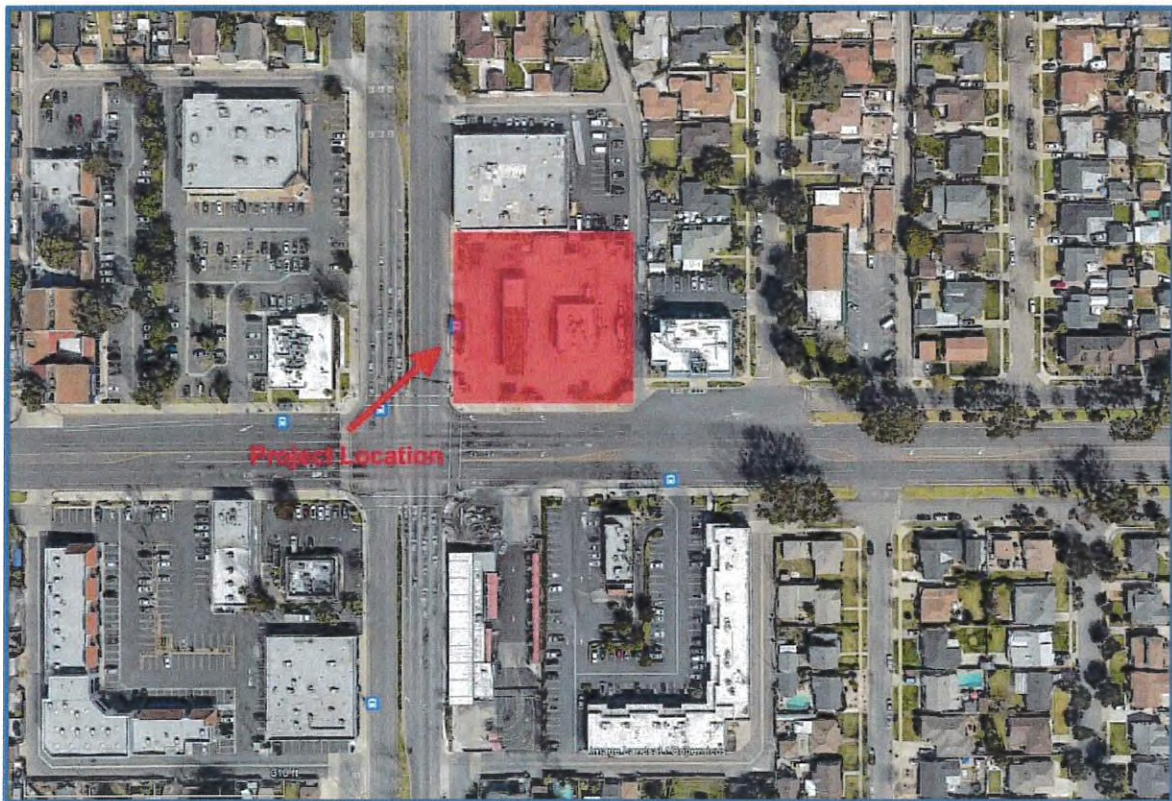


Figure 1. Project Location

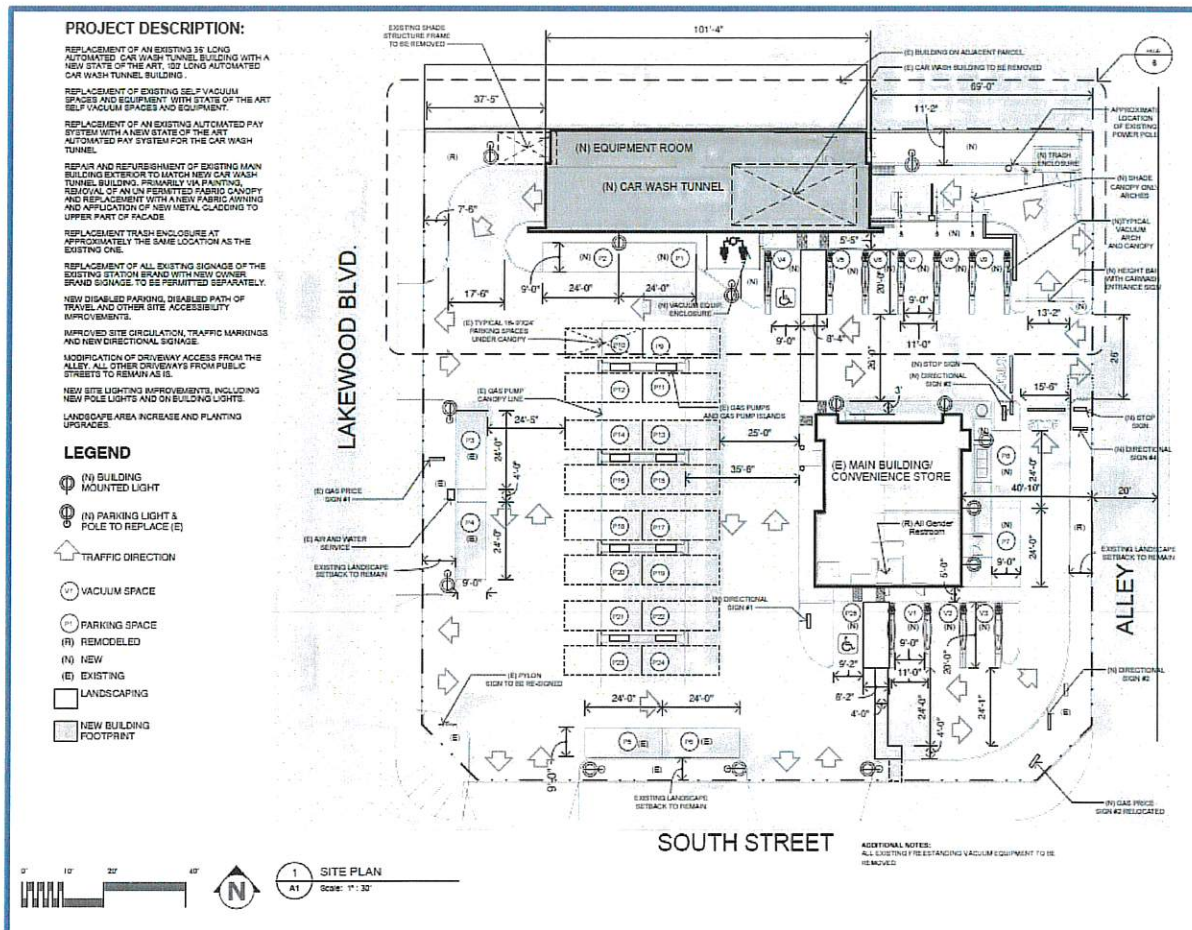
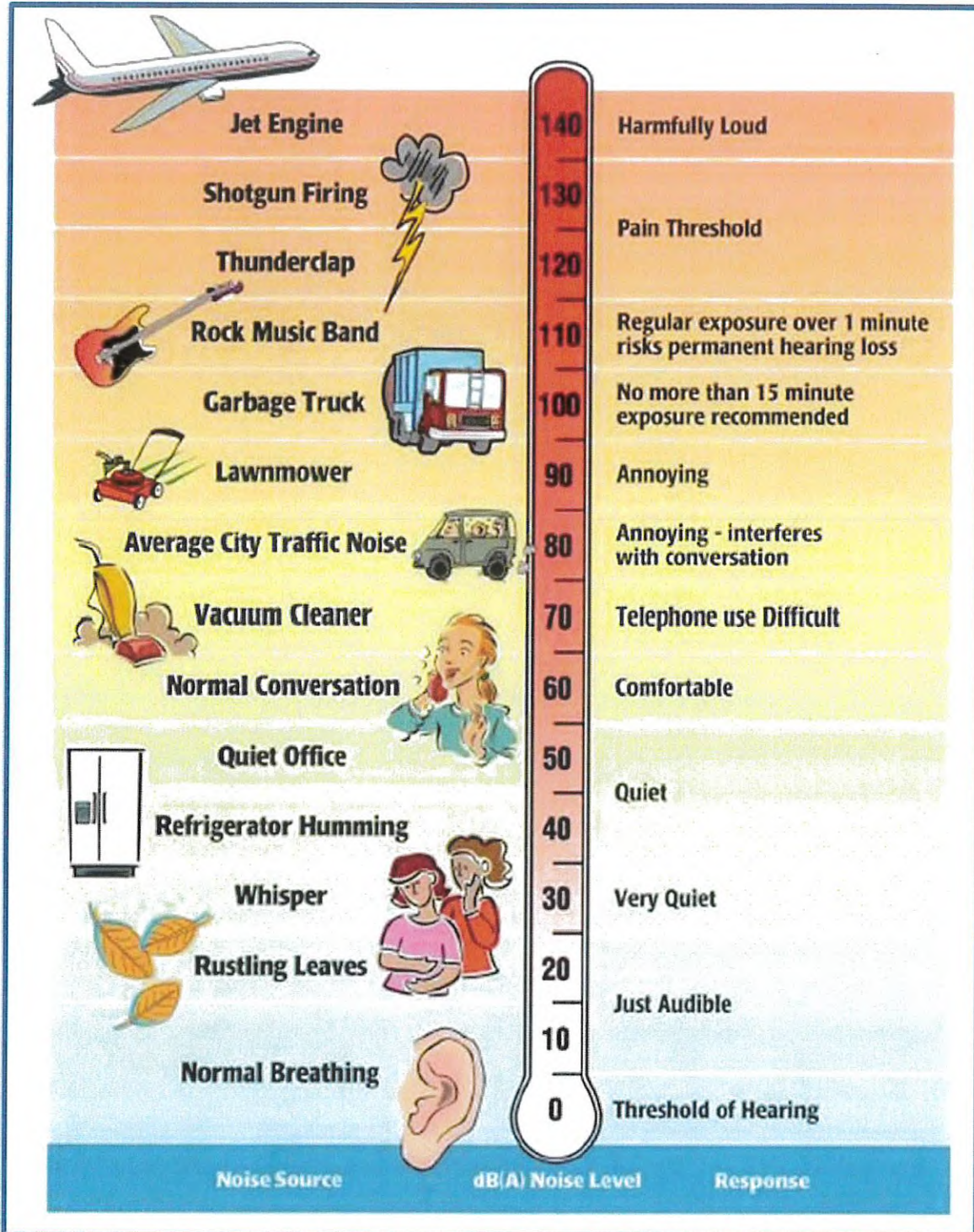


Figure 2. Site Plan

2. NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30 minutes in a 60-minute period.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



3. NOISE STANDARDS

The City of Lakewood Municipal Code has adopted regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise (Section 9376). The City of Lakewood limits intrusive exterior noise for commercial and residential to not exceed 60 dBA at the residential receptor property. Table 1 summarizes the City's Noise Ordinance Standard.

Table 1. City of Lakewood Noise Standard

Land Use	Noise Standard, Leq, dBA
Residential Receptor	60

4. NOISE MEASUREMENT

AGI conducted a site visit on November 29-30, 2022 to observe the project site and document ambient baseline noise levels at the project site. The noise measurement procedures outlined in LMC Section 9376.1A are not entirely appropriate for quantifying the ambient noise environment where the background is fluctuating as a result of vehicular traffic, the car wash and other sporadic community noise sources such as aircraft, community noise, birds, insects, construction activity, residences, etc. Thus, AGI performed continuous hourly noise measurements over 24-hours to provide the most accurate and conservative assessment of the ambient background noise, per standard industry practice. The noise measurements were conducted with a Type I precision acoustical analyzer that was operated with the microphone located at least 3 feet from reflective surfaces and at least 5 feet above the ground. The noise measurement could not be performed on the residential boundary because the boundary is directly adjacent to the driveway/alley and prevented locating a sound level meter in the middle of the unprotected roadway. Therefore, one long-term noise measurement was conducted at the project property line nearest the closest residential boundary location to the east (NM1).

The hourly ambient noise level during the measurement ranged from 49.9 to 64.7 dBA. During the proposed operating period of 7AM to 8PM, the hourly ambient noise level ranged from 59.4 to 64.7 dBA. Without car washes, the hourly ambient noise level during the measurement ranged from 55.4 to 61.6 dBA. Noise sources encountered during the 24-hour measurement period included the car wash, vehicular traffic, aircraft, community noise, birds, insects, construction activity, and residences. Table 2 summarizes the noise measurement data. Table 3 below summarizes the Hourly ambient background noise with and without car wash operations and the number of car wash events observed within each hour. Figure 4 shows the location of the noise measurement.



Table 2. Summary of Measured Ambient Noise Level

Receptor	Time	Lmax, dBA	Lmin, dBA	A-weighted Noise Level, Leq, dBA	Contributing Noise Sources
NM1	11/29/22 11:00 AM – 11/30/22 11:00 AM	86.5	37.6	49.9 – 64.7	Vehicular Traffic, car wash, aircraft, community noise, birds, insects, construction activity, residences

Table 3. Measured Hourly Ambient Noise Level – With and Without Car Wash

Date	Time	Ambient with Existing Carwash, Leq, dBA	Ambient without Car Wash, Leq, dBA ¹	Number of Carwashes
11/29/22	11:00 AM	63.1	59.3	4
11/29/22	12:00 PM	63.8	61.0	3
11/29/22	1:00 PM	63.4	59.0	4
11/29/22	2:00 PM	64.3	60.6	3
11/29/22	3:00 PM	63.7	58.3	5
11/29/22	4:00 PM	64.0	59.8	4
11/29/22	5:00 PM	64.4	61.4	3
11/29/22	6:00 PM	64.7	61.6	3
11/29/22	7:00 PM	59.4	59.4	0
11/29/22	8:00 PM	57.2	57.2	0
11/29/22	9:00 PM	59.6	57.5	2
11/29/22	10:00 PM	56.3	56.3	0
11/29/22	11:00 PM	57.8	57.8	0
11/30/22	12:00 AM	52.7	52.7	0
11/30/22	1:00 AM	49.9	49.9	0
11/30/22	2:00 AM	50.3	50.3	0
11/30/22	3:00 AM	50.0	50.0	0
11/30/22	4:00 AM	51.8	51.8	0
11/30/22	5:00 AM	56.7	56.7	0
11/30/22	6:00 AM	58.0	58.0	0
11/30/22	7:00 AM	64.7	59.7	3
11/30/22	8:00 AM	64.0	60.5	4
11/30/22	9:00 AM	61.4	57.9	2
11/30/22	10:00 AM	63.4	55.4	6

Note: ¹Continuous noise measurements were conducted at NM1. Car wash operations were removed in post-processing to determine hourly ambient noise levels without the car wash.

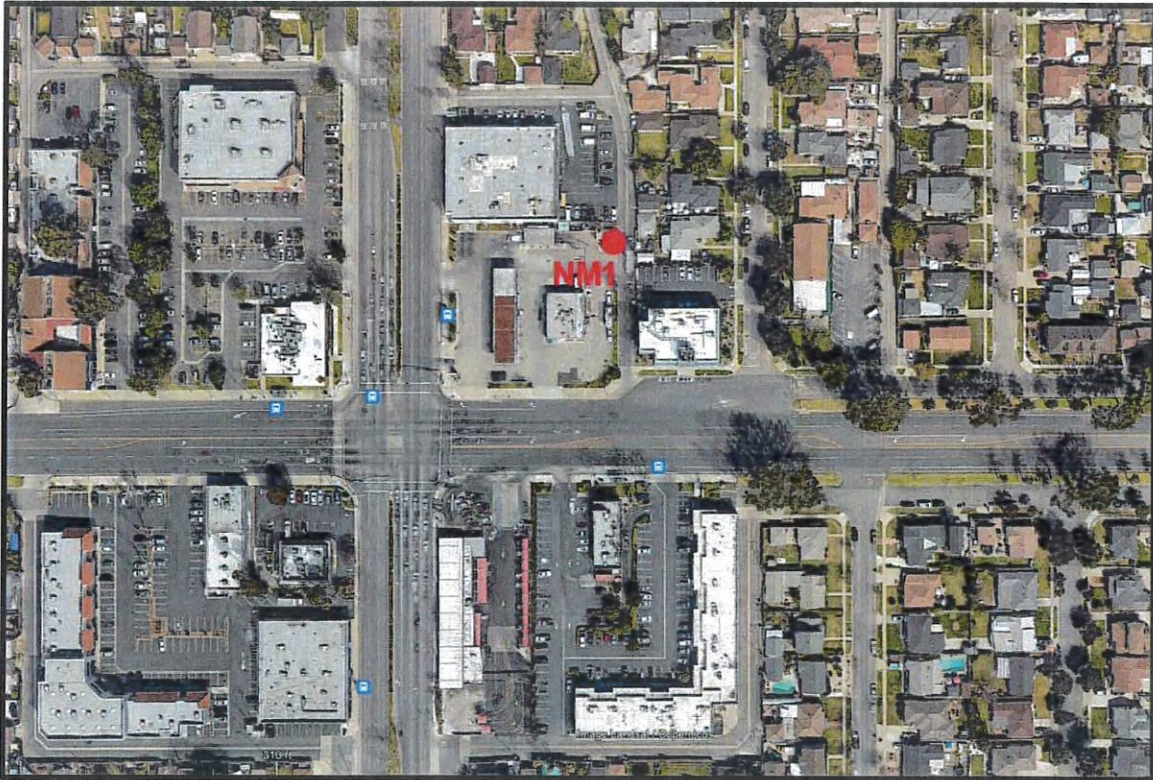


Figure 4. Noise Measurement Location

5. NOISE ANALYSIS

The noise generated from the car wash's future operations has the potential to impact nearby properties. The methodology used to analyze and predict operations noise from the project involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by future operations was calculated by inputting acoustical sources at the project site. Manufacturer's acoustical data was provided by the client for the analysis. The MacNeil Tech 21 15HP Dryer System with Powerlock Closed and Vacutech Turbine was evaluated for the Project Site. Table 3 lists the car wash equipment noise sources used for the analysis.



Table 4. Car Wash Equipment Noise Sources

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the residential noise sensitive receptors to the west, north and east, respectively. Real operating conditions may not achieve this level of activity but could possibly include one or possibly two continuous hour(s) of activity during the day. Refer to Figure 5 for a noise contour map of the future car wash noise without noise control.



Figure 5. Noise Contour Map of the Future Car Wash Operations - Worst Case without Noise Control



6. ASSESSMENT

The noise level from future car wash operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood’s noise standard of 60 dBA. Refer to Table 5 for a summary of the future car wash noise levels and impact assessment with City Standard.

Table 5. Summary of Operations Noise Impact Assessment - without Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	37.4	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	57.1	60	Compliance

Additionally, when the future car wash noise is compared with the ambient background either with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 6 for a comparison and impact assessment of the future car wash noise level with the ambient noise level at R3/NM1.



Table 6. Comparison and Impact Assessment of Future Car Wash Noise Levels with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	57.1	52.7	52.7	-
1:00 AM	57.1	49.9	49.9	-
2:00 AM	57.1	50.3	50.3	-
3:00 AM	57.1	50.0	50.0	-
4:00 AM	57.1	51.8	51.8	-
5:00 AM	57.1	56.7	56.7	-
6:00 AM	57.1	58.0	58.0	-
7:00 AM	57.1	64.7	59.7	Compliance
8:00 AM	57.1	64.0	60.5	Compliance
9:00 AM	57.1	61.4	57.9	Compliance
10:00 AM	57.1	63.4	55.4	Compliance
11:00 AM	57.1	63.1	59.3	Compliance
12:00 PM	57.1	63.8	61.0	Compliance
1:00 PM	57.1	63.4	59.0	Compliance
2:00 PM	57.1	64.3	60.6	Compliance
3:00 PM	57.1	63.7	58.3	Compliance
4:00 PM	57.1	64.0	59.8	Compliance
5:00 PM	57.1	64.4	61.4	Compliance
6:00 PM	57.1	64.7	61.6	Compliance
7:00 PM	57.1	59.4	59.4	Compliance
8:00 PM	57.1	57.2	57.2	-
9:00 PM	57.1	59.6	57.5	-
10:00 PM	57.1	56.3	56.3	-
11:00 PM	57.1	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

7. NOISE CONTROL ANALYSIS

Additional noise control measures were evaluated to further reduce the noise from the future car wash. Although, these additional noise control measures are not required, ownership desires to be a good neighbor with the surrounding residents and minimize car wash noise. With noise barriers (as per Figure 6) along the car wash exit to further shield equipment noise, the future car wash noise will be further reduced to as high as 45.6, 31.8, and 55.4 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Future noise levels from the car wash at the nearest residential properties to the west, north, and east would continue to comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background, the car wash noise will be lower and will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 7 for a summary of the future car wash noise levels with noise control and impact assessment with City Standard. Refer to Table 8 for a comparison and impact



assessment of the future car wash noise level with noise control with the ambient noise level at R3/NM1.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	55.4	52.7	52.7	-
1:00 AM	55.4	49.9	49.9	-
2:00 AM	55.4	50.3	50.3	-
3:00 AM	55.4	50.0	50.0	-
4:00 AM	55.4	51.8	51.8	-
5:00 AM	55.4	56.7	56.7	-
6:00 AM	55.4	58.0	58.0	-
7:00 AM	55.4	64.7	59.7	Compliance
8:00 AM	55.4	64.0	60.5	Compliance
9:00 AM	55.4	61.4	57.9	Compliance
10:00 AM	55.4	63.4	55.4	Compliance
11:00 AM	55.4	63.1	59.3	Compliance
12:00 PM	55.4	63.8	61.0	Compliance
1:00 PM	55.4	63.4	59.0	Compliance
2:00 PM	55.4	64.3	60.6	Compliance
3:00 PM	55.4	63.7	58.3	Compliance
4:00 PM	55.4	64.0	59.8	Compliance
5:00 PM	55.4	64.4	61.4	Compliance
6:00 PM	55.4	64.7	61.6	Compliance
7:00 PM	55.4	59.4	59.4	Compliance
8:00 PM	55.4	57.2	57.2	-
9:00 PM	55.4	59.6	57.5	-
10:00 PM	55.4	56.3	56.3	-
11:00 PM	55.4	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM



8. NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended to further reduce the noise from the future car wash:

1. Limit operating hours to the proposed hours of 7AM to 8PM.
2. A minimum 6-ft, 7-ft, and 9-ft high noise barriers at the north and east side of the project site as per Figure 6 to direct car wash noise away from residences.
3. Minimum 9-ft and 3-ft high noise barriers as per Figure 6 to reduce car wash and vacuum noise from residences.
4. The noise barrier height is relative to the car wash pad elevation.
5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit, stucco-on-wood, metal panel, plexi-glass, or any combination of these materials.
6. A minimum 10-ft high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.

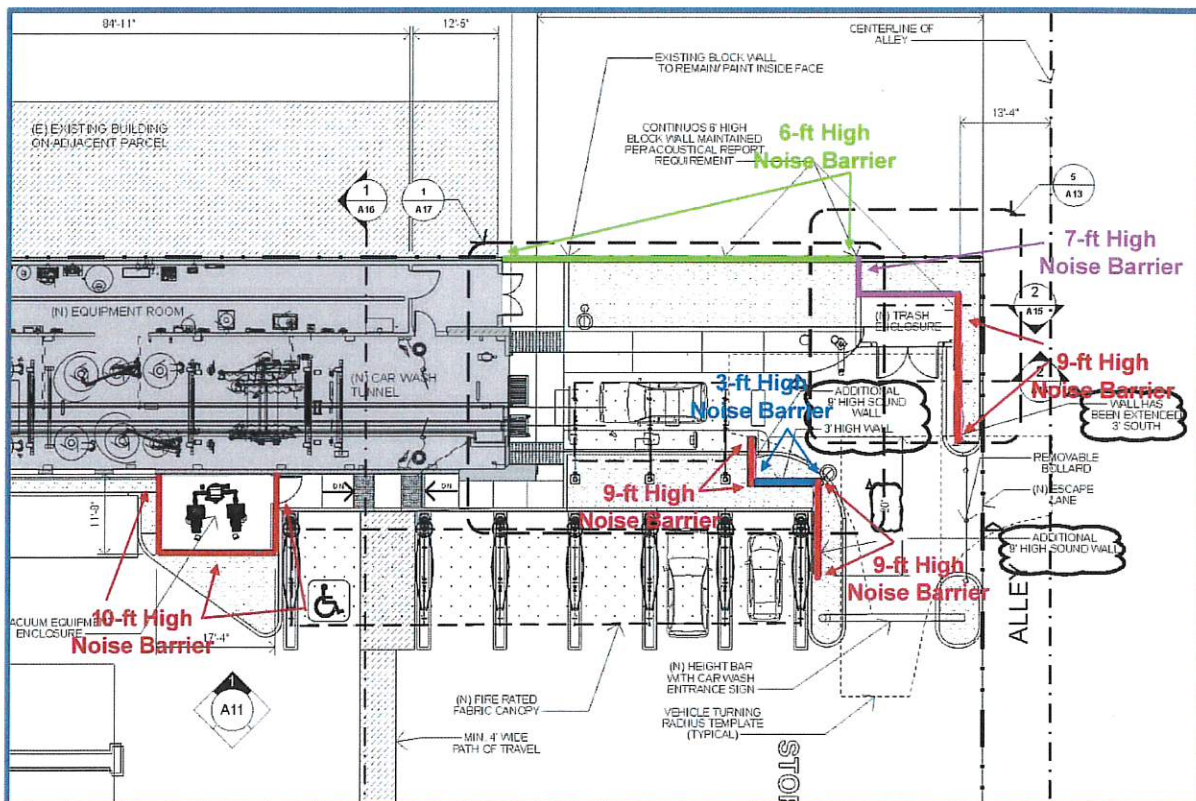


Figure 6. Location of the Recommended Car Wash Noise Barriers



7. The car wash equipment shall not exceed the following equipment noise source levels:

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

8. Refer to the Appendix for the manufacturer's product literature.
9. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire and safety codes.

9. CONCLUSION

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and further reduce noise at the nearest noise sensitive receptors.



REFERENCES

1. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
2. Car Wash Drawings, prepared by WSCS Design
3. AutoVac Industrial Vacuum & Air Systems Equipment Decibel Certification
4. International Drying Corporation Stealth Predator Dryer System Specifications



APPENDIX

NOISE STANDARDS

FIELD DATA

MODELING INPUT & OUTPUT

PRODUCT LITERATURE



NOISE STANDARDS

C. Where the shelter is constructed beneath the front yard area, entrances and vents not only shall be located out of the front yard area and the side yard area on corner lots, but shall be screened with shrubs, wall or fencing from direct view of the street on which the front yard or corner side yard fronts.

The Planning Commission may, in its discretion, in a proper case, modify or waive any or all of the aforementioned requirements contained in Subparagraphs A, B, or C.

(Added by Ord. 271)

9374. FUTURE STREETS. Where future street lines have been established by a Master or General Plan, no building or structure shall be erected within the future street line. Where future street lines have been adopted pursuant to a Master or General Plan, said future street lines shall be used in determining lot lines for the purposes of this Chapter. The application of this section to any person may be waived by the Planning Commission upon a showing that the waiver thereof will not materially affect putting into effect the Master Plan. (Added by Ord. 306)

9375. WALLS ABUTTING R-1 AND R-A PROPERTY. Where property in any zone other than R-1 and R-A sides or rears on the property line of an adjoining R-1 or R-A lot or parcel, a reinforced six-foot block or masonry wall shall be erected and maintained along the line of such lot adjoining said R-1 or R-A lot, except where a building, otherwise authorized, is erected and maintained on said property line. No such wall shall exceed forty-two inches, however, in the required front yard set-back, if any. (Added by Ord. 392)

9376. AIR CONDITIONERS, MECHANICAL EQUIPMENT AND MACHINERY NOISE IN RESIDENTIAL AREAS. No person within any area of the City zoned for residential use or any area adjacent thereto shall own, possess, control, or maintain any machinery, equipment, pumps, fans, air conditioning or air-handling apparatus, or similar mechanical devices which cause the noise level at the property line of any property zoned for residential uses to exceed the sound pressure level permitted herein by more than five decibels. The production or maintenance of any sound in excess of said levels is hereby declared to be an unnecessary interference with the enjoyment of residential property and contrary to the public health and general welfare. The ownership, maintenance, operation, or control of any such machinery or equipment producing said excess sound pressure levels is hereby declared to be a public nuisance.

9376.1. SAME: DECIBEL MEASUREMENT CRITERIA. The sound pressure level permitted herein shall be measured at any point on the property line of the residential property affected and is sixty decibels, reference 0.002 microbar, read on the A scale of a sound level meter. Reading shall be taken in accordance with the instrument manufacturer's instructions, using the slowest meter response, and as follows:

A. PLACEMENT OF MEASURING MICROPHONE. Placement of the microphone can be at any point on the property line, but shall not be closer than three (3) feet from any wall and not less than three (3) feet above the ground where the above-listed maximum sound pressure level shall apply. At any point the measured level shall be the average of not less than three (3) readings, taken at two-minute intervals. To have valid readings, the levels must be five (5) decibels or more above the levels prevailing at the same point, excluding noise caused by the objectionable machinery.

B. SOUND LEVEL METER. Sound pressure levels shall be measured with a sound level meter manufactured according to U.S.A. Standard S1.4-1961, published by the United States of America Standards Institute, New York City, New York.

9376.2. SAME: LOCATION OF MECHANICAL EQUIPMENT. No such sound producing machinery, equipment, pumps, fans, air conditioners, air handling apparatus, or similar mechanical devices shall be installed, located, or maintained in any residential zone unless so installed, or maintained in the manner or fashion determined by the Director of Community Development, or his authorized representative, as to not unreasonably interfere with the enjoyment or use of life and property in the vicinity, and provided, further, that the following minimum regulations are complied with:

A. ROOF. No mechanical equipment, except wind turbines, shall be erected, constructed, placed or maintained on or upon the roof of any building or structure located in the R-1, R-A, or A zones, unless the roof structure is so designed as to provide for the inclusion of said equipment as an integral part of the structure, and said installation has been approved by the Development Review Board. (Amended by Ord. 77-5)

B. FRONT YARD. Such unit may be located between a front lot line or side lot line and the nearest building on the lot, if the unit is screened and soundproofed to protect the surrounding properties from excessive noise or unsightly appearance.

C. REAR YARD. Such unit may be located within that area designated as the rear yard provided that it is not placed in the rear yard area of a corner lot parallel to and within twenty (20) feet of any lot line common to the required side yard of an abutting residential lot.

D. "UNITS" as used herein shall include all appurtenances, including ducts.

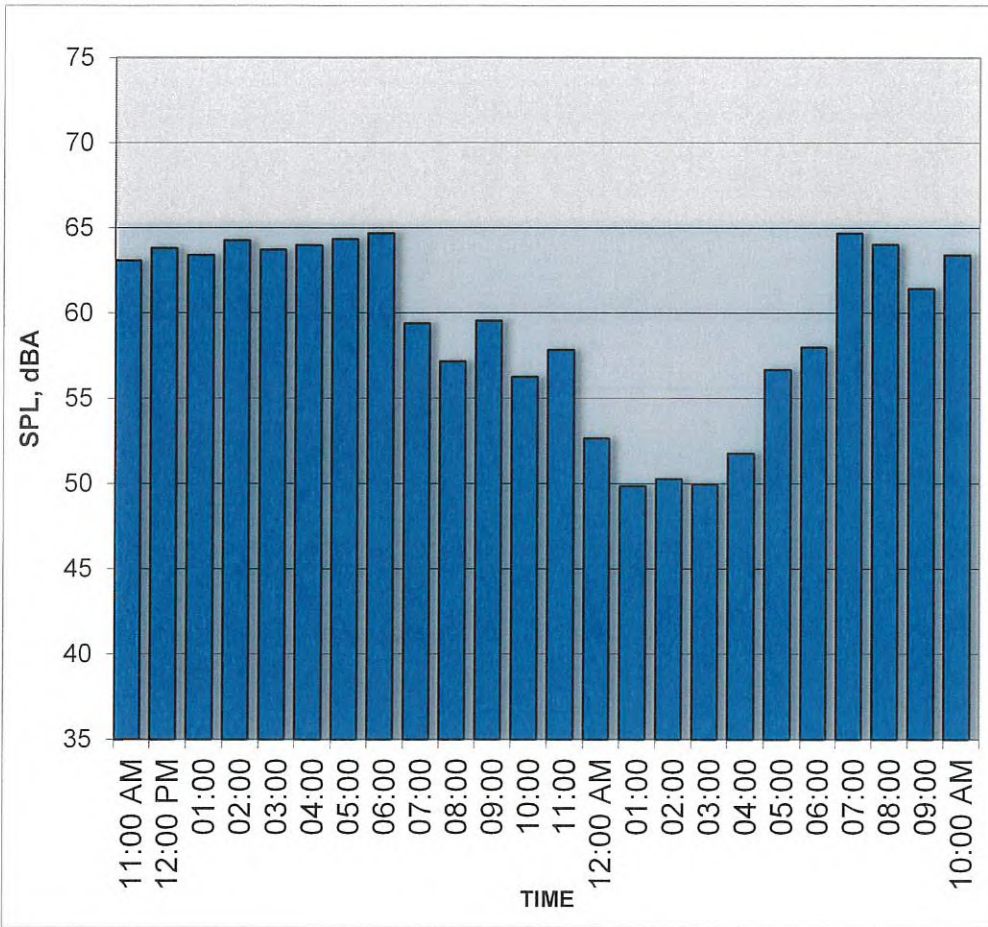


FIELD DATA

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Mobile Car Wash Expansion Project
 Address: 4311 South Street, Lakewood, CA
 Location: Light pole
 Noise Sources: Vehicular Traffic, Car Wash

Date: 11/29/2022
 - 11/30/2022
 Position: NM1



TIME	HNL, dB(A)
11:00 - 12:00 PM	63.1
12:00 - 01:00 PM	63.8
01:00 - 02:00 PM	63.4
02:00 - 03:00 PM	64.3
03:00 - 04:00 PM	63.7
04:00 - 05:00 PM	64.0
05:00 - 06:00 PM	64.4
06:00 - 07:00 PM	64.7
07:00 - 08:00 PM	59.4
08:00 - 09:00 PM	57.2
09:00 - 10:00 PM	59.6
10:00 - 11:00 PM	56.3
11:00 - 12:00 AM	57.8
12:00 - 01:00 AM	52.7
01:00 - 02:00 AM	49.9
02:00 - 03:00 AM	50.3
03:00 - 04:00 AM	50.0
04:00 - 05:00 AM	51.8
05:00 - 06:00 AM	56.7
06:00 - 07:00 AM	58.0
07:00 - 08:00 AM	64.7
08:00 - 09:00 AM	64.0
09:00 - 10:00 AM	61.4
10:00 - 11:00 AM	63.4
CNEL:	64.3

Notes:





Certificate of Calibration

17922 Sky Park Circle Suite "P"
Irvine, CA 92614
Phone:(949) 724-9474 Fax: (949) 724-9472

Customer:
Acoustics Group Inc.
2082 Business Center Dr
Irvine, CA 92612
Contact: Robert Woo
Phone#: (877) 595-9988

Service Record #: SR-CI048935
Issue Date: 03/10/2021
Technician: Samuel Brambila
Job No: J-AA50250
Customer PO #: Verbal Per Robert
Calibration Date: 03/10/2021
Next Cal Due: 03/10/2023

Device Under Test	Manufacturer: Bruel Kjaer	Model: 2250	Serial #: 3011736	
	Description: Sound Level Meter		ID #: None Visible	
Device Conditions	As Received: Out of Tolerance	As Returned: In Tolerance	Adjusted?: Yes	Limited Use?: No
Environmental Conditions	Field Calibration?: Yes		Temperature: 21°C	Relative Humidity: 41%
Comments: Changed Ch. 1 sensitivity from 52.72 to 44.52 mV/Pa.				
Facility:	Area:	Position:		
Tolerance:	± 0.5 dB			

Sample Data Points

Description	Nominal	As Found	As Left
Sound Level @ 1 kHz	94.0 dB	91.6 dB *	93.6 dB

* Denotes out of tolerance measurement data.

Standard Used

Manufacturer	Model	Description	Next Cal Due	Traceable #
Extech	407766	Sound Level Calibrator	08/31/2021	T-1387
Procedure Used:	G-0005	Sound Level Meters		

Test Calibration data, if applicable, is available upon request (fee required)

The standards and calibration program of usCalibration complies with the requirement of ANSI/NCSL Z540-1-1994 and ISO/IEC 17025:2005

Standards used in this calibration, described in the referenced calibration procedure with associated uncertainties or tolerances, are traceable to the National Institute of Standards and Technology (N.I.S.T.).

No allowances have been made for the instability of the test device due to use, time, etc.; such allowances would be made by the customer as needed

The test uncertainty ratio (TUR) for this calibration is no less than 4:1, unless otherwise specified.

There are no special limitations of use imposed on the calibrated item, unless specified

This report applies only to the item described and shall not be reproduced except in full, without the written approval of usCalibration.

3/10/21

Samuel Brambila, Technician

Date





MODELING INPUT & OUTPUT

CADNA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: No Noise Control

Receiver		ID	Level Lr		Limit Value		Land Use		Height	Coordinates			
Name	M.		Day [dBA]	Night [dBA]	Day [dBA]	Night [dBA]	Type	Auto		Note	Type	X [m]	Y [m]
Exit			80	80	0	0	x		Total	1.5 r	274.75	297.69	1.5
Entrance			78.6	81.5	0	0	x		Total	1.5 r	308.3	297.78	1.5
West			45.6	45.6	0	0	x		Total	1.5 r	213.37	364.02	1.5
North			32.5	33	0	0	x		Total	1.5 r	305.45	355.53	1.5
East			53.8	55.4	0	0	x		Total	1.5 r	332.5	297.66	1.5
East			56.1	58.4	0	0	x		Total	1.5 r	332.32	296.67	1.5
East			57.1	59.2	0	0	x		Total	1.5 r	332.35	298.62	1.5

Point Source		ID	Result: P.W.L			Lw/Li	Value	norm. dB(A)	Correction			Sound Reduction		Attenuation		KD	Freq.	Direct	Height	Coordinates		
Name	M.		Day [dBA]	Evening [dBA]	Night [dBA]				Type	Day [dB(A)]	Evening [dB(A)]	Night [dB(A)]	R	Area [m²]	Day [min]					Special [min]	Night [min]	[dB]
Exit			97.8	97.8	97.8	Lw	Exit	0	0	0	0	0	0	0	0	0	(none)	3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance	-3	0	0	0	0	0	0	0	0	(none)	3 r	307.26	297.89	3	
Turbine			77.3	74.3	74.3	Lw	T	3	0	0	0	0	0	0	0	0	(none)	2 r	294.35	292.12	2	
V1			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.35	258.51	1.22	
V2			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.83	258.51	1.22	
V3			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.41	258.47	1.22	
V4			74.3	74.3	74.3	Lw	T	0	0	0	0	0	0	0	0	0	(none)	1.22 r	289.21	291.81	1.22	
V5			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	306.61	291.85	1.22	
V6			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.74	291.85	1.22	
V7			70.9	70.9	70.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V8			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V9			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	319.37	291.81	1.22	

Buildings		ID	Absorption		Z-Fat.	Cantilever	Height	End
Name	M.		left	right				
					9.7	0	5.18 r	
					0.76		5.18 r	
					9.7	0	5.18 r	
					0.76		5.18 r	
							5.18 r	
							5.18 r	
							2.44 r	
							1.82 r	

Sound Level		ID	Type	Octave Spectrum (dB)										Source
Name				Weight	31.5	63	125	250	500	1000	2000	4000	8000	
Machell Ex Exit	Lw			91	95	92	92	92	93	91	89	86	97.8	100.8
Machell Ex Entrance	Lw			91	95	92	92	92	93	91	89	86	97.8	100.8
Turbine T	Lw			55	55	57	70	72	69	68	62	51	74.3	75.3
Vacuum V1	Lw			86.9	67.1	69.3	86.5	69.2	69.3	74.1	75.1	72.6	79.9	89.4

Result Table		Land Use	Limiting Value		rel. Axis	Distance	Height	Lw/o Noise Control				Lw/w Noise Control		Exceeding		passive NC
Name	ID		Day [dB(A)]	Night [dB(A)]				Station	Day	Night	Day	Night	Day	Night	Day	
Exit			0	0				80	80	80	80	0	0	-	-	
Entrance			0	0				78.6	81.5	78.6	81.5	0	0	-	-	
West			0	0				45.6	45.6	45.6	45.6	0	0	-	-	
North			0	0				32.5	33	32.5	33	0	0	-	-	
East			0	0				53.8	55.4	53.8	55.4	0	0	-	-	
East			0	0				56.1	58.4	56.1	58.4	0	0	-	-	
East			0	0				57.2	59.2	57.2	59.2	0	0	-	-	

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: Noise Control

Receiver												
Name	M.	ID	Level	Limit	Land	Auto	Noise	Height	Coordinates			
			Day	Day	Type		Type	(m)	X	Y	Z	
			(dBA)	(dBA)					(m)	(m)	(m)	
Exit			80	0	0	x	Total	1.5 r	274.75	287.89	1.5	
Entrance			78.6	81.5	0	0	Total	1.5 r	308.3	297.78	1.5	
West			45.6	45.6	0	0	Total	1.5 r	213.27	364.62	1.5	
North			31.8	32.4	0	0	Total	1.5 r	305.45	355.53	1.5	
East			52.2	54.5	0	0	Total	1.5 r	332.5	290.67	1.5	
East			49	51.6	0	0	Total	1.5 r	332.32	290.67	1.5	
East			55.4	58.2	0	0	Total	1.5 r	332.35	293.82	1.5	

Point Sources																					
Name	M.	ID	Result	PWL	Lw / U	Correction	Sound Reduction	Attenuation	Operating Time	K0	Freq.	Direct	Height	Coordinates							
			Day	Evening	Night	Type	Value	norm.	Day	Evening	Night		Day	Special	Night	(dB)	(Hz)	(m)	X	Y	Z
			(dBA)	(dBA)	(dBA)			dB(A)	dB(A)	dB(A)	dB(A)		(min)	(min)	(min)				(m)	(m)	(m)
Exit			97.8	97.8	97.8	Lw	Exit		0	0	0	0	0	0	0	0	0	3.35 r	275.88	297.7	3.35
Entrance			94.8	97.8	97.8	Lw	Entrance		-3	0	0	0	0	0	0	0	0	3 r	507.26	297.83	3
Turbine			72.5	74.3	74.3	Lw	T		3	0	0	0	0	0	0	0	0	1.22 r	294.55	296.12	2
V1			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	312.36	293.51	1.22
V2			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	315.83	293.51	1.22
V3			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	313.41	293.47	1.22
V4			74.3	74.3	74.3	Lw	T		0	0	0	0	0	0	0	0	0	1.22 r	299.21	291.81	1.22
V5			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	305.11	291.78	1.22
V6			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	308.82	291.85	1.22
V7			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	312.34	291.85	1.22
V8			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	315.94	291.74	1.22
V9			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	1.22 r	319.37	291.81	1.22

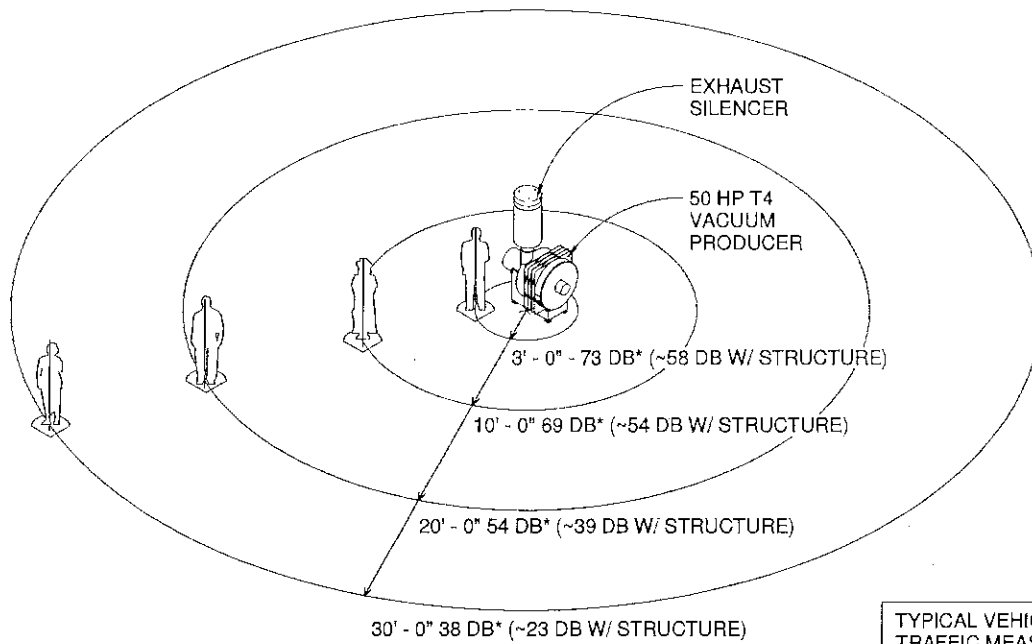
Buildings												
Name	M.	ID	Absorption	Z-Ext.	Can/lever	Height	Begin	End				
			left	right	(m)	h(m)	vert.	(m)				
							(m)	(m)				
						0 r						
					0.75	9.7	0	5.18 r				
								5.18 r				
					0.75	9.7	0	5.18 r				
								5.18 r				
								5.18 r				
								2.44 r				
								1.82 r				

Sound Level													
Name	ID	Type	Octave Spectrum (dB)										Source
			Weight.										
			31.5	63	125	250	500	1000	2000	4000	8000	A	lin
Machell Ex Exit	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Machell Er Entrance	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Turbine	T	Lw		51	55	57	70	72	69	68	61	74.3	76.3
Vacuum V1	Lw			66.9	67.4	69.3	66.5	63.2	68.3	74.1	72.6	79.9	80.4

Result Table												
Receiver	Land Use	Limiting Value	rel. Axis	Distance	Height	Lw / Noise Control	dL req.	Lw / Noise Control	Exceeding	passive NC		
Name	ID	Day	Night	Station	m	Day	Night	Day	Night	Day	Night	
		(dBA)	(dBA)	m	m	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	
Exit		0	0			80	80	85	80	0	-	
Entrance		0	0			78.6	81.5	78.6	81.5	0	-	
West		0	0			45.6	45.6	45.6	45.6	0	-	
North		0	0			31.8	32.4	31.8	32.4	0	-	
East		0	0			52.2	54.5	52.2	54.5	0	-	
East		0	0			49	51.6	49	51.6	0	-	
East		0	0			55.4	58.2	55.4	58.2	0	-	



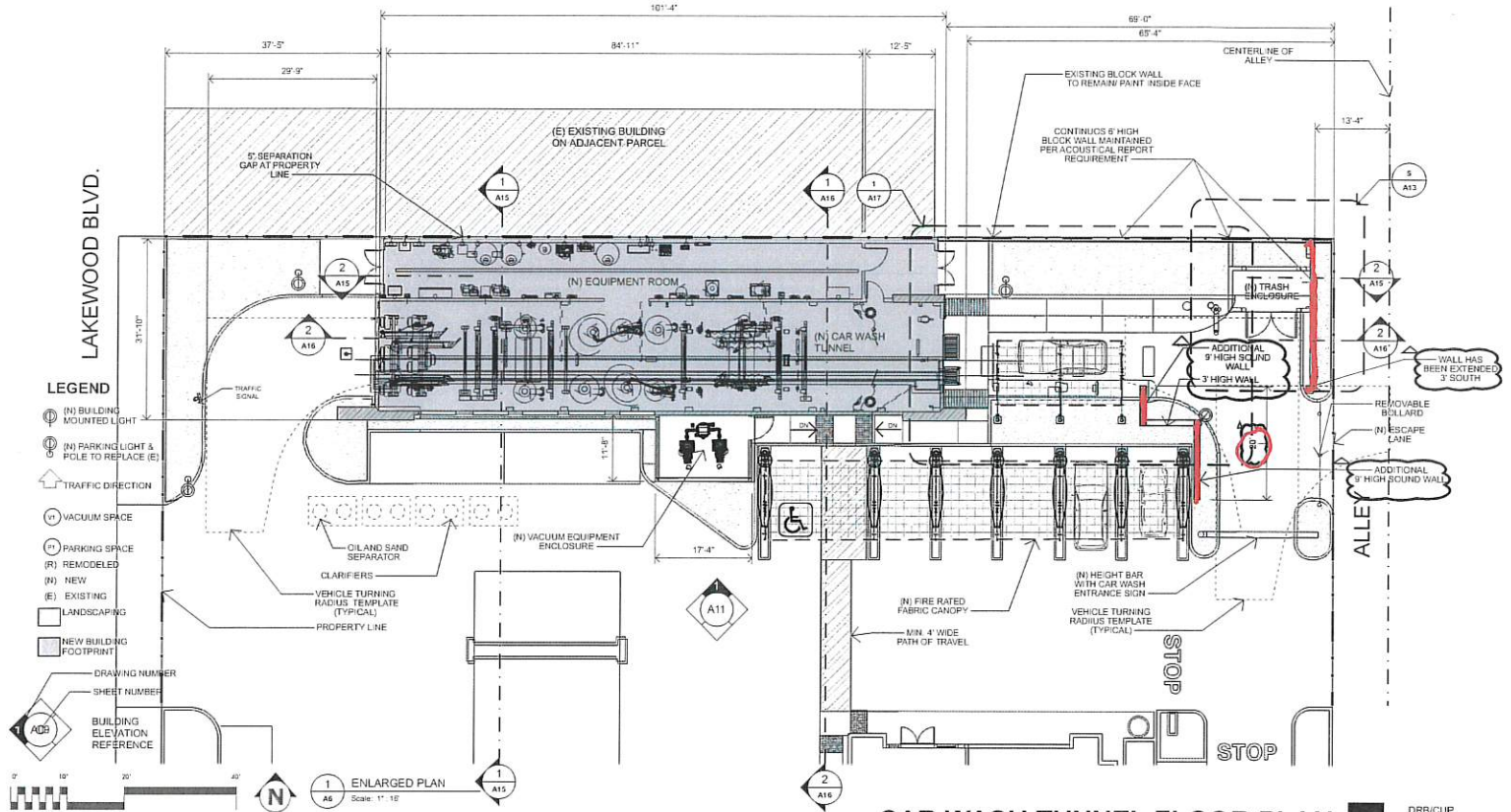
MANUFACTURER'S PRODUCT LITERATURE AND LAYOUT



TYPICAL VEHICULAR TRAFFIC MEASURES 60-75 DB ON MOST CITY STREETS

*BASED ON READINGS TAKEN OUTDOORS, UNOBSTRUCTED, ON A CONCRETE SURFACE

TURBINE SOUND INTENSITY - 50 HP



CAR WASH TUNNEL FLOOR PLAN

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023
A06

BBA BEHR BROWERS ARCHITECTS
INCORPORATED
Architecture

THOUSAND OAKS
CALIFORNIA 91300
805.857.4777

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Mo's Xpress Gas+Wash
4311 South Street, Lakewood, CA
Owner: Mohamed Elbiali

ATTACHMENT "B"



ASSOCIATED TRANSPORTATION ENGINEERS

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Since 1978

Richard L. Pool, P.E.

Scott A. Schell

July 25, 2023

23048L02

Mohamed Elbiali
MGE Oil, LLC
4311 South Street
Lakewood, California 90712

TRAFFIC AND VMT STUDY FOR THE MO'S SERVICE STATION AND CARWASH PROJECT, LAKEWOOD, CALIFORNIA

The following letter presents the results of the traffic and Vehicle Miles Travelled (VMT) study completed by Associated Transportation Engineers (ATE) for the Mo's Service Station and Carwash Project (the "Project"), located in the City of Lakewood. The study was completed to address the comments that were submitted in the appeal of the City's Planning and Environment Commission approval of the proposed CUP amendment.

PROJECT DESCRIPTION

The Project site is located at 4311 South Street in the City of Lakewood. The current Project application is for the reconstruction and equipment upgrade of an existing automated carwash facility to create a new automated tunnel carwash onsite with the existing Mobil gas station and convenience market. The carwash tunnel will be open 7 days a week between the hours of 7:00 AM and 8:00 PM. Carwash customers will be able to purchase a carwash at the gas pump, the carwash kiosk or at the counter inside the convenience store. Two employees will manage the operation of the carwash, while one employee manages the convenience store.

Figure 1 (attached) presents the Project site plan. As shown, site access will be provided via driveway connections to Lakewood Boulevard, South Street and the alley way located on the east side of the site. The proposed design would accommodate a queue of 8 vehicles entering the carwash without blocking the on-site parking spaces (used as part of the carwash for vacuuming) and a queue of 10 vehicles to the driveway on South Street. The Project would also place staff in the carwash drive through area during peak periods to assist with payment and entry to facilitate ingress and egress and utilization of the maximum queuing on-site space. The Project requires a Conditional Use Permit (CUP) to modify the existing carwash. The City of Lakewood Planning and Environment Commission approved CUP 279 Amendment No. 3 to allow the

requested upgrade of the car wash facilities. The CUP was appealed with issues raised regarding alleged inadequate analysis of the carwash trip generation, effects on the adjacent street system, site circulation, and vehicle queues created by the carwash facility.

PROJECT TRIP GENERATION

The trip generation forecasts presented below follow the steps recommended for mixed-use projects in the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition.¹ Given that the Project includes a mix of land uses, the trip generation steps include: 1) calculating trip generation based on ITE rates, 2) calculating internal trips (internal capture trips remain onsite and do not affect the adjacent street network), and 3) determining pass-by trips (pass-by trips affect driveways that provide Project access but do not affect the adjacent street network).

ITE Rates. The ITE trip rates for Service Station with Convenience Mart (ITE #945) were used in the trip generation analysis for the existing onsite facilities other than the carwash. Local study data was used to develop trip estimates for the existing and proposed drive-through carwash facilities since ITE data for that land use does not contain sufficient data points for the trip generation analysis.

ITE data for Car-Wash Automated (ITE #948) has 3 studies that only include weekday PM peak rates but do not include daily or AM peak hour rates and are therefore insufficient for analysis. Thus, trips rates based on the operational data provided by the applicant were developed for the existing tunnel carwash and trip rates from carwash tunnel studies conducted in Santa Barbara were used for the proposed drive-through carwash since the ITE trip generation data is incomplete. Based on carwash transaction history provided by the applicant from May 2022 to June 2023, the existing carwash tunnel washed 19,037 vehicles for an average of 52 vehicles per day. The study data used for the proposed automated carwash was collected at 2 similar sites in the Santa Barbara-Goleta area: 1) Mesa Fuel Depot located at 1929 Cliff Drive in Santa Barbara, and 2) Walnut Shell located at 5097 Hollister Avenue in Goleta. Both of these services stations have fueling positions, convenience markets and automated car wash facilities similar to the Project site. Daily carwash transaction information was compiled for each location for a 12-month period (May 2018 - May 2019). The data showed an average of 124 carwashes per day. AM and PM peak hour transaction records show that 3.4% of the carwashes occurred during the AM peak hour and 9.5% occurred during the PM peak hour. Trip rates for this component of the Project were developed using the data (see attached worksheet that summarizes the transaction data and the trip rate calculations).

Internal Capture. Some of the trips made to the new carwash facility will come from existing customers at the fueling pumps and thus will be internal to the site and not affect the study-area street network. The analysis assumed that 25% of the automated carwash customers would come from the service station or convenience market. The 25% capture rate is conservative as the data collected at the two Santa Barbara-Goleta service station sites discussed previously showed a 45% internal capture rate.

Pass-By Trips. The trip generation analysis also accounts “pass-by” trips pursuant to ITE recommended practices. These trips would be drawn from the existing traffic stream of the

1 Trip Generation, Institute of Transportation Engineers, 11th Edition, 2020.

adjacent roadways and would affect the Project's driveways but would not affect the study-area street network beyond the Project site. Based on studies contained in the ITE Trip Generation Handbook, 62% of AM peak trips and 56% of PM peak hour trips generated by service stations with convenience markets would be pass-by trips. As a conservative assumption, the analysis assumes a 40% pass-by factor. Similarly, to be conservative, a 20% "pass-by" factor was applied to the automated carwash.

Summary. Worksheets showing the detailed trip generation calculations are attached. Tables 1 and 2 summarize the trip generation calculations for the existing and proposed gas station with a carwash tunnel.

Table 1
Existing Gas Station and Carwash Trip Generation Estimates

Land Use	Size	ADT		AM Peak Hour		PM Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Gas Station w/Convenience Mart - Pass-By Trips (40%) Primary Trips	16 Positions	265.12 ^(a)	4,242 1,697 2,545	16.06	257 103 154	18.42	295 118 177
Carwash – Automated - Internal Trips (25%) - Pass-By Trips (20%) Primary Trips	1 Tunnel	102.06 ^(b)	102 26 20 56	3.48	3 1 1 1	9.71	10 2 2 6
Total Pass-By Trips:			1,717		104		120
Total Primary Trips:			2,601		155		183

(a) ITE Trip Generation, 11th Edition.

(b) Trip rate base on operational data provided by applicant.

The data presented in Table 1 indicates that the existing gas station and carwash generates 2,601 average daily, 155 AM peak hour, and 183 PM peak hour "primary" trips. The remaining 1,717 ADT, 104 AM peak hour trips and 120 PM peak hour trips are "pass-by" trips.

Table 2
Proposed Gas Station and Carwash Trip Generation Estimates

Land Use	Size	ADT		AM Peak Hour		PM Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Gas Station w/Convenience Mart - Pass-By Trips (40%) Primary Trips	16 Positions	265.12 ^(a)	4,242 1,697 2,545	16.06	257 103 154	18.42	295 118 177
Carwash – Automated - Internal Trips (25%) - Pass-By Trips (20%) Primary Trips	1 Tunnel	249.00 ^(c)	249 62 50 137	8.50	9 2 2 5	23.70	24 8 5 11
Total Pass-By Trips:			1,747		105		182
Total Primary Trips:			2,682		159		188

(a) ITE Trip Generation, 11th Edition

(c) Trip rate based on studies of similar sites in Santa Barbara-Goleta.

The data presented in Table 2 indicate that the proposed gas station and carwash is forecast to generate 2,682 average daily, 159 AM peak hour and 188 PM peak hour “primary” trips. The remaining 1,747 average daily trips (ADT), 105 AM peak hour trips and 182 PM peak hour trips are “pass-by” trips.

Based on the trip generation estimates presented in Tables 1 and 2, the proposed gas station and carwash would result in a net increase of 81 primary ADT, 4 primary AM peak hour trips and 5 primary PM peak hour trips. These primary trips would be new trips added to the adjacent street system.

PROJECT TRIP DISTRIBUTION

Project-generated traffic was distributed onto the study-area roadway system based on existing traffic patterns in the study-area and consideration of the residential and commercial centers in and surrounding areas of the City. The Project trip distribution is presented in Table 3.

Table 3
Project Trip Distribution

Route	Origin/Destination	Percentage
Lakewood Blvd	North	25%
	South	30%
South Street	East	20%
	West	25%
Total:		100%

POTENTIAL TRAFFIC EFFECTS

Existing ADT volumes for the study-area roadways were obtained from 2022 traffic counts on file with the City of Lakewood. Table 4 compares the Existing and Existing + Project traffic volumes for the study-area roadways.

Table 4
Roadway Levels of Service

Roadway	Geometry	Existing ADT	Existing + Project ADT	Project-Added ADT	% Increase
Lakewood Blvd.	6-Lanes	23,806	23,851	45	0.2%
South St.	4-Lanes	23,258	23,294	36	0.2%

The data presented in Table 4 show that the traffic generated by the Project would increase the traffic volumes on the adjacent roadways by approximately 0.2%. The study-area roadways would continue to operate acceptably with Existing + Project traffic volumes.

SITE ACCESS AND CIRCULATION

As illustrated on the Project site plan (Figure 1), access to the Project site would be provided via driveway connections to Lakewood Boulevard, South Street and the alley way located on the east side of the site. The existing driveway connections to Lakewood Boulevard and South Street are restricted to right-turns in and out only.

Lakewood Boulevard provides access to the Project site and serves the commercial uses adjacent to the Project. Lakewood Boulevard is a 6-lane north-south divided arterial roadway. Curb, gutter, and sidewalk are provided along both the sides of Lakewood Boulevard. The posted speed limit on Lakewood Boulevard is 40 MPH. Based on traffic count data on file with the City of Lakewood, Lakewood Boulevard adjacent to the Project site carries 23,806 ADT. Lakewood Boulevard is flat and straight adjacent to the Project thus good sight distance is provided for right-turns entering and exiting the Project driveway.



South Street also provides access to the Project site and serves the commercial uses in the study-area. South Street is a 4-lane east-west arterial roadway with curb, gutter and sidewalk adjacent to the Project site. The posted speed limit on South Street is 40 MPH. Based on traffic count data on file with the City of Lakewood, South Street adjacent to the Project site carries 23,258 ADT. South Street is flat and straight adjacent to the existing driveway thus; good sight distance is provided for turns entering and exiting the Project driveway.

An existing internal street system (alley way) connects the Project and the adjacent commercial center to South Street to the south and Andy Street to the north. Vehicles can enter and exit the Project site via the alley way. The alley way provides direct access to the carwash tunnel.

Carwash Drive-Through Storage and Queuing

In order to evaluate the adequacy of the vehicle queue storage area provided at the proposed carwash, queue study data was obtained from surveys conducted at similar facilities. Queue data collected for the *Drive-Through Queue Generation Study* is summarized in Table 5. The carwash drive through queue data was collected over 12 days at 6 drive through carwash facilities located in Minnesota, five of the 6 were located at gas stations (queue data is attached).

**Table 5
National Carwash Queues Study Results**

# Studies	Average Maximum Queue	Range of Maximum Queue	85 th Percentile Queue
12 Days	4.42 Vehicles	1-10 Vehicles	6.2 Vehicles

The data presented in Table 5 indicates that the maximum peak queue observed was 10 vehicles and the 85th percentile peak queue observed was 6.2 vehicles. The 85th percentile represents the statistical maximum queue based on the range of the queue data. Review of the field data sheets show that the 10-vehicle queue occurred once at one location. The national survey data suggest that carwash with drive through lanes should be able to accommodate 140 feet of vehicle stacking (7 vehicles).

Queue study data was also obtained from surveys conducted at local similar facilities in Long Beach: 1) Mobil located at Pacific Coast Highway in Long Beach, and 2) Mobil located at 6685 Atlantic Avenue in Long Beach. The local queue data collected is summarized in Table 6. The carwash drive through queue data was collected over 1 day on a Saturday from Noon to 6:00 PM (queue data is attached).

**Table 6
Local Carwash Queues Study Results**

# Studies	Average Maximum Queue	Range of Maximum Queue	85 th Percentile Queue
1 Day	2.66 Vehicles	1-8 Vehicles	3.0 Vehicles

The data presented in Table 6 indicates that the maximum peak queue observed was 8 vehicles and the 85th percentile peak queue observed was 3 vehicles. Review of the field data sheets show that the 8-vehicle queue occurred once at one location.

The vehicle storage provided for the Project carwash drive through lane would accommodate the 85th percentile queues observed in the national and local studies without blocking the parking spaces on the south side of the convenience store building or the South Street driveway. The Project would also accommodate the maximum observed queue without blocking the South Street driveway. It should be noted that the parking spaces on the south side of the convenience store as part of the carwash use as they are used for vehicle vacuuming. Those spaces could be occupied by 2 vehicles even with a carwash drive through queue of 10 vehicles on-site. The parked vehicles would need to wait until the vehicles in the carwash queue proceed forward

towards the carwash entry to back out. There will be periods when the 2 on-site employee parking spaces located on the east side of the convenience market will be blocked by the carwash queue. Since they are employee vehicles, it's not expected that the vehicles would move frequently throughout the employee work shift.

Site Circulation

City staff requested a circulation plan illustrating vehicles entering and exiting the carwash drive through lane. Figures 1 illustrates the site access plan and the onsite queue storage area. The proposed design would accommodate a queue of 8 vehicles entering the car wash without blocking the onsite parking spaces and a queue of 10 vehicles to the driveway on South Street. The flow of traffic on Lakewood Boulevard and South Street would not be adversely affected by the carwash queue.

Figures 2 and 3 illustrate the circulation pattern for vehicles entering and exiting the driveways to and from the carwash drive-through lane. As shown, vehicles would enter the site from the driveways on Lakewood Boulevard, South Street and the alley way and proceed to the car wash entrance located on the south side of the convenience store buildings. Vehicles exiting the car wash tunnel would proceed to the northern driveway on Lakewood Boulevard, the westerly driveway on South Street, or the alley way to exit the site.

Drive-Through Entry. An analysis was completed using the AutoTurn software to evaluate vehicles entering the site and circulating to the carwash drive-through lane. As illustrated on Figure 4, vehicles can maneuver into the carwash drive-through lane from the site driveways and the fuel pumps. Based on a review of the proposed site plan, the internal fuel pump and parking lot design would accommodate vehicle movements to the carwash entrance lane.



Figure 5 illustrates the proposed drive-through access plan, which incorporates pavement marking and directional signs. As shown on the left, pavement markings would be installed to direct vehicles entering the site from Lakewood Boulevard and South Street to the carwash drive-through lane. Additional signage would be provided onsite to direct vehicles from the fuel pumps to the entrance lane. A “Keep Clear” zone would also be installed at the alley way entrance

to ensure that vehicles entering the car wash tunnel area do not block the driveway.

Drive-Through Exit. Figure 6 illustrates the vehicle maneuvers for cars exiting the carwash tunnel. As shown on the figure, vehicles would exit the carwash tunnel at the northwest corner of the site and then proceed to exit the site via a right-turn on Lakewood Boulevard, a right-turn on South Street, or proceed east to the alley way. A STOP-Sign, STOP bar, and STOP legend are proposed to be incorporated near the drive-through exit (see Figure 7). Based on a review of the proposed site plan, the internal fuel pump and parking lot design would accommodate vehicle movements exiting the carwash tunnel.



The queue study data presented previously indicated that forecasted carwash drive-through queues (6 to 10 vehicles) would be accommodated in the stacking lane provided. As noted, the drive-through lane provides storage for 8 vehicles before the parking spaces located on the south side of the convenience store and storage for 10 vehicles to the driveway on South Street. Thus, the site design would accommodate a queue of 10 (see Figure 8) vehicles extending to the south without interfering with operations on South Street.

VEHICLE MILES TRAVELED ANALYSIS



In accordance with CEQA guidelines section 15064.3 adopted in 2018 and effective on July 1, 2020, VMT has been designated as the most appropriate measure of transportation impacts. As such, vehicle delay, levels of service and other measures of vehicular capacity or traffic congestion are no longer a basis for determining significant transportation impacts under CEQA for land use projects. “Vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. For land use projects, vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. The City of Lakewood has not adopted VMT thresholds of significance or analysis methodologies at this time. Therefore the State’s guidance on the evaluation of VMT impacts was used.

CEQA Guidelines. The California Governor’s Office of Planning and Research (OPR) published a technical advisory that includes recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures² The recommended VMT impact threshold for retail facilities is as follows:

“Recommended threshold for retail projects: A net increase in total VMT may indicate a significant transportation impact. Because new retail development typically redistributes shopping trips rather than creating new trips,³ estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project’s transportation impacts. By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-serving retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact. Where such development decreases VMT, lead agencies should consider the impact to be less-than-significant. Many cities and counties define local-serving and regional-serving retail in their zoning codes. Lead agencies may refer to those local definitions when available, but should also consider any project- specific information, such as market studies or economic impacts analyses that might bear on customers’ travel behavior. Because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are

2 Technical Advisory on Evaluating Transportation Impacts in CEQA, Governor’s Office of Planning and Research, December 2018.

3 Measuring the impacts of local land-use policies on vehicle miles of travel: The case of the first big-box store in Davis, California, The Journal of Transport and Land Use, 2013.

likely in the best position to decide when a project will likely be local serving. Generally, however, retail commercial development including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT.

Given the size and location of the Project (net addition of 3,579 SF), it would be considered "local-serving" retail development that may be presumed to have a less than significant transportation impact based on the thresholds provided in the Technical Advisory (less than 50,000 SF). The location of the Project site will provide a convenient local-serving drive-through carwash facility for Lakewood residents and commuters that would divert traffic from Lakewood Boulevard and South Street currently traveling to the other drive-through carwash and gas station facilities. By improving destination proximity, the carwash Project will shorten trips and reduce VMT. It is also noted that a significant percentage of Project generated traffic (49% - 62%) would be "pass-by" in nature and thus is already travelling on the City's street system and not creating additional VMT. Thus, the Project would not generate significant CEQA impacts.

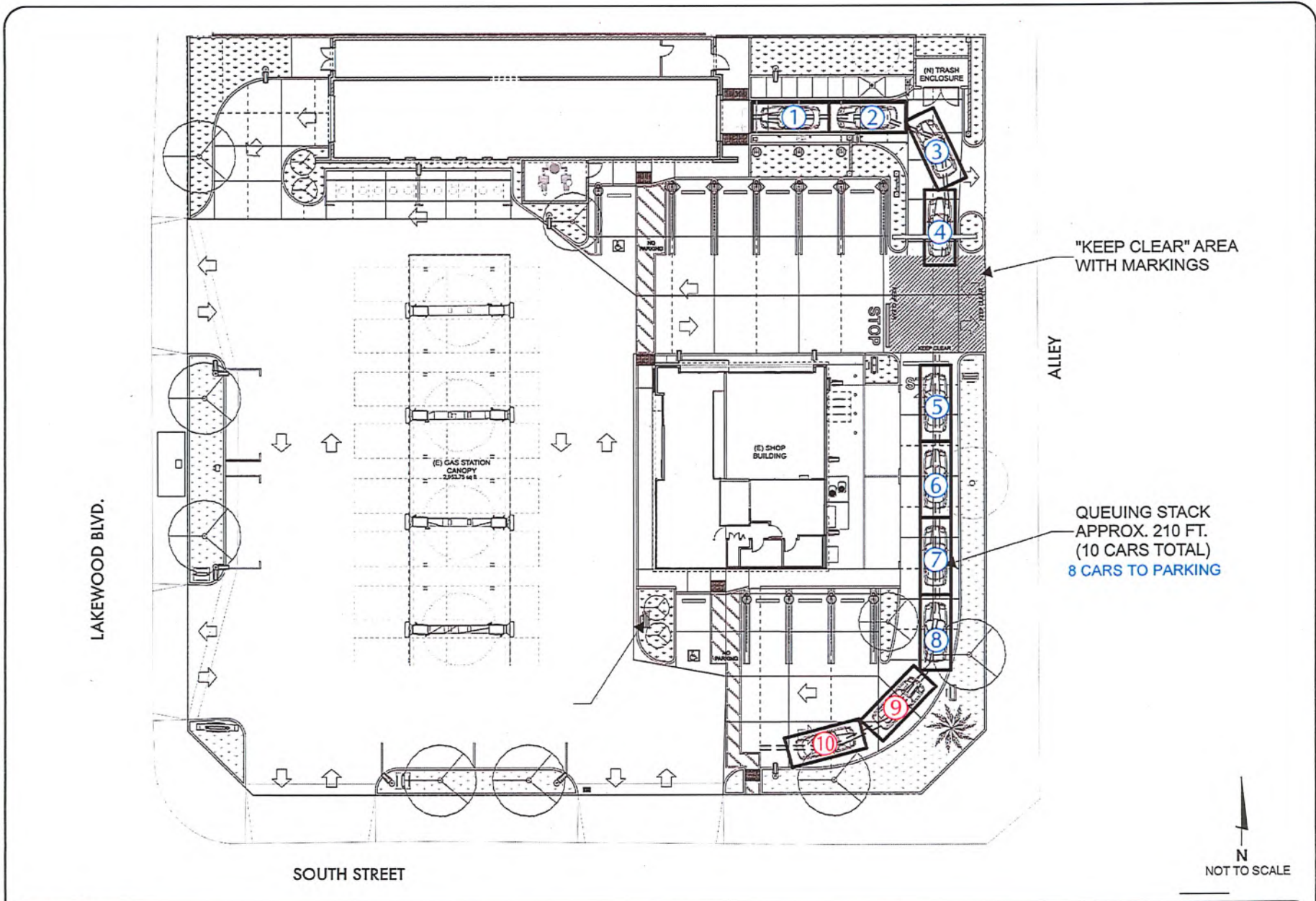
This concludes ATE's traffic study and VMT analysis for Mo's Carwash Express Project. We appreciate the opportunity to assist you and the City with the Project.

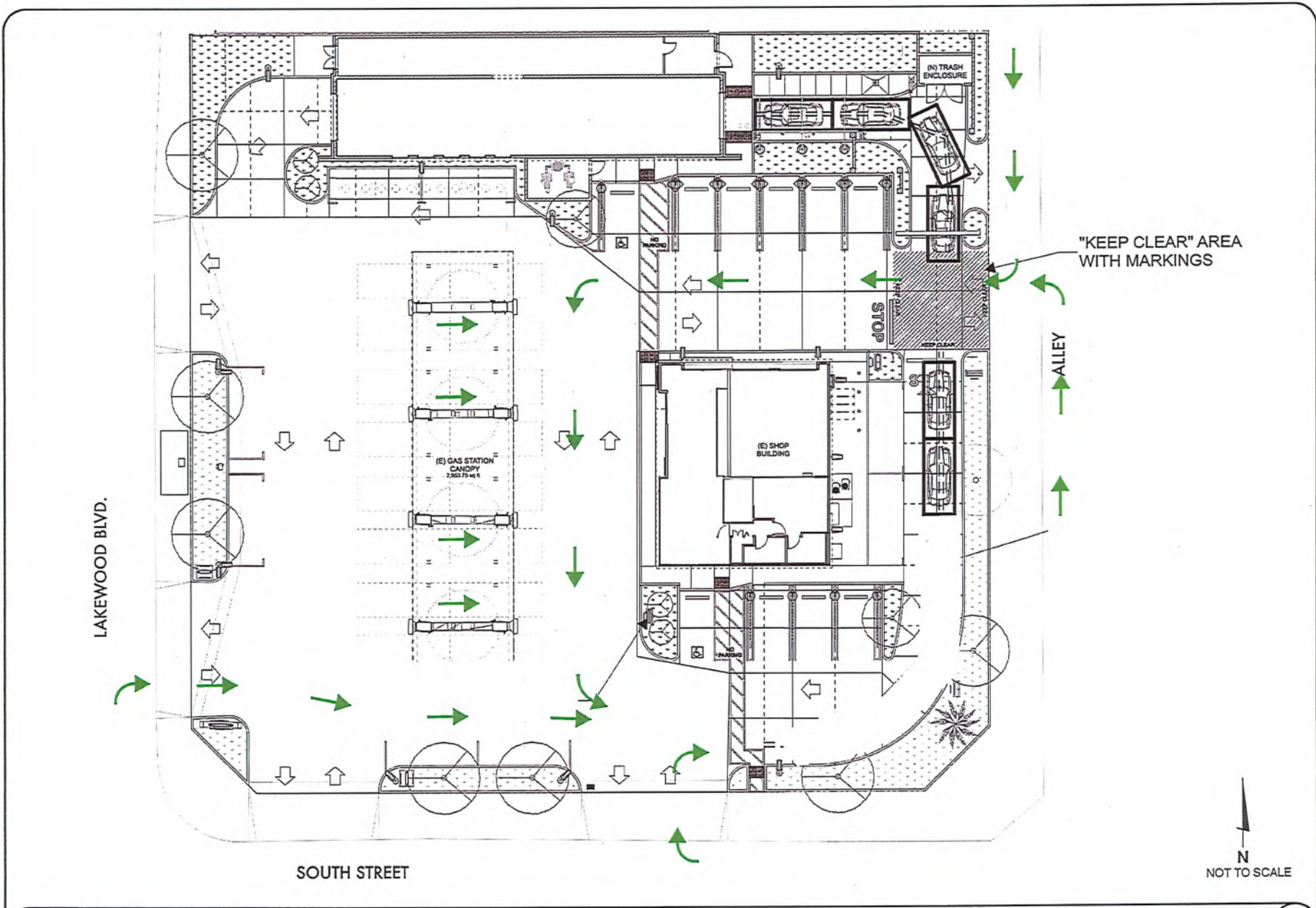
Associated Transportation Engineers

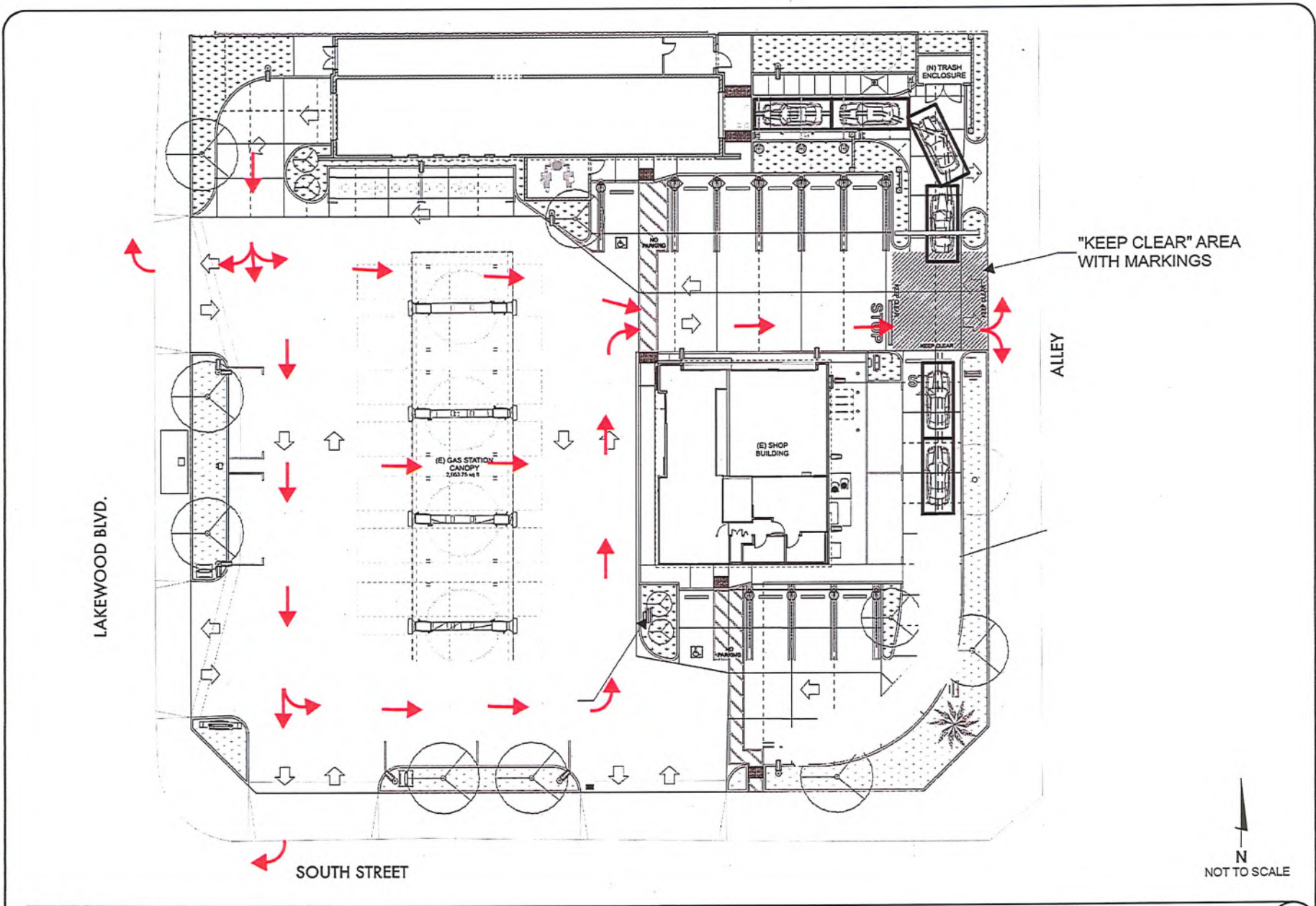


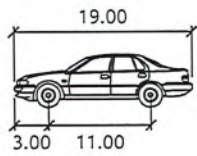
By: Scott A. Schell
Principal Transportation Planner

attachments: Figure 1 - Project Site Plan
Figure 2 - Inbound Access Routes
Figure 3 - Outbound Access Routes
Figure 4 - Inbound Turning Movements
Figure 5 - Proposed Pavement Markings and Directional Signs
Figure 6 - Outbound Turning Movements
Figure 7 - Stop Sign, Stop Legend and Stop Bar at Carwash Entry and Exit
Figure 8 - Maximum Vehicle Queues - 10 Vehicles
Santa Barbara - Goleta Carwash Transaction Data
National Carwash Queue Data
Long Beach Carwash Queue Data



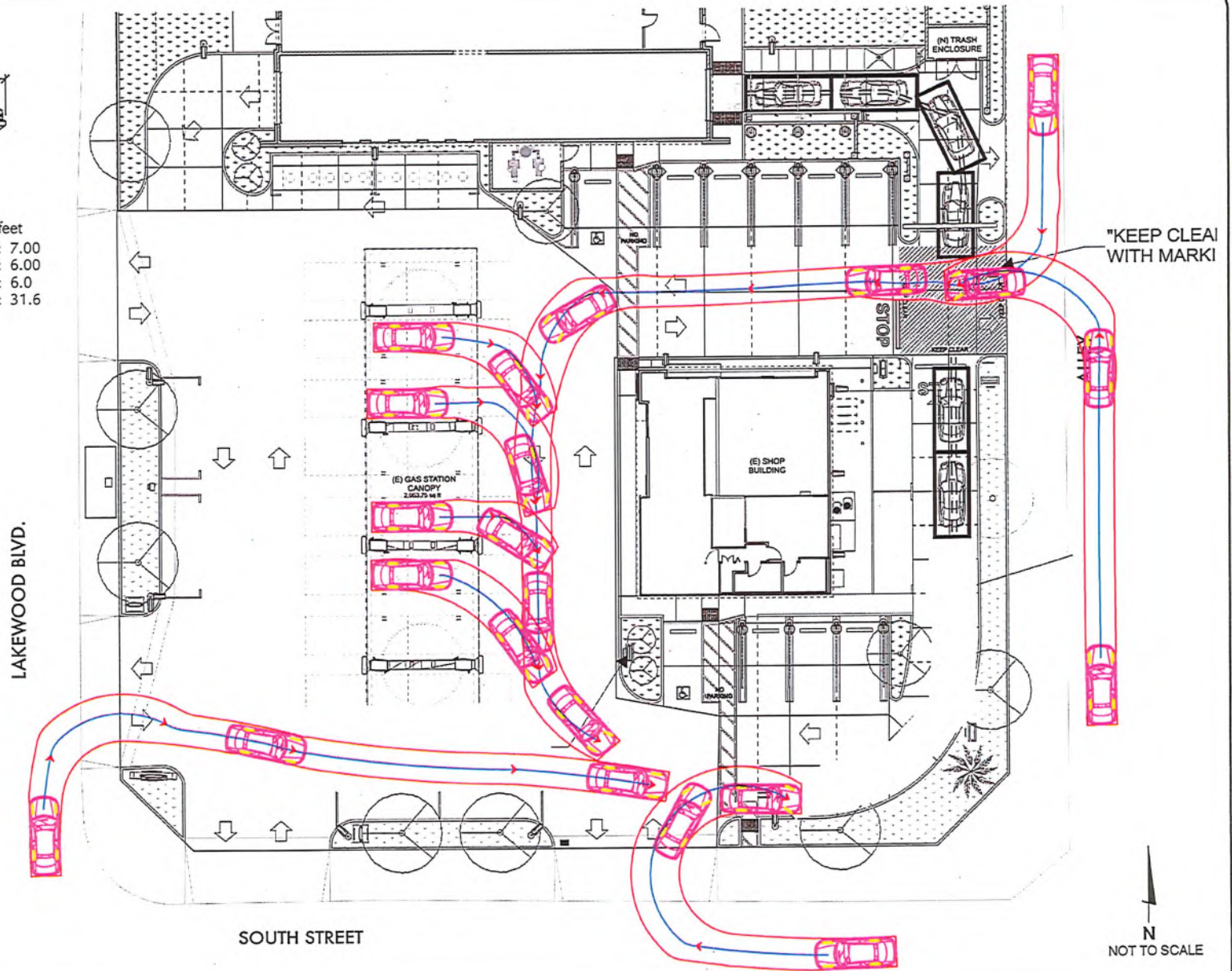






P

Width : 7.00 feet
 Track : 6.00 feet
 Lock to Lock Time : 6.0 seconds
 Steering Angle : 31.6 degrees



"KEEP CLEAR WITH MARK"

N
 NOT TO SCALE

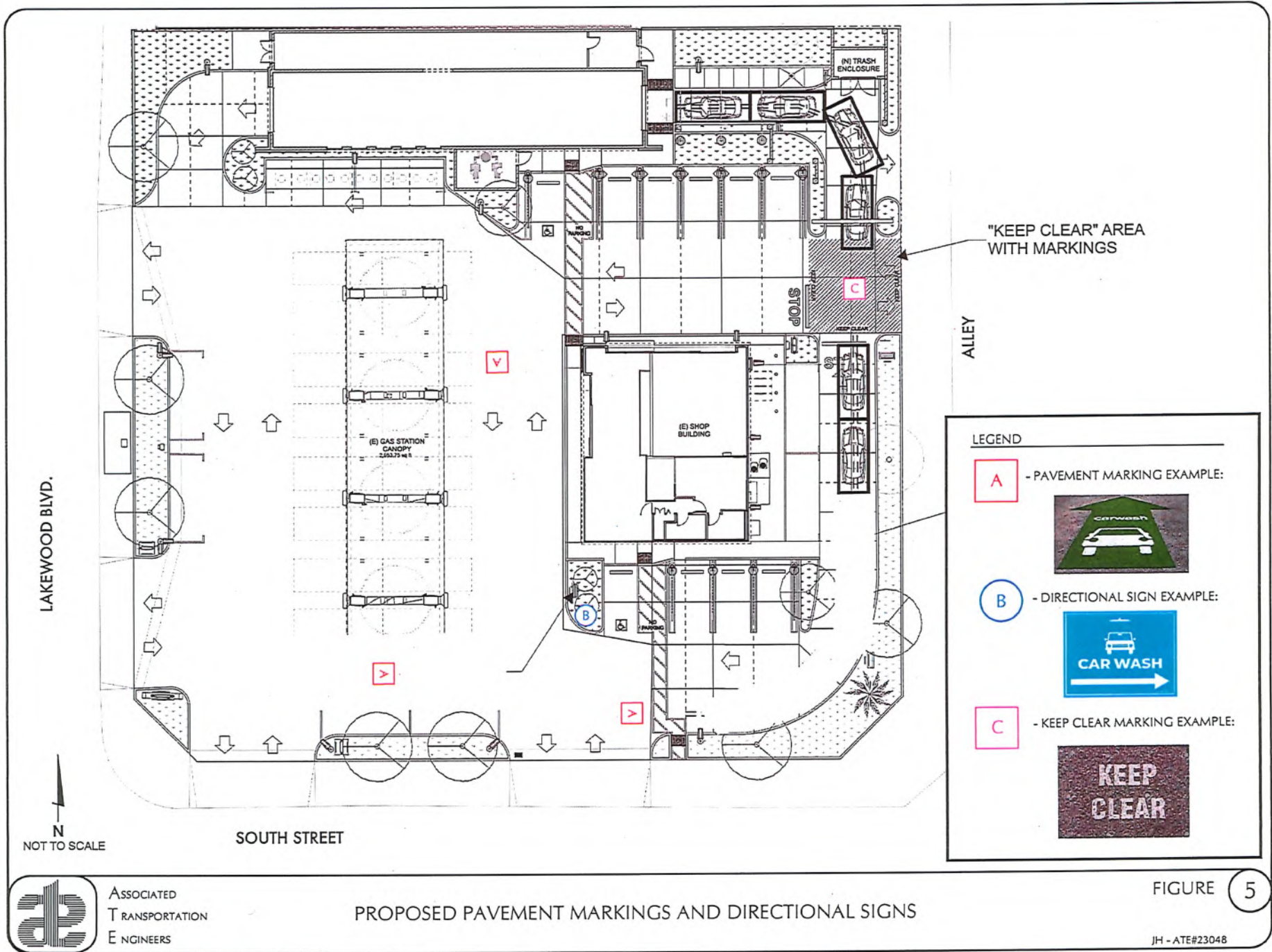


ASSOCIATED
 TRANSPORTATION
 ENGINEERS

INBOUND TURNING MOVEMENTS

FIGURE 4

JH - ATE#23048



"KEEP CLEAR" AREA WITH MARKINGS

ALLEY

LEGEND

A

- PAVEMENT MARKING EXAMPLE:



B

- DIRECTIONAL SIGN EXAMPLE:



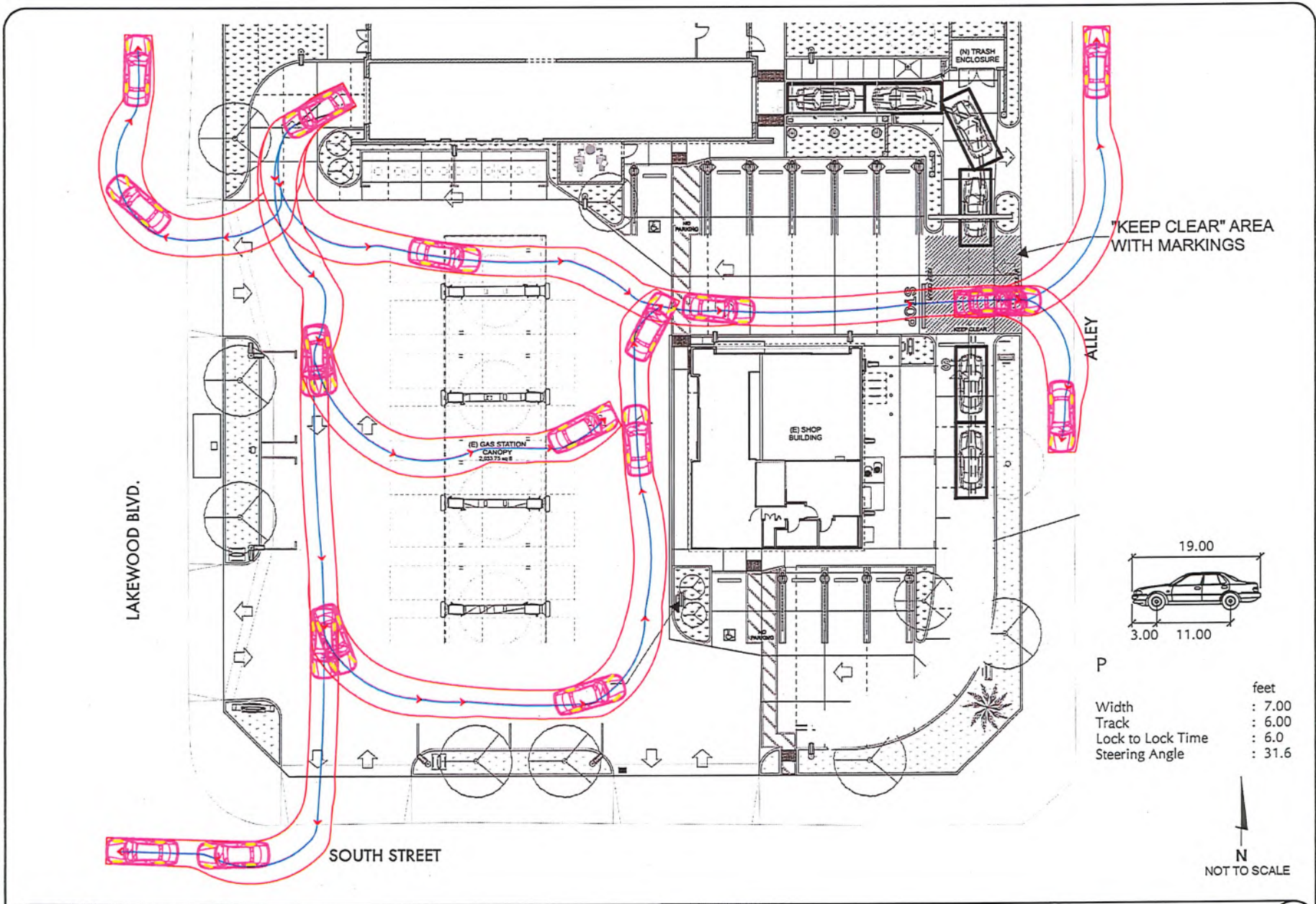
C

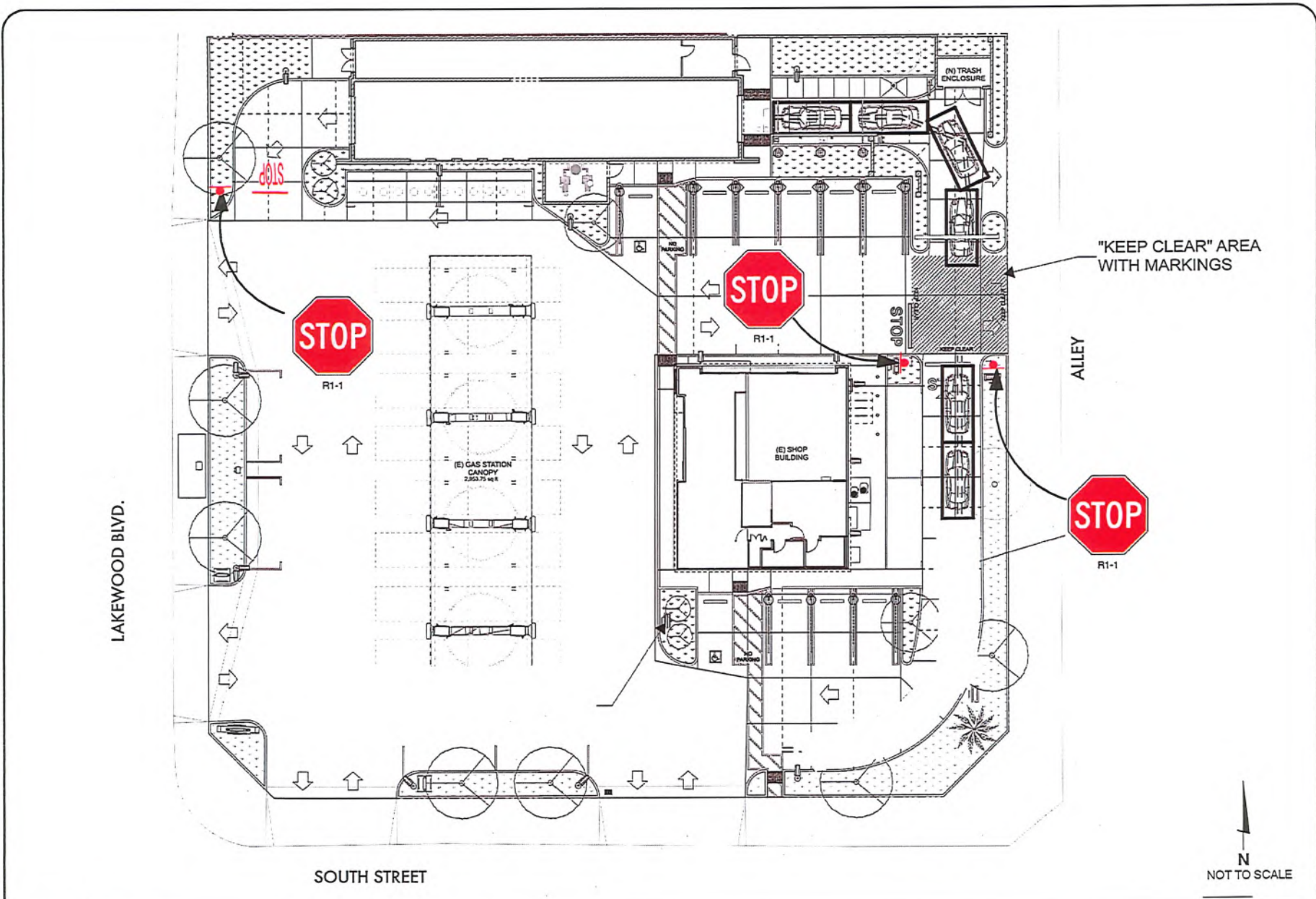
- KEEP CLEAR MARKING EXAMPLE:



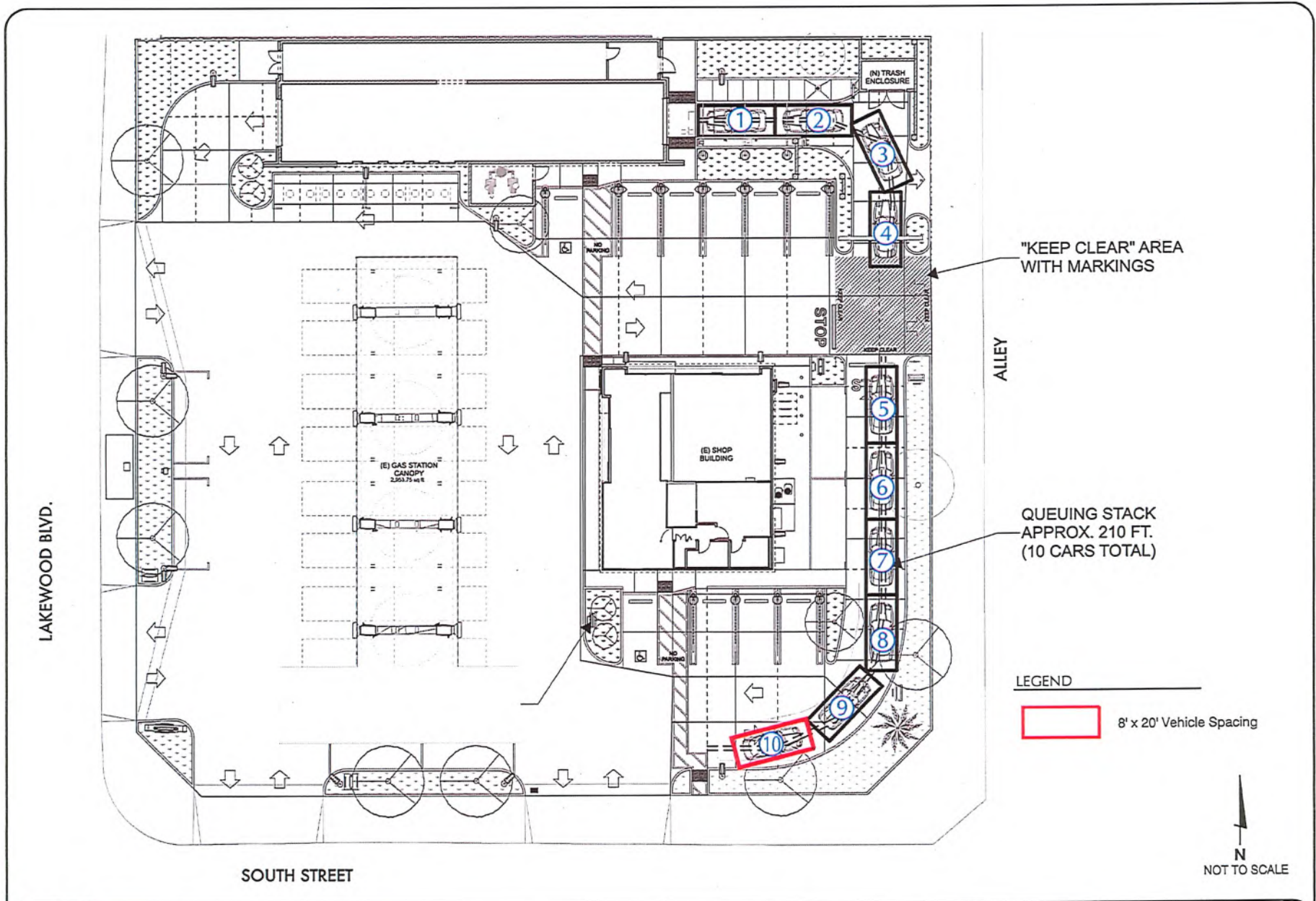
PROPOSED PAVEMENT MARKINGS AND DIRECTIONAL SIGNS

FIGURE 5





STOP SIGN, STOP LEGEND, AND STOP BAR AT CARWASH ENTRY AND EXIT



"KEEP CLEAR" AREA WITH MARKINGS

ALLEY

QUEUING STACK APPROX. 210 FT. (10 CARS TOTAL)

LEGEND

8' x 20' Vehicle Spacing

N
NOT TO SCALE

TRIP GENERATION AT 2 LOCAL FUEL DEPOT SITES (Walnut & Mesa)

WALNUT CAR WASH

	Pay at Pump/Store	Pay at Pedestal	Pay TOTAL	Pay % Pump/Store	Pay % Pedestal
May-18	1,038	836	1,874	55%	45%
Jun-18	1,653	1,591	3,244	51%	49%
Jul-18	1,774	1,712	3,486	51%	49%
Aug-18	1,754	1,624	3,378	52%	48%
Sep-18	1,667	1,529	3,196	52%	48%
Oct-18	1,164	1,157	2,321	50%	50%
Nov-18	1,115	987	2,102	53%	47%
Dec-18	0	0	0		
Jan-19	392	319	711	55%	45%
Feb-19	227	185	412	55%	45%
Mar-19	409	313	722	57%	43%
Apr-19	1,271	1,105	2,376	53%	47%
May-19	848	718	1,566	54%	46%
Totals >	13,312	12,076	25,388	52%	48%

MESA CAR WASH

	Pay at Pump/Store	Pay at Pedestal	Pay TOTAL	Pay % Pump/Store	Pay % Pedestal
May-18	2,727	4,103	6,830	40%	60%
Jun-18	2,970	4,029	6,999	42%	58%
Jul-18	3,193	4,293	7,486	43%	57%
Aug-18	3,143	4,321	7,464	42%	58%
Sep-18	3,220	4,438	7,658	42%	58%
Oct-18	2,458	3,212	5,670	43%	57%
Nov-18	2,133	2,789	4,922	43%	57%
Dec-18	1,288	1,709	2,997	43%	57%
Jan-19	882	1,164	2,046	43%	57%
Feb-19	571	925	1,496	38%	62%
Mar-19	1,394	2,278	3,672	38%	62%
Apr-19	2,581	3,789	6,370	41%	59%
Totals >	26,560	37,050	63,610	42%	58%
TOTAL BOTH >	39,872	49,126	88,998	45%	55%

TRIP GENERATION RATES

Days in 2-Year Period >
Car Washes Per Day>

716 (number of days data was collected)
124.30 (88,998 washes / 716 days)

ADT = 249 (a)
AM Peak Hour = 8.5 (b)
PM Peak Hour = 23.7 (c)

(a) ADT rate based on local studies (124.3 cars per day x 2 = 249).

(b) AM peak hour rate based on local studies (3.4% of car washes occurred during the AM peak hour).

(c) PM peak hour rate based on local studies (9.5% of car washes occurred during the PM peak hour).

Drive-Through Queue Generation

Mike Spack, PE, PTOE, Max Moreland, EIT, Lindsay de Leeuw, Nate Hood

1.0 Introduction

This report provides queuing data for businesses with drive-through services. It is intended to be an aid for site designers and reviewers, similar to the Institute of Transportation Engineers' *Trip Generation* and *Parking Generation* reports. The data presentation is modeled on the *Parking Generation* report and data is provided based on at least six sites, similar to data sets marked as statistically significant in *Trip Generation*.

Businesses with drive-through lanes are very common in the United States and having data that gives usage information for drive-through lanes will assist designers as well as cities in determining the appropriate amount of storage needed for proposed drive-through businesses. Data for drive-through queues was published by the ITE Technical Council Committee 5D-10 in 1995 based on information collected between the late 1960's and the 1990's. A paper was also published in 2009 by Mark Stuecheli, PTP giving updated information for bank and coffee shop drive-through lanes. The results from the 2009 study are incorporated into this paper (thank you Mark for your assistance).

2.0 Data Collection

Data was collected using COUNTcam video recording systems at a total of 30 drive-through locations in Minneapolis, MN and several surrounding suburbs between 2010 and 2012 (26 of the 30 videos were recorded in February of 2012, which should represent peak usage in the cold Minnesota winter). Videos of drive-through lanes were collected at banks, car washes, coffee shops, fast food restaurants and pharmacies. A total of six locations were selected for each of the five different land uses. Each location was recorded for between one and five days where the majority of locations were recorded for two consecutive days. The days of the week that each video was recorded on varies.

The 24-hour videos were watched at high speeds with the PC-TAS counting software and maximum queues throughout the day were noted. Most of the COUNTcams were set up such that the entire queue lane could be seen, but at a few locations the drive-through lanes wrapped around the building in a way that the entire queue length would not be able to be seen. For these situations, the COUNTcams were set up so that the ordering window and back of the queue could be seen and it was noted how many vehicles could fit between the ordering window and the front of the queue. For drive-through locations with multiple lanes, the number of lanes was noted but the maximum queue is defined as the sum of the queues at each lane for any given point in time, not the queue per lane. This approach provides overall demand, which may assist designers in determining how many drive through lanes are appropriate in addition to determining how long they should be.

Once the maximum queue for each day at each location was determined, the data was compiled and statistics for each land use were calculated. The average maximum queue, standard deviation, coefficient of variation, range, 85th percentile and 33rd percentile were calculated for each land use.

Data for drive-through coffee shops and banks from the Kansas City, Kansas metropolitan area was published in the 2009 paper New Drive-Through Stacking Information for Banks and Coffee Shops by Mark Stuecheli. This data is included in the analysis.

3.0 Data Analysis

Based on the peak queue lengths, it is apparent that each land use will require a different minimum drive through stacking distance. The results for each land use can be found below. The peak queue lengths for each location, broken down by land use and day of the week, can be found in the Appendix.

3.1 Banks

Data collection was done at six banks with drive-through services (including one credit union) in August 2011 and February 2012. Twelve days of data were collected. The banks were located in the cities of Minneapolis, Robbinsdale and St. Louis Park, MN.

All of the locations had a lane with a drive-through ATM and at least two other lanes. Though service times may differ for ATM lanes compared to the regular lanes, the maximum queues were counted together. This is because based upon what was observed, vehicles would occasionally switch the lane they were in. For example, a vehicle waiting in the ATM line with a queue of three vehicles may move over to a regular line with a queue of only one vehicle. Much of what can be done at the bank’s drive-through lane can also be accomplished at that bank’s ATM and vice versa. Vehicles being served were counted as being in the queue.

Nine days of data from the Kansas City, Kansas area is also included. This data does not factor in vehicles in ATM lanes.

Table 3.1 – Drive-Through Bank Maximum Queue Statistics

	Minnesota Data	Minnesota + Kansas Data
Number of Data Points	12	21
Average Maximum Queue (Vehicles)	5.83	5.76
Standard Deviation (Vehicles)	1.85	2.21
Coefficient of Variation	32%	38%
Range (Vehicles)	3 to 8	1 to 10
85th Percentile (Vehicles)	8.00	8.00
33rd Percentile (Vehicles)	5.00	5.00

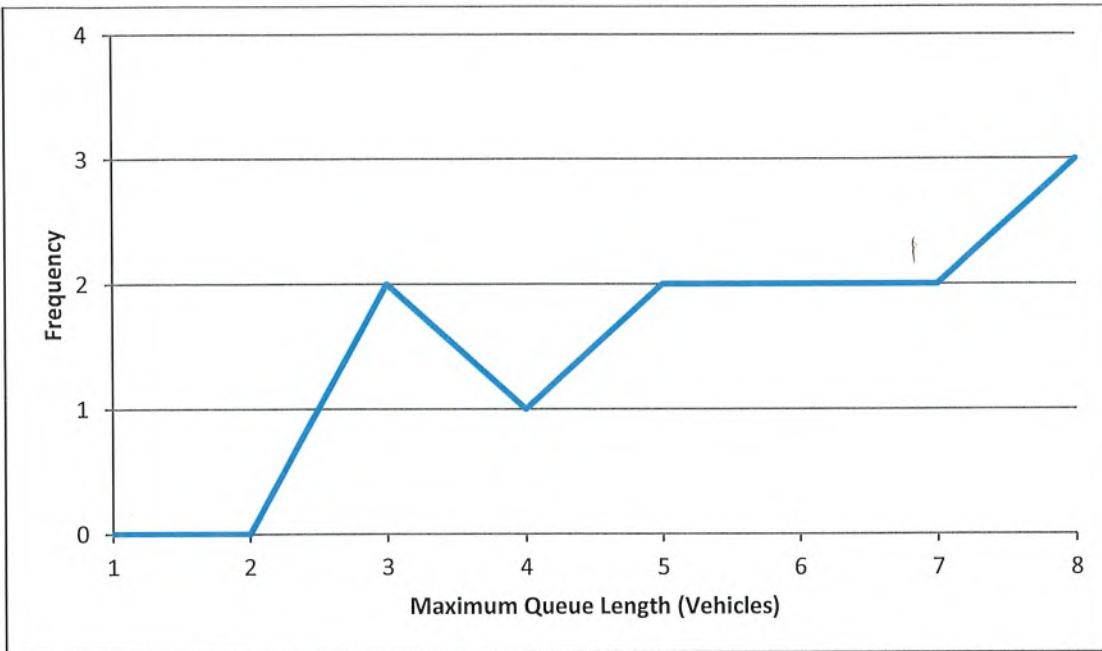


Figure 3.1.1 – Drive-Through Bank Maximum Queue Frequency – Minnesota Data

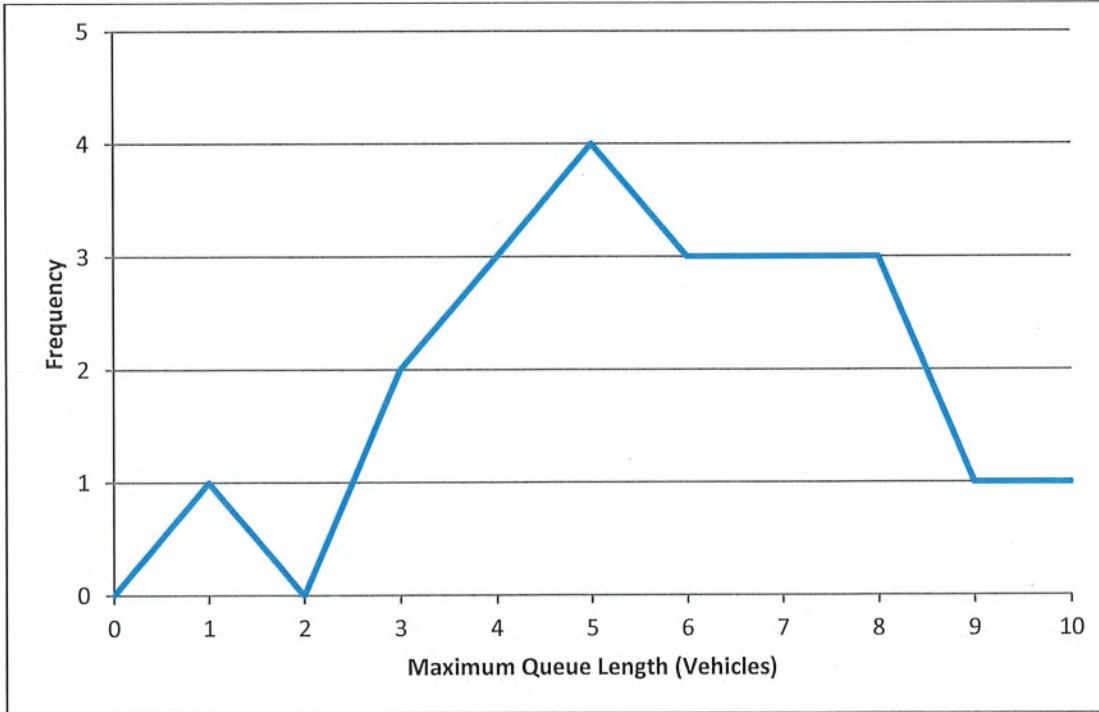


Figure 3.1.2 – Drive-Through Bank Maximum Queue Frequency – Minnesota + Kansas Data

The data for Kansas banks was collected between 4:30pm and 6:00pm. While many of the maximum queues for the data collected in Minnesota were between these times, maximum queues occurred between 8:30am and 5:30pm so it is possible that some of the Kansas data does not capture the actual maximum queues for the day.

The number of available lanes at banks, not including the ATM lane, ranged from two to seven lanes (though the most open at one time was five lanes). Even though plenty of lanes were available, cars often stacked at the lane closest to the building, thus additional lanes may not result in shorter queues. With an 85th percentile maximum queue of eight vehicles, the data suggests that banks with drive-through lanes should be able to accommodate 160 feet of vehicle stacking.

3.2 Car Washes

Data collection was done at six car washes with drive-through services (including one full-service car wash) in February 2012. Twelve days of data were collected. The car washes were located in the cities of Falcon Heights, Hopkins, Minneapolis, Roseville and St. Louis Park, MN. Five of the six car washes (excluding the full-service car wash) were located at gas stations. Only the vehicles waiting in line were counted; vehicles being washed were not added to the queue.

Table 3.2 – Drive-Through Car Wash Maximum Queue Statistics

Number of Data Points	12
Average Maximum Queue (Vehicles)	4.42
Standard Deviation (Vehicles)	2.31
Coefficient of Variation	52%
Range (Vehicles)	1 to 10
85 th Percentile (Vehicles)	6.20
33 rd Percentile (Vehicles)	3.00

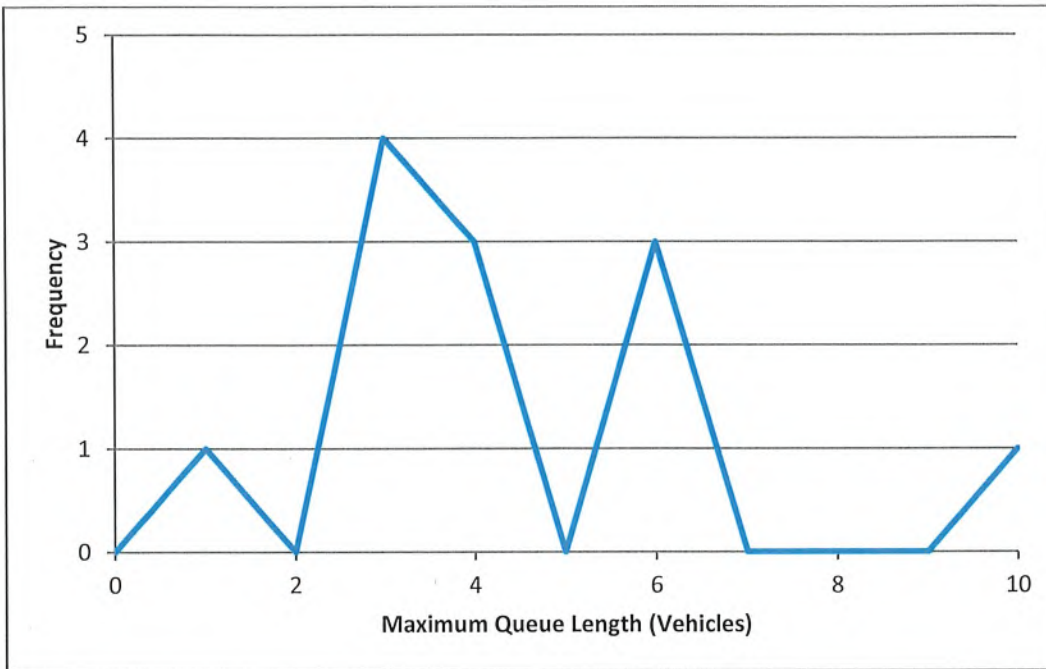


Figure 3.2 – Drive-Through Car Wash Maximum Queue Frequency

Two of the car washes had two lanes while the other four were one lane car washes. The full-service car wash had two lanes and also produced the highest maximum queue of 10 vehicles. The maximum queues for car washes were spread throughout the afternoon from 12:30pm to 8:30pm. With an 85th percentile maximum queue of more than six vehicles, the data suggests that car washes with drive-through lanes should be able to accommodate 140 feet of vehicle stacking throughout the day.

3.3 Coffee Shops

Data collection was done at six coffee shops with drive-through services in November 2010, August 2011 and February 2012. Fourteen days of data were collected. The coffee shops were located in the cities of Edina, Hopkins, Minneapolis, Roseville and St. Louis Park, MN. Vehicles being served were counted as being in the queue. Twelve days of data from the Kansas City, Kansas area is also included.

Table 3.3 – Drive-Through Coffee Shop Maximum Queue Statistics

	Minnesota Data	Minnesota + Kansas Data
Number of Data Points	14	26
Average Maximum Queue (Vehicles)	11.00	10.23
Standard Deviation (Vehicles)	2.25	2.76
Coefficient of Variation	20%	27%
Range (Vehicles)	7 to 16	3 to 16
85th Percentile (Vehicles)	13.50	13.00
33rd Percentile (Vehicles)	10.00	9.91

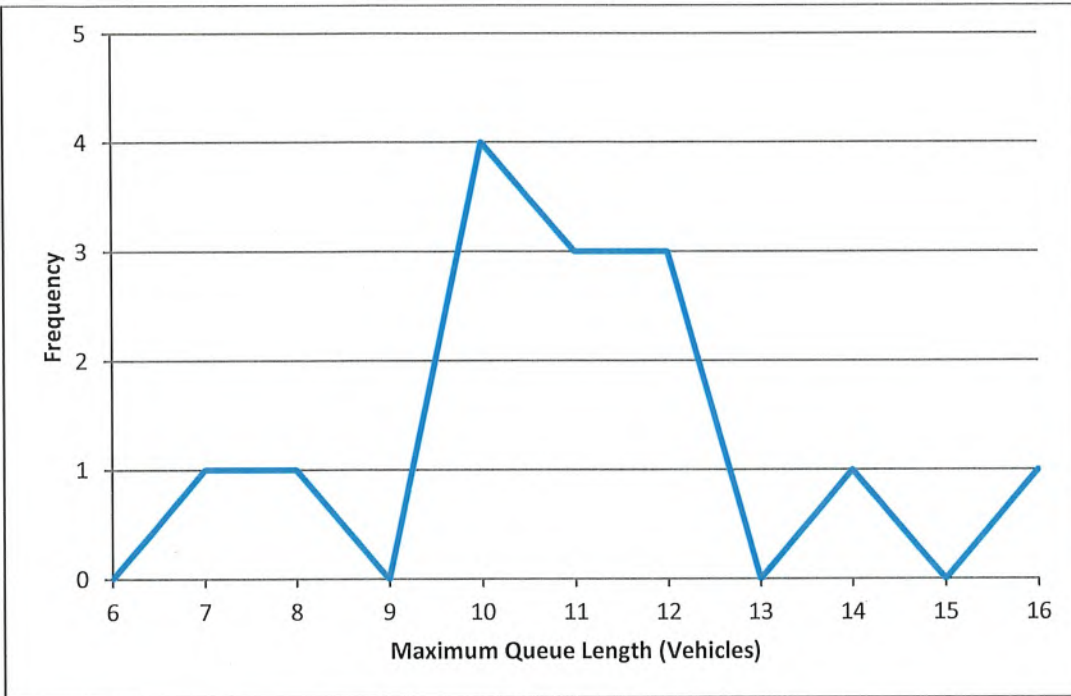


Figure 3.3.1 – Drive-Through Coffee Shop Maximum Queue Frequency – Minnesota Data

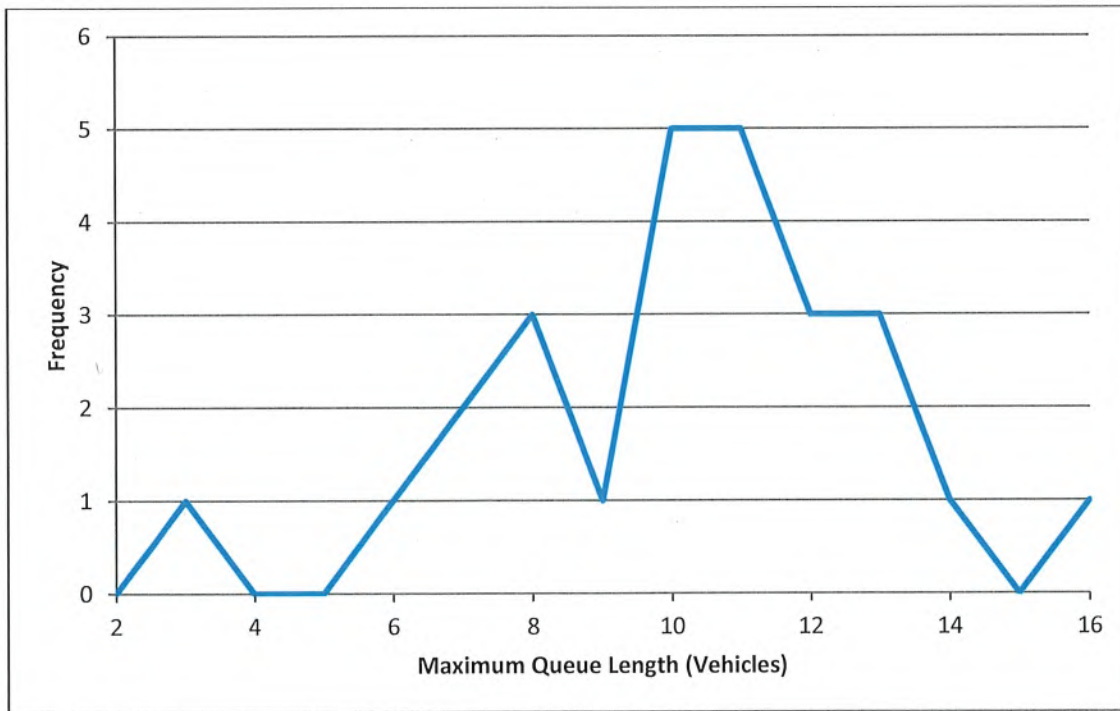


Figure 3.3.2 – Drive-Through Coffee Shop Maximum Queue Frequency – MN + KS Data

Coffee shops produced the longest maximum queues of any of the land uses in this study with all of the maximum queues occurring in the morning. In four of the six cases, the queues spilled out of the parking lot and into the street. These spillovers would typically only happen once or twice a day and last only a few minutes, however, one location had stacking into the street for about 15 minutes in addition to multiple periods of several minutes where cars would queue in the street.

With an 85th percentile maximum queue of 13 vehicles, the data suggests that coffee shops with drive-through lanes should be able to accommodate at least 260 feet of vehicle stacking during morning hours.

3.4 Fast Food Restaurants

Data collection was done at six fast food restaurants with drive-through services in August 2011 and February 2012. Fourteen days of data were collected. The restaurants were located in the cities of Golden Valley, Hopkins, Minneapolis and St. Louis Park, MN. Vehicles being served were counted as being in the queue.

Table 3.4 – Drive-Through Fast Food Restaurant Maximum Queue Statistics

Number of Data Points	14
Average Maximum Queue (Vehicles)	8.50
Standard Deviation (Vehicles)	2.68
Coefficient of Variation	32%
Range (Vehicles)	5-13
85th Percentile (Vehicles)	12.00
33rd Percentile (Vehicles)	7.90

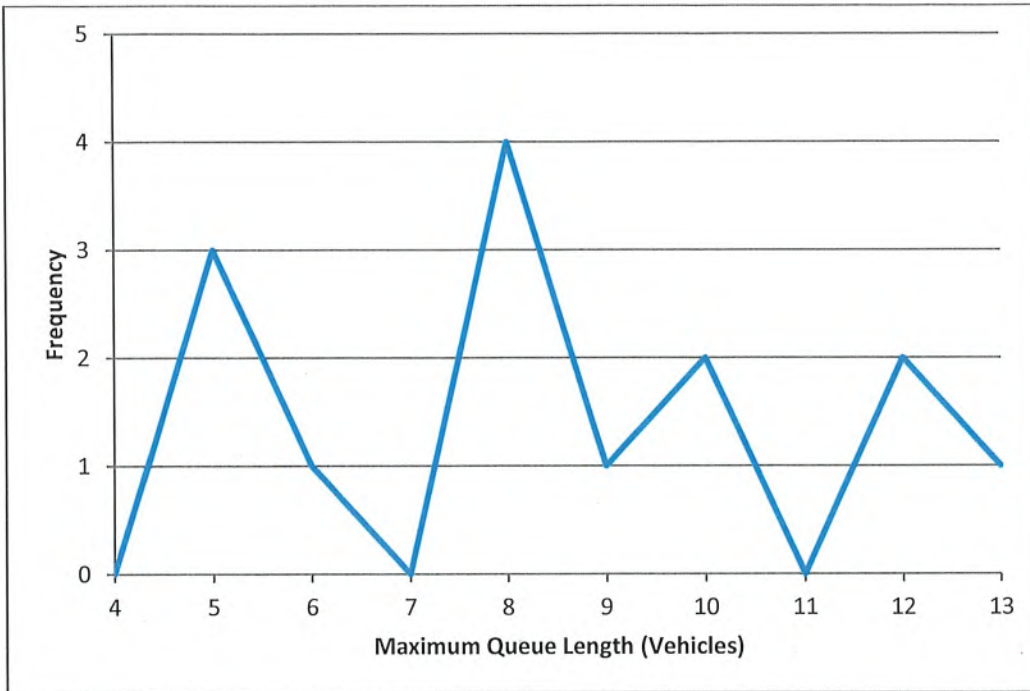


Figure 3.4 – Drive-Through Fast Food Restaurant Maximum Queue Frequency

The maximum queues for fast food restaurants were spread throughout the day from 8:00am to 10:00pm. With an 85th percentile maximum queue of 12 vehicles, the data suggests that fast food restaurants with drive-through lanes should be able to accommodate 240 feet of vehicle stacking throughout the day.

3.5 Pharmacies

Data collection was done at six pharmacies with drive-through services in February 2012. Twelve days of data were collected. The pharmacies were located in the cities of Hopkins, Minneapolis, New Hope and Robbinsdale, MN. Vehicles being served were counted as being in the queue.

Table 3.5 – Drive-Through Pharmacy Maximum Queue Statistics

Number of Data Points	12
Average Maximum Queue (Vehicles)	2.92
Standard Deviation (Vehicles)	1.16
Coefficient of Variation	40%
Range (Vehicles)	1-5
85th Percentile (Vehicles)	4.05
33rd Percentile (Vehicles)	2.00

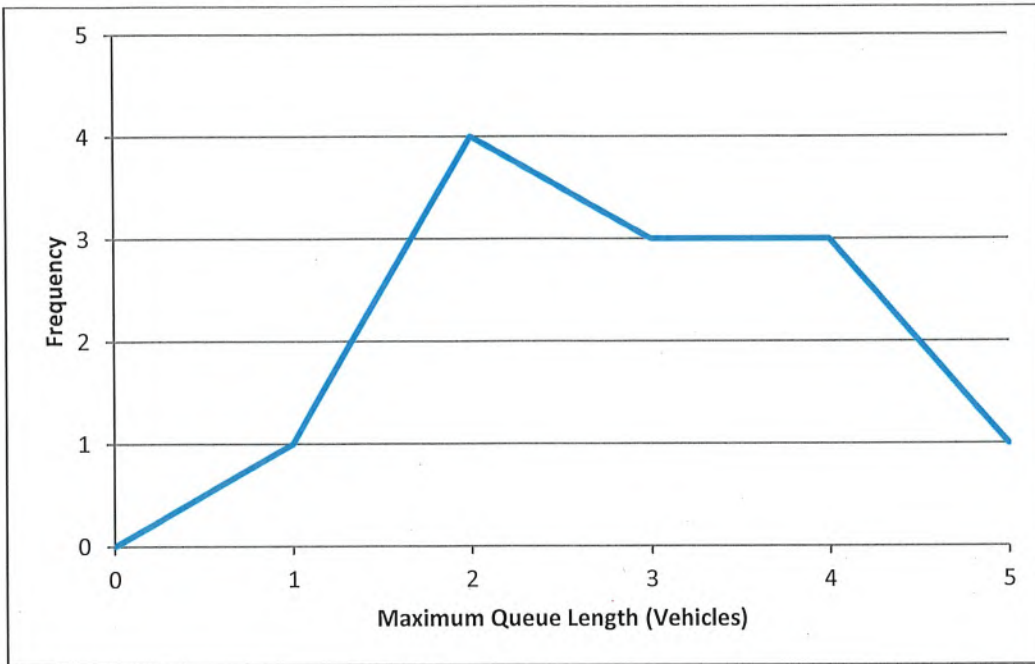


Figure 3.5 – Drive-Through Pharmacy Maximum Queue Frequency

The maximum queues for pharmacies were spread throughout the day from 8:00am to 10:00pm. With an 85th percentile maximum queue of more than 4 vehicles, the data suggests that pharmacies with drive-through lanes should be able to accommodate 100 feet of vehicle stacking throughout the day.

4.0 Conclusions

The 85th percentile maximum queue lengths for each land use are: 160 feet for banks (eight vehicles), 140 feet for car washes (seven vehicles), 260 feet for coffee shops (13 vehicles), 240 feet for fast food restaurants (12 vehicles) and 100 feet for pharmacies (five vehicles).

While some of the locations observed have an excess of space dedicated to drive-through lanes (i.e. some banks and pharmacies), others could occasionally use additional space for drive-through lanes (i.e. coffee shops in the morning).

Fast food restaurants and coffee shops have the longest maximum queues of the five land uses observed. Coffee shops have a tendency for the morning queues to build so long that they spill out onto the street, though, as is expected, their afternoon and evening queues are minimal. Fast food restaurants also have large queues, but they tended to have enough dedicated space that stacking did not go beyond the designated queuing area.

The data collected for this paper along with the data from the papers by Mark Stuecheli and the ITE Technical Committee 5D-10 (see Appendix for both of these) will hopefully provide useful data for traffic engineers and others trying to analyze drive-through queuing storage areas.

5.0 Labor Savings of the COUNTkit

Deploying people in the field to perform this data collection would not have been feasible. Using the COUNTcam video system made it possible to observe the drive through lanes 24 hours a day and the PC-TAS software made the data reduction practical. One location was recorded in November 2010 for 6 hours, three locations were recorded in August 2011 for a total of 202 hours and 26 locations were recorded in February 2012 for a total of 1012 hours. These 1220 hours of video were counted with a total of 120 hours of labor, meaning the videos were watched at approximately 10x speed. Installation of a COUNTcam takes approximately 10 minutes and retrieval takes approximately 5 minutes. This whole project was completed in approximately 3 weeks.

6.0 References

1. Stuecheli, M. (2009). New Drive-Through Stacking Information for Banks and Coffee Shops. *ITE 2009 Annual Meeting and Exhibit*. Print.
2. ITE Technical Committee 5D-10. "Queuing Areas for Drive-Thru Facilities." *ITE Journal* (May 1995): 38-42. Print.
3. Institute of Transportation Engineers. *Parking Generation*. 4th ed. Washington, DC: Institute of Transportation Engineers, 2010. Print.
4. Institute of Transportation Engineers. *Trip Generation*. 8th ed. Washington, DC: Institute of Transportation Engineers, 2008. Print.

7.0 Appendix

- A – Day of Week Maximum Queues
- B – New Drive-Through Stacking Information for Banks and Coffee Shops
- C – ITE Technical Committee 5D-10: Queuing Areas for Drive-Thru Facilities
- D – Drive-Through Data Forms

Appendix A

Day of Week Maximum Queues

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Fast Food	Arby's				5	5		
	Burger King	6	12				10	8
	McDonald's				12	13		
	McDonald's				9	8		
	Taco Bell				10	8		
	White Castle				8	5		
Car Wash	BP				6	6		
	BP			1	3			
	BP			4	3			
	Holiday				3	4		
	Mister Car Wash				10	6		
	Mobil				4	3		
Coffee	Caribou				11	10		
	Caribou	7	10	12			12	8
	Starbucks				14	16		
	Starbucks				10	11		
	Starbucks			10	12			
	Starbucks				11			
Bank	Citizens Independent Bank			5	5			
	SharePoint Credit Union				3	3		
	TCF	4					8	8
	US Bank				7	7		
	Wells Fargo			8	6			
	Wells Fargo			6				
Pharmacy	CVS			1	2			
	CVS			4	4			
	CVS			2	2			
	Walgreens				4	5		
	Walgreens			3	3			
	Walgreens			3	2			

Appendix B

New Drive-Through Stacking Information for Banks and Coffee Shops

Mark Stuecheli, PTP

Abstract

This paper provides updated queuing information for drive-in banks and new queuing data for coffee shops with drive-through lanes. The data is presented in a format similar to that used in the report for **ITE Technical Council Committee 5D-10**, originally published in 1995.

Significant changes have occurred in the way that bank patrons conduct business with their banks. In recognition of those changes, ITE has adjusted the trip generation information included in the Eighth Edition of **Trip Generation, an ITE Informational Report** to include only data collected since 2000, and the revised trip generation totals are significantly lower than in previous editions. Clearly, the reduced trip generation figures indicate a reduction in bank drive-through business. This report summarizes queuing information included in counts taken in the Kansas City metropolitan area.

In the last few years coffee shops with drive-through lanes have become prevalent throughout the country. Because those businesses were uncommon when the 1995 report was prepared, no data was gathered for those operations. This paper contains information on counts taken at those establishments, once again in the Kansas City metropolitan area.

Based on the count data, recommendations are included for the minimum amount of stacking distance to require for the two types of drive-through businesses that were studied.

Background

ITE Technical Council Committee 5D-10 was formed in 1987 to produce a database of queuing information for various types of drive-through lanes. The report of the findings of the Committee, published in the May 1995 **ITE Journal**, included information on the characteristics of drive-through lane stacking for fast-food restaurants, drive-in banks, car washes, day care centers and dry cleaners. The counts that were included in the Committee report were conducted from the late 1960s through the late 1980s in a limited number of mid-western, southern and eastern states.

As a former member of that Committee, and having submitted drive-through counts for the effort, I am in a position to make some observations about the change in drive-through usage.

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This paper analyzes two types of drive-through operations – one that is greatly modified and another that is new since the original report was published. First, significant changes have occurred in the ways that bank patrons conduct business with their financial institutions. On-line banking, direct deposit and the wide usage of ATMs have resulted in greatly reduced trip generation totals for drive-in banks. In recognition of that fact, ITE adjusted the trip generation information for drive-in banks in the Eighth Edition of **Trip Generation, an ITE Informational Report**, to include only data collected since 2000. The trip generation rates during the p.m. peak hour for the newer data are about 44% lower than rates in the Seventh Edition.

The amount of stacking provided for bank drive-through lanes often has a critical impact on the potential site design alternatives for proposed bank properties. If the information included in the 1995 Report were to be used as the basis for establishing stacking requirements, a large area would need to be allocated to the drive-through lanes. On tight sites, that limitation could preclude developing an acceptable layout.

Clearly, the major drop in trip generation rates indicates that fewer customers are using drive-through lanes. That reduction in drive-through usage has an impact on queue lengths and other operational characteristics observed at those facilities. This paper includes updated information on queuing in bank drive-through lanes based on counts taken in the City of Overland Park, Kansas, a suburban community of 171,000 residents in the Kansas City metropolitan area.

The second area of analysis in this paper pertains to observed queuing characteristics for coffee shops with drive-through lanes. In the last few years, drive-through coffee shops have become common throughout the country. Because those businesses were an insignificant factor when the report for **ITE Technical Council Committee 5D-10** was completed, no counts were conducted for that land use category. This paper contains data on queuing for coffee shops with drive-through lanes, based on counts conducted predominantly in the Kansas suburbs of the Kansas City metropolitan area.

As is the case for drive-in banks, the length of stacking required for a site has a major impact on potential site layouts. If a relatively short stacking distance is permitted, the lanes can be fit into very restricted sites or be more easily retrofitted to work with existing buildings. But if more queuing occurs than is provided for in a dedicated lane, the flow of traffic within a parking lot can be seriously restricted by that excess queue. In the worst case, if the drive-through stacking is located close to a public street and the excess queue extends into or near the street, the operation of the adjoining public street may be negatively impacted.

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Drive-In Banks

Counts were conducted at ten suburban drive-in banks located throughout Overland Park in the fall of 2008 and the spring of 2009. Both established locations and sites that were relatively new were counted, although all banks had been open for business for at least one year. All but one location had drive-through ATMs. Based on the results of counts taken at a single bank location during a mid-week lunch hour, a mid-week p.m. peak hour, a Friday lunch hour, and a Friday p.m. peak hour; the maximum queue lengths occurred during the Friday p.m. peak hour. Therefore, all counts used in the study were conducted during the Friday p.m. peak hour time period.

The counting process involved noting the maximum per lane and total queues for the drive-through lanes at each location in fifteen minute increments, along with collecting information on the stacking of any drive-through ATM. In all cases the vehicles in the service positions were included in the counts. Where possible, the volumes of vehicles entering and exiting the parking lot also were tabulated. As a way to evaluate the frequency of various maximum queue lengths, the total queue lengths were noted at five minute intervals.

The queuing data was analyzed in ways similar to the methods used in the 1995 Report. Table 1 lists the observed frequency of maximum queue lengths per lane. Figure 1 plots the per lane maximum queue lengths using both the 2009 data and the data that was presented in 1995 (please note that the 1995 data involved fifteen counts, compared to the ten counts in the 2009 data). Figure 2 plots the probability that the queue lengths per lane will not exceed a given maximum queue length, once again presenting both 2009 and 1995 data.

Table 1 – Drive-In Bank 2009 Maximum Queue Length Per Lane

Queue Length	Frequency	Cumulative Frequency	P(q≤N)
0	0	0	0.00
1	1	1	.10
2	4	5	.50
3	4	9	.90
4	1	10	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length of “q” not exceeding length “N”

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Figure 1 – Drive-In Bank 1995 And 2009 Maximum Queue Length Per Lane Data Plot

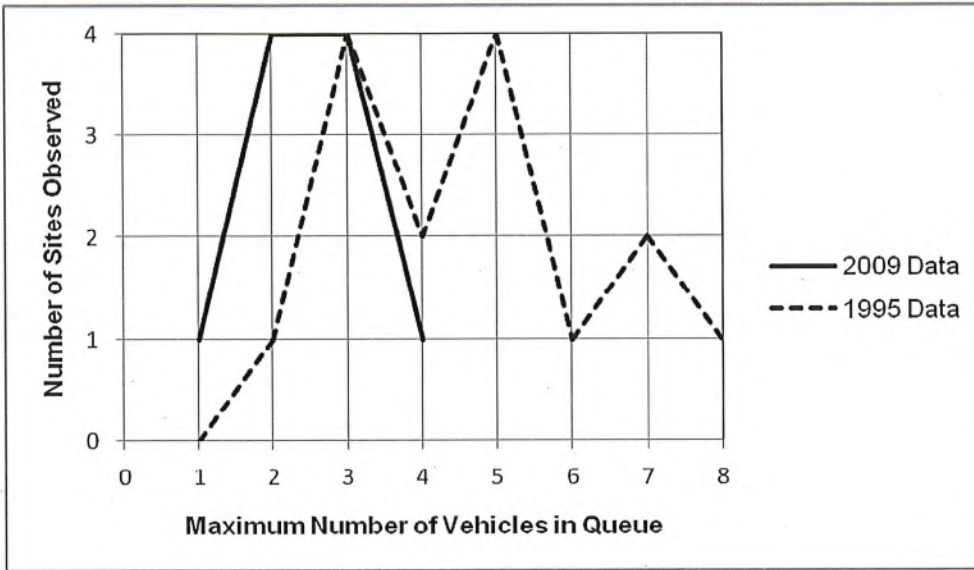
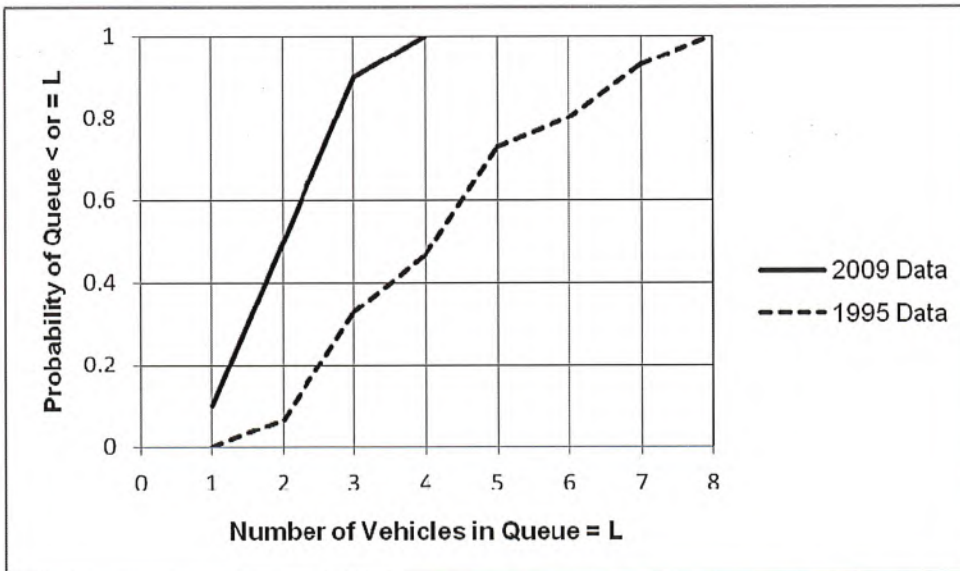


Figure 2 – Drive-In Bank 1995 And 2009 Cumulative Maximum Queue Length Per Lane Data Plot



The differences between the 1995 Report data (as noted earlier, actually based on counts conducted from the late 1960s to the late 1980s) and the 2009 counts are dramatic. The maximum per-lane queue lengths in the current counts were half what they were in the 1995 data.

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An attempt was made to determine if such factors as adjoining major street traffic volumes or the size of the building could predict the queuing results, but no correlation was found.

Observations

Some banks, especially those that have been in operation for several years, have a surplus of drive-through lanes and stacking area. That is because those sites were designed to accommodate the much higher demands that existed many years ago. Consequently, they often open only a portion of the available lanes.

In one case, for a main office bank location where it was possible to make a direct comparison between a count conducted in 1988 and a new count in 2008 (actually taken almost precisely 20 years apart), the difference was dramatic. The p.m. peak hour drive-through volumes for the 2008 count were 65% lower than the 1988 count, a much greater drop than would have been indicated by the reduced ITE trip generation figures discussed earlier. The maximum total number of vehicles queued and the maximum queue lengths per lane were correspondingly lower, dropping from 29 to 8 and 7 to 3, respectively. The demographics and development characteristics of the surrounding area have changed little since 1988 and the bank has continued as a stable operation. Considering all of those factors, it is reasonable to assume that the differences are associated with changes in customers' banking habits.

The one incidence of a four car per lane maximum stack was a single occurrence that lasted for only a few minutes. Based on that information, it is reasonable to consider the practical maximum required queue length to be three vehicles.

The maximum queue lengths for ATMS ranged from two to five vehicles. Only one location experienced the longer queue lengths and only for a short time period. All other locations had maximum queue lengths of three vehicles or less.

Coffee Shops With Drive-Through Lanes

Counts were conducted in the fall of 2008 and the spring of 2009 at twelve coffee shops located in the Kansas suburbs of Merriam, Olathe and Overland Park in the Kansas City metropolitan area and also in suburban Kansas City, Missouri. All but two of the establishments were situated in free-standing buildings, and several were located within shopping centers. Three were drive-through-only operations and the remaining nine were full-service locations that included both drive-through lanes and inside seating facilities. Because this type of use is busiest in the morning peak hour, all counts were completed during that time period.

Similar to the process used for drive-in banks, the counting process involved noting the maximum number of vehicles queued in the drive-through lane at each location for fifteen minute increments. As was done for the drive-in bank counts, the vehicle in the

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service position was included in the counts. Information on the number of vehicles entering and leaving the parking lot was collected for full-service operations (drive-through-only locations did not have any parking activity). The queuing information was tabulated for both the total length of queue and for the number of vehicles behind the menu board. The observed queue length was noted at five minute intervals as a way to evaluate the frequency of various queue lengths.

Once again, the queuing data was analyzed in ways similar to the methods used in the 1995 Report. Table 2 lists the observed frequency of maximum queue lengths. Figure 3 plots the per-lane maximum queue lengths and Figure 4 plots the probability that the queue will not exceed a given maximum queue length.

Table 2 – Coffee Shop With Drive-Through Maximum Queue Length

Queue Length	Frequency	Cumulative Frequency	P(q≤N)
0	0	0	0.00
1	0	0	0.00
2	0	0	0.00
3	1	1	.08
4	0	1	.08
5	0	1	.08
6	1	2	.17
7	1	3	.25
8	2	5	.42
9	1	6	.50
10	1	7	.58
11	2	9	.75
12	0	9	.75
13	3	12	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length of “q” not exceeding length “N”

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Figure 3 – Coffee Shop With Drive-Through Maximum Queue Length Data Plot

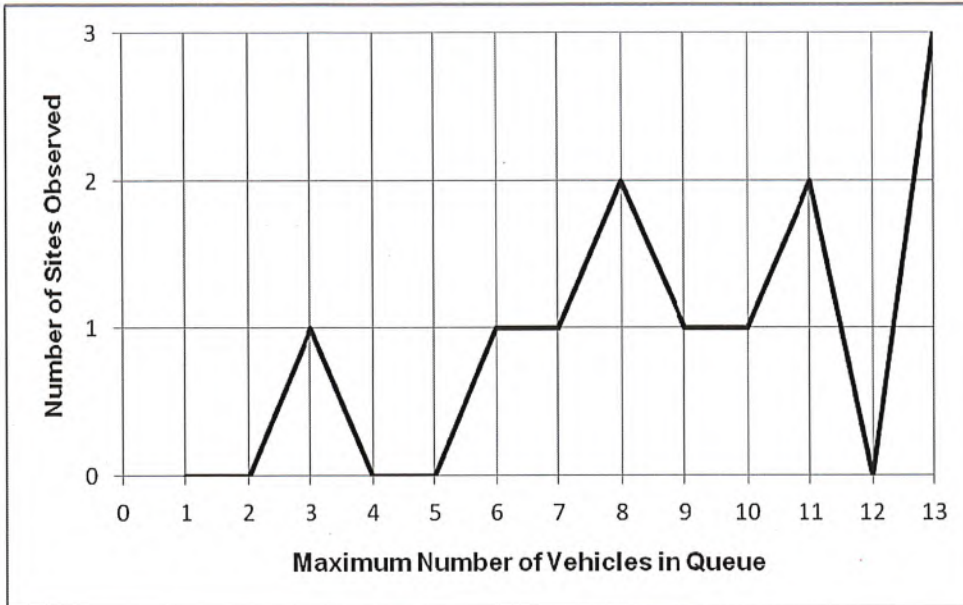
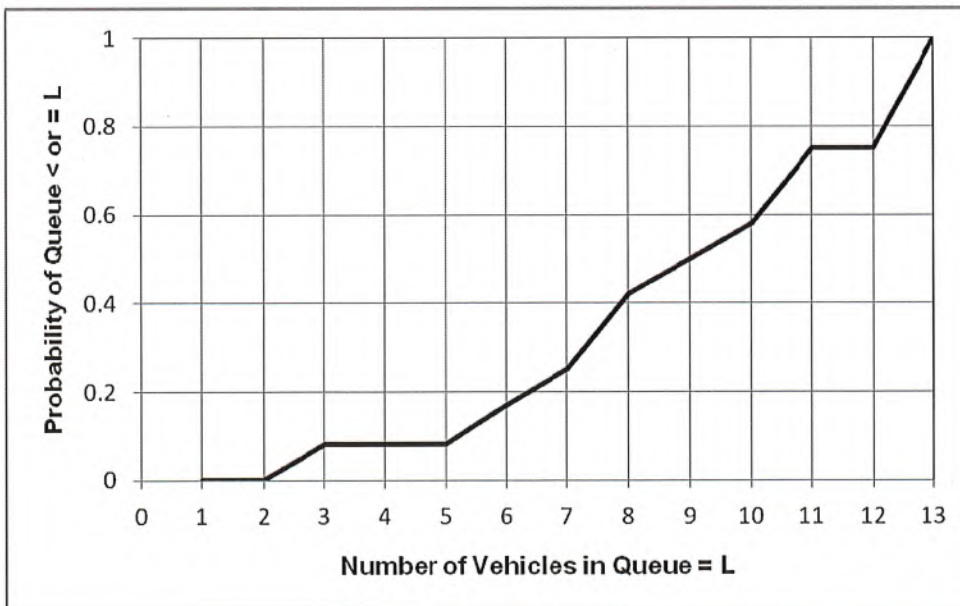


Figure 4 – Coffee Shop With Drive-Through Cumulative Maximum Queue Length Data Plot



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The total trip generation figures were compared to the a.m. peak hour ITE rates for Land Use Code 937, Coffee/Donut Shop with Drive-Through Window, and Land Use Code 938, Coffee/Donut Shop with Drive-Through Window and No Indoor Seating. The observed counts generally fell within the range of counts included in those categories, although two of the rates for the No Indoor Seating category exceeded the published range. No correlation was found between the adjoining major street traffic volumes or the size of the building and either the queuing or the trip generation results.

Observations

Several of the drive-through lanes were under-designed for the usage that was observed and queues spilled-out into parking lot circulation areas. In most cases the excess stacking did not result in disruptions of the operations of surrounding uses, since most other businesses were not open in the early morning. But for those sites where the end of the drive-through lane extended into the coffee shop parking lot, the excess queue often disrupted the movements of drivers who were trying to enter or exit parking spaces or the site itself.

One interesting facet of the data is that the three lowest observed maximum queue lengths were for the drive-through-only locations. The highest observed queue length for those operations was seven vehicles, which occurred only once at one location and only for a very short period of time. A six vehicle maximum stack was a more common occurrence.

The data shows that the volume of drive-through traffic and, therefore, the required stacking distance, is higher for full-service coffee shops than for drive-through-only operations. When total trip generation (both drive-through business and customers who park and walk in) is factored in, the full-service coffee shops did, on average, about two and one-half times the business of drive-through-only facilities. Since all of the full-service operations were Starbucks locations, it may be possible to apply the results of those counts to other proposed suburban Starbucks locations elsewhere in the country.

Total vehicular stacking available for a drive-through lane is an important consideration, but the location of the menu board relative to the pick-up window also impacts the efficiency of a drive-through lane operation. If the spacing is too short, stacking behind the pick-up window will extend into the menu board area, delaying ordering for those farther back in the line. In the counts conducted for this study, the pick-up window to menu board available stacking distances ranged from two to five vehicles.

The operation with the two car stack between the pick-up window and menu board regularly resulted in delays for drivers waiting to order at the menu board. The location with a five car stack rarely experienced delays for those ordering. Based on field observations, if an unlimited amount of stacking were available at a proposed site, the five car spacing would be ideal. Realizing that space for stacking nearly always is limited, an acceptable alternative would be the four car spacing.

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Conclusions

Drive-in bank usage has dropped dramatically, as illustrated in the data provided in this report. Consequently, a reduced amount of stacking is required. That reduced area for drive-through stacking can provide more flexibility in the design of bank sites, allowing for development on smaller sites or the provision of increased landscaped areas.

Based on the data that was gathered, the City of Overland Park has reduced its previous requirement for a minimum five car stack per lane to a three car stack (a distance of 60 feet per lane, assuming average vehicle spacing to be 20 feet). That design should be sufficient to accommodate virtually all situations. Vehicular stacking requirements for ATMs have been established, also at a minimum of three car lengths.

Coffee shop drive-through lanes are most heavily used during the morning peak period, and therefore it is important to design sites to accommodate that peak demand. The following recommended minimum stacking lengths should be appropriate in most cases. The only exceptions would be situations in which excess queuing could impact a nearby street or major drive, in which case a more conservative approach should be taken.

Based on the data that was gathered for drive-through-only operations, it appears reasonable to require that a dedicated drive-through lane be provided with a stack of 120 feet – enough to handle six vehicles. That should be sufficient to accommodate nearly all vehicles that are likely to arrive during the morning peak hour time period.

For full service establishments, a 220-foot long drive-through lane, providing eleven cars of total storage, should be adequate to handle the vast majority of the drive-through lane volumes that might be encountered. In those cases where more than eleven vehicles were counted, the duration of the extreme queue lasted for only a few minutes. For the most efficient operation, the distance between the pick-up window and menu board should be at least 80 feet to accommodate four vehicles.

References

1. Gattis, J. L., Chair of ITE Technical Council Committee 5D-10. "Queuing Areas for Drive-Thru Facilities, by ITE Technical Council Committee 5D-10." *ITE Journal* (May 1995): 38-42.

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Queuing Areas For Drive-Thru Facilities

BY ITE TECHNICAL COUNCIL COMMITTEE 5D-10

ITE Technical Council Committee 5D-10 was formed to collect and analyze basic information that may be used to estimate and evaluate lengths of automobile queues at drive-thru facilities. In addition to fulfilling this objective, this Informational Report constitutes a starting point for compiling a database for drive-thru facility queue length information.

Introduction

When faced with the need to evaluate the future impacts of a planned development, the transportation engineer often employs some form of analogy, estimating the future impacts of as-yet unbuilt development by using the attributes of existing land uses having a similar nature. For instance, the engineer may refer to published trip generation rates, derived from observations made at existing developments, to obtain a figure by which to estimate volumes that will occur at the proposed development.



J. L. Gattis, P.E., was Chair of Technical Council Committee 5D-10. He is an Assistant Professor in the Department of

Civil Engineering at the University of Arkansas in Fayetteville, Ark. He is a Member of ITE.

Many types of businesses (such as fast-food restaurants, banks and cleaners) utilize drive-thru systems. A similar form of drive-thru operation can be found at sites where passenger pick-up

operations occur (such as parents picking up schoolchildren). These drive-thru systems are comprised of a server position (often at a service "window"), and vehicle queuing space in advance

QUEUING DATA SHEET							
1. Type of Service Provided	_____						
2. Day(s) of Week	Sun	Mon	Tue	Wed	Thu	Fri	Sat
3. Time(s) of Day	_____						
4. Type of Area	CBD	Suburban		Rural			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Competition in Area (For Same Services)	High	Medium		Low			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Service Rate Measured (Per Window or Aisle or Lane)	_____ Vehicles/Time						
7. Arrival Rate Measured (Per Window or Aisle or Lane)	Avg	_____	Max	_____	Vehicles/Time		
8. Uniformity Rating	_____ (1 - 10)						
9. Capacity of Queue Storage Area	_____ (Vehicles)						
10. Measured Average Queue	_____ (Vehicles)						
11. Measured Maximum Queue	_____ (Vehicles)						
12. Excess Demand Volume	_____ (Vehicles)						
13. Excess Demand Frequency	_____						
14. Size Sample or Length of Count Data	_____						
15. Narrative Description of Service	_____						

Figure 1. Data gathering form used in survey.

Appendix C

Table 1. Ranges of Fast Food Queue Lengths by Food Type

Food Type	Maximum Queue Range (# in system)	Average Maximum Queue (# in system)	Studies
Donuts	4	4	2
Steak	4	4	2
Chicken	2-9	5	5
Fish	5	5	1
Sandwiches	5	5	1
Mexican	7	7	1
Roast Beef	6-8	7	2
Hamburgers	4-13	7	27

Table 2. Fast Food Queue Lengths

Maximum Queue Length (# in system)	Frequency	Cumulative Frequency	P(q≤N)
1	0	0	0.00
2	2	2	0.05
3	0	2	0.05
4	6	8	0.18
5	4	12	0.27
6	7	19	0.43
7	10	29	0.66
8	7	36	0.82
9	5	41	0.93
10	1	42	0.95
11	0	42	0.95
12	1	43	0.98
13	1	44	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length "q" not exceeding length "N".

of the service position, for waiting in line as those ahead are served first.

When attempting to project lengths of automobile queues at proposed drive-thru facilities, the municipal or private consulting engineers may not find available data by which a projection can be made. While such data may be known by larger business chains that have drive-thru operations, the data do not seem to be generally available to the average traffic engineer trying to size or evaluate automobile queue storage area. True, some publications present results of queuing studies or equations for estimating queue lengths based on known system arrival and service rates.¹⁻⁹ But the proposed-site arrival and service rates may be unknown, and the proposed system may not possess attributes (such as negative exponential service time rates) needed for certain equations to properly predict queue lengths.

Drive-thru facilities are perceived as time-savers; as a convenience to the physically challenged, elderly and parents with young children; and as a way to avoid going out into inclement weather. Due to vehicle idling while in line, drive-thru facilities may also be viewed as causing unnecessary fuel consumption and air pollution. The popularity of drive-thru services creates a need to evaluate the queuing capacities of the varied drive-thru facilities. This report provides some basic drive-thru facility queue length information. It is hoped that the database will continue to grow, so that a comprehensive analytical tool may be available for the transportation professional.

Methods

The queue length data gathering form shown in Figure 1 was distributed to committee members in November 1987. The form was accompanied by specific user-instructions to ensure uniformity of procedures and compatibility of results.

Completed forms were returned to the committee chair and data were cataloged by land-use type. The maximum observed queue lengths and the maximum observed queue length frequencies were compiled. Cumulative frequencies and the probability that

queues would not exceed an absolute maximum were calculated and shown graphically.

Findings

Within this report, data have been compiled for banks, car washes, day care facilities, dry cleaners and fast-food restaurants.

Fast Food

This category includes restaurants characterized by food being prepared in advance of, or shortly after, ordering; by high turnover for eat-in customers; and by long business hours. The ITE land-use codes (LUCs) for this use are LUC 834 (*Trip Generation*, 1991) and 836 (*Parking Generation*, 1987).

Forty-four fast-food restaurants were observed for this study. They ranged from those serving chicken to the hamburger chains. All sites were suburban locations. Queuing was observed mainly during the weekday mid-day peak from the 1970s through

the 1990s, at sites in Florida, Kansas, Illinois, Minnesota, Montana, New Jersey, Oklahoma, Pennsylvania and Texas. All fast-food facilities observed for this study had a single-window drive-thru system. The industry is changing, with double- and even triple-window systems being utilized. Further information will be needed on queuing characteristics of these facilities.

The average observed service rate was 54 vehicles per hour (vph); the maximum rate was 108 vph. The maximum observed queue lengths (number of vehicles in line, including vehicle at service position) ranged from two to 13 vehicles (see Table 1). Where there was a menu-order board followed by a service window, the combined total of vehicles in both sequential lines was reported.

The restaurants featuring hamburgers had maximum queues in the upper part of the range. Table 2 shows the frequencies of the observed maximum queue lengths, as well as a probability of a queue of less than a given number

Appendix C

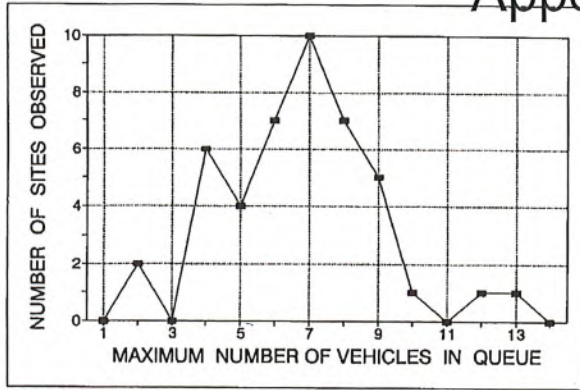


Figure 2. Maximum queue lengths at fast-food.

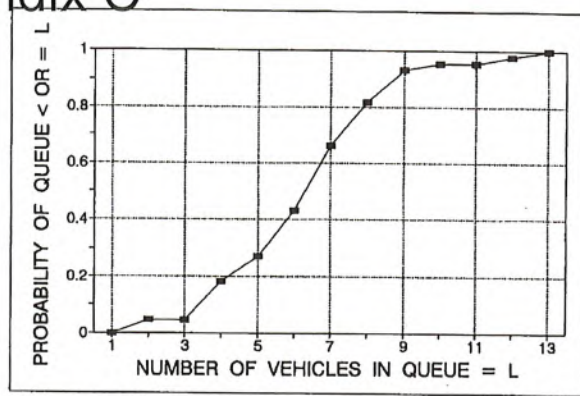


Figure 3. Maximum queue length probability at fast-food.

of vehicles. Figure 2 plots maximum queue length against the observed frequency of occurrence. Figure 3 depicts the probability that at any fast-food site, the queue will not exceed a given maximum queue length. From Table 2 or Figure 3, it can be seen that there was a 95 percent probability that the maximum queue at a site would be no more than 10 vehicles.

The maximum queues were evaluated against days of the week and were found to have no statistical relationship. Likewise, when evaluated against different levels of competition within the area and against service rates, there was no statistical relationship.

Bank

This category includes savings-and-loans with or without automatic teller machines (ATMs) and commercial banks with or without ATMs. Although there were historical differences between banks and savings-and-loans, they are now often indistinguishable to the public. The ITE land-use codes for this use are LUC 912 and 914 (*Trip Generation*, 1991) and LUC 912 (*Parking Generation*, 1987).

The studies analyzed were conducted from the late 1960s through the late 1980s; many were in Illinois, Minnesota, New Jersey and Texas. The size of the bank drive-thru facilities ranged from a minimum of one lane with one teller-window up to an institution with 10 lanes and four tellers.

Observed service rates for these institutions went up to a maximum of 35 vehicles per lane-hour. Maximum observed queues per lane ranged from two to eight vehicles. The maximum system queue lengths (all lanes com-

bined) ranged from five to 29 vehicles. At two sites, it was observed that a queue length exceeding eight vehicles per lane was not tolerated by customers. When the queue length became excessive, customers would park and use walk-in facilities rather than the drive-thru. Thus the collected data reflect a maximum queue per lane of eight vehicles.

Table 3 shows the observed frequency of occurrence of maximum queue lengths per lane. Figure 4 plots the maximum number of vehicles per lane

observed. On the basis of the studies received, there is a 100 percent probability that the queue length at a bank drive-thru facility will not exceed eight vehicles per lane, as Figure 5 shows.

Table 4 presents the maximum number of vehicles in an entire drive-thru system (all lanes combined) by ranges, along with the frequency of occurrence. This table shows that the most common maximum number-in-the-system at a bank drive-thru facility fell between six and 10 vehicles, as most observed facilities consisted of two lanes. Table 4 also

Table 3. Bank Queue Lengths

Queue Length	Maximum Queue Per Lane		P(q≤N)
	Frequency	Cumulative Frequency	
0	0	0	0.00
1	0	0	0.00
2	1	1	0.07
3	4	5	0.33
4	2	7	0.47
5	4	11	0.73
6	1	12	0.80
7	2	14	0.93
8	1	15	1.00

Note: P(q≤N) Indicates probability, based on sample, of queue length "q" not exceeding length "N".

Table 4. Maximum Number of Vehicles in Bank System (All Lanes)

# in system	Frequency	Cumulative Frequency	P(q≤N)
0-5	2	2	0.13
6-10	6	8	0.53
11-15	3	11	0.73
16-20	2	13	0.87
21-25	1	14	0.93
26-30	1	15	1.00

Note: P(q≤N) Indicates probability, based on sample, of queue length "q" not exceeding length "N".

Appendix C

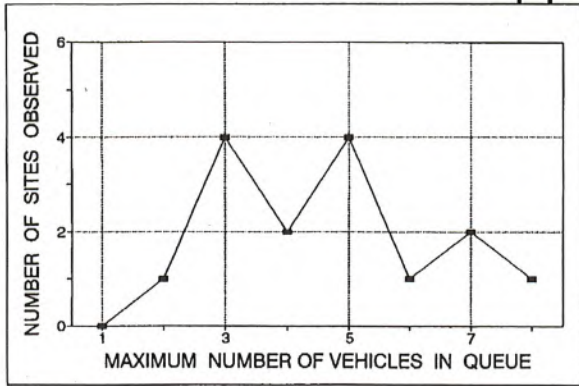


Figure 4. Maximum queue length per lane at bank.

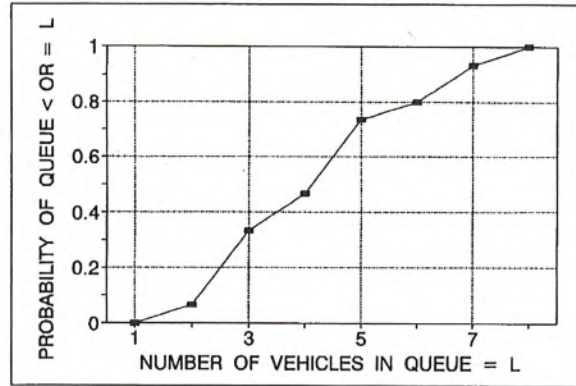


Figure 5. Maximum per lane queue length probability at bank.

gives the probability, based on the studies received, that the number of vehicles in the system will not exceed a certain range.

It should be noted that queuing lengths may be affected by time-of-day banking habits. There may be differences between the central city and a suburb. An area with a large proportion of retired persons may experience unique banking-time behaviors. In addition, the effects of banks incorporating ATMs into drive-thru aisles may also need to be investigated in future queuing studies.

Car Wash

This category includes full-service car washes (offering vacuuming and towel-drying services), exterior tunnel operation (vacuuming and towel drying not a part of the "in-line" operation, but may be offered at separate stations to the side), and self-service car washes (where customers pull into a wash bay, insert coins into a box, and proceed to wash). The ITE land-use code for these uses is LUC 847 (*Trip Generation*, 1991). This land use was not included in the 1987 *Parking Generation* report.

The studies analyzed were conducted from the late 1960s through the late 1980s in Kansas, Illinois, Montana, New Jersey and Texas. They included seven full service car washes, two exterior tunnel car washes, and nine self-service car washes. The number of self-service bays ranged from six to 14 per site. The self-service car washes typically had one or more parallel wash bays; the full-service car wash operations tended to have a single tunnel to serve customers.

Studies at the full-service car washes were made during winter or early spring months. Both full-service car washes consisted of a single tunnel. Observed service rates were 35 vph (maximum queue of nine vehicles) and 27 vph (maximum queue of 26 vehicles). At the site with a 26-vehicle queue, the queue extended off the site and onto an adjacent private street with light traffic volumes.

The self-service car wash studies were conducted on Saturday and Thursday, during late spring and/or summer months. Service rates at self-service car washes ranged from 4.1 vehicles per bay-hour to 5.4 vehicles per bay-hour. The average service rate was 4.77 vehicles per bay-hour. The maximum queue observed at two study sites was three vehicles, and at a third study site the maximum observed was one vehicle. No distinction was made as to whether these were maximum

queues per bay or total maximum queues (per entire operation).

Day Care

This category includes facilities that provide a place for children during the day, often while parents are at work. After-school care may also be provided. The ITE land-use code is LUC 565 (*Trip Generation*, 1991). This land use was not included in the 1987 *Parking Generation* report.

Data were submitted for one day-care facility in Texas, during the evening peak hour. The facility had 99 children enrolled and 94 present the day the study was conducted. The day-care facility handled children age 2 through first grade. The facility was operated in a manner that required the parents to park their cars and go inside to get their children.

The hour service rate was 46 vehicles. A maximum of eight vehicles in

This is an Informational Report of the Institute of Transportation Engineers prepared by Technical Council Committee 5D-10. The information in this report has been obtained from experiences of transportation engineering professionals and research. ITE Informational Reports are prepared for informational purposes only and do not include Institute recommendations on which is the best course of action or the preferred application of the data.

Members of Technical Council Committee 5D-10 were J. L. Gattis, P.E. (M), Chair; Grant A. Bacchus, P. Eng. (F); Benedict G. Barkan (F); Robert R. Marvin, P.E. (M); Dale B. McKinney, P.E. (F); Robert A. Nelson, P.E. (F); Seyed M. Safavian (M); James M. Schoen (A); David K. Sorenson, P.E. (A); Mark J. Stuecheli (M); and Jack Wierzenski (A).

Members of the Technical Council Department 5 Standing Committee at the time of approval of this report were Dennis O'Malley (F), Chair; Carol H. Walters, P.E. (M), Assistant Chair; Robert D. McMillen, P.E. (FL); Wamahdri W. Williams (A); and Donald J. Galloway, P.E. (F). Brian S. Bochner, P.E. (F), was the Chair of Technical Council, and John M. Mason, P.E. (F), was the Assistant Chair.

Appendix C

Table 5. Summary of Observed Queue Distances at Drive-Thru Facilities

	Near-maximum number of queued vehicles observed in system (does not include vehicle at service position)	Lane Length needed to store near-maximum queue (does not include vehicle at service position)
Fast-Food (Hamburger)	10 - 1 = 9	60 m (198 feet)
Bank	8 - 1 = 7	47 m (154 feet)
Car Wash (self-service)	3 - 1 = 2	13 m (44 feet)
Day Care	10 - 1 = 9	can store in parallel
Dry Cleaner	3 - 1 = 2	13 m (44 feet)

5 minutes (if sustained, equivalent to 96 vph) were observed; a 20-minute period had 28 vehicles (84 per hour). The maximum number of waiting vehicles was 10 vehicles.

VanWinkle and Kinton reported the results of 29 field studies at day-care establishments in Tennessee. Their findings are in the July 1994 *ITE Journal*.⁸

Dry Cleaners

This category includes facilities that clean clothing and other fabrics that should not be laundered. Often a walk-up window is present. No information is provided for this land use in either the ITE 1991 *Trip Generation* report or the ITE 1987 *Parking Generation* report.

One study was conducted at a dry cleaner with drive-thru facilities in Montana during a weekday p.m. peak period. An average service rate of 41 vph was measured at the single window. The observed maximum queue was three vehicles long. Forty-five percent of the customers used the drive-thru facility.

Conclusions

Table 5 summarizes the observed maximum or near-maximum observed queue lengths, and also lists the stacking distance needed to accommodate these observed queues, based on a front bumper-to-front bumper space occupied length of 22 feet (ft) per vehicle. This 22 ft may not be the exact space that vehicles occupy, but a value ranging from 20 ft to 25 ft seems appropriate for many situations. Because only one day-care facility was observed, and because parents picking up children may park in parallel or in a lot instead of in a single-file line, no stacking length was calculated for this land use.

Due to a change of committee personnel during the course of the data-gathering effort, some of the original forms submitted by committee members are not available. There are some apparent errors in the tables. For instance, the number of studies tallied in Table 1 is 41, while the number in Table 2 is 44. It is not known whether three studies were not included in Table 1, or whether there was double counting in Table 2. The unavailability of the original data forms makes it impossible to recheck the numbers.

The size of this drive-thru facility queuing characteristic database was limited. There is a need to accumulate and analyze more drive-thru queuing system data, so transportation engineers and site planners can be better informed. Additional observations of service rates are also needed in order to determine relationships between service rates and queue lengths, and to evaluate long-term trends in service rates. Finally, investigations of the amount of space occupied per vehicle within a queue are needed so that engineers will have the ability to project not only the number of vehicles that will be in the maximum queue for a given site, but also the queue storage length required for a site.

When collecting queuing data, the recorder should clearly indicate whether the number of vehicles recorded includes or excludes the vehicle(s) in the service position (that is, at the window). The data record must indicate which numbers are for a single queuing line and which totals are for the entire system of multiple queuing lines. An observer should also note instances of arriving vehicles balking or refusing to enter a queue due to excessive length, and how many vehicles were in the queue when the next arrival balked.

Other types of drive-thru operations

that could be studied include those at credit unions, funeral homes, gas stations (either gas only, full-service, self-service, or a combination with convenience stores or car washes), libraries, liquor stores, movie theater ticket booths, parking lots and garages (either pick-up ticket or pay, or key, tag, or card), post offices, pre-schools, baby-sitting or school combinations, lower grade schools, stadium ticket sales machines, truck stops and places of worship.

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Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type*:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	5	3:36pm
Wednesday	5	2:37pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium X
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	3	3:28pm
Thursday	3	8:51am, 10:37am
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description:

Gross Floor Area (estimated):

	Maximum Queue	Time Max Queue Occurred
Sunday	4	5:18pm
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	8	12:20pm, 2:20pm
Saturday	8	11:40am

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	7	4:47pm, 5:04pm
Wednesday	7	3:00pm, 5:26pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	6	1:18pm
Wednesday		
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD) X
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium X
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	8	4:41pm
Wednesday	6	11:27am, 1:48pm, 2:23pm, 4:32pm, 5:25pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	6	3:08pm
Thursday	6	3:07pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low X

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	1	12:58pm
Wednesday	3	2:53pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

1,500 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	4	1:48pm
Wednesday	3	4:29pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low X

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	3	12:37pm, 1:50pm, 3:43pm, 4:41pm, 5:10pm, 7:04pm, 7:30pm
Thursday	4	2:38pm, 4:20pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low X

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	1:03pm
Thursday	6	4:02pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low X

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	4	6:03pm
Thursday	3	4:37pm, 6:28pm, 7:39pm, 7:51pm, 8:04pm, 8:23pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD) X
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium X
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	11	8:50am
Thursday	10	7:57am
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday	7	9:39am, 9:41am
Monday	10	8:39am
Tuesday	12	9:26am
Wednesday		
Thursday		
Friday	12	8:12am
Saturday	8	8:52am, 10:24am

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	14	7:22am, 7:49am
Thursday	16	8:56am
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	7:42am, 8:41am, 8:59am
Thursday	11	7:33am
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):	CBD	<input type="text"/>	Competition Within Area (select one):	High	<input type="text"/>
	Urban (non-CBD)	<input type="text"/>		Medium	<input checked="" type="text" value="X"/>
	Suburban (non-CBD)	<input checked="" type="text" value="X"/>		Low	<input type="text"/>
	Suburban CBD	<input type="text"/>			
	Rural	<input type="text"/>			
	Not Given	<input type="text"/>			

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	11	8:45am
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	10	8:09am
Wednesday	12	7:57am
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	5	6:04pm
Thursday	5	6:55pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday	6	4:30pm
Monday	12	12:10pm
Tuesday		
Wednesday		
Thursday		
Friday	10	12:12pm
Saturday	8	9:38pm

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	12	11:46am
Thursday	13	12:23pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	9	8:48am
Thursday	8	8:54am
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	12:26pm
Thursday	8	12:17pm, 6:57pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium X
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	8	5:26pm
Thursday	5	8:13am, 12:10pm, 1:25pm, 3:22pm, 8:54pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) **X**
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium **X**
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	1	13 times
Wednesday	2	5:55pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	4	5:28pm
Wednesday	4	6:38pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	2	1:57pm, 3:35pm, 5:48pm, 6:07pm, 7:10pm
Wednesday	2	3:03pm, 3:52pm, 4:07pm, 4:46pm, 5:12pm, 5:20pm, 6:43pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	4	2:33pm, 3:31pm, 4:46pm, 4:57pm, 5:28pm, 6:26pm, 6:38pm, 8:20pm, 9:20pm
Thursday	5	4:30pm, 4:52pm, 5:56pm, 6:00pm
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	3	4:03pm
Wednesday	3	8:34am, 4:04pm, 4:51pm
Thursday		
Friday		
Saturday		

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium X
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	3	4:49pm
Wednesday	2	12:49pm
Thursday		
Friday		
Saturday		

Location: Car Wash, 6401 E Pacific Coast Hwy
 City: Long Beach, CA
 Date: 7/15/2023 (Sat)

Time	Snapshot Queue Length (# of Vehicles)	
	QUEUE FROM ORDER KIOSK TO BACK	NOTES
12:00 PM	3	
12:05 PM	4	
12:10 PM	2	
12:15 PM	2	
12:20 PM	2	
12:25 PM	0	
12:30 PM	0	
12:35 PM	0	
12:40 PM	0	
12:45 PM	0	
12:50 PM	0	
12:55 PM	0	
1:00 PM	2	
1:05 PM	1	
1:10 PM	2	
1:15 PM	1	
1:20 PM	1	
1:25 PM	1	
1:30 PM	0	
1:35 PM	0	
1:40 PM	0	
1:45 PM	0	
1:50 PM	0	
1:55 PM	0	
Average	1	

Location: Express Car Wash, 6685 Atlantic Ave

City: Long Beach, CA

Date: 7/15/2023 (Sat)

Time	Snapshot Queue Length (# of Vehicles)	
	QUEUE FROM ORDER KIOSK TO BACK	NOTES
12:00 PM	0	
12:05 PM	1	
12:10 PM	3	
12:15 PM	5	
12:20 PM	0	
12:25 PM	3	
12:30 PM	8	
12:35 PM	1	
12:40 PM	0	
12:45 PM	0	
12:50 PM	2	
12:55 PM	0	
1:00 PM	1	
1:05 PM	4	
1:10 PM	3	
1:15 PM	2	
1:20 PM	1	
1:25 PM	1	
1:30 PM	2	
1:35 PM	2	
1:40 PM	1	
1:45 PM	1	
1:50 PM	2	
1:55 PM	0	
Average	2	

FIRM HISTORY

Associated Transportation Engineers (ATE) is a full-service engineering consulting firm specializing in traffic engineering, transportation planning, traffic signal design, traffic signal timing optimization, and parking facility planning and design. Established in 1978, ATE has completed over 4,000 projects for a wide variety of clients located throughout California and the western United States. Representative public sector clients include city, county, state and federal agencies, as well as the military. Private sector clients include environmental and planning consulting firms, architects, attorneys, engineers, private development interests, and major commercial corporations.



**ASSOCIATED
TRANSPORTATION
ENGINEERS**

ATE has earned a reputation for creative problem solving through a team-oriented, consensus-building approach. ATE staff have developed solid working relationships with city, county, and agency staff throughout the state, and have worked extensively with personnel in 9 of the 12 Caltrans districts statewide. ATE has demonstrated the capability of developing innovative solutions and providing quality services.

PROJECT EXPERIENCE

ATE staff have completed a wide variety of traffic engineering and transportation planning projects. Traffic engineering projects include traffic and parking studies for a wide variety of commercial, residential, and institutional developments, roadway and intersection improvement designs, freeway interchange designs, traffic capacity and operations assessments, traffic surveys and traffic counts, pedestrian and bikeway facility designs, project study reports and site access and circulation studies.

Transportation planning efforts completed by ATE include Circulation Element updates for numerous City's, roadway corridor studies, city-wide traffic modeling, development of specific plans for local and regional areas, development of traffic fee programs, Transportation Demand Management (TDM) plans, area-wide and corridor studies, redevelopment plans, neighborhood impact studies, and parking studies. ATE has also participated in the preparation of numerous CEQA and NEPA environmental documents, including EIRs and EISs.

ASSOCIATED TRANSPORTATION ENGINEERS

SCOTT A. SCHELL

Principal Transportation Planner

EXPERIENCE:

Mr. Schell is a transportation planning specialist with a broad background in traffic operations, transportation planning theory and environmental regulations (CEQA, NEPA, etc.). Mr. Schell joined ATE as a Transportation Planner in 1983 and became a partner in the firm in 1992. During his tenure with ATE, he has been responsible for and participated in over 3,000 transportation planning studies, traffic impact reports, and parking studies for projects located throughout both northern and southern California. These projects include Circulation Element updates, Sphere of Influence Annexation proposals, and Environmental Impact Reports/Statements for large scale residential, commercial, and institutional developments, as well as Redevelopment Agency projects.

Mr. Schell has experience working in a wide range of jurisdictions throughout both northern and southern California, including the City of Agoura Hills, and is thus familiar with the varying thresholds and standards used in the transportation planning industry. Mr. Schell is currently serving on the Institute of Transportation Engineers (ITE) AB 743 task force to track the development and implementation of the new CEQA traffic thresholds and analyses methodologies. Mr. Schell was also on the advisory committee that provided technical guidance for the ITE Parking Generation report update (3rd and 4th editions).

Mr. Schell serves as a project manager responsible for the preparation, review, and public presentation of the various traffic impact reports and transportation planning studies.

EDUCATION: B.A. Environmental Studies and Economics, University of California, Santa Barbara, High Honors, 1982

Continuing Education: UC Institute of Transportation Studies, Fundamentals of Traffic Engineering, Traffic Engineering Operations, Traffic Engineering Planning, and Traffic Engineering Modeling

PROFESSIONAL AFFILIATIONS:

Institute of Transportation Engineers, Member
American Planning Association, Member
University of California, Santa Barbara, Guest Lecturer

ASSOCIATED TRANSPORTATION ENGINEERS

RICHARD L. POOL, P.E.

Principal Engineer

CERTIFICATION: Registered Civil Engineer, California (#18030), Colorado (#17012), & Arizona (#13882)

EXPERIENCE: Mr. Pool, a California Registered Civil Engineer since 1968 joined ATE in 1986. Mr. Pool's areas of expertise include the design of street, highway and intersection improvements, signals, signing and striping plans, traffic control plans, providing traffic impact analyses, and the development of creative problem solutions. Many of the projects involved state highways and freeways. Traffic issues today address pedestrians, ADA requirements, bicyclists, and road diets. Evaluation and design are guided by the 2014 CA MUTCD (latest edition) as well as the Highway Design Manual (HDM). The facilitation of solutions and approvals of projects involving multiple jurisdictions or agencies is a strong point with Mr. Pool.

Mr. Pool can determine an agency's requirements, standards, and project issues. His strength as a project manager, problem solver and consensus builder assure a successful project.

EDUCATION: B.S. Civil Engineering
California State University at Sacramento, 1965

CONTINUING EDUCATION: California Institute of Traffic Safety, San Diego State University:
Roundabout Training Course
Traffic Safety and Liability Seminar
UC Berkeley Institute of Transportation Studies:
Basic Traffic Signal Design
Fundamentals of Signal Timing and Operations
Safety and Traffic Control Plans for Work Zones
Construction Inspection of Traffic Signals

PROFESSIONAL AFFILIATIONS: American Society of Civil Engineers (ASCE), Fellow, Life Member
Institute of Transportation Engineers (ITE), Fellow, Life Member
American Council of Engineering Companies – California (formerly Consulting Engineers and Land Surveyors of California), Past President

CERTIFICATE California Department of Consumer Affairs - Certificate of Appreciation - 50 Years of Service to the Engineering profession -

ASSOCIATED TRANSPORTATION ENGINEERS

DARRYL F. NELSON

Senior Transportation Planner

EXPERIENCE: Mr. Nelson joined ATE in 1997 with experience working with many different agencies and jurisdictions within the states of California, Nevada, Virginia, Maryland and the District of Columbia.

Prior to his employment with ATE, Mr. Nelson was a transportation planner for the City of Las Vegas. In that position, he was responsible for the development and review of comprehensive plans and special transportation studies. He took part in the development of two Major Investment Studies prepared for the Las Vegas Metropolitan Area, which addressed congestion management and economic development for the region.

In addition to his public sector experience, Mr. Nelson has several years in the private sector. In Nevada as a private consultant, he prepared traffic impact and traffic demand management studies for several major resort hotel casinos. He has experience in the preparation and approvals of traffic impact studies for commercial, residential and institutional developments in California, Nevada, Virginia, Maryland and the District of Columbia. Mr. Nelson also has experience in the preparation of air quality studies. These studies were for commercial agricultural developments in the San Joaquin Valley region of California, using the AQAT-3 and URBEMIS software programs.

Since joining ATE as a transportation planner, Mr. Nelson has participated in the preparation, submittals and approvals of transportation planning and parking studies throughout California and Nevada.

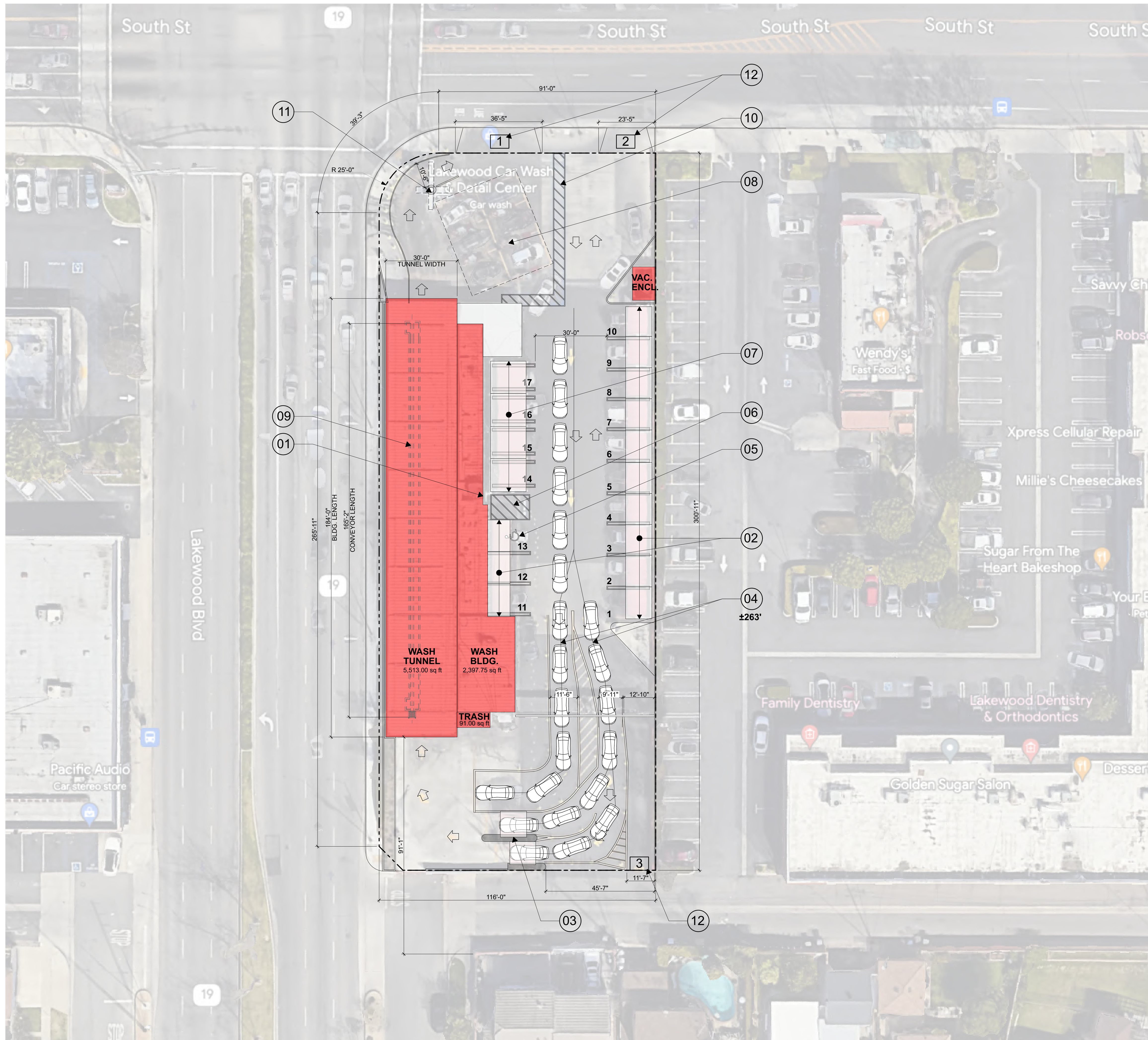
EDUCATION: B.A. Urban Planning, University of Maryland, College Park, 1988.

Continuing Education: Northwestern University Traffic Institute, Traffic Management of Land Development, Bicycle Planning and Facilities Workshop; National Highway Institute, Interim Workshop on Transportation Air Quality Analysis; Institute of Transportation Engineers, Traffic Access and Impact Studies for Site Development Seminar.

**PROFESSIONAL
AFFILIATIONS:**

Institute of Transportation Engineers, Member
American Planning Association, Member

ATTACHMENT "C"



KEYNOTES

- 01 MAIN ENTRANCE
- 02 VACUUM SPACES, TYP. OF (13)
- 03 PAY LOCATION
- 04 QUEUING LANE (22 CARS) LENGTH: ± 263'
- 05 ADA PARKING SPACE
- 06 ADA LOADING ZONE
- 07 DETAILING AREA SPACES TYP. OF (4)
- 08 DRYING AREA
- 09 WASH TUNNEL CONVEYOR
- 10 PATH OF TRAVEL TO PUBLIC WAY
- 11 POLE SIGN
- 12 THE EXISTING CAR WASH ONLY PROVIDES 3 DRIVEWAYS ALONG ONE STREET AND ONE ALLEY. THE CUMULATIVE DRIVEWAY WIDTH IS ±71'-5". AT ALLEY 41'-7" AVAILABLE, 11'-7" USED FOR EXISTING. TOTAL CUMULATIVE DRIVEWAY WIDTH USING 41'-7" = ±105'-5". THE PROPOSED CAR WASH PROVIDES 5 DRIVEWAYS ALONG TWO STREETS AND ONE ALLEY. THE CUMULATIVE DRIVEWAY WIDTH IS ±189'-8"

LEGEND (E) = EXISTING (N) = NEW

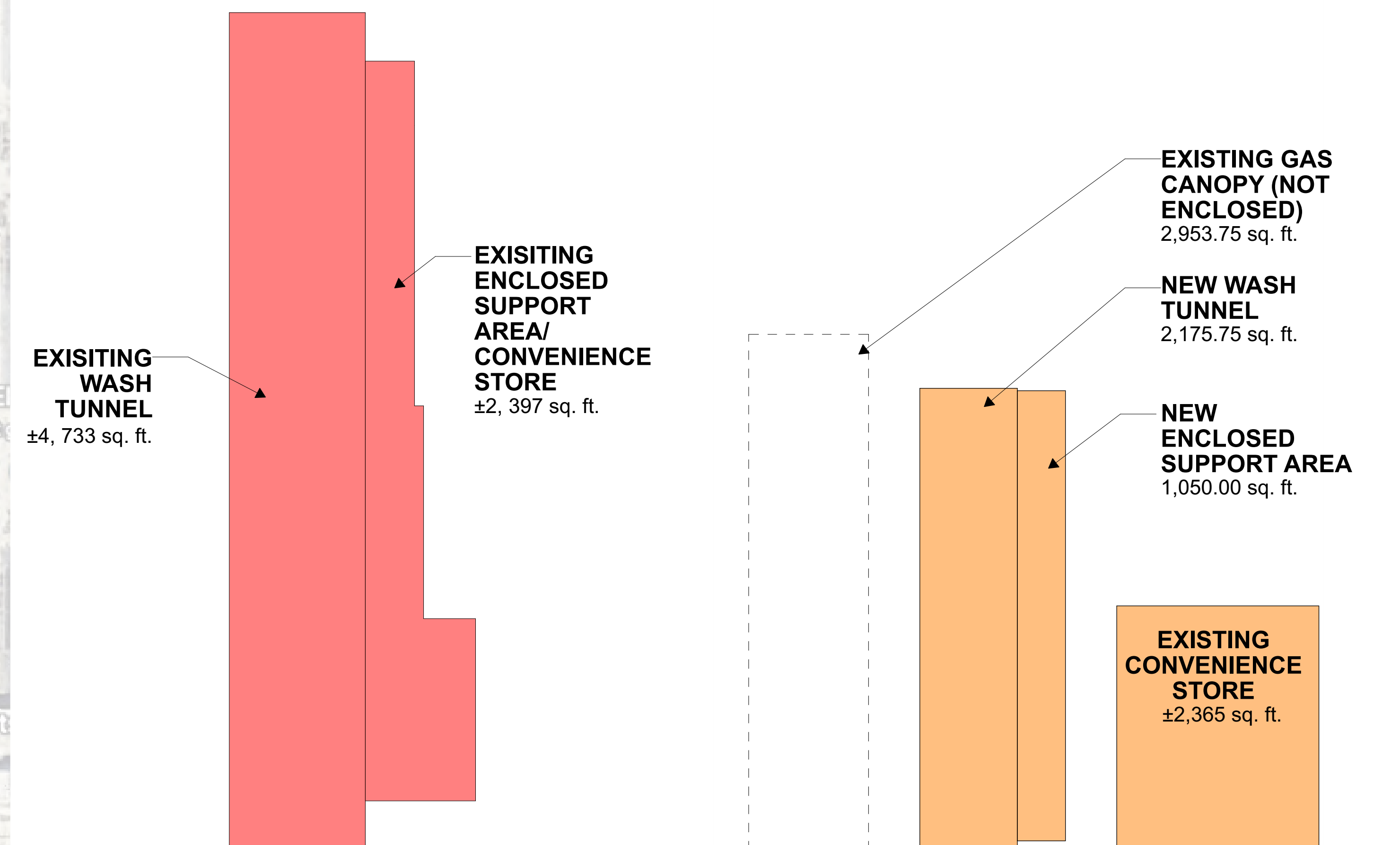
- ADA PARKING SYMBOL
- DIRECTIONAL ARROW
- PROPERTY LINE

PROJECT INFORMATION

PROJECT ADDRESS: 5748 LAKEWOOD BLVD., LAKEWOOD, CA. 90712
APN: 7170-025-0205
TRACT NUMBER: 14592
MAP REFERENCE: 121-59-60
LOT NUMBER: 1
ZONING: C-3
FIRE ZONE: OUTSIDE FIRE HAZARD AREA
SITE AREA (SQ. FT.): 34,916 SQ. FT. PER LA COUNTY ASSESSOR
TUNNEL AREA(SQ. FT.): ±5,453 SQ. FT.

ESTIMATED PARKING SUMMARY:

EXISTING PARKING 17 SPACES
 VACUUM HC SPACE 1 VAN SPACE
 TOTAL SPACES w/VACUUM 13 SPACES



TOTAL AREA: 7,130 SQ. FT. (PER LA COUNTY ASSESSOR REPORT)

BUILDING COVERAGE PERCENTAGE

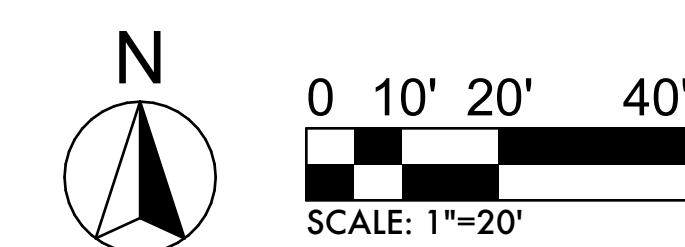
SITE AREA:	±34,916 S.F.
BUILDING AREA:	
(E) MAIN BUILDING TUNNEL	±4,733 S.F.
(E) ENCLOSED SUPPORT AREA/ CONVENIENCE STORE	±2,397 S.F.
TOTAL (E) ENCLOSED AREA:	±7,130 S.F.
LOT COVERAGE RATIOS	
TOTAL ENCLOSED BLDG. AREA	±7,130 S.F./ 34,916 = 20%

TOTAL ENCLOSED AREA: 5,590.75 SQ. FT. BUILDING COVERAGE PERCENTAGE

SITE AREA:	±41,700 S.F.
BUILDING AREA:	
(N) CAR WASH TUNNEL	2,175.75 S.F.
(N) ENCLOSED SUPPORT AREA	1,050.00 S.F.
(E) CONVENIENCE STORE BLDG.:	±2,365 S.F.
(E) GAS CANOPY (NOT ENCLOSED)	±2,953.75 S.F.
TOTAL (N)(E) ENCLOSED AREA:	±5,590.75 S.F.
TOTAL (N)(E) COVERED AREA: (INCLUDING GAS CANOPY(NOT ENCLOSED))	±8,544.50 S.F.
LOT COVERAGE RATIOS	
TOTAL (N)(E) ENCLOSED BLDG. AREA	±5,590.75 S.F./41,700= 13.4%
TOTAL (N)(E) COVERED AREA	±8,544.50 S.F./41,700= 20.5%

LAKWOOD CAR WASH

MO'S EXPRESS WASH



EXISTING LAKEWOOD CAR WASH INFORMATION

ATTACHMENT "D"



National Carwash Solutions
1997 American Blvd
De Pere, Wisconsin 54115
www.ncswash.com

Stuart Hulsey
Mobile: 770-318-4518
shulsey@ncswash.com

June 23, 2023

To: MGE OIL, LLC

From: Stuart Hulsey – Technical Services Manager – NCS Fluids Division

Mohamed Elbiali
MGE Oil, LLC
4311 South Street
Lakewood, CA 90712

Dear Mr. Elbiali:

In connection with your application with the City of Lakewood for an amendment to a Conditional Use Permit to reconstruct and upgrade your existing automated carwash facility located at the above address, you have requested information to confirm that the soaps and detergents that we are scheduled to provide for your modified facility do not involve the use of significant amounts of hazardous substances.

National Carwash Solutions (NCS); the largest manufacturer of car wash products in the United States has been providing car wash products to the vehicle care industry for almost 90 years. The NCS manufacturing facilities follow ISO-9001 certification standards further supporting the commitment and integrity our organization is built upon.

Please recognize this letter as certification of quality for the full line of NCS professional car and truck wash solutions including the brands Armor All Professional®, Blue Coral®, Rain X®, Black Magic® and CSI® Clean Touch. The NCS line of products has safely washed millions of cars annually. All NCS products are specifically designed for car wash use and professionally selected for each wash application and service required within the auto washing process.

Additionally, the full line of NCS products is legislation compliant for relevant state, federal and international regulations and codes. NCS products are biodegradable, limited, and non-phosphate where required, water based products. All NCS products are federally TSCA compliant, verified non-hazardous by OSHA, and NPDES acceptable, containing non-pollution, environmentally friendly cleaning agents.

When used according to label directions, NCS products will not exceed local POTW pH levels or introduce any hazardous components into the wastewater effluent stream. Federally required Safety Data Sheets that meet GHS (Globally Harmonized System) standards are available upon request.

Sincerely,

/s Stuart Hulsey

Stuart Hulsey
Technical Services Manager – NCS Fluids Division

ATTACHMENT "E"



CLOSURE AUTHORIZATION FOR HAZARDOUS SUBSTANCE UNDERGROUND STORAGE TANKS

LOS ANGELES COUNTY PUBLIC WORKS (Public Works)
 Environmental Programs Division
 900 South Fremont Avenue, 3rd Floor Annex Building
 Alhambra, CA 91803-1331
 Phone Number (626) 458-3517, Fax Number (626) 458-3569
www.CleanLA.com

PW USE ONLY:
 SITE-FILE NO. _____
 APP NO. _____ AREA _____
 CHECK CASH OTHER
 FEE \$ _____

CLOSURE REQUESTED:

- PERMANENT, UST REMOVAL
- PERMANENT, UST CLOSURE IN-PLACE - Attach Justification Statement
- TEMPORARY CLOSURE
- OTHER (ONLY PIPING, UNDER DISPENSER CONTAINMENT, ETC), EXPLAIN: _____

ATTACH PLOT PLAN Show existing tanks, piping and dispenser locations, etc. (to scale).

FACILITY California Environmental Reporting System (CERS) ID: _____ DATE INFORMATION SUBMITTED TO CERS: _____

HOW MANY UNDERGROUND STORAGE TANKS WILL REMAIN AFTER THIS CLOSURE? 0 EXISTING HSUSP NUMBER: _____

Who is closing the UST(s)? UST OWNER/OPERATOR OR CONTRACTOR

Email address of UST owner/operator or recipient: tutoringelbialis@gmail.com

FACILITY TO BE CLOSED (VERIFICATION FOR NOTIFICATIONS):

Facility Name: A-1 FUEL LLC Phone: 562-481-6598
 Facility Address: 4311 South Street City: Lakewood Zip: 90712
 Tank Owner/Contact: Mohamed Goma Elbiali Title: Owner
 Contractor Name: David Simon Phone: 310-748-2574
 Contractor License No.: 708267 Class(s): A, HAZ

Contractors Shall Be Hazardous Substance Removal Certified "**HAZ**" per California Business & Professions Code Division 3, Chapter 9, Article 4, §7058.7 (e)

NUMBER OF UST's TO BE CLOSED	UST ID NO. (PW USE ONLY)	CAPACITY GALLONS	SUBSTANCES STORED (PAST/PRESENT)	CLOSURE FEE
1		12000	91	\$1,307.00
2		10000	87	\$1,605.00
3		8000	87	\$1,903.00
4		6000	87	\$2,201.00
5		6000	DIESEL	\$2,499.00
6 (+ ATTACH LIST)				\$1,009.00 + \$298.00 per UST =

Closure of Underground Storage Tanks (USTs) shall be in compliance with Los Angeles County Code Title 11, Division 4

COMPLETE SURVEY:

- | | | |
|--|-------------------------------------|--|
| Has an unauthorized release ever occurred at this site? | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> |
| Has a structural repair ever been made to these underground storage tanks? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Will new underground storage tanks be installed after closure? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Will any wells, including monitoring wells, be abandoned? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTICE: CONTAMINATED TANKS AND RESIDUES IN TANKS TO BE CLOSED, MAY BE HAZARDOUS WASTE WHICH MUST BE TRANSPORTED AND DISPOSED OF PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE DIVISION 20, CHAPTER 6.5 AND MUST BE REPORTED IN THE CLOSURE REPORT. FAILURE TO COMPLY MAY BE PROSECUTED AS A FELONY VIOLATION.

By signature below, you certify that all statements and disclosures above are true and correct.
 You have read and agree to abide by this authorization and all conditions and limitations on the back and attached:

Authorization Recipient (Print Name) DAVID SIMON Phone 310-748-2574

Recipient's Signature David Simon Date 01-01-2023

Recipient is: UST Owner UST Operator or Contractor Written authorization is required for submittals made on behalf of owner/operator.

TO BE COMPLETED BY PUBLIC WORKS

PURSUANT TO SECTION 11.80.070B, LOS ANGELES COUNTY CODE, PERMISSION IS HEREBY GRANTED TO PROCEED WITH THE CLOSURE DESCRIBED ABOVE SUBJECT TO THE ATTACHED CONDITIONS AND LIMITATIONS.

THIS AUTHORIZATION EXPIRES: _____ *SEE ATTACHMENTS*****

MARK PESTRELLA
 Director of Public Works

By: _____ Date: _____

**UNDERGROUND STORAGE TANKS
CLOSURE INFORMATION**

1. This authorization to temporarily or permanently close an underground storage tank (UST) pursuant to Los Angeles County Code, Title 11, Division 4. This authorization may also be used for product piping removal associated with an existing or removed USTs.
2. This authorization will not be approved unless a valid Hazardous Substance Underground Storage Permit (HSUSP) application is on file with Public Works or an Unified Program Facility Permit has been issued by the Certified Unified Program Agency (CUPA).
3. Submittals, including this authorization, made on behalf of the UST owner, operator, or Unified Program permit owner or operator shall be accompanied by written authorization.
4. USTs closed on site, by removal, or cleaning and filling with an inert solid substance prior to January 1, 1984, need not comply with current closure requirements, however, contamination related to these USTs must be reported and investigated.
5. All work shall be carried out in full compliance with all applicable federal, state and local laws, ordinances, rules and regulations.
6. All fees due to Public Works and/or to the CUPA for the operation and/or maintenance of the facility subject to closure through the date of closure shall be paid in full.
7. Closure authorizations are site specific and may be subject to additional sampling and site characterization requirements as necessary to protect the public health and safety, underground and surface water supplies, and may include requirements, requested by Federal, State or other regulatory agencies.
8. All inspection notification(s) shall be made as directed by the attached conditions of this approval.
9. Within 30 days after closure, all requirements of this Closure authorization shall be furnished to Public Works in a closure report per Public Works Closure Report Requirements and Supplements, describing all work completed, results of any required sampling, disposition of any contaminated soils or substances found and any other requirements made part of the closure application as well as submittal to the CERS database of the Unified Program UST FACILITY and UST TANK information for each UST permanently closed. <http://cers.calepa.ca.gov/>
10. In all cases, closure authorizations expire 180 days from the date of issue unless otherwise specified. It is the responsibility of the owner or operator to make sure that the final report contains the required information and is submitted to Public Works within 30 days from the sampling date or 180 days from the date of the permit issuance, whichever is earlier. The total number of tanks listed on the HSUSP or UP Permit and the yearly annual permit maintenance billing will remain unchanged until the closure report is received by Public Works. Only one copy of the closure report needs to be submitted unless otherwise directed.
11. This Closure Authorization is considered complete when all requirements of this Closure Authorization and the Permit have been met.
12. Public Works will review the closure report and will issue closure certification with no further action when all requirements of this Closure Authorization and Permit have been met, and where no unauthorized release has been found.
13. If an unauthorized release has occurred or any detected constituent in soil or groundwater is found above the method detection limit of an analytical method as identified in the laboratory testing requirements, reporting of this unauthorized release must comply with the Health and Safety Code Division 20, Chapter 6.7.
14. Where an unauthorized release has occurred, referral of the closure report will be made to a Regional Water Quality Control Board or State Water Resources Control Board who will then provide further direction until closure certification is issued.
15. All correspondence related to this closure authorization shall include the **SITE-FILE** numbers listed on the front of this document, found in the upper right box and be addressed to the following location:

**LOS ANGELES COUNTY PUBLIC WORKS
ENVIRONMENTAL PROGRAMS DIVISION
900 SOUTH FREMONT AVENUE
ALHAMBRA, CA 91803-1331**

CERTIFICATION OF COMPLIANCE WITH LOS ANGELES COUNTY LOBBYIST ORDINANCE	
This is to certify that I, as permit applicant for the project located at <u>4311 South Street Lakewood, CA 90712</u> , LOCATION ADDRESS	
am familiar with the requirements of Los Angeles County Code Chapter 2.160 et seq., (relating to the Los Angeles County Lobbyist Ordinance) and all persons acting on behalf of myself have complied and will continue to comply therewith through the application process.	
<u>CRAIG MCLAREN</u> APPLICANT (PRINT NAME)	<u>Craig McLaren</u> APPLICANT SIGNATURE
<u>GSD&D SERVICES</u> COMPANY NAME (If employed by an entity/agency)	<u>01-01-2023</u> DATE

If you suspect fraud or wrongdoing by a County employee, please report it to the County Fraud Hotline at 1-800-544-6861 or <http://fraud.lacounty.gov/>. You may remain anonymous.



**HAZARDOUS SUBSTANCES UNDERGROUND STORAGE PERMIT
APPLICATION SUPPLEMENT / NOTICE TO FILE
AUTHORIZATION TO MAINTAIN UNDERGROUND STORAGE TANKS**
LOS ANGELES COUNTY PUBLIC WORKS
Environmental Programs Division
900 South Fremont Avenue, 3rd Floor Annex Building
Alhambra, CA 91803-1331
(626) 458-3517, Fax (626) 458-3569
www.CleanLA.com

PW USE ONLY:		
SITE-FILE NO.:	_____	AREA _____
APPLICATION NO.	_____	
ISSUED PERMIT NO.:	_____	
DATE REC'D.	_____	BY _____
CHECK <input type="checkbox"/>	CASH <input type="checkbox"/>	FEE \$ _____

Application is hereby made for authorization to operate and maintain underground storage tanks (UST). This form must accompany each UST permit application for a new Hazardous Substances Underground Storage Permit or Unified Program (UP) Facility Permit.
**** See instructions on back of this form****

CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM (CERS) ID# _____

Email address of UST owner/operator or representative: tutoringelbialis@gmail.com

FACILITY ADDRESS INFORMATION		UST OPERATOR, IF NOT UST OWNER NAMED ON UP FACILITY FORM		
A-1 FUEL LLC		Mohamed Goma Elbiali		
FACILITY NAME		OPERATOR NAME		
4311 South Street		4311 South Street		
FACILITY ADDRESS		OPERATOR MAILING ADDRESS IF DIFFERENT FROM FACILITY ADDRESS		
Lakewood	90712	Lakewood	CA	90712
CITY	ZIP	CITY	STATE	ZIP

NUMBER OF USTS TO BE PERMITTED AT FACILITY: 4 FEDERAL TAX ID NO: _____ SIC CODE: _____

ASSESSOR PARCEL NUMBER (APN): MAP BOOK NO. _____ PAGE NO. _____ PARCEL NO. _____

BUSINESS ENTITY NO. _____

THIS SUPPLEMENT MUST BE ACCOMPANIED BY:

- SUBMITTED FACILITY INFORMATION
- SUBMITTED TANK INFORMATION (ALL USTs)
- SUBMITTED MONITORING INFORMATION
- OPERATING PERMIT APPLICATION FEE
- SUBMITTED DESIGNATED OPERATOR FORM
- SUBMITTED FINANCIAL RESPONSIBILITY FORM (Petroleum USTS)
- SUBMITTED UST RESPONSE PLAN FORM
- PRO-RATED ANNUAL PERMIT MAINTENANCE FEE

HSUSP FEE SCHEDULE (Los Angeles County Code 11.82.010):

<u>NUMBER OF USTS:</u>	<u>OPERATING PERMIT APPLICATION FEE</u>	<u>*PRO-RATED ANNUAL PERMIT MAINTENANCE FEE*</u>
1	\$609.00	\$1,703.00
2	\$714.00	\$1,979.00
3	\$819.00	\$2,255.00
4	\$924.00	\$2,531.00
5	\$1029.00	\$2,807.00
6 or more tanks	\$504.00 + \$105.00 per tank = \$ _____	+ \$1,427.00 + 276.00 per tank = \$ _____

MAKE CHECKS PAYABLE TO: "LOS ANGELES COUNTY PUBLIC WORKS"

*See Back of form for Pro-rated Annual Permit Maintenance Fee factors.

This Hazardous Substances Underground Storage Permit application form with the Permit Number identified in the upper right hand corner will serve as the UST operating permit document until the Unified Program Facility Permit is issued by the County of Los Angeles Certified Unified Program Agency the following Fiscal Year. All fees must be paid prior to issuance of the UP Facility Permit authorizing the underground storage of hazardous substances.

UST OWNER/OPERATOR REPRESENTATIVE MUST COMPLETE THIS SECTION (AND BACK OF FORM):

SIGNATURE Mohamed Goma Elbiali TITLE Owner

PRINT NAME Mohamed Goma Elbiali DATE 01-01-2023

INSTRUCTIONS

Hazardous Substances Underground Storage Permit (HSUSP)/Unified Program (UP) Facility Permit Application Supplement

Do not use this form for closure of an underground storage tank (UST), the transfer, or renewal of an existing HSUSP, additional tank installation, new construction plan check, or an additional approval.

The Permittee, UST owner and UST operator shall be knowledgeable of and comply with the provisions of California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75, California Code of Regulations Title 23, Division 3, Chapter 16 and Chapter 18, and Los Angeles County Code, Title 11, Division 4.

This supplement is to be used for the application to operate and maintain existing USTs located within the jurisdiction of the County of Los Angeles Public Works (Public Works), which includes the unincorporated County of Los Angeles and 77 cities. Facilities located within the corporate limits of the cities of Burbank, Glendale, El Segundo, Long Beach, City of Los Angeles, Pasadena, San Fernando, Santa Fe Springs, Santa Monica, Torrance, and Vernon should contact the respective local agencies directly for permit information. Specify the number of USTs at the facility, Federal Tax ID number, primary business SIC Code, Assessor parcel identification number, the California Secretary of State Business Entity Number <https://businesssearch.sos.ca.gov/> for corporations and limited liability companies, and the California Environmental Reporting System (CERS) identification number <http://cers.calepa.ca.gov/>.

The facility name and facility address information for each new permit application must correspond with information uploaded to the CERS database and must be consistent with Public Works standards. The applicant is responsible for completing all information requested to be uploaded to CERS, including the UP UST FACILITY INFORMATION, UP UST TANK INFORMATION, UP MONITORING PLAN. Additionally, the UST RESPONSE PLAN, FINANCIAL RESPONSIBILITY and DESIGNATED OPERATOR forms must be submitted to CERS. Public Works will not complete these forms for you. This application is due by the date indicated. CERS submittals with data which is found to be inaccurate or incomplete will not be accepted.

By applying for a new HSUSP, the owner agrees to assume all obligations under any expired HSUSP including all fee installments, installation and maintenance of approved monitoring systems, and all reporting requirements. **IT IS THE APPLICANTS RESPONSIBILITY TO DETERMINE IF DELINQUENT FEES OR OTHER OUTSTANDING SUBMITTAL REQUIREMENTS, INCLUDING VIOLATION CORRECTIONS, ARE OWED TO PUBLIC WORKS OR CUPA.**

All inspection notification(s) shall be made as directed by the attached conditions of this approval. Annual inspections will occur thereafter.

The fees to accompany this application represent the **HSUSP** application fee and the pro-rated Annual Maintenance fee, only. The first UP Permit fee will include the full Annual Permit Maintenance fee plus the State UST surcharge and will be billed by the County of Los Angeles Certified Unified Program Agency (CUPA) prior to the issuance of the UP Facility Permit (Los Angeles County Code Title 12, Section 12.50.075) the following fiscal year. Future **annual maintenance fees** (which are adjusted annually by the Consumer Price Index) will be payable upon billing by the CUPA. The full annual maintenance fee will be charged for any unregistered UST(s)

The initial pro-rated Annual Permit Maintenance fee factor is based on number of days remaining in the Fiscal Year (July 1 through June 30):

FROM	TO	PRO-RATED Multiplication factor
07/01	09/01	100%
09/02	12/01	75%
12/02	03/01	50%
03/02	05/31	25%
06/01	06/30	0%

This form, the Application Supplement forms, and the CERS data, must be signed by the **Owner or Operator** of the UP Facility on which the tank is located as follows:

- 1) A principal executive officer at the level of vice-president or by an authorized representative. The representative must be responsible for the overall operation of the facility where the UST is located.
- 2) A general partner proprietor.
- 3) A principal executive officer, ranking elected official, or authorized representative of a public agency.
- 4) A responsible business representative for persons requesting exemption.

CERTIFICATION OF COMPLIANCE WITH LOS ANGELES COUNTY LOBBYIST ORDINANCE	
This is to certify that I, as permit applicant for the project located at <u>4311 South Street Lakewood, CA 90712</u>	
LOCATION ADDRESS	
am familiar with the requirements of Los Angeles County Code Chapter 2.160 et seq., (relating to the Los Angeles County Lobbyist Ordinance) and all persons acting on behalf of myself have complied and will continue to comply therewith through the application process.	
<u>CRAIG MCLAREN</u> APPLICANT (PRINT NAME)	 APPLICANT SIGNATURE
<u>GSD&D SERVICES</u> COMPANY NAME (If employed by an entity/agency)	<u>01-01-2023</u> DATE

If you suspect fraud or wrongdoing by a County employee, please report it to the County Fraud Hotline at 1-800-544-6861 or <http://fraud.lacounty.gov/>. You may remain anonymous.



NEW CONSTRUCTION / ADDENDUM
 LOS ANGELES COUNTY PUBLIC WORKS
 Environmental Programs Division
 900 South Fremont Avenue, 3rd Floor Annex Building
 Alhambra, CA 91803-1331
 Phone No. (626) 458-3517, Fax No. (626) 458-3569
www.CleanLA.com

FOR PW USE ONLY:

SITE-FILE NO. _____ AREA _____

APP NO. _____

HSUSP NO. _____

UNDERGROUND STORAGE TANKS (USTs)

- NEW CONSTRUCTION PLAN CLEARANCE REVIEW PERMIT ADDENDUM PIPING REPLACEMENT

A OWNER INFORMATION

B UST FACILITY INFORMATION:

A-1 FUEL LLC			CERS ID: _____		
PERMIT OWNER/FACILITY NAME			NUMBER OF EXISTING USTs: _____ 5		
4311 South Street			NUMBER OF USTs TO BE INSTALLED: _____ 4		
FACILITY ADDRESS			NUMBER OF USTs TO BE REMOVED: _____ 5		
Lakewood		90712	NET NUMBER OF USTs AT SITE: _____ 4		
CITY	ZIP				
SAME AS ABOVE					
APPLICANT MAILING ADDRESS					
CITY	STATE	ZIP			

C NEW CONSTRUCTION PLAN CLEARANCE MUST BE ACCOMPANIED BY:

- FACILITY, TANK and MONITORING INFORMATION SUPPLEMENT
- At least four (4) sets of construction plans and specifications.

NUMBER OF USTs:	PLAN CLEARANCE FEE:
1	\$2,066.00
2	\$2,536.00
3	\$3,006.00
4	\$3,476.00
5	\$3,946.00
6 OR MORE	\$1,596.00 + \$470.00 PER UST

New Construction Plan Clearance fee. Enter amount: \$

\$ _____

D SYSTEM MODIFICATION OR CHANGE PROPOSED: Remove existing fueling system and install 8 new UDC's, piping, 4 UST's,

1 vent box, 8 dispensers and a carbon canister.

E ADDENDUM MUST BE ACCOMPANIED BY:

- Facility, tank, and monitoring information for each tank modified or changed.
- Written authorization by tank owner, operator, or Unified Program facility permit owner or operator for the scope of work.
- Four (4) sets of construction plans, specifications, and/or explanation of modifications or changes.
- Permit Addendum Fee of **\$824.00**

\$ _____

MAKE CHECKS PAYABLE TO: "LOS ANGELES COUNTY PUBLIC WORKS"

F APPLICANT ** See instructions on back of this form**

SIGNATURE David Simon UST OWNER UST OPERATOR CONTRACTOR

PRINT NAME DAVID SIMON DATE 01-01-2023

CONTRACTOR NAME DAVID SIMON LICENSE NO. 708267 CLASS A, HAZ

ICC UST INSTALLER/RETROFIT & TECHNICIAN NAME(S) DAVID SIMON ICC UST NO(S). 8191470

INSTRUCTIONS

Hazardous Substances Underground Storage Permit (HSUSP) New Construction Plan Clearance, Permit Addendum, or Piping Replacement Review

Do not use this form for closure, transfer, or renewal of an existing HSUSP or Unified Program (UP) Permit.

This form is for authorization to construct or modify hazardous substances Underground Storage Tank (UST) facilities only. A separate HSUSP or UP Facility Permit, is required to operate the approved system. This authorization will not be approved unless a valid HSUSP or UP Facility Permit application is on file with Los Angeles County Public Works.

A The UST Owner/Operator, Facility name, and facility address on this form must correspond with the information provided in California Environmental Reporting System (CERS) for the UST Facility HSUSP Application.

B This form must be submitted for new construction (installation of new USTs) plan clearance, piping replacement, or for an addendum to an existing HSUSP. Specify the number of USTs to be installed and the total number of USTs after installation. Existing facilities with a valid operational HSUSP or UP Facility Permit need not make a separate HSUSP application to add or modify USTs. Work must commence within 180 days from the date of issuance of plan approval or the approval will be voided. An extension of up to 180 days may be granted at one-half the initial new construction plan clearance fee. If construction work has not commenced within 360 days from the date of plan approval issuance, such plan approval shall be null and void.

C Plans and specifications submitted for a new construction plan clearance must conform to the Los Angeles County Code, Title 11, Division 4, and shall be to the satisfaction of the Director of Public Works. Other clearances such as local fire department, building and safety, planning, and/or Air Quality Management District, etc. may also be required.

In addition to the plan clearance fee, an operating permit application fee will be required when applying to construct a new facility. No refund of current year HSUSP fees due will be allowed for a net decrease in the number of USTs. State surcharge or service fees paid on existing or renewed USTs are not transferable to new USTs.

D Specify the type of modification or change to existing USTs. Types of modifications and changes requiring an addendum include: repair of USTs, replacements of piping, change or addition of hazardous substances stored, change in monitoring equipment, change of overfill protection devices, or additions or modifications to dispenser containment devices.

E A fee of **\$824.00** must be submitted for each addendum. Where a previously unregistered UST is added to an existing HSUSP, an additional application fee including maintenance fee will be charged.

F This form, the Application Supplement forms, and the CERS data must be signed by one of the following:

1. The tank owner, operator, or Unified Program (UP) Facility Permit owner or operator.
2. A principal executive officer at the level of vice-president or by an authorized representative responsible for the overall operation of the facility where the tank(s) are located.
3. A general partner proprietor.
4. A principal executive officer, ranking elected official, or authorized representative of a public agency.
5. A representative, including an architect or contractor responsible for the installation of the new tanks or any modifications or changes to existing tanks, with written authorization to submit the scope of work on behalf of the tank owner, operator or UP Facility Permit owner or operator.

All post construction requirements such as primary containment testing, secondary containment testing, monitoring system certification, soil sampling closure reports, and the uploaded CERS UST INSTALLATION information must be submitted within 30 days of completion.

INCOMPLETE FORMS WILL NOT BE PROCESSED.

CERTIFICATION OF COMPLIANCE WITH LOS ANGELES COUNTY LOBBYIST ORDINANCE

This is to certify that I, as permit applicant for the project located at 4311 South Street Lakewood, CA 90712,
LOCATION ADDRESS
am familiar with the requirements of Los Angeles County Code Chapter 2.160 et seq., (relating to the Los Angeles County Lobbyist Ordinance) and all persons acting on behalf of myself have complied and will continue to comply therewith through the application process.

CRAIG MCLAREN
APPLICANT (PRINT NAME)
GSD&D SERVICES

Craig McLaren
APPLICANT SIGNATURE
01-01-2023

COMPANY NAME (If employed by an entity/agency)

DATE

If you suspect fraud or wrongdoing by a County employee, please report it to the County Fraud Hotline at 1-800-544-6861 or <http://fraud.lacounty.gov/>. You may remain anonymous.

A-1 FUEL LLC
4311 South Street
Lakewood, CA 90712
(562) 481-6598

LETTER OF AUTHORIZATION

I Mohamed Goma Elbiali owner of A-1 FUEL LLC authorize Craig McLaren of GSD&D Services and David Simon of Shancor to act on my behalf, as my agents in order to obtain all required permits for the removal of the existing fueling system and the installation of a new fueling system with L.A.C.D.P.W. UST Division as the address listed below.

D.B.A. A-1 FUEL LLC – 4311 South St. Lakewood, CA 90712

Should you have any questions, please contact me at: (562) 481-6598

Thank you,

Mohamed Goma Elbiali

Mohamed Goma Elbiali
Owner
A-1 FUEL LLC



P.O. BOX 8192, PLEASANTON, CA 94588

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 12-13-2022

GROUP:
POLICY NUMBER: 9081579-2022
CERTIFICATE ID: 2
CERTIFICATE EXPIRES: 12-13-2023
12-13-2022/12-13-2023

CONTRACTORS STATE LICENSE BOARD
WORKERS COMPENSATION UNIT
PO BOX 26000
SACRAMENTO CA 95826-0026

NA

LIC PERMIT#: 708267
INCEPTION DATE: 12-13-2022
DO:NA

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

[Handwritten signature of Authorized Representative]

Authorized Representative

[Handwritten signature of President and CEO]

President and CEO

UNLESS INDICATED OTHERWISE BY ENDORSEMENT, COVERAGE UNDER THIS POLICY EXCLUDES THE FOLLOWING: THOSE NAMED IN THE POLICY DECLARATIONS AS AN INDIVIDUAL EMPLOYER OR A HUSBAND AND WIFE EMPLOYER; EMPLOYEES COVERED ON A COMPREHENSIVE PERSONAL LIABILITY INSURANCE POLICY ALSO AFFORDING CALIFORNIA WORKERS' COMPENSATION BENEFITS; EMPLOYEES EXCLUDED UNDER CALIFORNIA WORKERS' COMPENSATION LAW.

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: \$1,000,000 PER OCCURRENCE.

EMPLOYER

SIMON, DAVID DBA: SHANCOR
14052 LARCH LN
TUSTIN CA 92780

NA

Business Information

DAVID SIMON
DBA SHANCOR

14052 LARCH LANE
TUSTIN, CA 92780

Business Phone Number:(714) 448-7155

Entity Sole Ownership

Issue Date 06/15/1995

Expire Date **06/30/2023**

License Status

This license is current and active.

strictly prohibited. ICC reserves the right to incorporate
some false names to detect improper use of this service.

PLEASE NOTE: Search will return a maximum of 500 records, and is limited to that information on record as provided by candidates.

Search Result:

2 records found.

Certified under this name	City	State	Certificates
DAVID SIMON	Tustin	CA	Vapor Recovery System Installation and Repair (expires 01/24/2023) UST Installation/Retrofitting (expires 01/30/2023) California UST Service Technician (expires 11/27/2023) Vapor Recovery System Testing and Repair (expires 11/27/2023)

FERNANDO MARTINEZ

8228366

Certifications:

Initial Certification	Current Expiration	Certificate Name
10/09/2021	10/09/2023	Vapor Recovery System Repair
10/23/2021	10/23/2023	Vapor Recovery System Installation and Repair
01/29/2022	01/29/2024	UST Installation/Retrofit



INTERNATIONAL
CODE
COUNCIL®



Vapor Systems Technologies, Inc.

David Simon

Of:

ShanCor

Has satisfactorily completed
VST Technical Certification Training

08-05-2022
Date of Issue:

Ausie McLaughlin
Course Instructor

Name: **David Simon**

Of: **ShanCor**

Certification Level: A Hanging Hardware Installation

3001398624
Certification #

08-05-2022
Date of Issue

08-05-2024
Expiration Date

Certificate of Completion

This certificate is issued in recognition that

David Simon

Authorized Service Contractor # 3001398624

Of:

ShanCor

Has satisfactorily completed VST
Technical Certification Training

Certification Level: A Hanging Hardware Installation
 B Processor Installation
 C Processor OM&S

08-05-2022

Date of Issue

08-05-2024

Expiration Date


Course Instructor



Vapor Systems Technologies, Inc.

FORECOURT SPECIALIST



This is to certify that
David Simon

has been certified in:
Submersible Pumps

Training Date: Oct 31, 2021

Certification # 1010483708

Expiration Date: Oct 31, 2023



heavy paper
the dotted lines
in half

Course Completion

presented to

David Simon

B36208

for the successful completion of

VeederTEC ATG Technician Certification


Hector Benitez
Technical Training Supervisor

Successfully Completed On
06-MAR-2022

Certificate of Completion



David Simon
VEEDER-ROOT

Has satisfactorily completed:

Veeder-Root Vapor Products

Becky Anderson

Becky Anderson, Manager, Service NPI

Acquired On:
09-JAN-2021





The person named on this certificate of completion has demonstrated knowledge of the listed products and installation by completing an exam provided by Franklin Fueling Systems via FFS PRO: University. This certification is valid for two years from the training date listed.

Franklin Fueling Systems
3760 Marsh Road
Madison, WI 53718
800-984-6266

FLEXIBLE CONNECTORS

This is to certify that

David Simon

has been certified in:

Flexible Connectors

Training Date:	Jul 8, 2022
Certification #	1010483708
Expiration Date:	Jul 8, 2024



1. Print on heavy paper
2. Cut along the dotted lines
3. Fold card in half

To receive this certification as a laminated wallet card email this PDF file to CERTCARD@FRANKLINFUELING.COM

Your email must include the mailing address you want the card sent to.

Please allow up to 2 weeks to receive you laminated card.

Course Completion

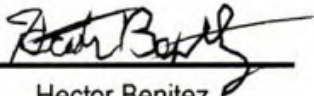
presented to

Fernando J. Martinez

A27332

for the successful completion of

VeederTEC ATG Technician Certification



Hector Benitez

Technical Training Supervisor

Successfully Completed On
26-MAR-2022

April 18, 2020

Shancor
2656 Batson Ave
Rowland Heights, CA 91743

On (4/18/2020) the following employees of (**Shancor**) completed bonder training as set forth in Fiber Glass Systems Total Quality Installation Program for the installation of UL listed Red Thread® IIA and Dualoy – 3000L / 3000LCX primary and secondary containment piping systems.

Fernando Martinez

The cards verifying this completed bonder training will be mailed under separate cover within 5 working days of this letter. A copy of this record of attendance will be kept on file at Fiber Glass Systems.

Renewal of bonder training is recommended every three years.

Respectfully yours,



Mrs. Lisa Blessingame
Fuel Handling Sales Manager – US & Canada



Installer Attestation No. 102660

VR-102

David Simon
Shancor

EVR UST Certification Course

On: 3/30/2021

Exp Date: 03/30/2023

Completion of this training course does not create a warranty or guaranty by OPW of your installation and/or maintenance of nozzles, vapor recovery systems and EVR PHASE I systems. This training course does not eliminate the need to strictly adhere to manufacturer instructions and procedures when installing and maintaining nozzles, vapor recovery systems and EVR PHASE I Systems. All nozzles, vapor recovery systems and EVR PHASE I Systems must be installed and maintained in accordance with manufacturer instructions and procedures. Attestation applies ONLY to tested named individual.

PROJECT DESCRIPTION:

Remove existing fueling system and install new UDC's, piping, UST's, vent box, dispensers and a carbon canister.

PROJECT ADDRESS:

A-1 FUEL LLC
4311 South Street
Lakewood, CA 90712

CONTACTS:

PROJECT DESIGNER: **Craig McLaren (805) 710-2006**
 PROJECT OWNER: **Mohamed Goma Elbiali (562) 481-6598**
 PROJECT CONTRACTOR: **David Simon (310) 748-2574**

SHEET INDEX:

SHEET	CONTENT
TP- 1	Scope of work
TP- 2	Demo Plan
TP- 3	Future Plot Plan
TP- 4	Piping & UDC Details with Parts List
TP- 5	Vent Box & Riser Details with Parts List
TP- 6	Carbon Canister Details
TP- 7	87 Regular Turbine Sump & Annular Details with Parts List
TP- 8	87 Regular Fill Sump Details with Parts List
TP- 9	91 Super Turbine Sump Details with Parts List
TP- 10	91 Super Fill Sump Details with Parts List
TP- 11	Diesel Turbine Sump Details with Parts List
TP- 12	Diesel Fill Sump Details with Parts List
TP- 13	E-85 Turbine Sump Details with Parts List
TP- 14	E-85 Fill Sump Details with Parts List
TP- 15	20,000 Gallon Tank Details
TP- 16	30,000 Gallon Split Tank Details
TP- 17	Tank Hole Details
TP- 18	Dispenser Details with Parts List
TP- 19	ADA Compliance Details
TP- 20	Vacuum Zones and Sensor Layout

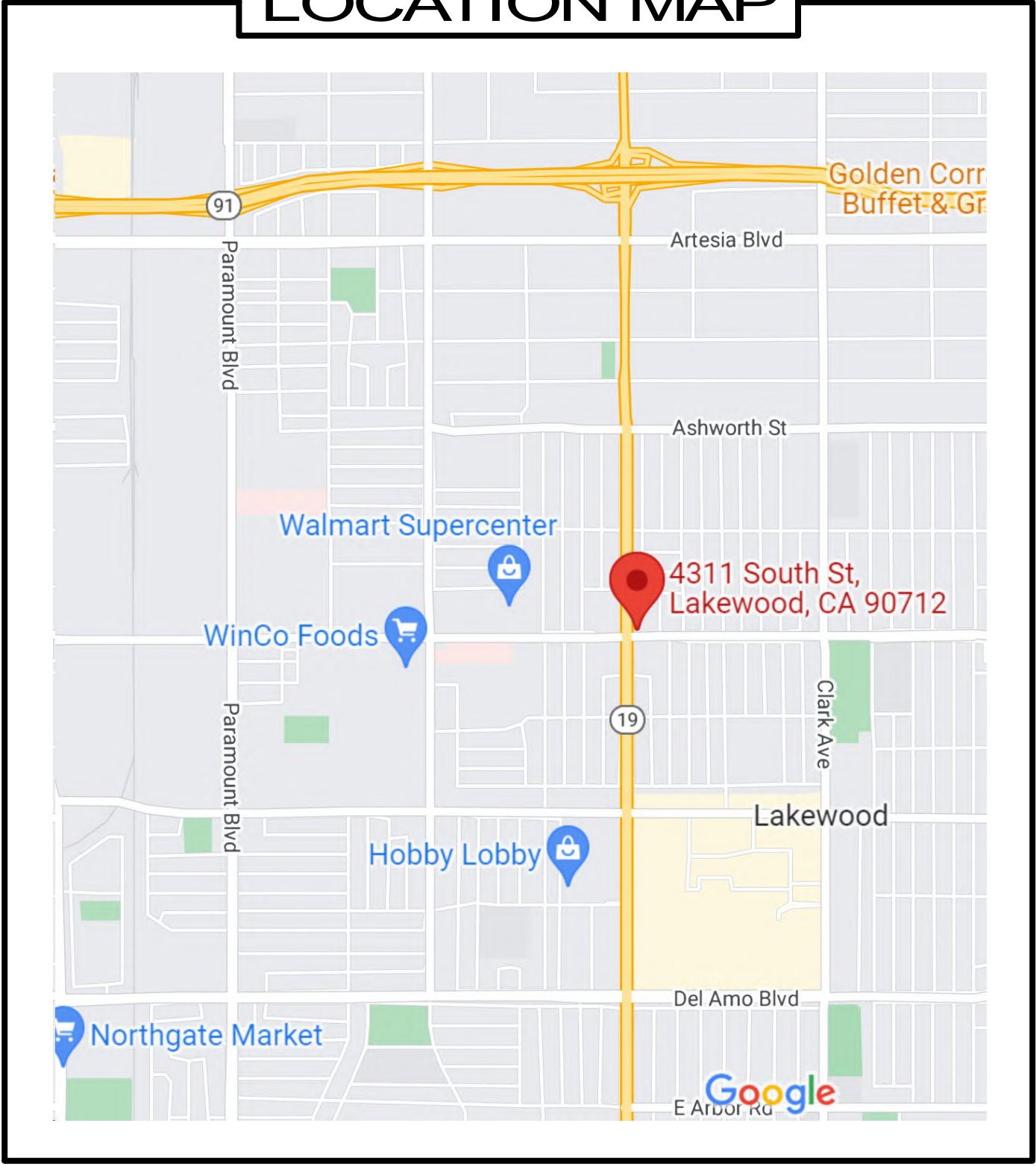
COMPLIANCE:

This project shall comply with 2019 California Building Code, 2019 California Electric Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Energy Standards, and County of Los Angeles Municipal Code.

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DISCLAIMER
 While every effort has been made to prevent errors or omissions while preparing this plan, the contractor must verify all notes, details and dimensions prior to commencing work.

LOCATION MAP



Project Address
A-1 FUEL LLC
 4311 South Street
 Lakewood, CA 90712

Scale
 NOT TO SCALE

Date
 12-14-2022

Sheet
TITLE SHEET

SCOPE OF WORK

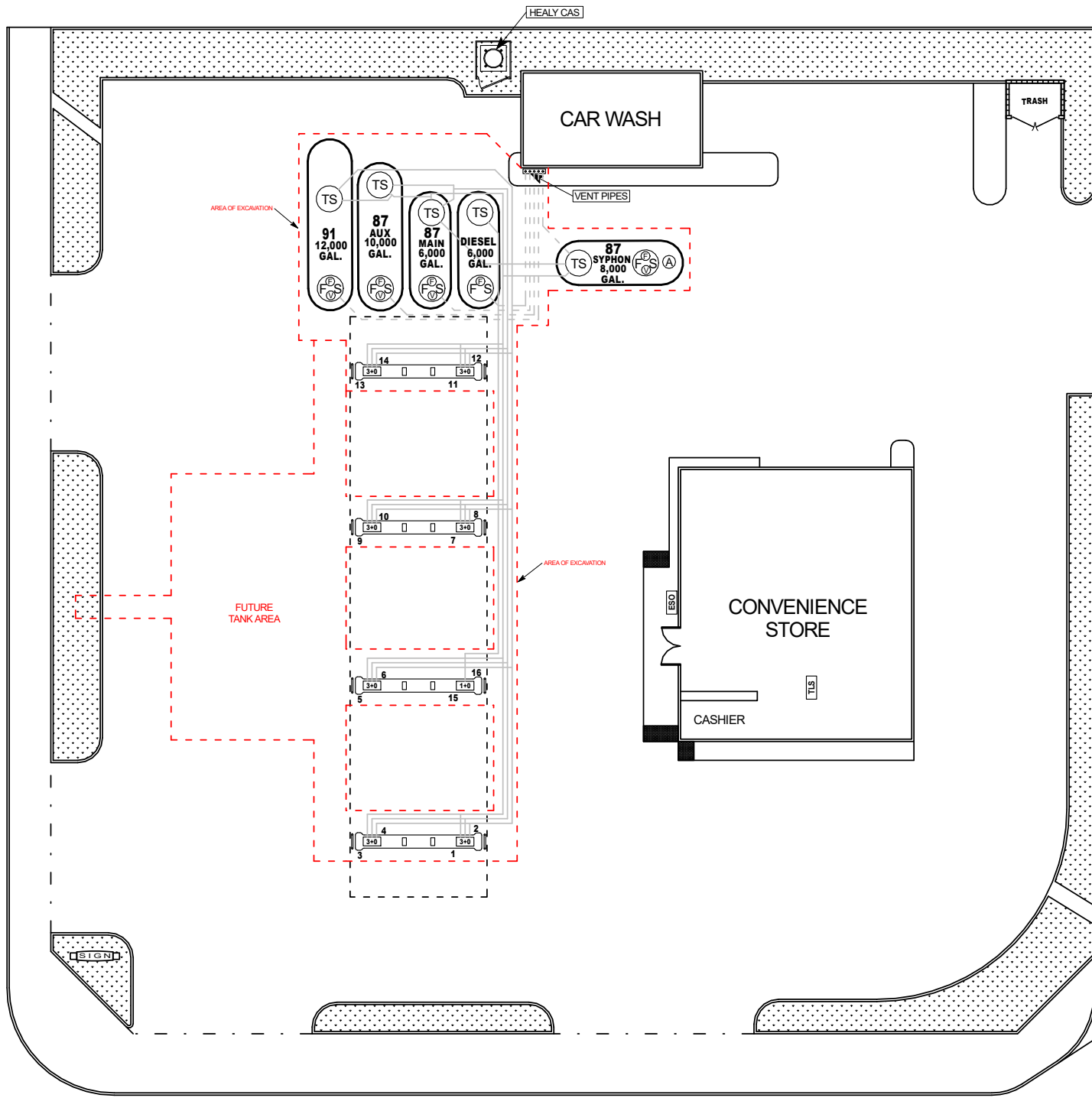
- Excavate tank hole as needed for two (2) new Xerxes tanks.
Tank hole to be approximately 42' W X 40' L X 14' D, allowing for 24" of pea gravel around tank and 12" of pea gravel on bottom of tank.
- Place one (1) new Xerxes 30,000 gallon 3 compartment tank (10K 91/10K DIESEL/10K E-85) and one (1) new Xerxes 20,000 gallon single compartment tank for 87 with brine filled interstitial space in excavated area.
NOTE: Tanks to be installed per manufactures instructions.
NOTE: Contractor to provide a copy of factory Tank Set check sheet to inspector documenting all required procedures have been followed.
- Check tank for slope (tank to be set level).
- Check tank for proper vertical deflection limits.
- Back fill excavation area to top of tanks with approved pea gravel. The material is to be a mix of round particles, sizes between 1/8" inch and 3/4" inch. The pea gravel must conform to the specifications of ASTM C-33, paragraph 9.1, sizes 6, OR 7. No more than 5% (by weight) of the back fill may pass through a #8 sieve. The material is to be washed, free-flowing and free of ice, snow and debris.
NOTE: During tank set, the tank is to be held in place with tension by the crane while the contractor backfill's the base of the tank with pea gravel and compacts the pea gravel underneath the tank to ensure there are no potential voids. Once the tank base has been backfilled/compacted enough to ensure it will not move, the contractor shall move on to the installation of the second tank and so on. Once all tanks have been installed and backfilled to this extent the tank hole is then to be immediately backfilled to the top of the tanks with pea gravel.
- Install new double wall turbine and fill sumps on all four tanks as per plans.
- Install new F. E. Petro submersible turbine pumps.
- Install new A.O. Smith fiberglass penetration fittings on product, vent and vapor piping in turbine and fill sumps as per plans. NOTE: All A.O. Smith penetration fittings to be installed per manufacturer's instructions.
- Install new Flexing 18" x 2" braided-steel flex-piping sections for product lines in turbine sumps, vent and vapor lines in fill sumps.
- Install eight (8) new Bravo dispenser UDCs to match footprint with new Gilbarco Encore 700s dispensers.
- Install new OPW impact shutoff valves for product lines in UDCs.
- Install new OPW impact shutoff valves for vapor lines in UDCs.
- Install new Flexing 24" x 1 1/4" braided-steel flex-piping sections for product and vapor lines in UDCs.
- Install new A.O. Smith fiberglass penetration fittings in UDCs for product and vapor piping as required.
NOTE: All A.O. Smith penetration fittings to be installed per manufacturer's instructions.
- Install new Bravo vent sump, rack and risers as shown on plot plan.
- Install new A.O. Smith fiberglass penetration fittings in vent sump for vent piping as required.
NOTE: All A.O. Smith penetration fittings to be installed per manufacturer's instructions.
- Install new Flexing 24" x 2" braided-steel flex-piping sections for vent lines in vent box.
- Install new Bravo 3/4" and 1" fiberglass penetration fittings on electrical conduit in turbine and fill sumps as per plans.
NOTE: All electrical penetration fittings to be installed per manufacturer's instructions.
- Install new A.O. Smith double wall fiberglass pipe for product, vent and vapor lines as required. All piping runs shall slope at a min.. of 1/8 inch per foot back to tank. NOTE: All A.O. Smith pipe and fittings to be installed per manufacturer's instructions.
- UDCs, Boxes, and sumps with wet interstitial spaces to be fitted with dual secondary access valves to allow for accurate filling and proof of communication in the annular space.
- Pressure-test product, vent and vapor primary lines as required to 70 psi for one hour in front of inspector.
- Pressure-test product, vent and vapor secondary lines as required to 5 psi for one hour in front of inspector.
- Add brine to all UDCs, vent box, turbine and fill sumps as per manufactures instructions. Brine to be checked by inspector.
- Back fill remainder of excavation area to sub-grade with approved pea gravel.
- Install new dispenser islands (set frames).
- Pour 8" reinforced concrete on tank slab, islands and drive slab. Concrete to be min.. 2500 psi with #4 rebar at 24" off center each way on 3" chairs.
- Install new bumper poles around vent rack and vent pipes as needed. Bumper poles to be minimum 6"-diameter Schedule 40 galvanized pipe, concrete filled, not less than 36" above grade and not less than 36" below grade into a concrete base of minimum 18" diameter, spaced not less than 36" from vent rack and not more than 48" apart.
- Install eight (8) new Gilbarco Encore 700s multiproduct dispensers.
- Install vapor pressure sensor in dispenser closest to USTs (dispenser 7-8).
NOTE: Vapor pressure sensor to be installed per manufacturer's specifications.
- Install vapor flow meter in each gasoline dispenser (8 total).
NOTE: Vapor flow meters to be installed per manufacturer's specifications.
- Install new Phase II VST (EVR) hoses, breakaways and nozzles.
NOTE: Site to have executive orders 102-V AND 204-Z.
- Calibrate dispensers. NOTE: Calibration to be done by others.
- Install Veeder-Root 794380-208 sump sensors in all dispenser UDC sumps, vent box, turbine and fill sumps without E-85 and Veeder-Root 794380-323 sump sensors in all dispenser UDC sumps, vent box, turbine and fill sumps with E-85.
NOTE: sensors to be set for positive shutdown of turbines.

- Install Veeder-Root 794380-304 hydrostatic sump sensors in all dispenser UDC sumps, vent box, UST turbine and fill sumps.
NOTE: sensors to be set for positive shutdown of turbines.
- Install Veeder-Root 794380-303 hydrostatic sump sensors in all tank annular's.
NOTE: sensors to be set for positive shutdown of turbines.
- Install Veeder-Root 330020-480 or 330020-485 vacuum sensor kits on all product, vapor and vent lines in separate zones as noted.
Vacuum Sensor Kit #1 - Location 87 Turbine sump.
Zone #1 - 87 Product Line.
Zone #2 - 87 Vent Line.
Zone #3 - Vapor Return Line.
Vacuum Sensor Kit #2 - Location - 91 Turbine sump.
Zone #4 - 91 Product Line.
Zone #5 - 91 Vent Line.
Vacuum Sensor Kit #3 - Location - B20 Diesel Turbine sump.
Zone #6 - B20 Diesel Product Line.
Zone #7 - B20 Diesel Vent Line.
Vacuum Sensor Kit #4 - Location - E-85 Turbine sump.
Zone #8 - E-85 Product Line.
Zone #9 - E-85 Vent Line.
- Remove existing Healy CAS and install a new Carbon Canister on the new vent rack.
- Assure that 2A:20BC (minimum rating) fire extinguisher is installed within 70' to 25' of dispensers.
- Perform enhanced leak detection (Tracer Test). NOTE: Test to be done by others.
- Perform Veeder-Root TLS-350 monitoring certification. NOTE: Certification to be witnessed by inspector.
- Perform AQMD leak decay, blockage, and volume over liquid tests. NOTE: AQMD tests to be done by others.
- Perform final inspection in front of inspector.

NOTES:

- As Builts: In the event a change is made during construction that deviates from the original approved plans, revised plans ("As Builts") shall be submitted and approved in order to complete the final inspection.
- The local fire department will be contacted a minimum of 5 working days prior to repairs to the UST system and all site inspections shall be scheduled a minimum of 5 working days in advance of requested date.
- Upgrades must begin within six (6) months of stamped approval date and be completed within one (1) year of stamped approval date on plans to remain valid. Any changes made to the original approved plans must have a written addendum submitted & approved by this department. The addendum(s) may be subject to an hourly charge for review and approval. A stamped, approved set of plans shall be on site at all times.
- The local fire department shall inspect tank systems at five (5) separate construction phases:
 - During the removal process.
 - During tank set
 - During primary piping NFPA 30 testing (hydrostatic or pneumatic testing of lines for 30 minutes).
 - Inspection of all secondary containment, including testing in accordance with manufacturer's guidelines.
 - At the final inspection, including all portions of the leak detection system.
- All applicable UST operating fees and any additional plan check/inspection fees shall be submitted to The local fire department at the Final Inspection.
- The contractor performing the work shall maintain a General "A" with HAZ Certification. Prior to starting work the contractor shall provide a copy of their CSLB license, ICC Certifications and Manufacturer's Training Certifications to The local fire department.
- Any individual(s) installing underground storage tank system components shall meet the following requirements, or work under the direct supervision of an individual physically present at the work site who meets the following requirements:
 - The individual has been adequately trained as evidenced by a current certificate of training issued by the manufacturer(s) of the underground storage tank system components.
 - The individual shall possess a current Underground Storage Tank System Installation/Retrofitting Certificate from the International Code Council (ICC).
- All new installations of piping, fittings and components must comply with the revised UL 971 Standard. Piping manufacturers are required by UL to mark the date of manufacture on the piping at 10-foot intervals, and on fittings or fitting bulk packaging. Therefore, the date of manufacture must be on or after July 1, 2005. Contact your piping manufacturer to ensure that your new piping system is ordered correctly.
- The underground storage tank system(s) shall be compatible with the product to be stored.
- The tank construction/testing shall be in accordance with nationally recognized codes.
- All continuous monitoring equipment shall be on the State's approved equipment list and all equipment shall be approved for use with the continuous monitoring system.
- All underground storage tank (UST) equipment shall meet voluntary consensus standards.
- All materials to be used (piping, sealant, adhesive, resins, etc.) shall be compatible and used as per nationally recognized codes.
- All materials shall be installed as per manufacturers' specifications.
- The electrical supply wiring for the continuous monitoring system shall be hardwired to the junction/breaker box.
- All sensors will be properly mounted at the low point in the sumps and secured to prevent tampering using mounting kits or sleeves.
- The contractor shall ensure that all fills and monitoring wells are properly labeled.
- The contractor shall ensure that the Emergency shut-off switch is operational.
- The contractor shall ensure that on-line leak detectors are installed on turbines and are operational. All leak detectors shall be properly tested in line by a certified technician.
- As per AB 1702, before the underground storage tank is placed in use, the UST shall be tested after installation using one of the methods in Health & Safety Code 25290.1(j) to demonstrate that the tank is product tight. According to the State Water Resources Control Board (SWRCB), ELD is the only approved test method at this time. The UST will be tested after installation, before it is placed into use, using enhanced leak detection (ELD). If the results of post-installation testing indicate that the UST system is leaking liquid or vapor, the owner or operator must take appropriate actions to correct the leakage, and retest the system using ELD, until the system is no longer leaking liquid or vapor. Approval to operate will not be given until the UST system has a passing ELD test.
- Operational sensors in interstices and sump(s)/Positive shut-down demonstrated if required: The LAFD Inspector shall witness a properly certified technician test all sensors to ensure they indicate an audible and visual alarm. If required, positive shut-down, and fail-safe, of the turbine shall also be demonstrated for applicable sensors. All sensors shall perform as per manufacturer's specifications and the standards of LG-113. LG-113 can be found at http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lg113/
- Electronic monitor secured/accessible to operator and operational: Ensure the monitoring panel is hardwired through conduit to the junction/breaker box. Ensure sensor alarms are able to be detected by the operator. The monitoring panel shall be fully operational as per manufacturer's specifications, with audible and visual alarms, and a printer, if required.
- All sensors will detect the earliest possible release: Annular space sensors must be properly installed (for steel tanks, wire must be measured to ensure it is long enough for the earliest possible detection of a release.) Ensure all sump and dispenser containment sensors are installed at the lowest point, in a location to detect the earliest possible release and firmly secured to prevent tampering.
- Continuous Monitoring Device Certification submitted: The Continuous Monitoring Device Certification, including the On-Line Leak Detector Tests and vacuum sensor certification, with the print-out from the alarm panel attached, shall be submitted on the State of California forms found at http://www.waterboards.ca.gov/water_issues/programs/ust/forms/docs/mcf.pdf and http://www.waterboards.ca.gov/water_issues/programs/ust/forms/docs/163_1elecform.doc in order to complete the final inspection.
- All monitoring equipment components have tag/sticker affixed by Licensed Technician: Ensure the certified technician has affixed proper tags and/ or stickers on all monitoring equipment components, including the panel and each sensor.
- Owner/Operator Agreement: An Owner/Operator Agreement shall be submitted prior to the final inspection, if the owner and the operator are not one and the same.
- All system components that are or may be exposed to product shall have compatibility statements submitted.

LAKELWOOD BLVD.



SOUTH ST.

ALLEY

DEMOLITION & EROSION CONTROL NOTES:

1. CONTRACTOR RESPONSIBLE FOR CONTROLLING THE RELEASE OF ANY/ALL DUST AND POLLUTANTS (BMP'S).
2. PRIOR TO COMMENCING DEMOLITION A SECURITY FENCE WITH PRIVACY SCREEN SHALL SURROUND ALL DEMOLITION AREA'S.
3. GRAVEL FILLED SAND BAGS AND STRAW WATTLES SHALL BE PLACED AROUND THE PERIMETER OF THE PROPERTY AGAINST THE SECURITY FENCE.
4. COVER ANY TEMPORARY GRAVEL STOCKPILES WITH A TARP.
5. COVER ALL ON SITE STORM DRAINS IN THE CONSTRUCTION AREA.
6. ALL OTHER EXISTING CONSTRUCTION AT THIS SITE NOT AFFECTED BY WORK SHOWN ON THIS PLAN IS TO REMAIN UNLESS OTHERWISE DIRECTED BY THE LANDLORD REPRESENTATIVE.
7. WORK SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL CODES AND REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING ALL AGENCY INSPECTIONS.
8. A LICENSED FUELING CONTRACTOR SHALL PURGE ALL FUEL & VAPOR FROM THE FUELING SYSTEM PRIOR TO ANY DEMOLITION COMMENCING.
9. ALL WORK PRODUCING EXCESSIVE NOISE OR FUMES TO BE COORDINATED WITH LANDLORD REPRESENTATIVES.
10. WHERE SOIL IS DISTURBED SOIL SAMPLING IS REQUIRED BY A CALIFORNIA LICENSED GEOLOGIST PER CRITERIA OF THE ORANGE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT.
11. ALL REMOVAL AND DISPOSAL SHALL BE DONE IN AN ORDERLY AND SAFE MANNER, AND SHALL MINIMIZE DISTURBANCES TO EXISTING TENANTS AND PUBLIC SPACES.
12. PROPERLY TERMINATE ALL EXISTING PLUMBING & ELECTRICAL ITEMS ABANDONED AND/OR TEMPORARILY REMOVED DURING DEMOLITION.
13. CONTRACTOR RESPONSIBLE FOR CONTROLLING THE RELEASE OF ANY/ALL DUST AND POLLUTANTS (BMP'S).
14. PRIOR TO COMMENCING DEMOLITION A SECURITY FENCE WITH PRIVACY SCREEN SHALL SURROUND ALL DEMOLITION AREA'S.

LEGEND	
A — Annular	3+0 — Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline
FS — Fill Sump	3+1 — Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline and an added nozzle (per side) for Diesel
F — Fill bucket	
V — Vapor recovery bucket	
TS — Turbine Sump	
ES0 — Emergency Shutoff Switch	
TLS — Veeder Root TLS-350	

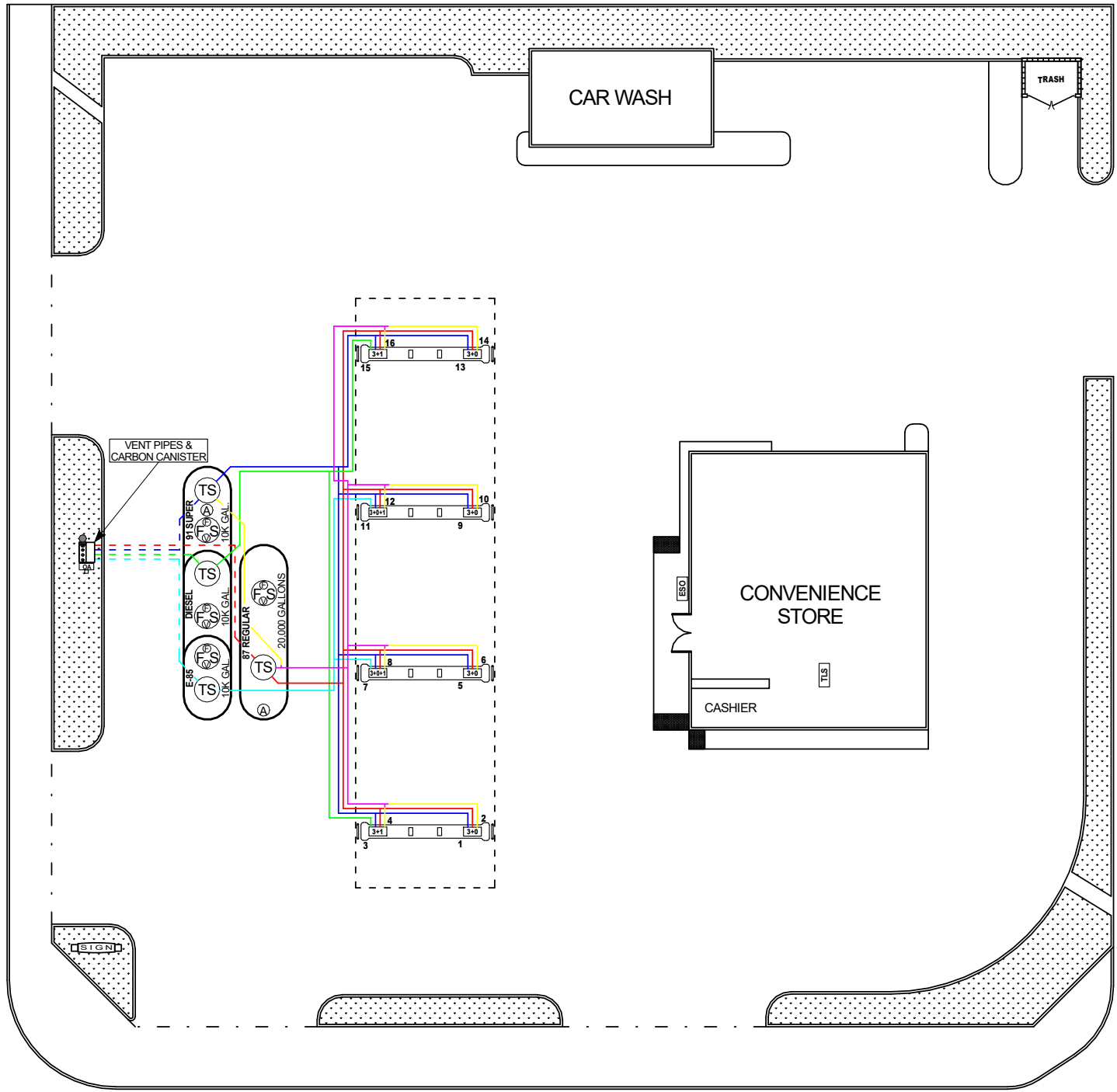
Gas Station Design & Drafting Services
 (805) 710-2006
 www.gasstationplan.com
 gasstationdesignservices@gmail.com

DEMO PLOT PLAN

A-1 FUEL LLC
 4311 South St.
 Lakewood, CA 90712

Scale 1/32" = 1'
 Date 12-14-2022
 Sheet TP-2

LAKWOOD BLVD.



SOUTH ST.

ALLEY

PIPING LEGEND	
PRODUCT LINES	
3" OVER 2" 87 UNLEADED	
3" OVER 2" 91 SUPER UNLEADED	
3" OVER 2" E-85	
3" OVER 2" DIESEL	
3" OVER 2" VAPOR LINE	
4" OVER 3" VAPOR LINE	
VENT LINES	
3" OVER 2" 87 UNLEADED	
3" OVER 2" 91 SUPER UNLEADED	
3" OVER 2" E-85	
3" OVER 2" DIESEL	

LEGEND	
A — Annular	3+0 — Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline
FS — Fill Sump	3+0+1 — Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline & an additional nozzle (per side) to dispense E-85
F — Fill bucket	3+1 — Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline & an additional nozzle (per side) to dispense Diesel
V — Vapor recovery bucket	
TS — Turbine Sump	
— Emergency Shutoff Switch	
— Veeder Root TLS-350	
— Overfill Alarm	

Gas Station Design & Drafting Services
 (805) 710-2006
 www.gasstationplan.com
 gasstationdesignservices@gmail.com

FUTURE PLOT PLAN

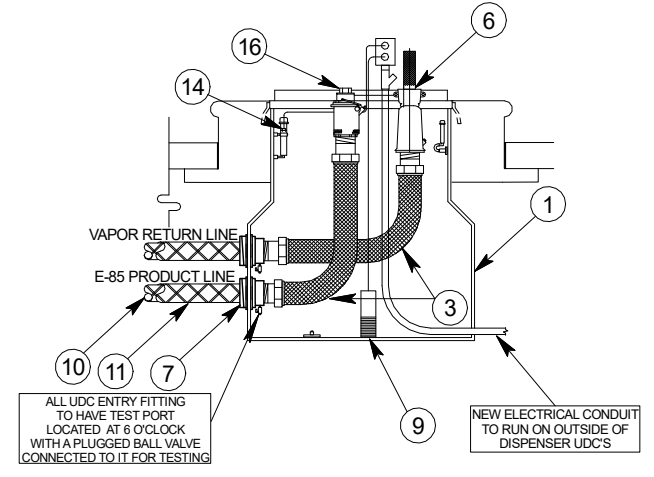
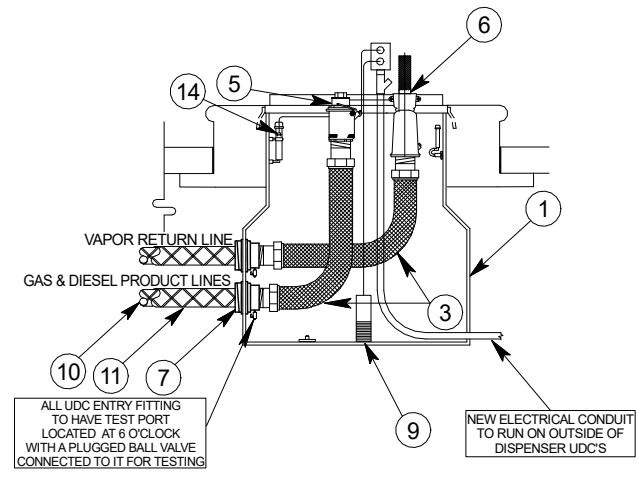
A-1 FUEL LLC
 4311 South St.
 Lakewood, CA 90712

Scale 1/32" = 1'
 Date 12-14-2022
 Sheet TP-3

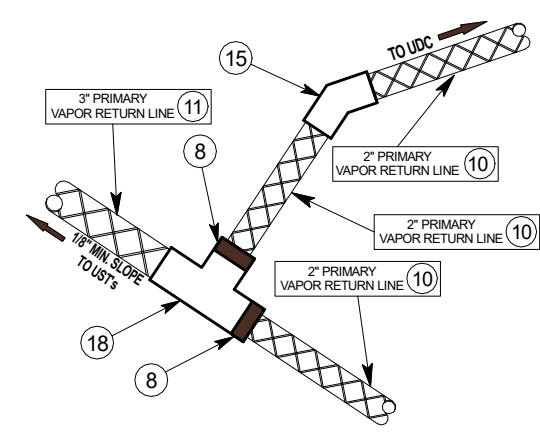
NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	DISPENSER CONTAINMENT BOX (UDC)	BRAVO	B8380-D30
2	SHEAR VALVE STABILIZER BARS	BRAVO	BK-8000
3	1 1/2" X 24" FLEX CONNECTOR	FLEXING	FC15-SWM24
4	2" X 1-1/2" NPT FIBERGLASS REDUCER BUSHING	NOV REDTHREAD IIA	012020-231-4
5	GAS & DIESEL PRODUCT SHEAR VALVE	OPW	OPW-10BHMP-5830
6	VAPOR SHEAR VALVE	OPW	60VSPC-1001
7	3" X 2" SUMP ENTRY FITTING	NOV REDTHREAD IIA	012030-626-0
8	3" X 2" FIBERGLASS REDUCER BUSHING	NOV REDTHREAD IIA	012030-231-7
9	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-323
10	2" FIBERGLASS PIPE	NOV REDTHREAD IIA	011020-069-2
11	3" FIBERGLASS PIPE	NOV REDTHREAD IIA	011030-069-2
12	4" FIBERGLASS PIPE	NOV REDTHREAD IIA	011040-069-2
13	2" 90 DEGREE FIBERGLASS PRIMARY ELBOW	NOV REDTHREAD IIA	012020-360-4
14	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
15	2" 45 DEGREE FIBERGLASS PRIMARY ELBOW	NOV REDTHREAD IIA	012020-310-4
16	E-85 PRODUCT SHEAR VALVE	OPW	10P-0150
17	2" FIBERGLASS PRIMARY TEE	NOV REDTHREAD IIA	012020-410-4
18	3" FIBERGLASS PRIMARY TEE	NOV REDTHREAD IIA	012030-410-4
19	4" X 3" FIBERGLASS CONCENTRIC REDUCER (2 PIECES)	NOV REDTHREAD IIA	012040-235-3
20	3" SECONDARY FIBERGLASS TEE (2 PIECE)	NOV REDTHREAD IIA	012030-410-3
21	3" 90 DEGREE SECONDARY FIBERGLASS ELBOW (2 PIECES)	NOV REDTHREAD IIA	012030-360-3
22	4" SECONDARY FIBERGLASS TEE (2 PIECE)	NOV REDTHREAD IIA	012040-410-3
23	3" 45 DEGREE SECONDARY FIBERGLASS ELBOW (2 PIECES)	NOV REDTHREAD IIA	012030-310-3
24			
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26			
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31			

DOUBLE WALL SUMP DETAILS (SIDE VIEW)

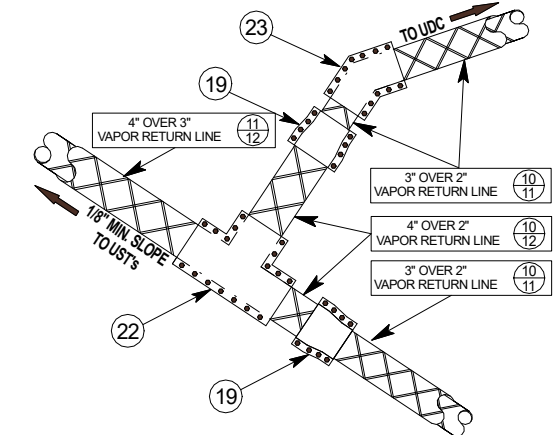
NOTE: THESE DETAILS ARE THE SAME SUMP, SHOWN TWICE SO THAT THE E-85 PRODUCT SHEAR VALVE CAN BE SHOWN SEPARATELY AS IT IS DIFFERENT THAN THE GAS & DIESEL SHEAR VALVES.



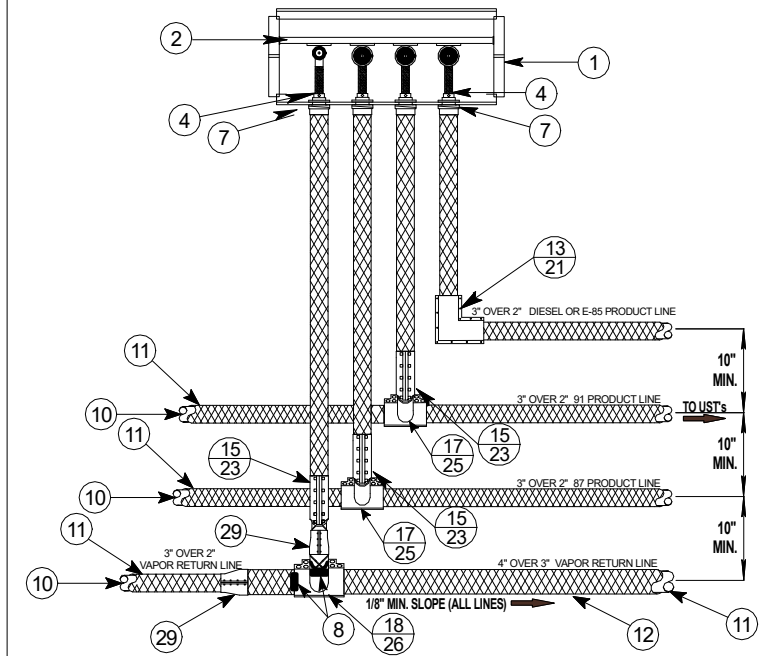
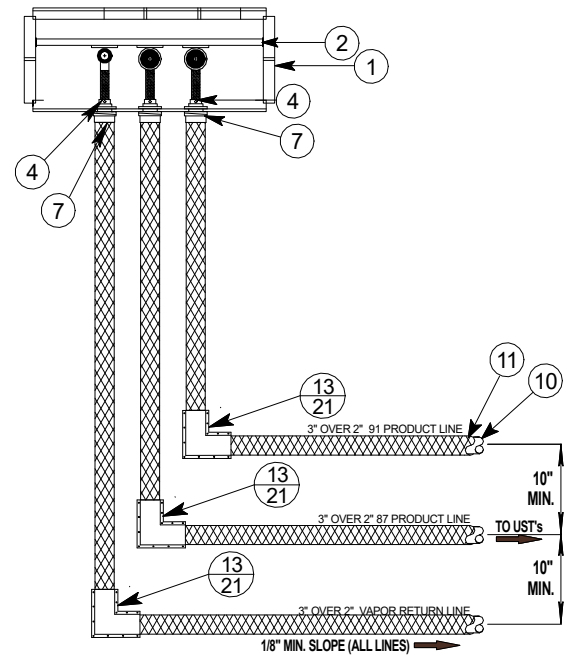
VAPOR RETURN LINE SIZE INCREASE PRIMARY FITTINGS DETAIL



VAPOR RETURN LINE SIZE INCREASE SECONDARY CLAMSHELL DETAIL



DOUBLE WALL UDC SUMP DETAILS (TOP VIEW)



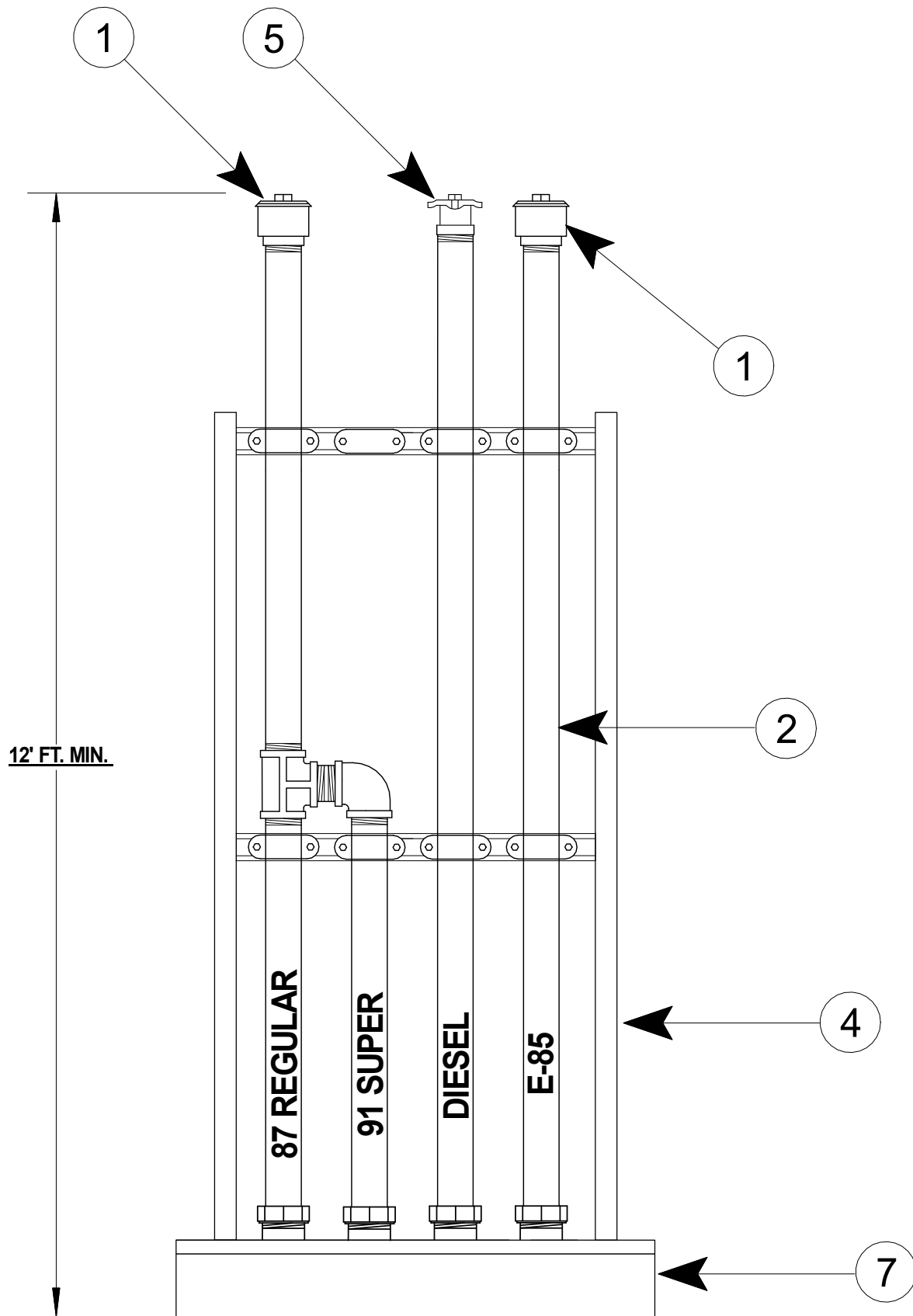
Gas Station Design & Drafting Services
 (805) 710-2006
 www.gasstationplan.com
 gasstationdraftingservices@gmail.com

PIPING & UDC DETAILS

A-1 FUEL LLC
 4311 South St.
 Lakewood, CA 90712

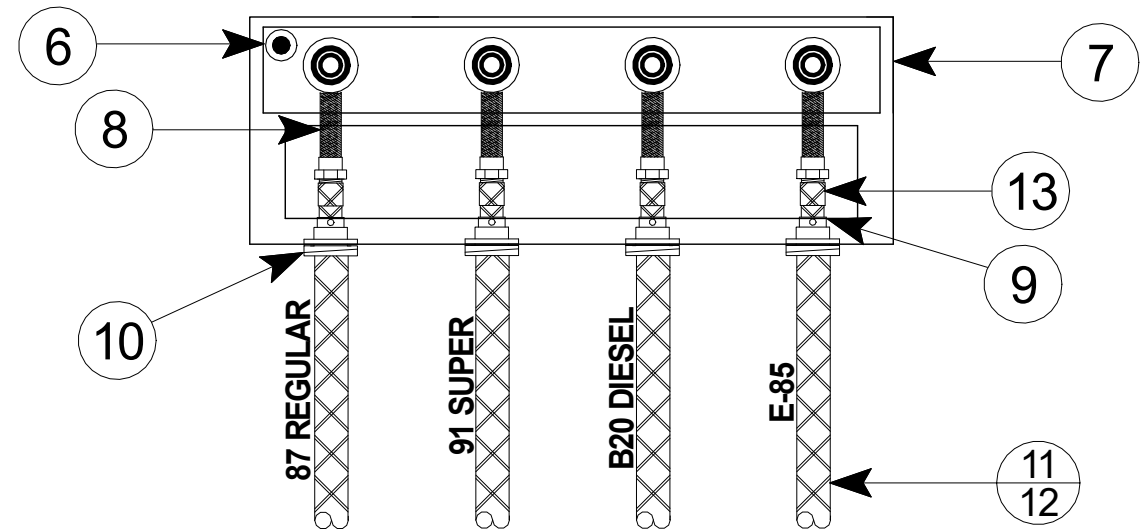
Scale: NOT TO SCALE
 Date: 12-14-2022
 Sheet: TP-4

VENT RACK DETAIL

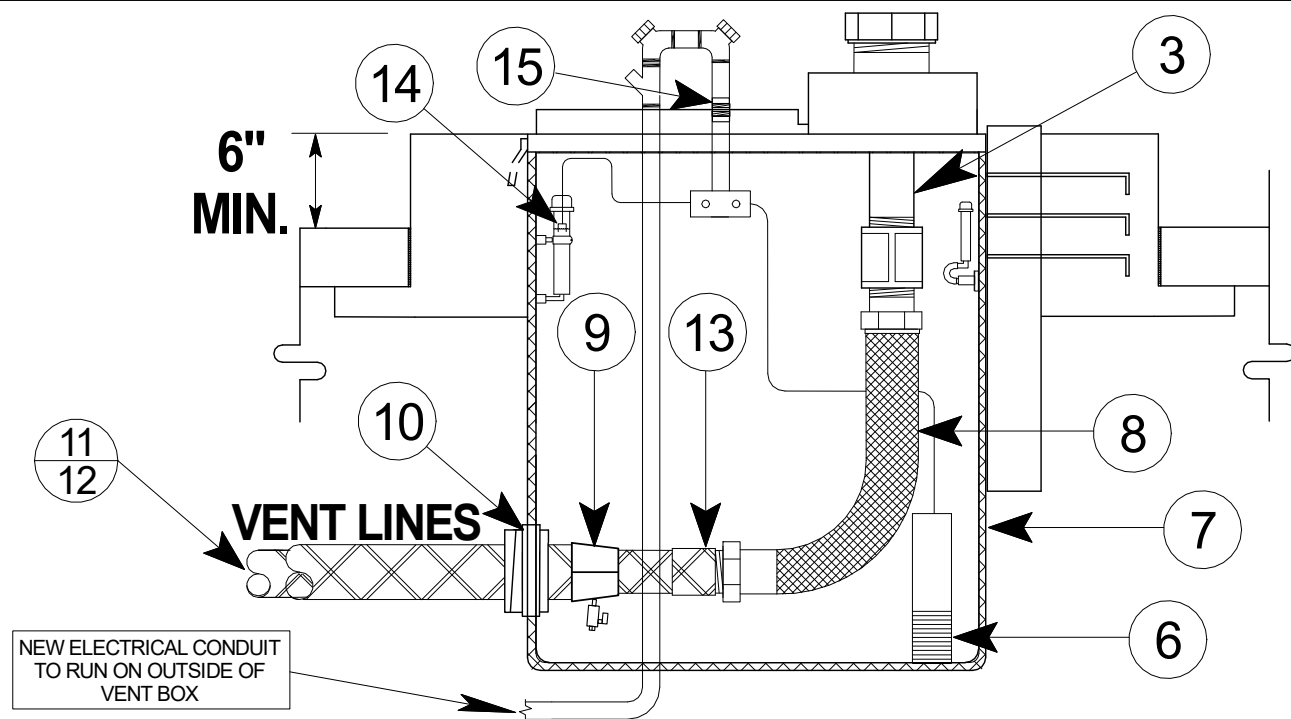


NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
①	PRESSURE VACUUM VENT	OPW	723V-2203
②	2" 304 STAINLESS STEEL PIPE, NIPPLES & FITTINGS	STAINLESS STEEL	ASTM-A269/213
③	2" GALVANIZED PIPE, NIPPLES & FITTINGS	STEEL	ASTM-A53
④	VENT RACK	BRAVO	RS-503
⑤	DIESEL VENT CAP	OPW	23-0033
⑥	SUMP SENSOR (NON DISCRIMINATING)	VEEDER ROOT	VR-794380-323
⑦	VENT RISER CONTAINMENT SUMP	BRAVO	B503-D-22220
⑧	2" X 24" FLEX CONNECTOR	FLEXING	FC20-SWM24
⑨	3" X 2" RETROFIT-S FIBERGLASS TEST BOOT	BRAVO	FR-3X2-T
⑩	FF SERIES 3" PENETRATION FITTING	BRAVO	F-30-F
⑪	2" FIBERGLASS PIPE	NOV REDTHREAD IIA	011020-069-2
⑫	3" FIBERGLASS PIPE	NOV REDTHREAD IIA	011030-069-2
⑬	2" FIBERGLASS BELL X FEMALE NPT	NOV REDTHREAD IIA	012020-194-4
⑭	MINI HYDROSTATIC SENSOR	VEEDER ROOT	VR-794380-304
⑮	3/4" ELECTRICAL CONDUIT BULK HEAD FITTING	EATON	STTB5

VENT BOX DETAIL (TOP VIEW)



VENT BOX DETAIL (SIDE VIEW)



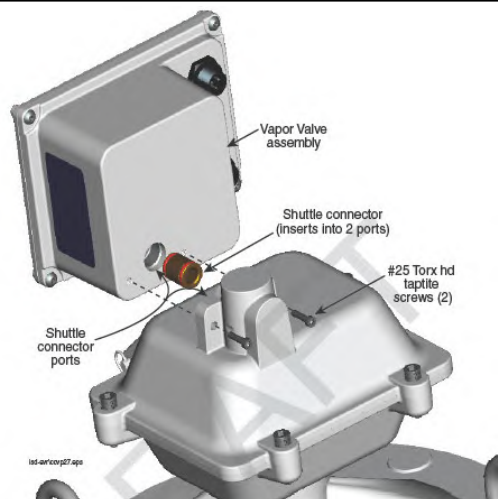
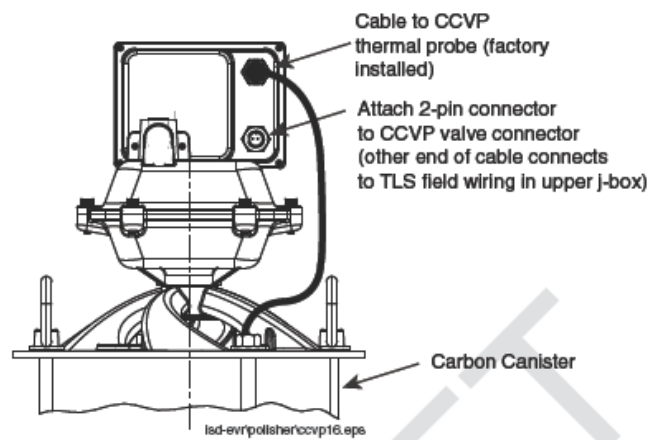
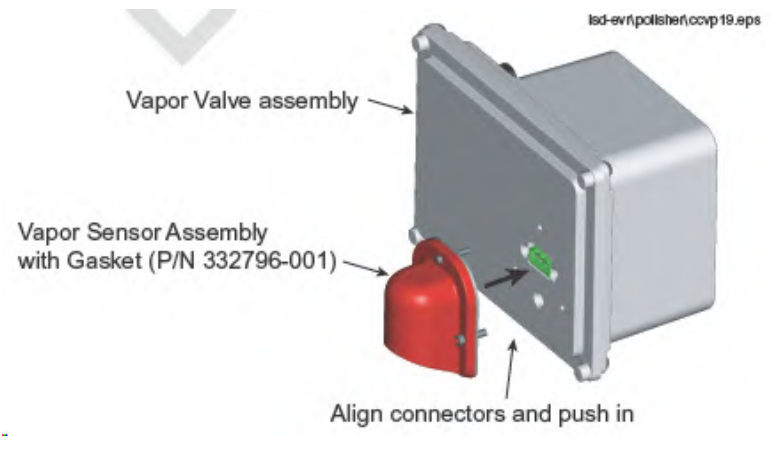
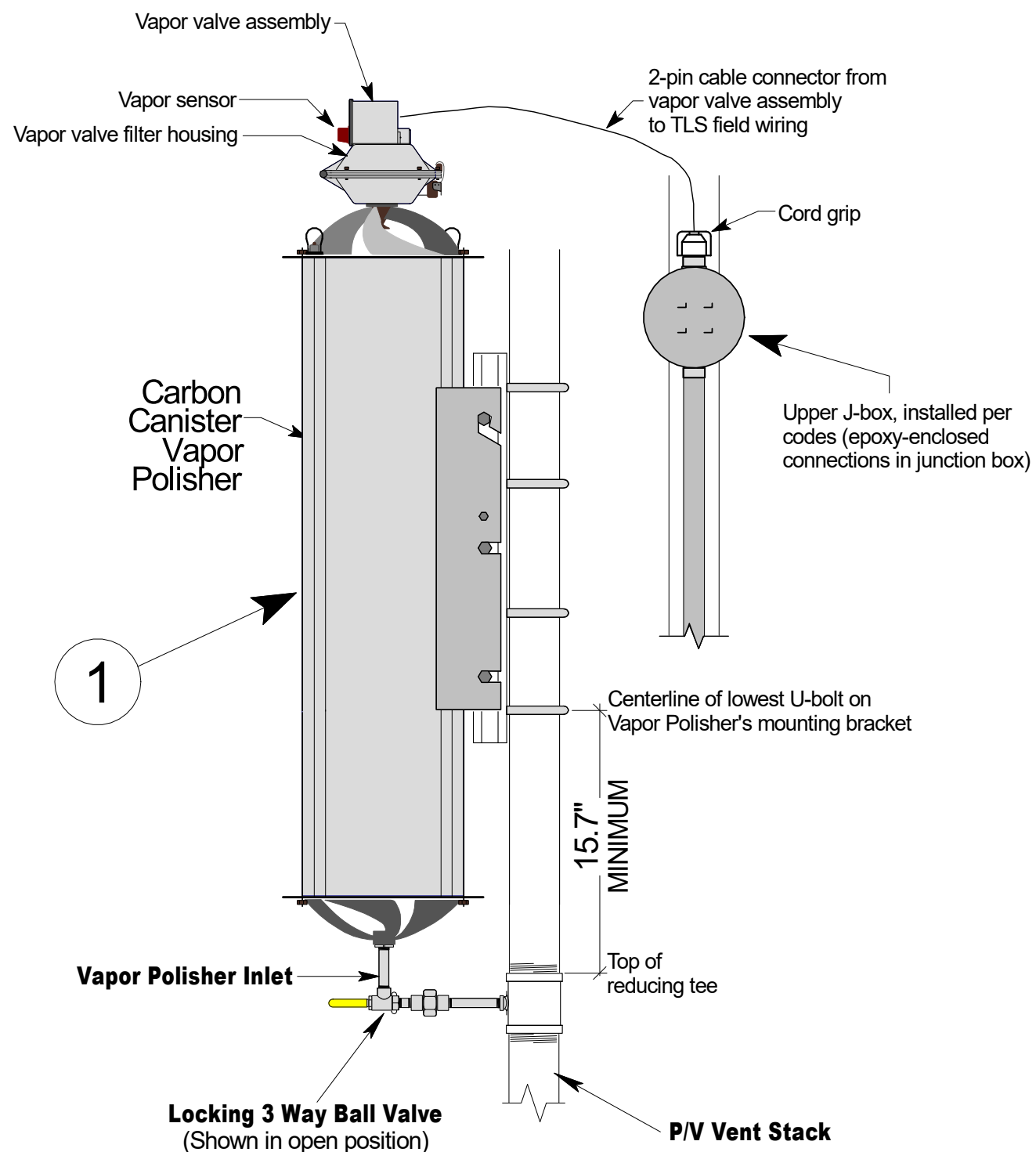
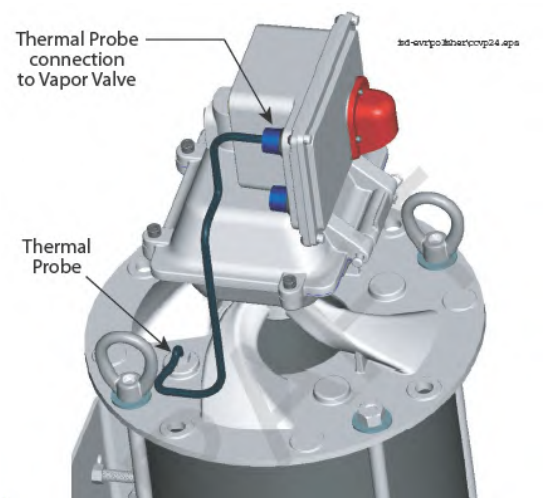
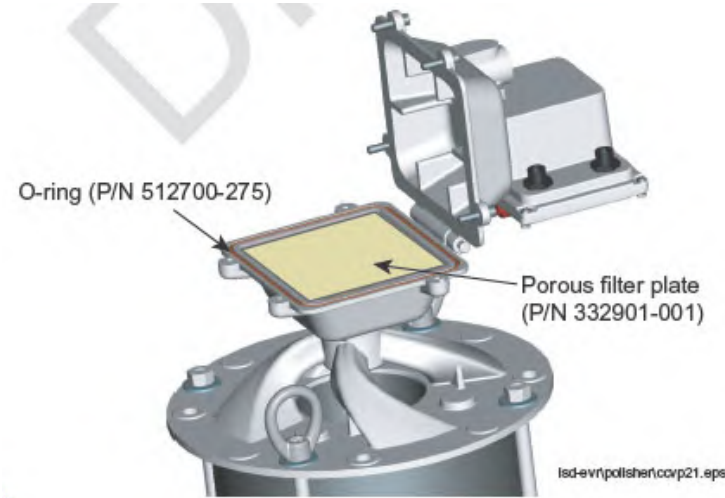
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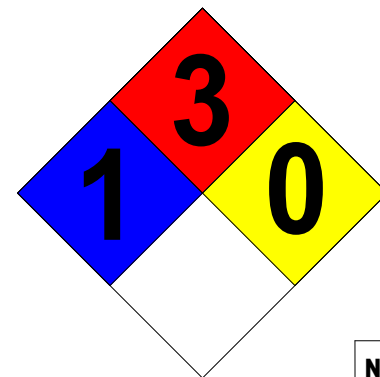
VENT BOX & RISER DETAILS

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

Scale: NOT TO SCALE
 Date: 12-14-2022
 Sheet: TP-5



NOTE: Canister/enclosure must be labelled
NO SMOKING WITHIN 25 FEET



NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	Carbon Canister	Veeder-Root	332761-002

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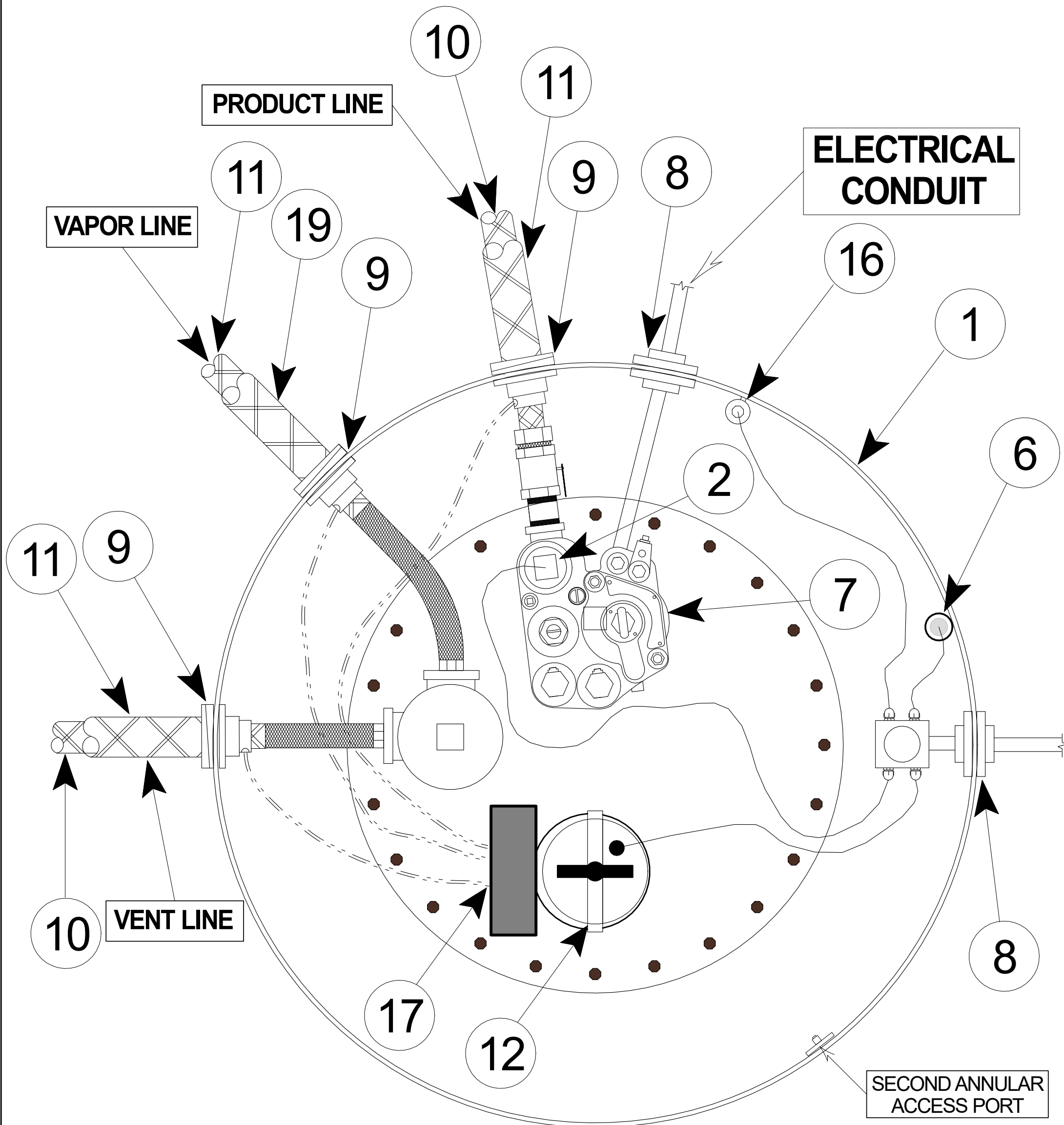
CARBON CANISTER DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

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 Date: 12-14-2022
 Sheet: TP-6

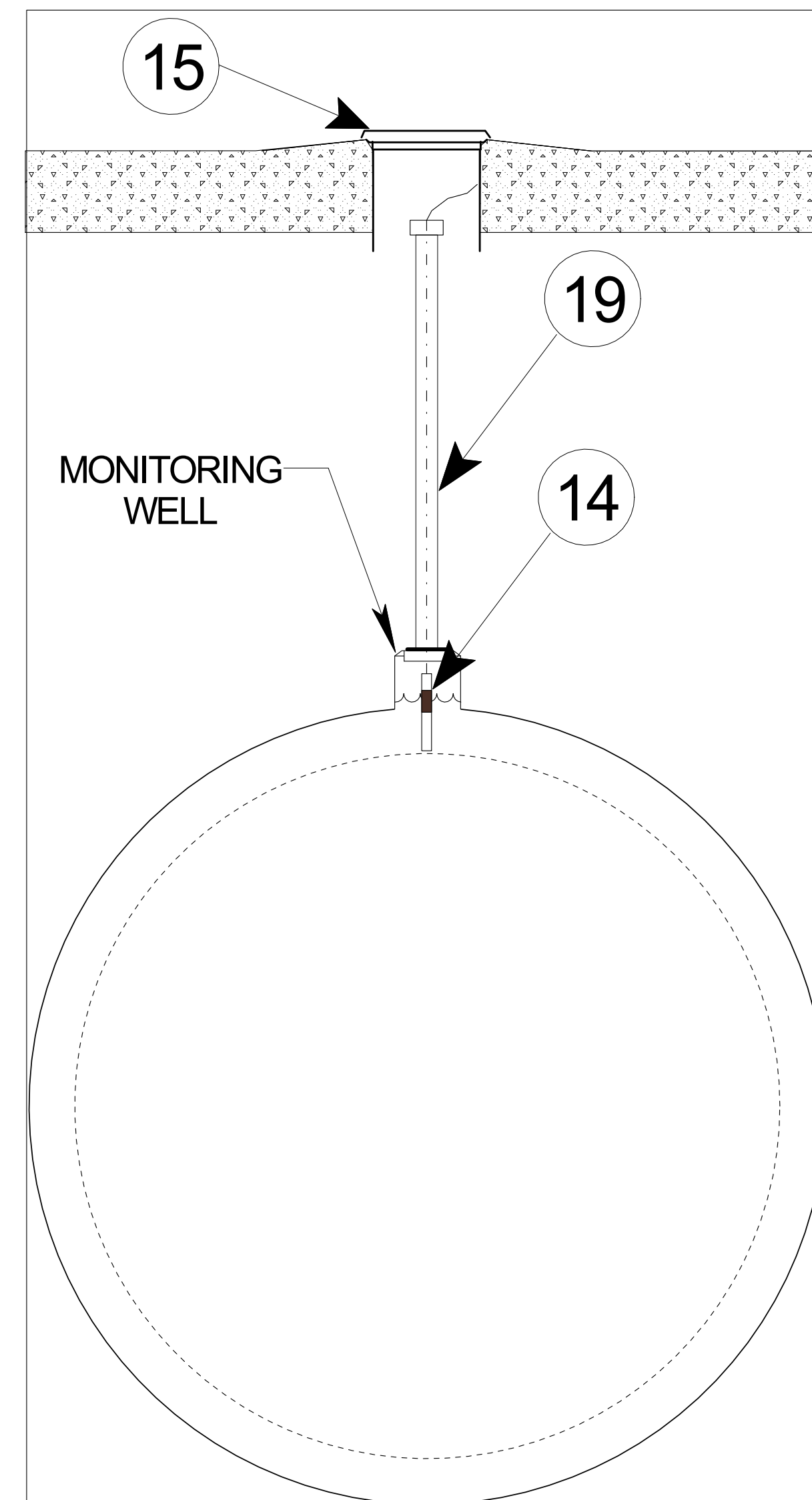
87 REGULAR TURBINE SUMP TOP VIEW

Sump and Penetration Fitting Details



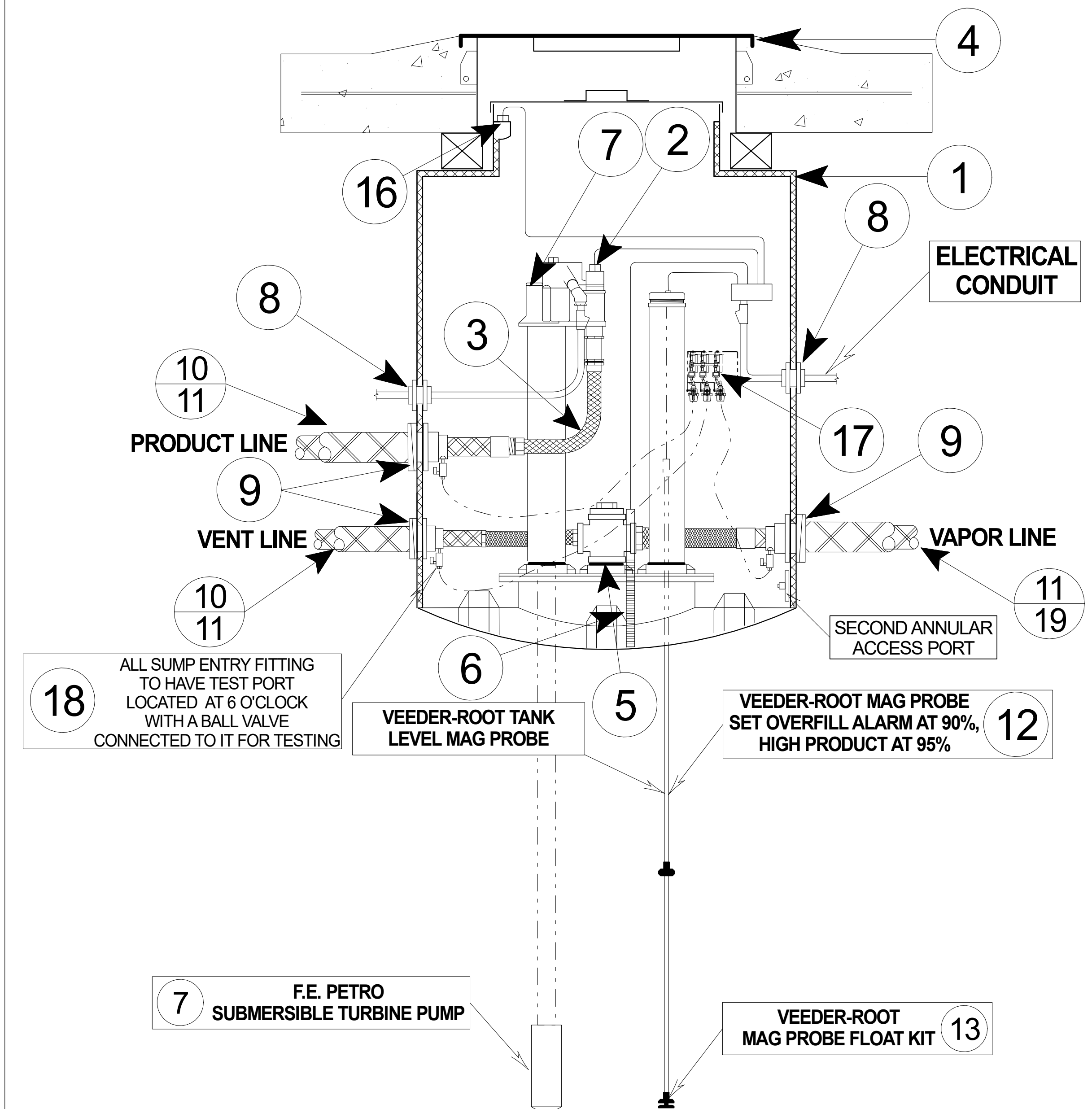
87 & 91/DSL/E-85 ANNULARS SIDE VIEW

Sump and Penetration Fitting Details



87 REGULAR TURBINE SUMP SIDE VIEW

Sump and Penetration Fitting Details



NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	48" DOUBLE WALL TURBINE SUMP	CONTAINMENT SOLUTIONS	48" DW CONTAINMENT SUMP
2	ELECTRONIC LINE LEAK DETECTOR	VEEDER-ROOT	848480-001
3	2" X 24" FLEX CONNECTOR	FLEXING	FC20-SWM24
4	42" Dia. WATERTIGHT FLAT SEALED COVER	FIBRELITE	FL100GRAY-SK12
5	EXTRACTOR VALVE	OPW	233-4432
6	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
7	SUBMERSIBLE TURBINE PUMP	F. E. PETRO	STPMVS2-VL2
8	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
9	3" X 2" FIBERGLASS SUMP PENETRATION FITTING	SMITH FIBERCAST	012030-626-0
10	2" FIBERGLASS PIPE	SMITH FIBERCAST	011020-069-2
11	3" FIBERGLASS PIPE	SMITH FIBERCAST	011030-069-2
12	TANK LEVEL MAGNETOSTRICTIVE PROBE	VEEDER-ROOT	846396-109
13	TANK LEVEL FLOAT KIT	VEEDER-ROOT	846400-110
14	INTERSTITIAL LIQUID SENSOR	VEEDER-ROOT	VR-794380-303
15	18" MANHOLE	OPW	104A-1800WT

NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
16	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
17	VACUUM SENSOR KIT	VEEDER-ROOT	VR-330020-485
18	1/4" STAINLESS STEEL BALL VALVE	JOMAR	100-961
19	4" FIBERGLASS PIPE	SMITH FIBERCAST	011040-069-2

87 REGULAR STP
SUMP & ANNULAR DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

Scale: NOT TO SCALE

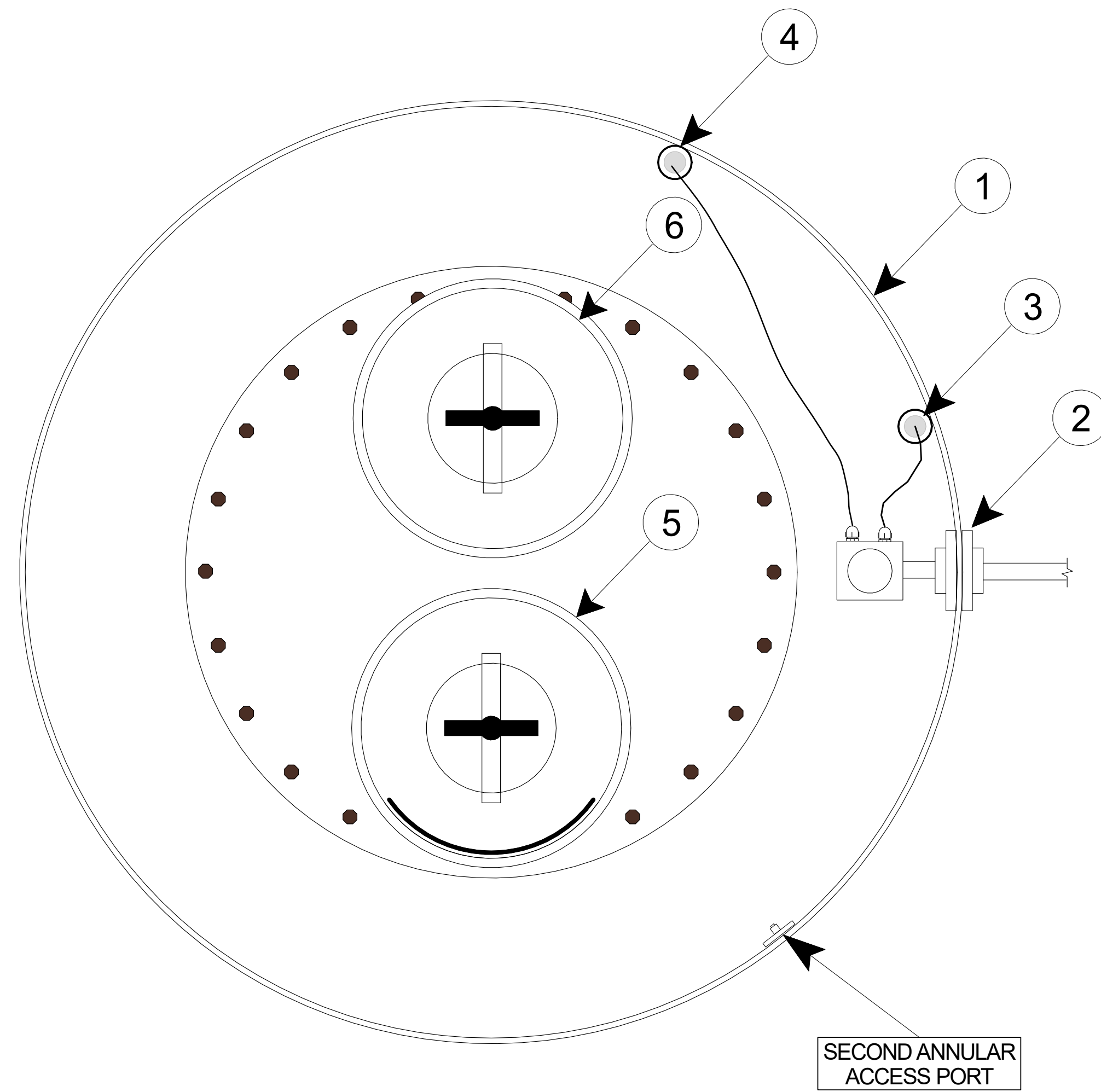
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TP- 7

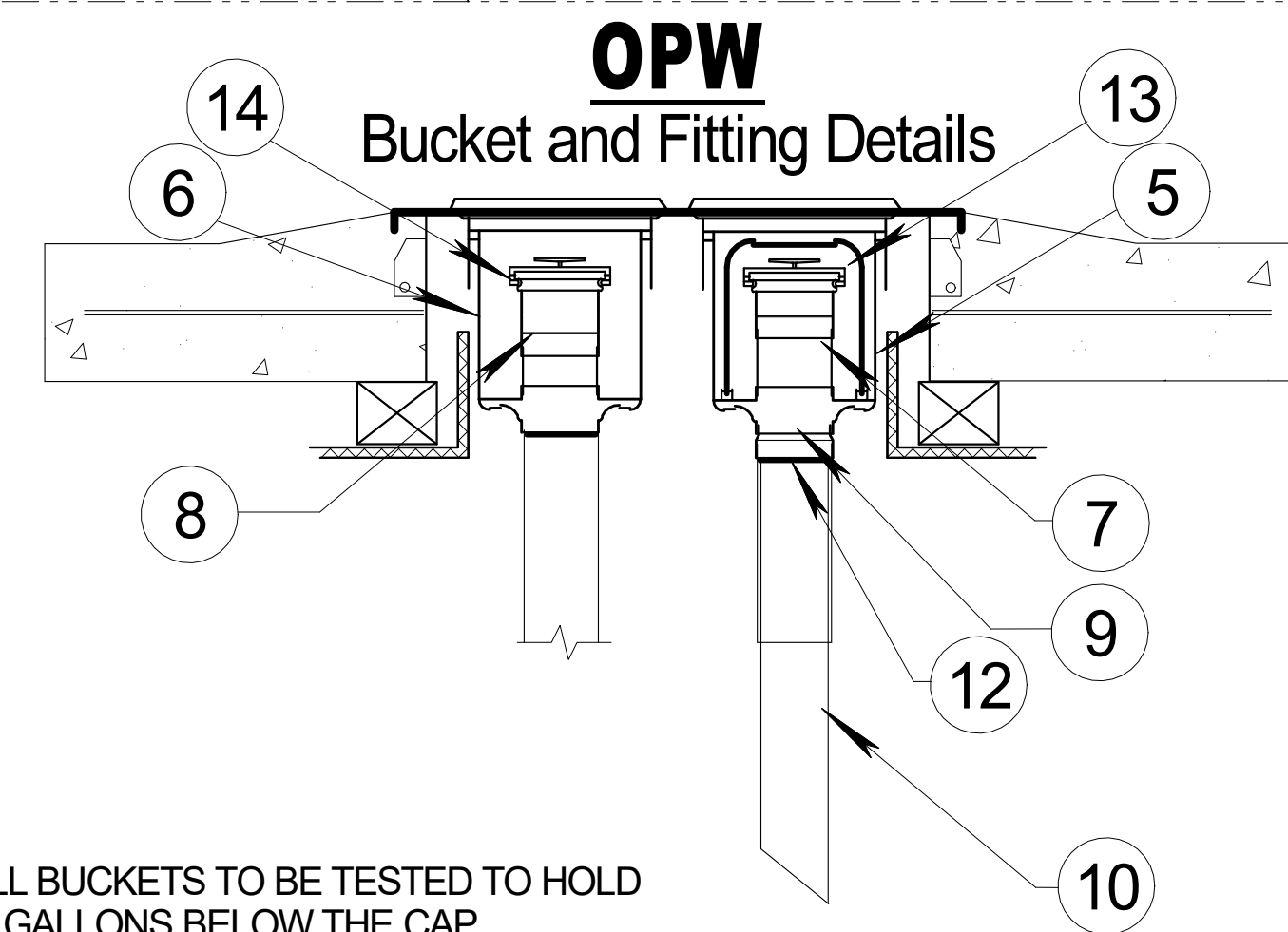
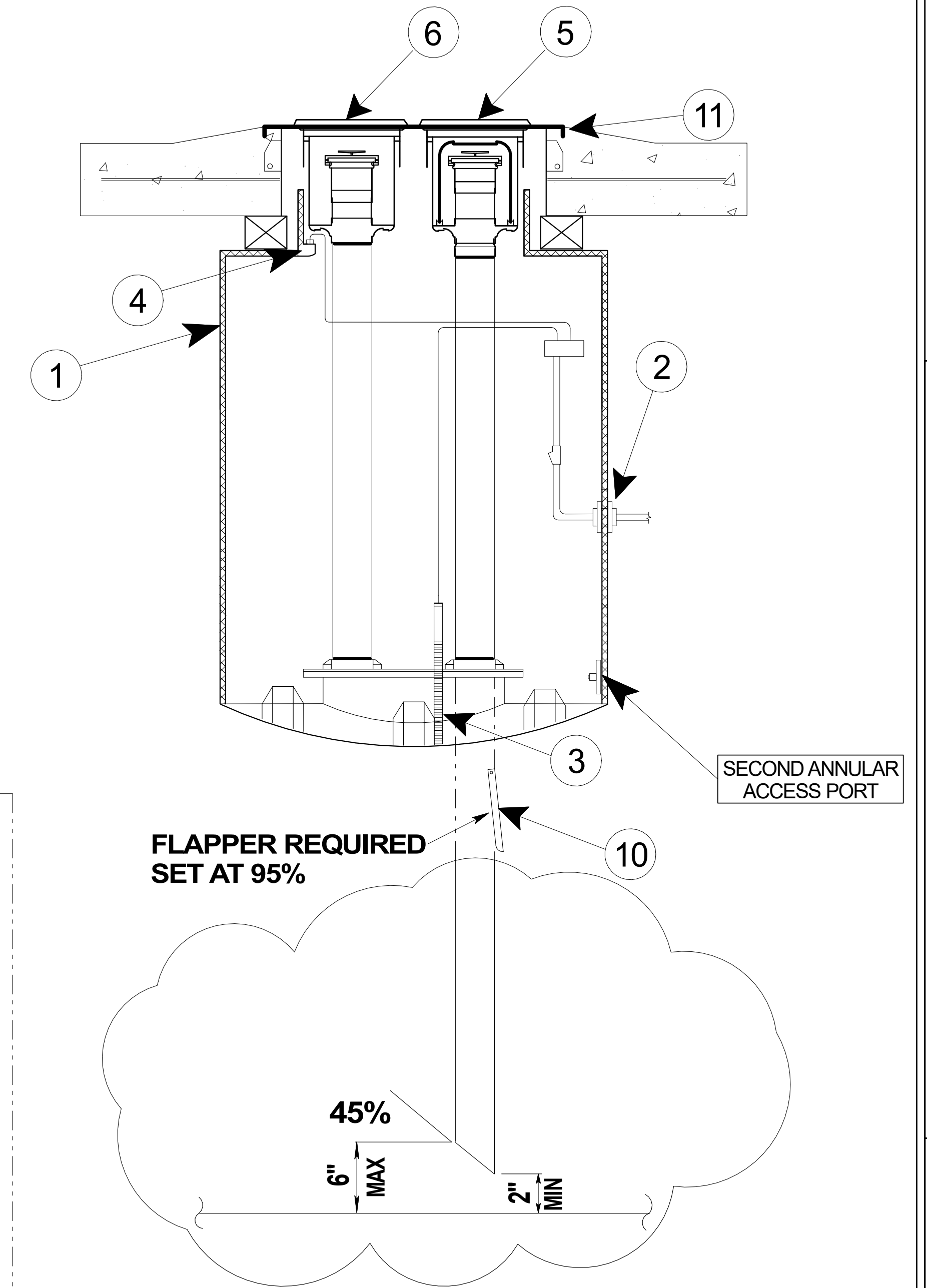
87 REGULAR FILL SUMP PLAN VIEW

Sump and Penetration Fitting Details



87 REGULAR FILL SUMP SIDE VIEW

Sump and Penetration Fitting Details



NOTE: SPILL BUCKETS TO BE TESTED TO HOLD 5 GALLONS BELOW THE CAP

NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	42" DOUBLE WALL FILL SUMP	XERXES	42" DW CONTAINMENT SUMP
2	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
3	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
4	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
5	5 GALLON PRODUCT CONTAINMENT BUCKET	OPW	P761C-FLDV
6	5 GALLON VAPOR CONTAINMENT BUCKET	OPW	P761C-FLPL
7	PRODUCT SWIVEL ADAPTOR	OPW	61SALP-1020-EVR
8	VAPOR SWIVEL ADAPTOR	OPW	61VSA-1020-EVR
9	JACK SCREW KIT	OPW	61JSK-44CB
10	DROP TUBE WITH FLAPPER	OPW	71SO-410CT
11	48" Dia. WATERTIGHT FLAT SEALED MULTI PORT COVER	OPW	PK10-FLMP-WSC
12	FACE SEAL ADAPTER	OPW	FSA-400-S
13	PRODUCT DUST CAP	OPW	634TT-7085-EVR
14	VAPOR DUST CAP	OPW	1711T-7085-EVR

87 REGULAR FILL SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

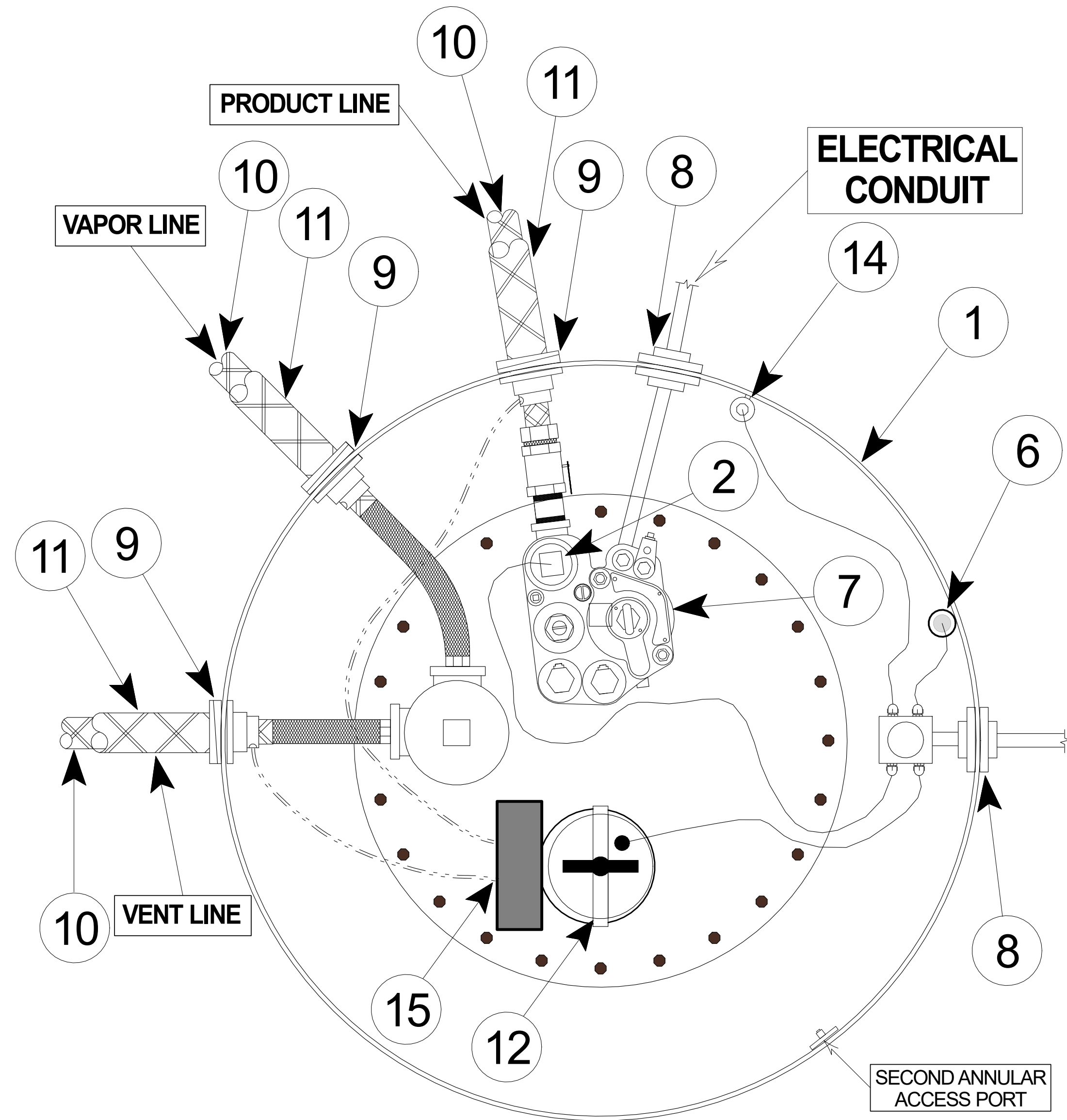
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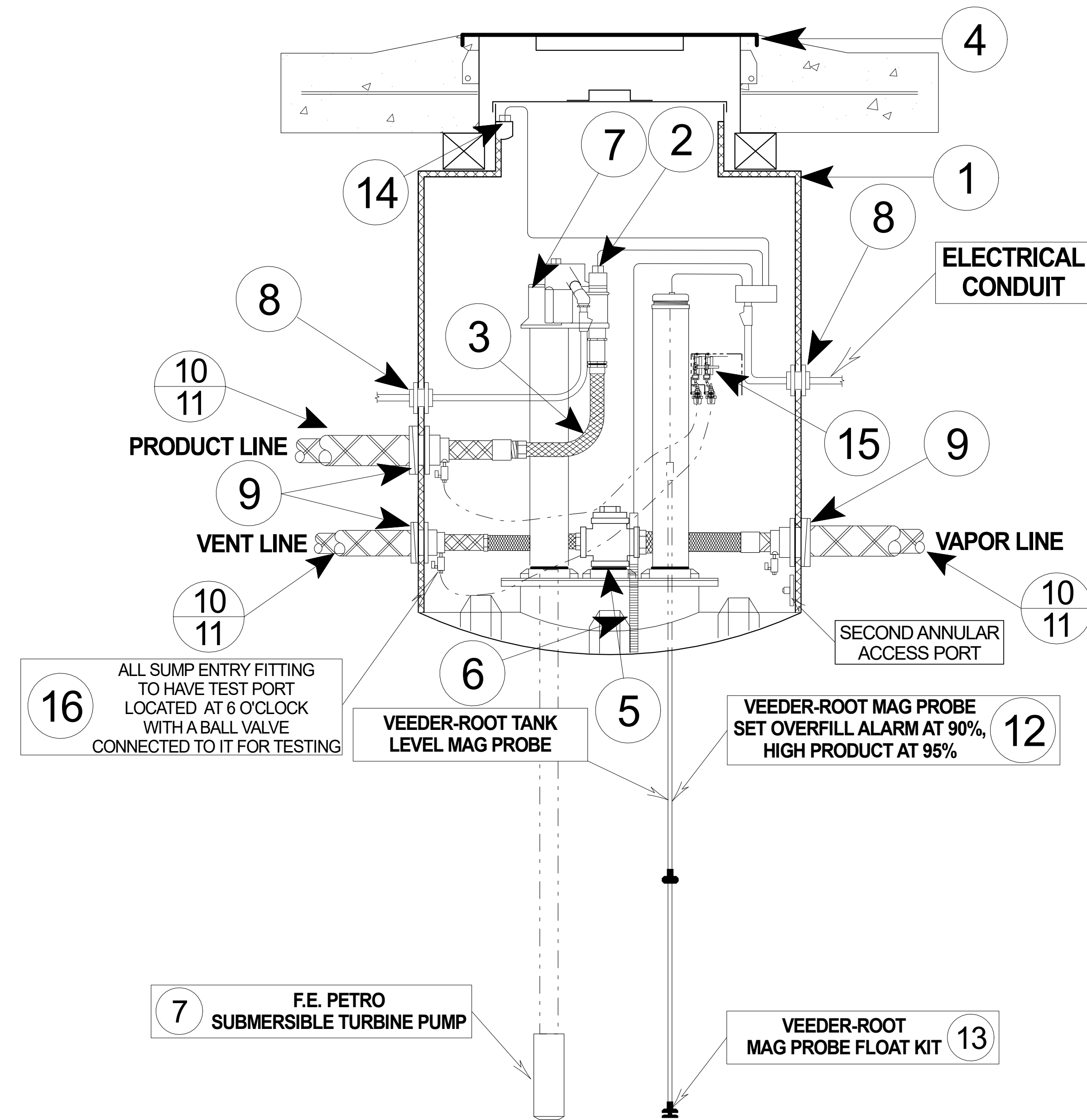
91 SUPER TURBINE SUMP TOP VIEW

Sump and Penetration Fitting Details



91 SUPER TURBINE SUMP SIDE VIEW

Sump and Penetration Fitting Details



NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	48" DOUBLE WALL TURBINE SUMP	CONTAINMENT SOLUTIONS	48" DW CONTAINMENT SUMP
2	ELECTRONIC LINE LEAK DETECTOR	VEEDER-ROOT	848480-001
3	2" X 24" FLEX CONNECTOR	FLEXING	FC20-SWM24
4	42" Dia. WATERTIGHT FLAT SEALED COVER	FIBRELITE	FL100GRAY-SK12
5	EXTRACTOR VALVE	OPW	233-4432
6	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
7	SUBMERSIBLE TURBINE PUMP	F. E. PETRO	STPMVS2-VL2
8	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
9	3" X 2" FIBERGLASS SUMP PENETRATION FITTING	SMITH FIBERCAST	012030-626-0
10	2" FIBERGLASS PIPE	SMITH FIBERCAST	011020-069-2
11	3" FIBERGLASS PIPE	SMITH FIBERCAST	011030-069-2
12	TANK LEVEL MAGNETOSTRICTIVE PROBE	VEEDER-ROOT	846396-109
13	TANK LEVEL FLOAT KIT	VEEDER-ROOT	846400-110
14	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
15	VACUUM SENSOR KIT	VEEDER-ROOT	VR-330020-480
16	1/4" STAINLESS STEEL BALL VALVE	JOMAR	100-961

91 SUPER STP
SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

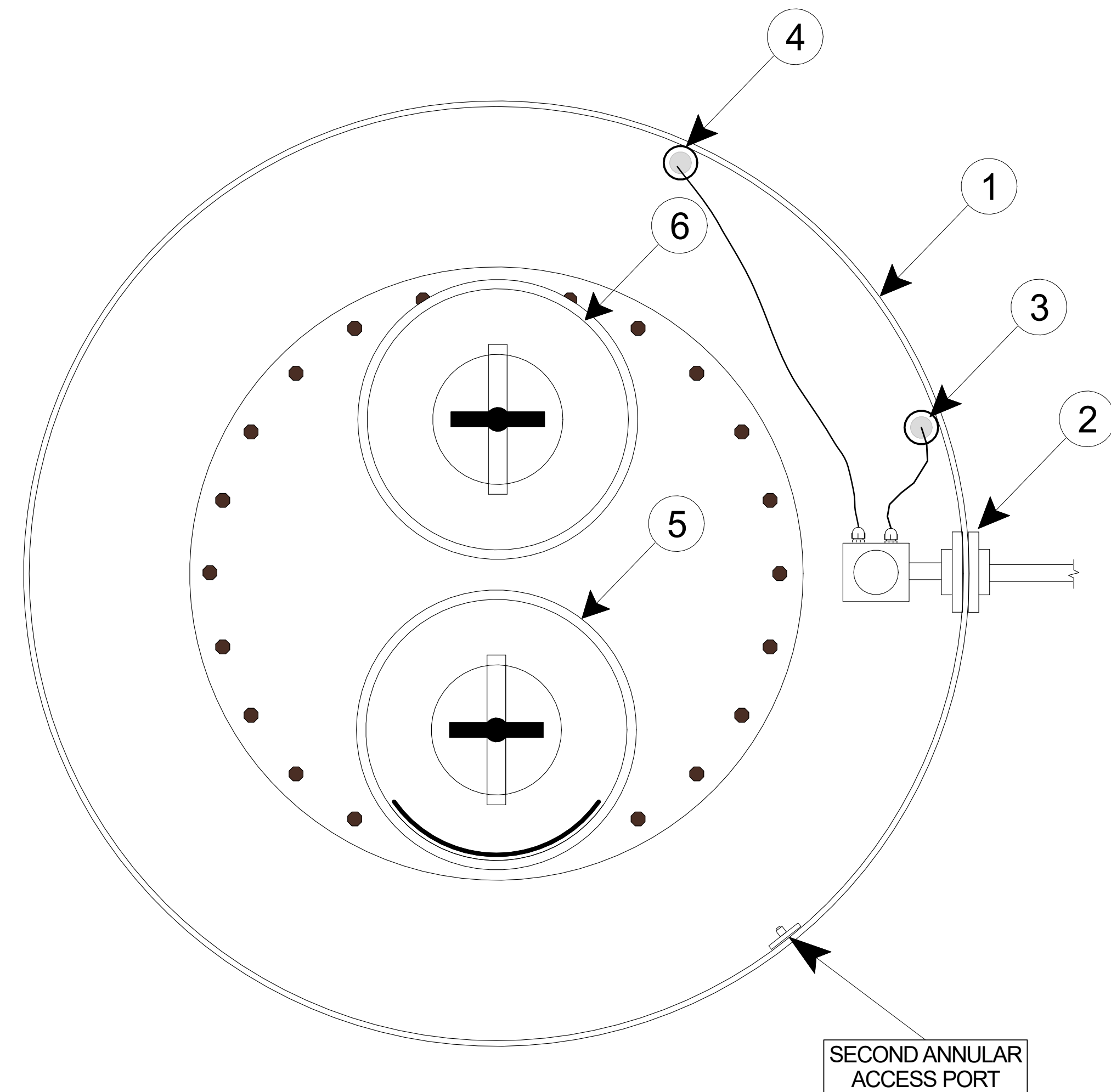
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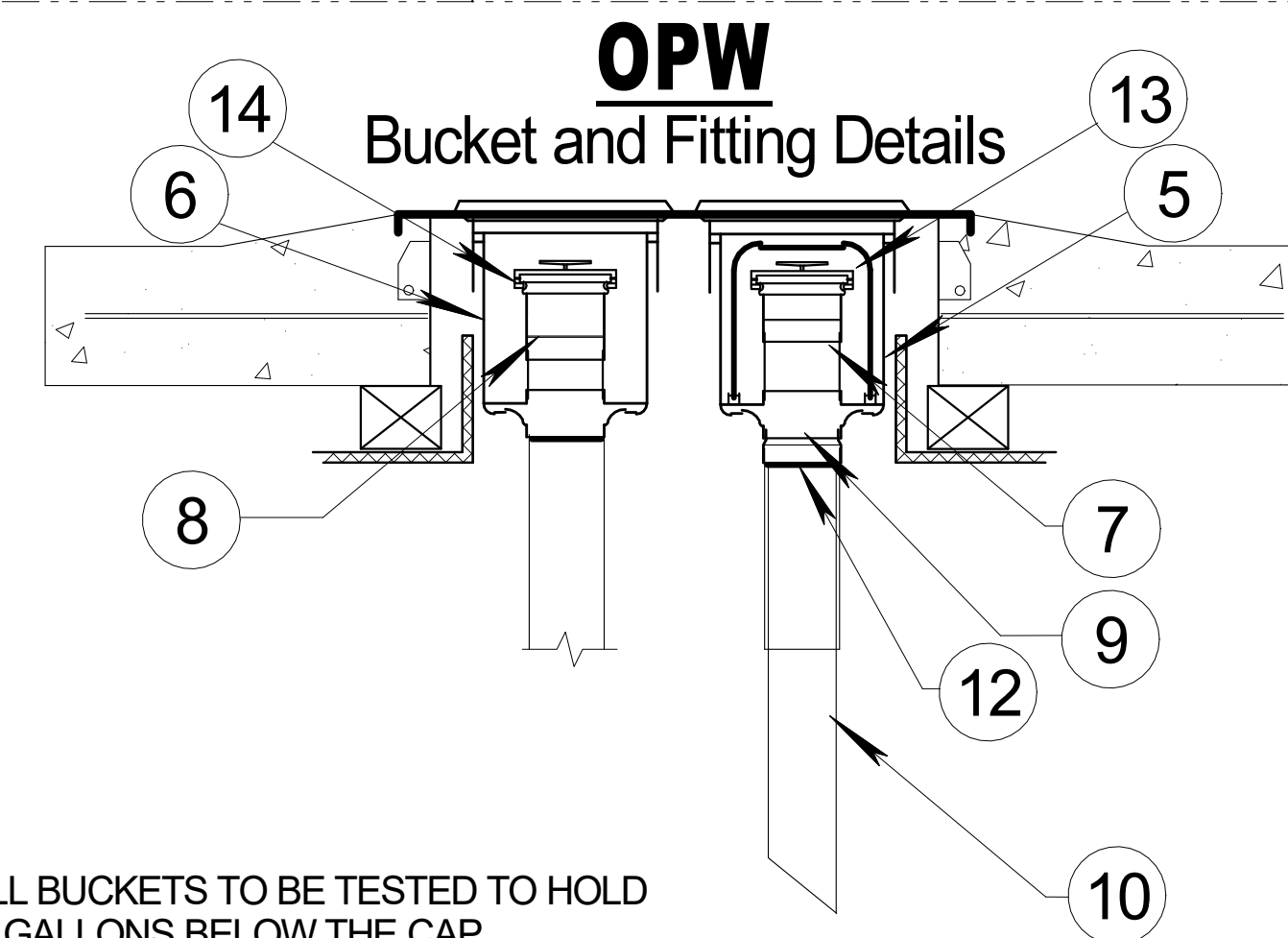
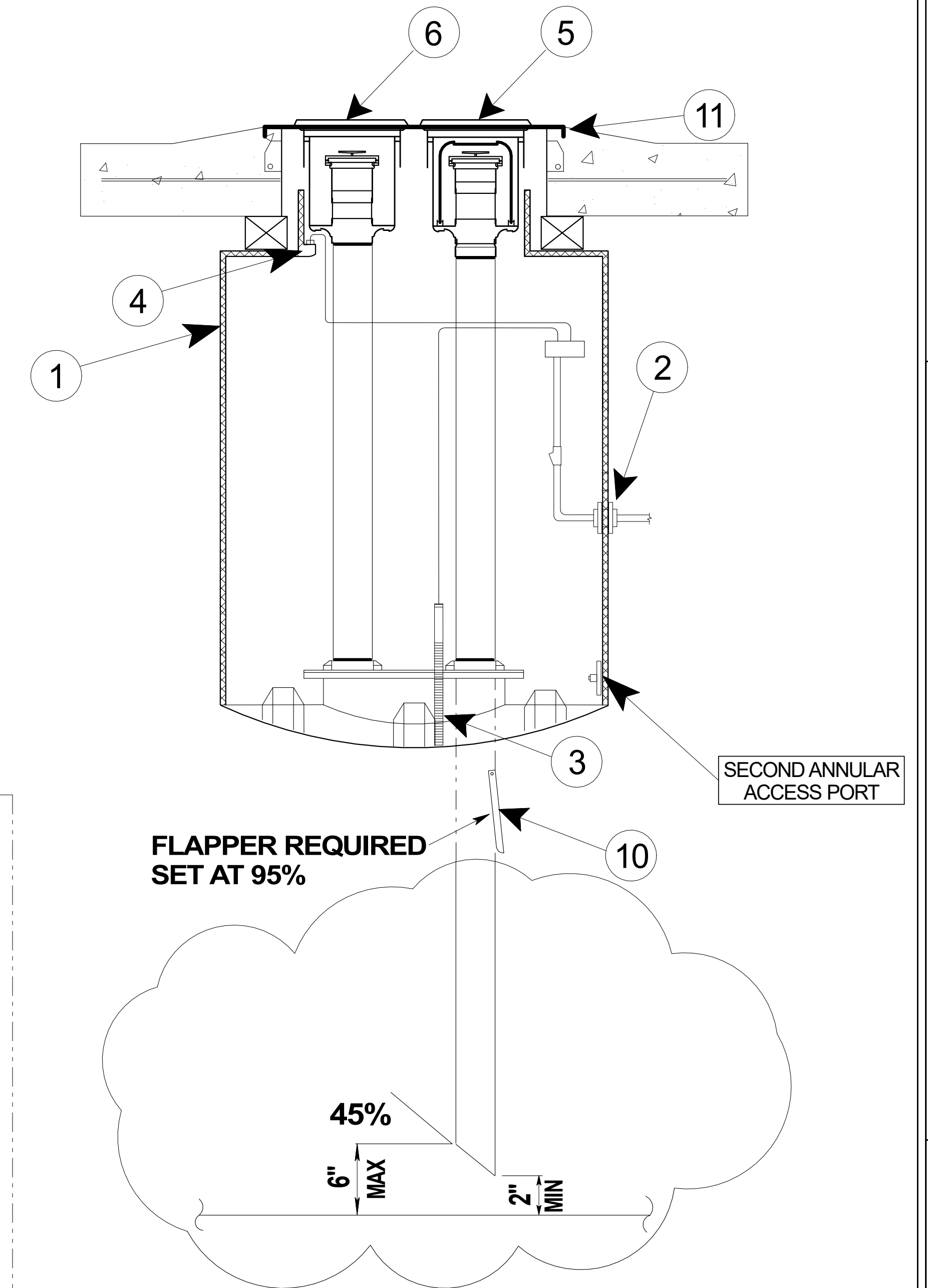
91 SUPER FILL SUMP PLAN VIEW

Sump and Penetration Fitting Details



91 SUPER FILL SUMP SIDE VIEW

Sump and Penetration Fitting Details



NOTE: SPILL BUCKETS TO BE TESTED TO HOLD 5 GALLONS BELOW THE CAP

NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	42" DOUBLE WALL FILL SUMP	XERXES	42" DW CONTAINMENT SUMP
2	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
3	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
4	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
5	5 GALLON PRODUCT CONTAINMENT BUCKET	OPW	P761C-FLDV
6	5 GALLON VAPOR CONTAINMENT BUCKET	OPW	P761C-FLPL
7	PRODUCT SWIVEL ADAPTOR	OPW	61SALP-1020-EVR
8	VAPOR SWIVEL ADAPTOR	OPW	61VSA-1020-EVR
9	JACK SCREW KIT	OPW	61JSK-44CB
10	DROP TUBE WITH FLAPPER	OPW	71SO-410CT
11	48" Dia. WATERTIGHT FLAT SEALED MULTI PORT COVER	OPW	PK10-FLMP-WSC
12	FACE SEAL ADAPTER	OPW	FSA-400-S
13	PRODUCT DUST CAP	OPW	634TT-7085-EVR
14	VAPOR DUST CAP	OPW	1711T-7085-EVR

91 SUPER FILL SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

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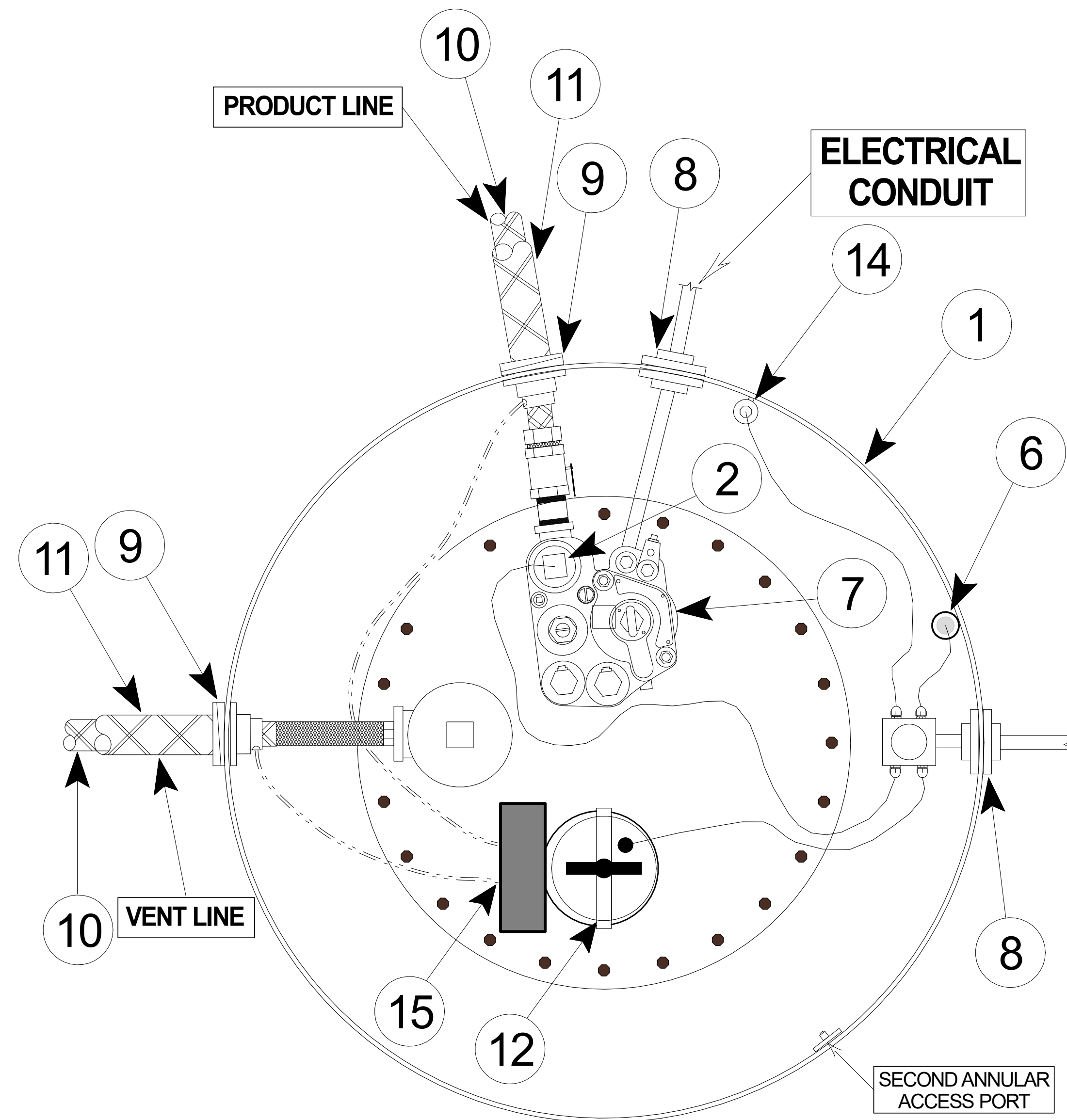
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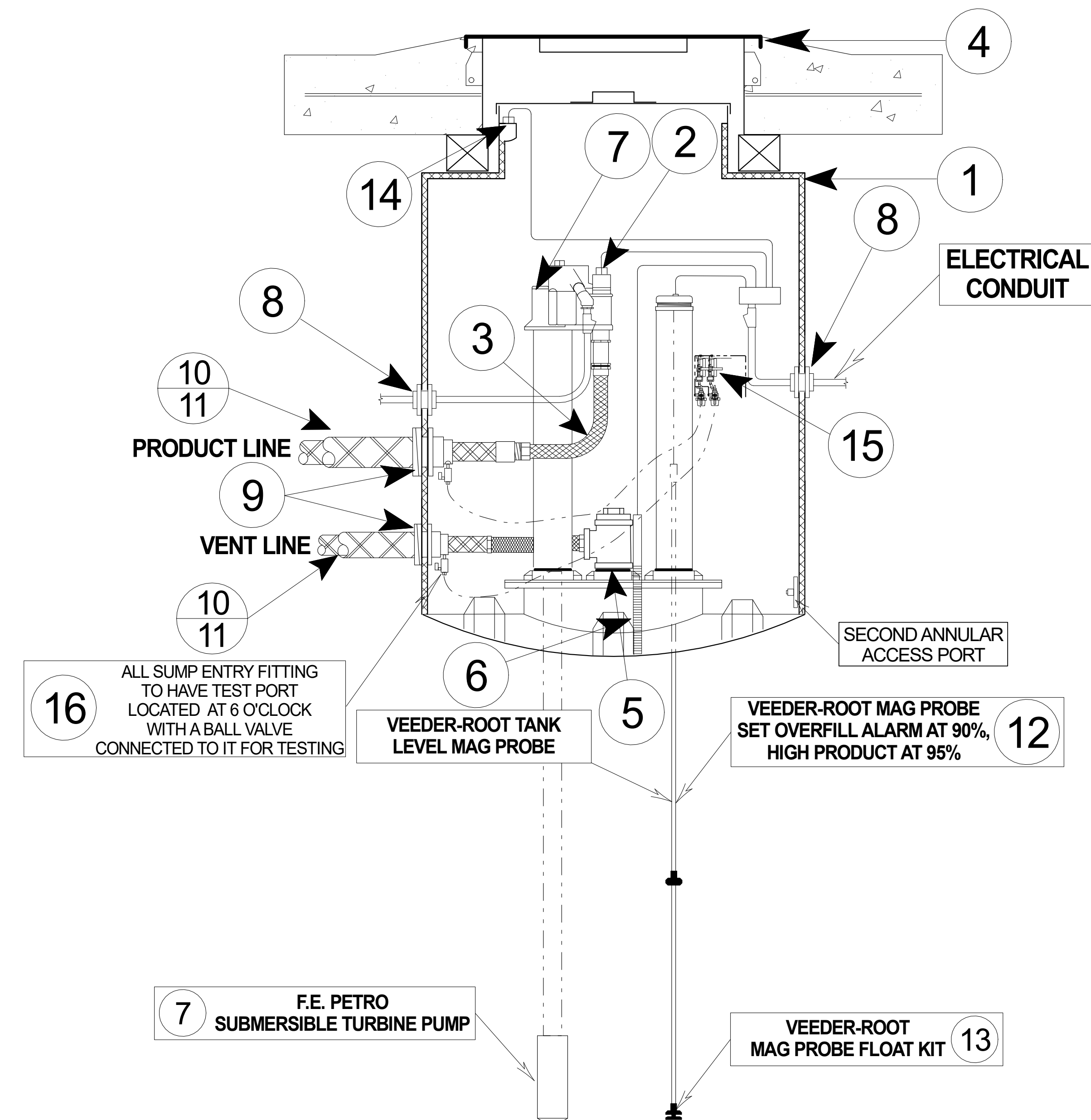
B20 DIESEL TURBINE SUMP TOP VIEW

Sump and Penetration Fitting Details



B20 DIESEL TURBINE SUMP SIDE VIEW

Sump and Penetration Fitting Details



NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	48" DOUBLE WALL TURBINE SUMP	CONTAINMENT SOLUTIONS	48" DW CONTAINMENT SUMP
2	ELECTRONIC LINE LEAK DETECTOR	VEEDER-ROOT	848480-001
3	2" X 24" FLEX CONNECTOR	FLEXING	FC20-SWM24
4	42" Dia. WATERTIGHT FLAT SEALED COVER	FIBRELITE	FL100GRAY-SK12
5	EXTRACTOR VALVE	OPW	233-4420
6	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
7	SUBMERSIBLE TURBINE PUMP	F. E. PETRO	STPAGM200-VL2
8	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
9	3" X 2" FIBERGLASS SUMP PENETRATION FITTING	SMITH FIBERCAST	012030-626-0
10	2" FIBERGLASS PIPE	SMITH FIBERCAST	011020-069-2
11	3" FIBERGLASS PIPE	SMITH FIBERCAST	011030-069-2
12	TANK LEVEL MAGNETOSTRICTIVE PROBE	VEEDER-ROOT	846397-709
13	TANK LEVEL FLOAT KIT	VEEDER-ROOT	846400-111
14	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
15	VACUUM SENSOR KIT	VEEDER-ROOT	VR-330020-480
16	1/4" STAINLESS STEEL BALL VALVE	JOMAR	100-961

B20 BIO-DIESEL STP
SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

Scale: NOT TO SCALE

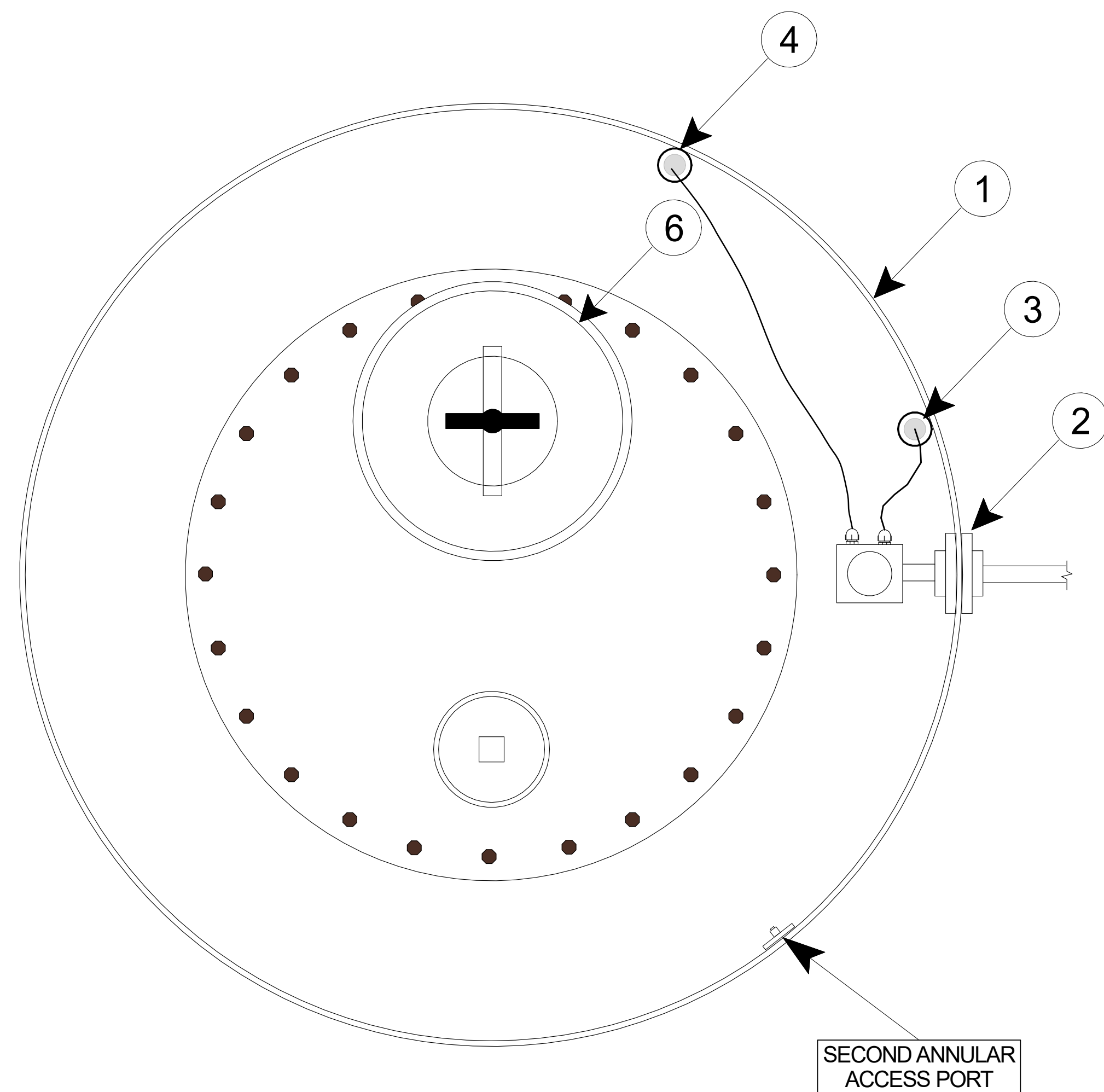
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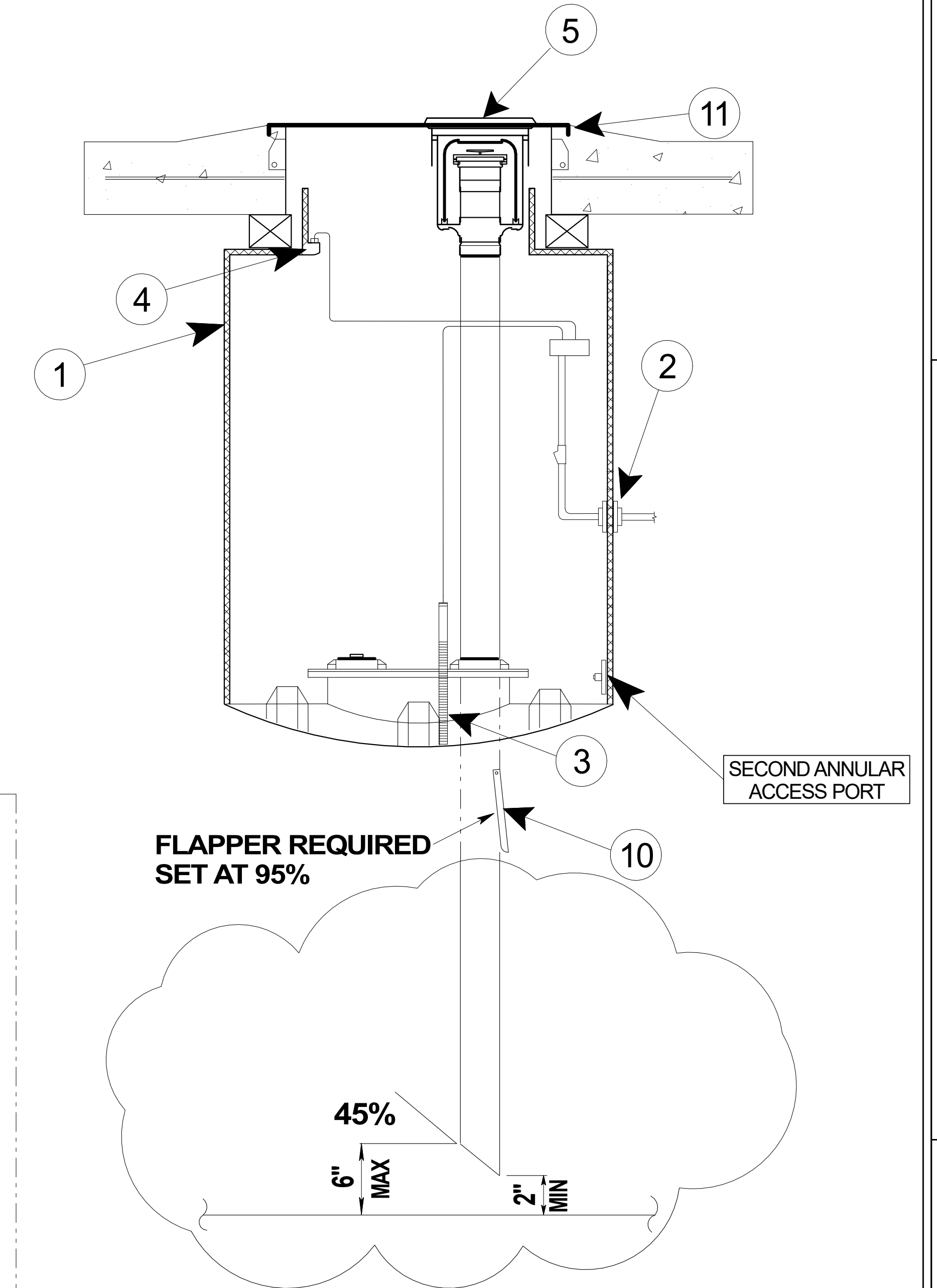
B20 DIESEL FILL SUMP PLAN VIEW

Sump and Penetration Fitting Details

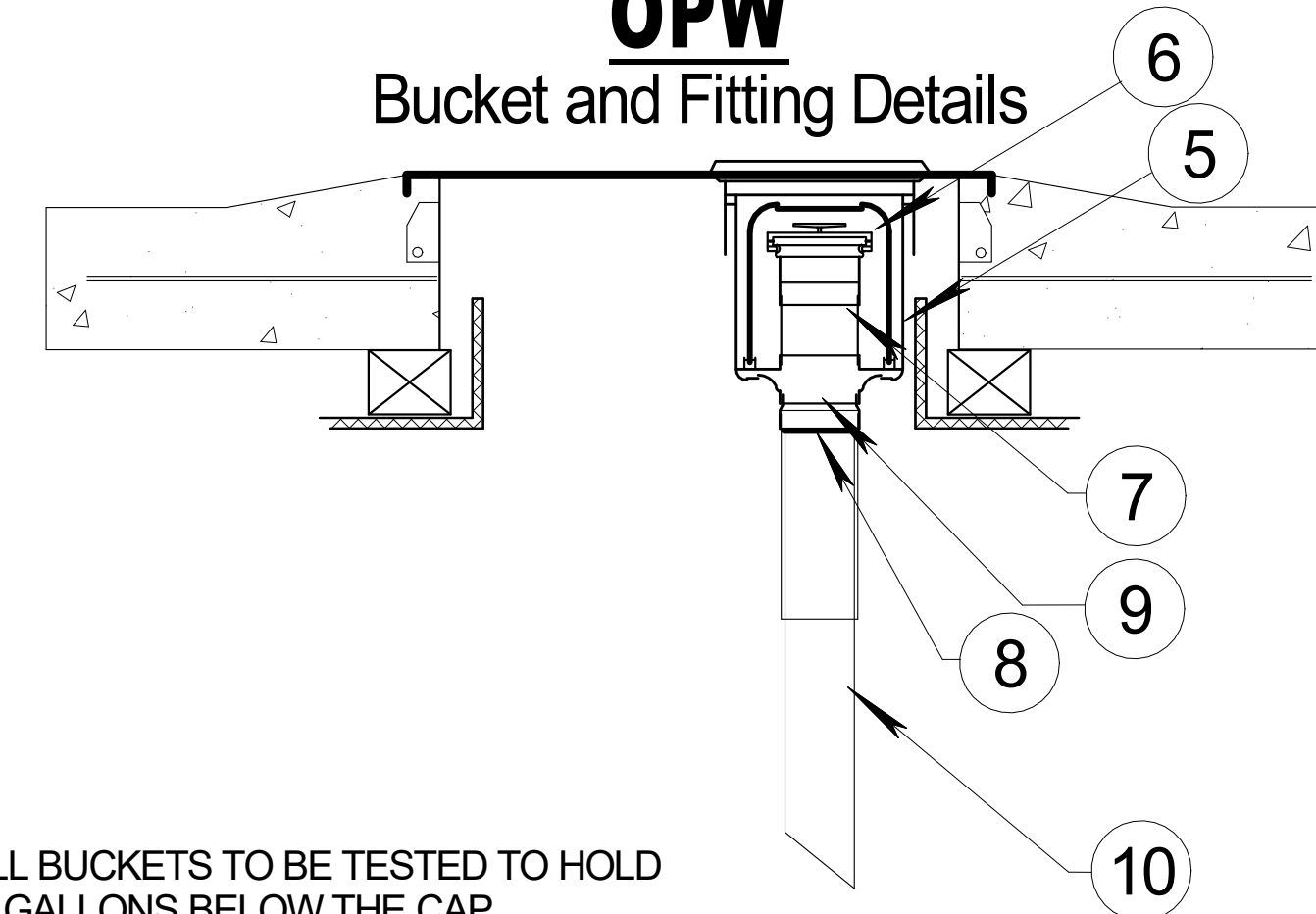


B20 DIESEL FILL SUMP SIDE VIEW

Sump and Penetration Fitting Details



OPW Bucket and Fitting Details



NOTE: SPILL BUCKETS TO BE TESTED TO HOLD 5 GALLONS BELOW THE CAP

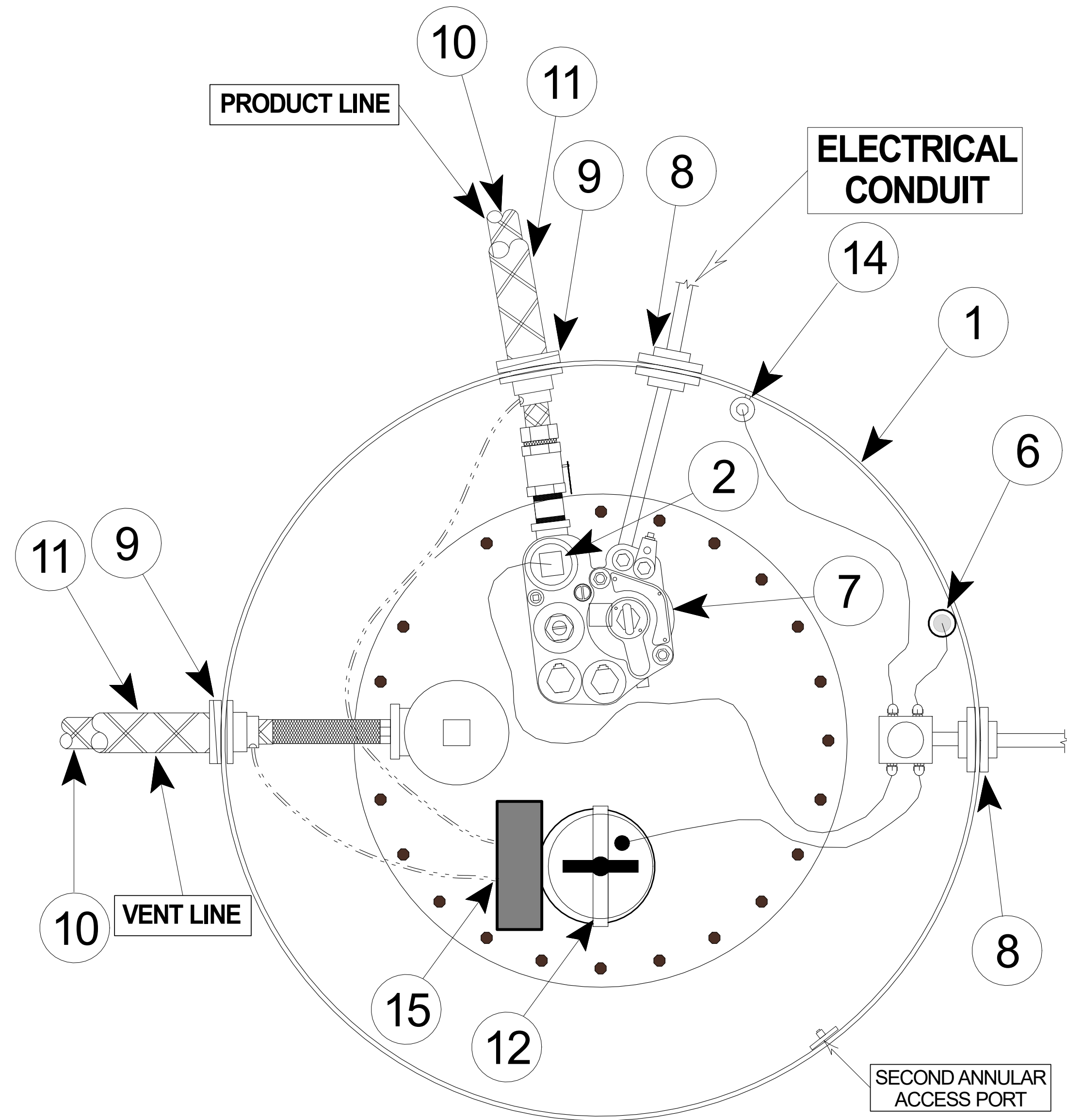
NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	42" DOUBLE WALL FILL SUMP	XERXES	42" DW CONTAINMENT SUMP
2	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
3	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
4	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
5	5 GALLON PRODUCT CONTAINMENT BUCKET	OPW	P761C-FLDV
6	PRODUCT DUST CAP	OPW	634TT-7085-EVR
7	PRODUCT SWIVEL ADAPTOR	OPW	61SALP-1020-EVR
8	FACE SEAL ADAPTER	OPW	FSA-400-S
9	JACK SCREW KIT	OPW	61JSK-44CB
10	DROP TUBE WITH FLAPPER	OPW	71SO-400B
11	48" Dia. WATERTIGHT FLAT SEALED MULTI PORT COVER	OPW	PK11-FLDIESEL-YSC

B20 BIO-DIESEL
FILL SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

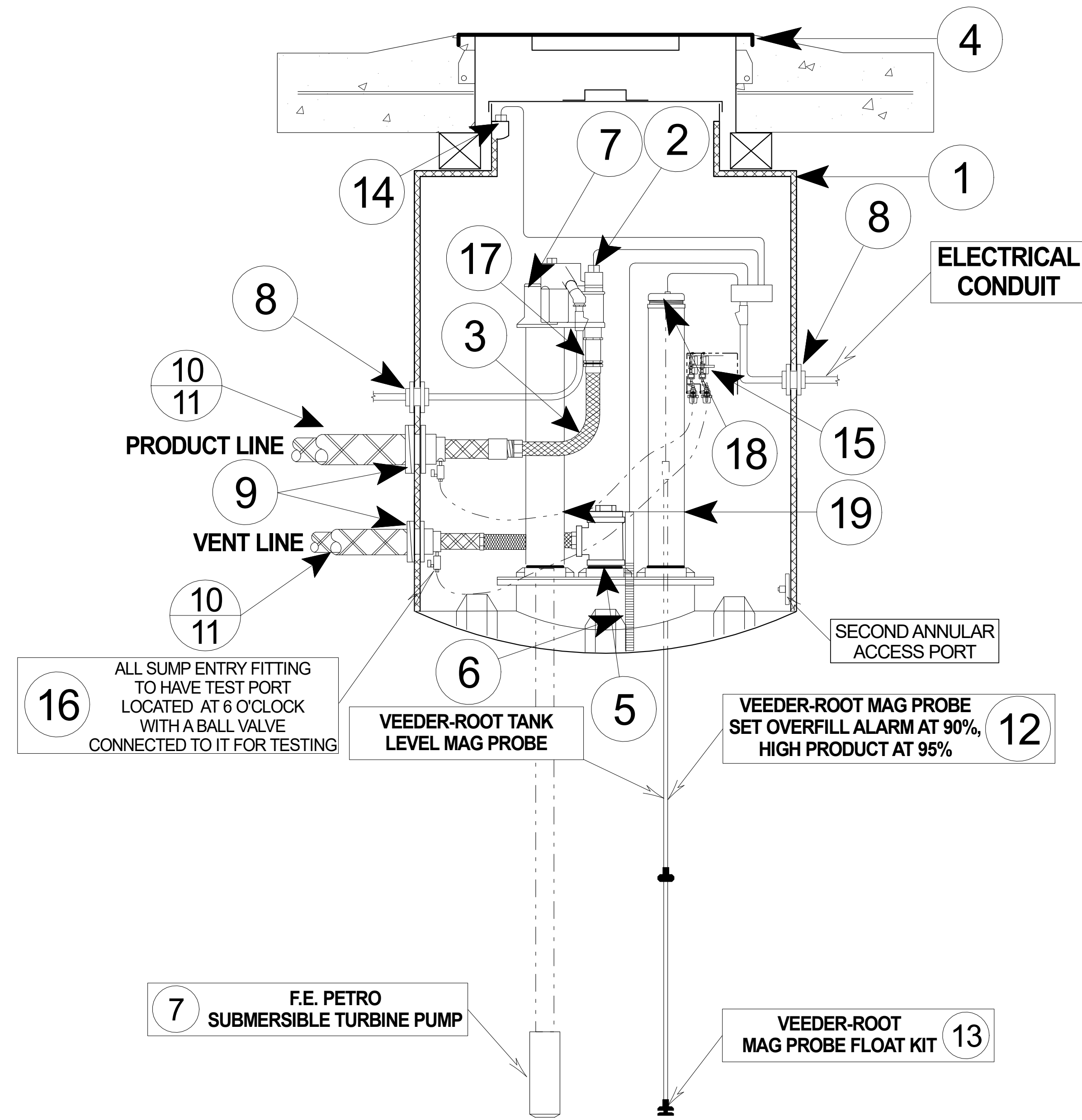
E-85 TURBINE SUMP TOP VIEW

Sump and Penetration Fitting Details



E-85 TURBINE SUMP SIDE VIEW

Sump and Penetration Fitting Details



NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	48" DOUBLE WALL TURBINE SUMP	CONTAINMENT SOLUTIONS	48" DW CONTAINMENT SUMP
2	ELECTRONIC LINE LEAK DETECTOR	VEEDER-ROOT	848480-001
3	2" X 24" FLEX CONNECTOR	FLEXING	FC20-SWM24
4	42" Dia. WATERTIGHT FLAT SEALED COVER	FIBRELITE	FL100GRAY-SK12
5	EXTRACTOR VALVE	OPW	233-4420
6	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-323
7	SUBMERSIBLE TURBINE PUMP	F. E. PETRO	STPAGM200-VL2
8	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
9	3" X 2" FIBERGLASS SUMP PENETRATION FITTING	SMITH FIBERCAST	012030-626-0
10	2" FIBERGLASS PIPE	SMITH FIBERCAST	011020-069-2
11	3" FIBERGLASS PIPE	SMITH FIBERCAST	011030-069-2
12	TANK LEVEL MAGNETOSTRICTIVE PROBE	VEEDER-ROOT	846397-409
13	TANK LEVEL FLOAT KIT	VEEDER-ROOT	846400-114
14	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
15	VACUUM SENSOR KIT	VEEDER-ROOT	VR-330020-480
16	1/4" STAINLESS STEEL BALL VALVE	JOMAR	100-961

NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
17	2" STAINLESS STEEL BALL VALVE	JOMAR	100-968
18	MONITORING PROBE CAP	OPW	62M-MA
19	4" STAINLESS STEEL RISERS	STAINLESS STEEL	ASTM-A269/213

E-85 STP
SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

Scale: NOT TO SCALE

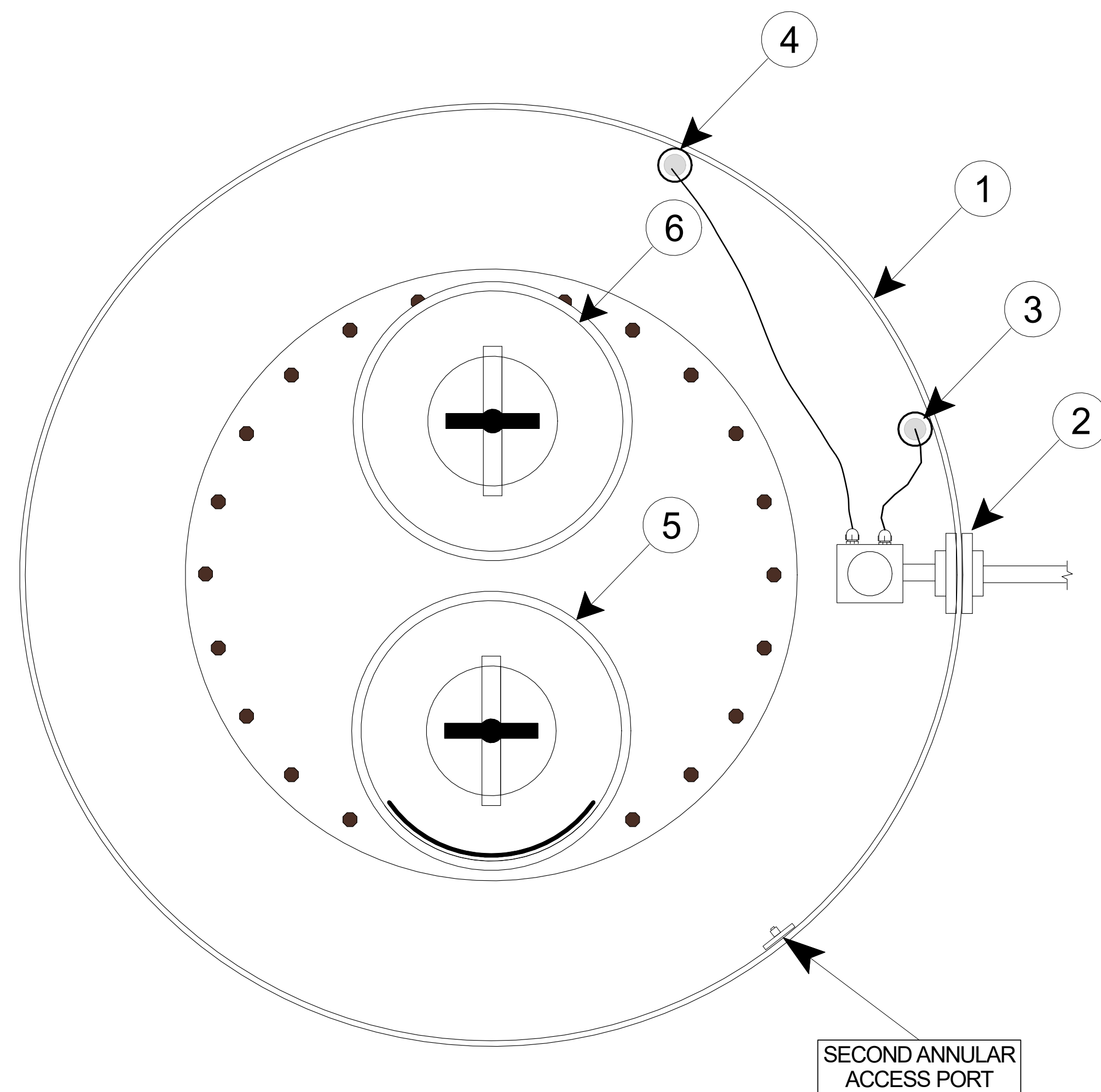
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TP- 13

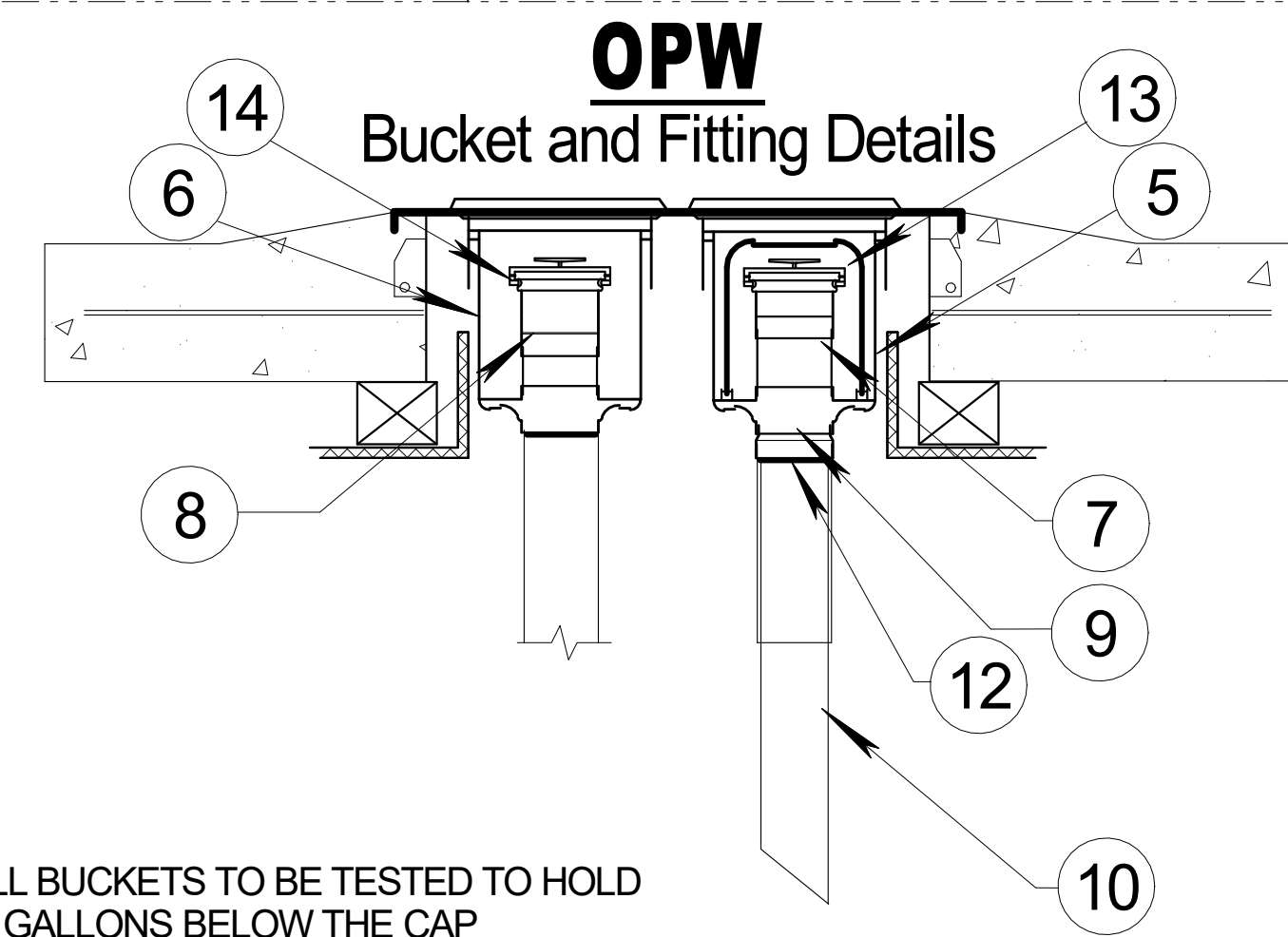
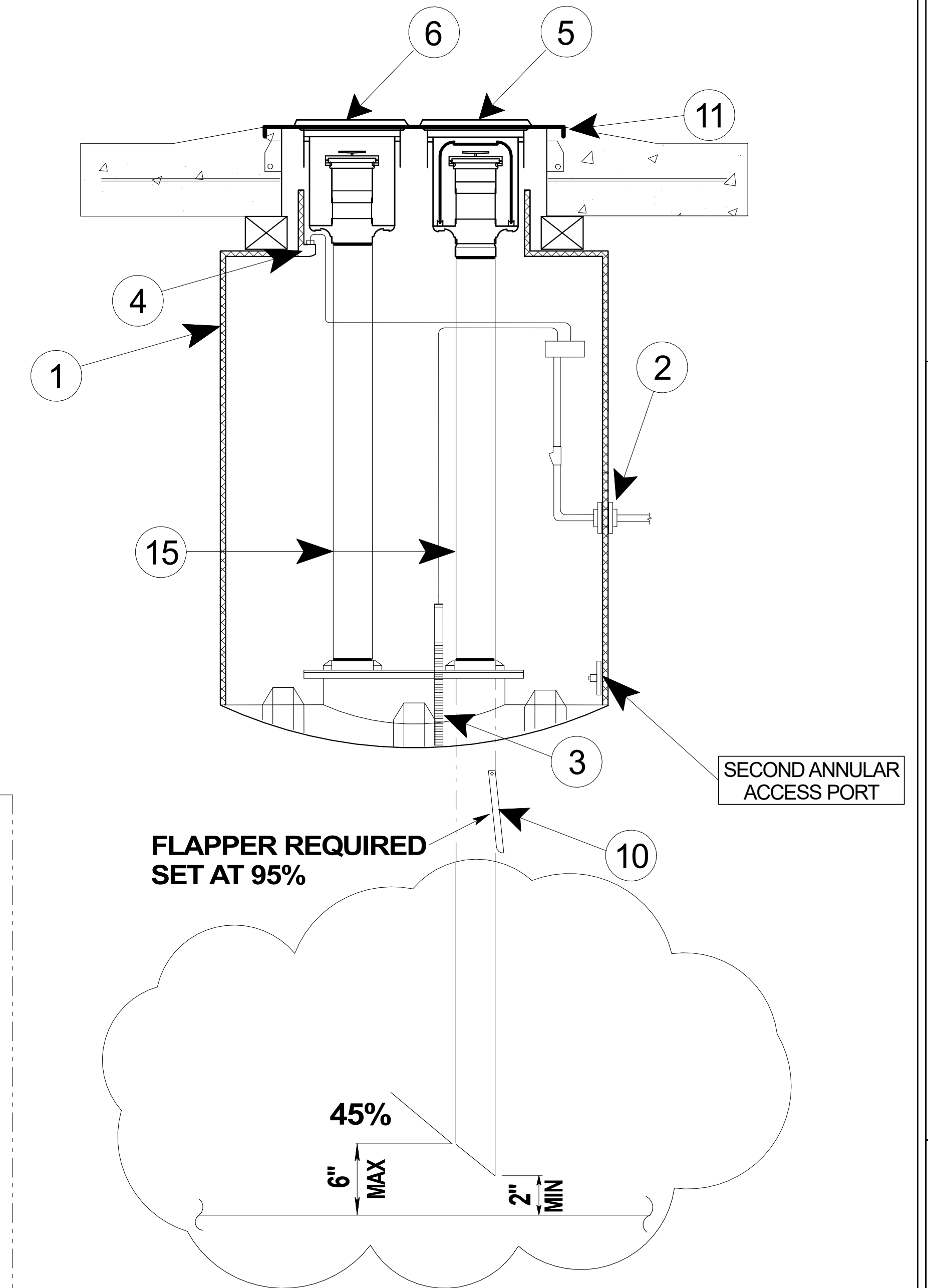
E-85 FILL SUMP PLAN VIEW

Sump and Penetration Fitting Details



E-85 FILL SUMP SIDE VIEW

Sump and Penetration Fitting Details



NOTE: SPILL BUCKETS TO BE TESTED TO HOLD 5 GALLONS BELOW THE CAP

NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	42" DOUBLE WALL FILL SUMP	XERXES	42" DW CONTAINMENT SUMP
2	ELEC. CONDUIT PENETRATION FITTING FOR 3/4"	BRAVO	F-07RS-0-F
3	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-323
4	MINI HYDROSTATIC SENSOR	VEEDER-ROOT	VR-794380-304
5	5 GALLON PRODUCT CONTAINMENT BUCKET	OPW	P761C-FLDV
6	5 GALLON VAPOR CONTAINMENT BUCKET	OPW	P761C-FLPL
7	PRODUCT SWIVEL ADAPTOR	OPW	61SALP-MA
8	VAPOR SWIVEL ADAPTOR	OPW	61VSA-MA
9	JACK SCREW KIT	OPW	71JSK-44MA
10	DROP TUBE WITH FLAPPER	OPW	71SOM-412C
11	48" Dia. WATERTIGHT FLAT SEALED MULTI PORT COVER	OPW	PK10-FLMP-E85-GSC
12	FACE SEAL ADAPTER	OPW	FSA-400
13	PRODUCT DUST CAP	OPW	634TT-7085-EVR
14	VAPOR DUST CAP	OPW	1711T-7085-EVR
15	4" STAINLESS STEEL RISERS	STAINLESS STEEL	ASTM-A269/213

E-85
FILL SUMP DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

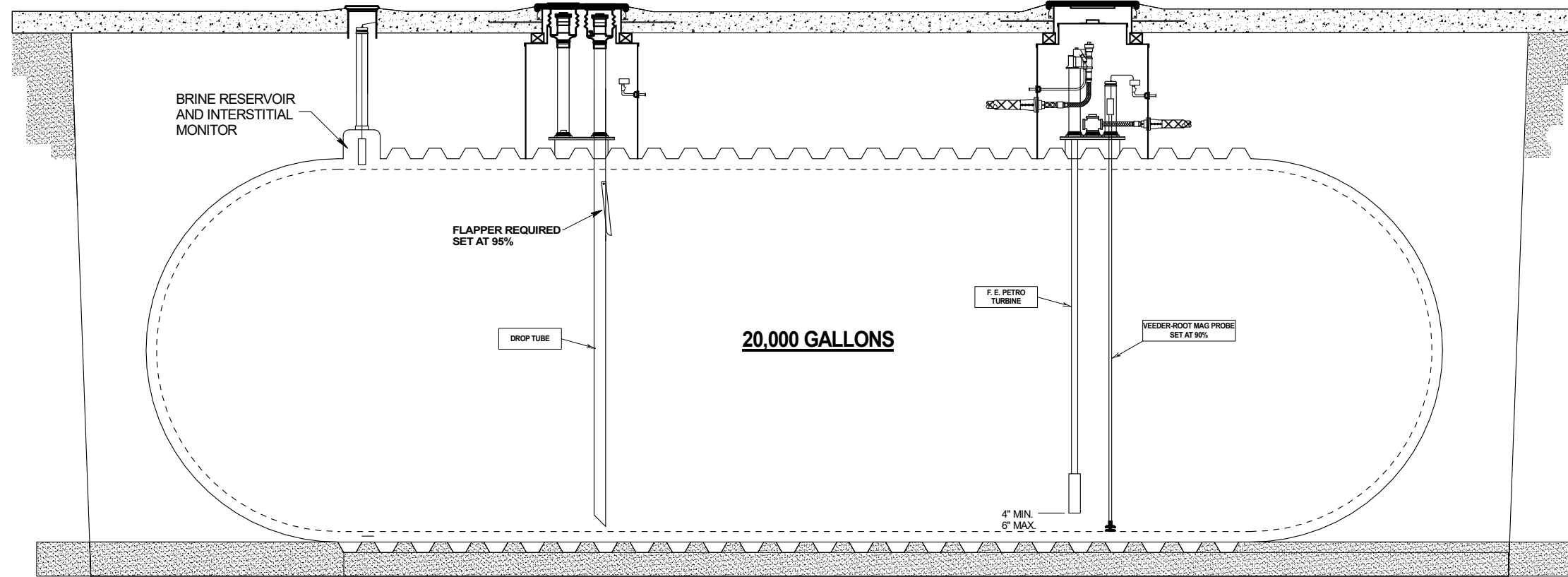
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Date: 12-15-2022

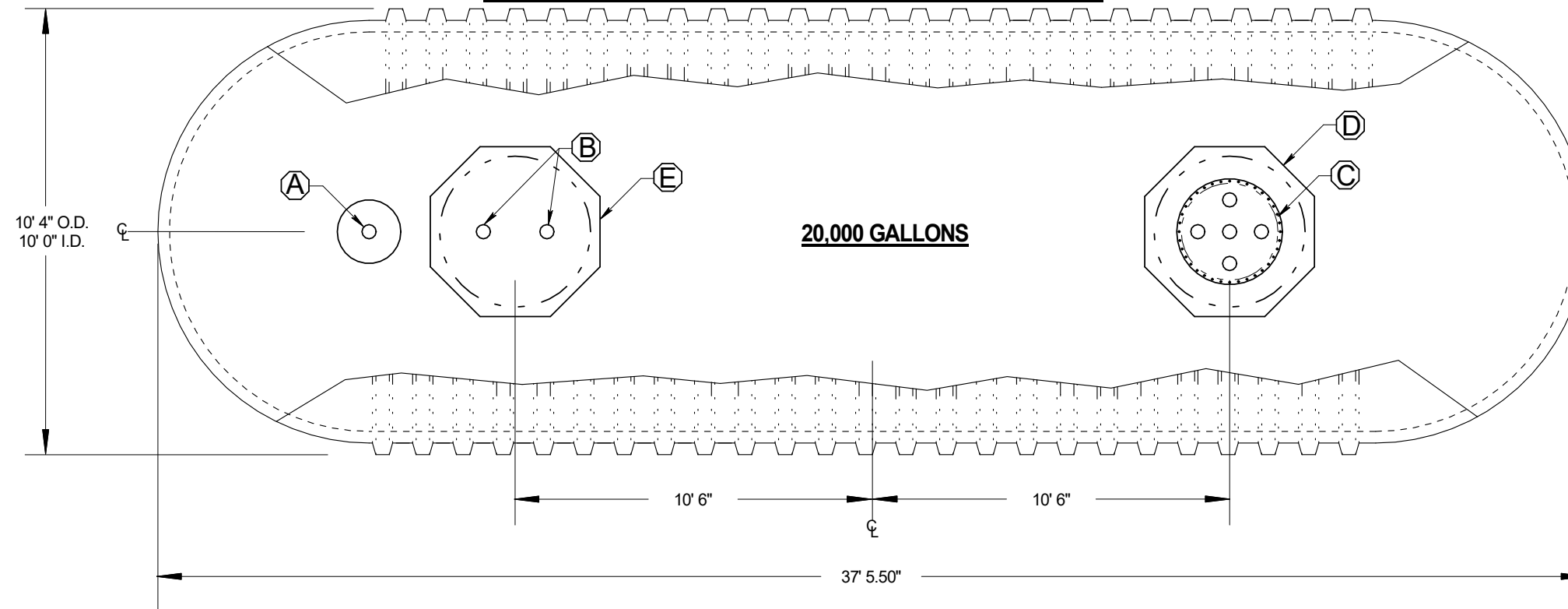
Sheet

TP- 14

20,000 GALLON XERXES DOUBLE WALLED FIBERGLASS TANK



20,000 GALLON XERXES DOUBLE WALLED FIBERGLASS TANK



**20,000 GALLON
TANK DETAIL**

**A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712**

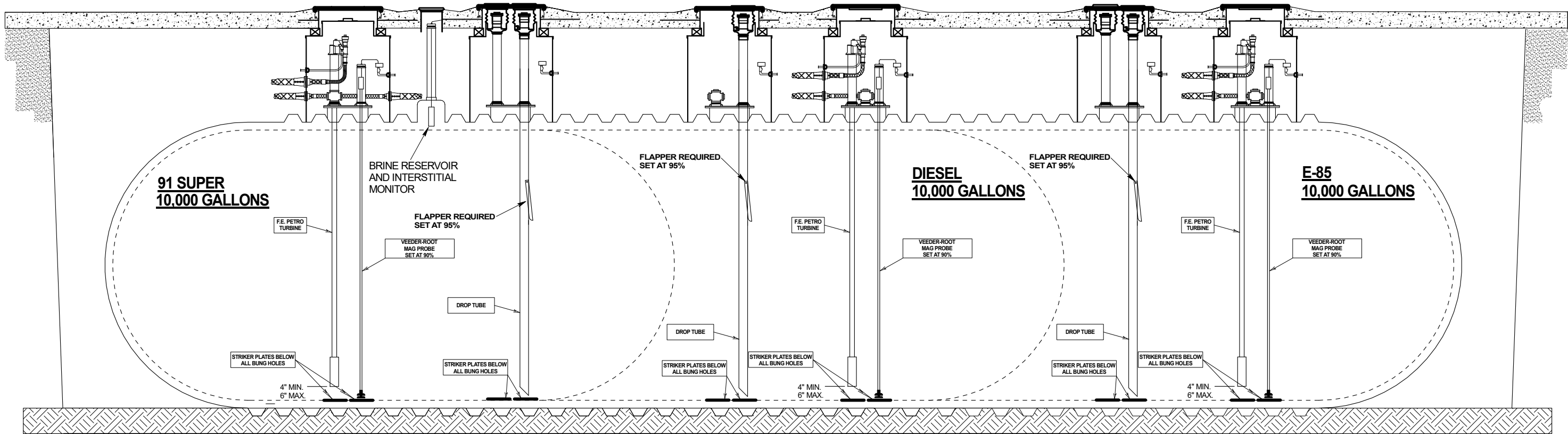
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Date: 12-15-2022

Sheet: **TP-15**

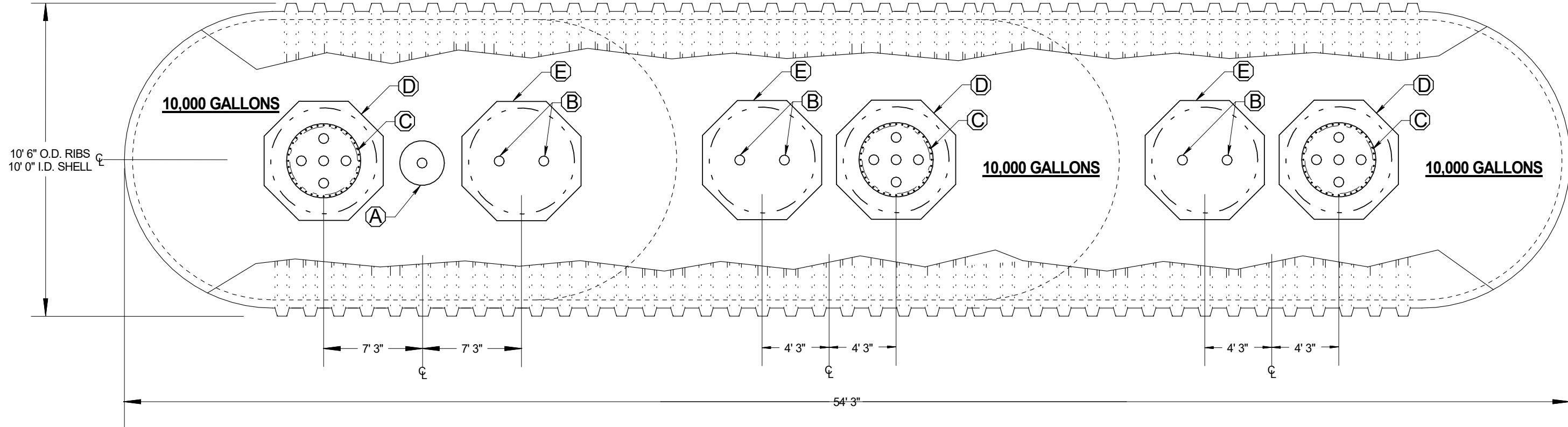
ITEM	QTY	DESCRIPTION
(A)	1	18" DIA HYDROSTATIC MONITORING RESERVOIR WITH 4" NPT FITTING
(B)	2	4" NPT SERVICE FITTINGS
(C)	1	22" DIA MANWAY WITH 5 - 4" NPT FITTINGS IN COVER
(D)	1	48" DIA DW CONTAINMENT & 72" HIGH DOUBLE WALL BRINE MONITORED CONTAINMENT SUMP WITH 36" DIA WATERTIGHT TOP COVER
(E)	1	42" DIA DW CONTAINMENT & 72" HIGH DOUBLE WALL BRINE MONITORED CONTAINMENT SUMP WITH 32" DIA WATERTIGHT TOP COVER

NO.	TANK DESCRIPTION	MANUFACTURER	PART NUMBER
(1)	20,000 GALLON UNDERGROUND FIBERGLASS STORAGE TANK	XERXES	10' DIA. DOUBLE-WALL CAP. 20,000 GALLONS

30,000 GALLON XERXES DOUBLE WALLED FIBERGLASS TANK



30,000 GALLON XERXES DOUBLE WALLED FIBERGLASS TANK



**30,000 GALLON
TANK DETAIL**

**A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712**

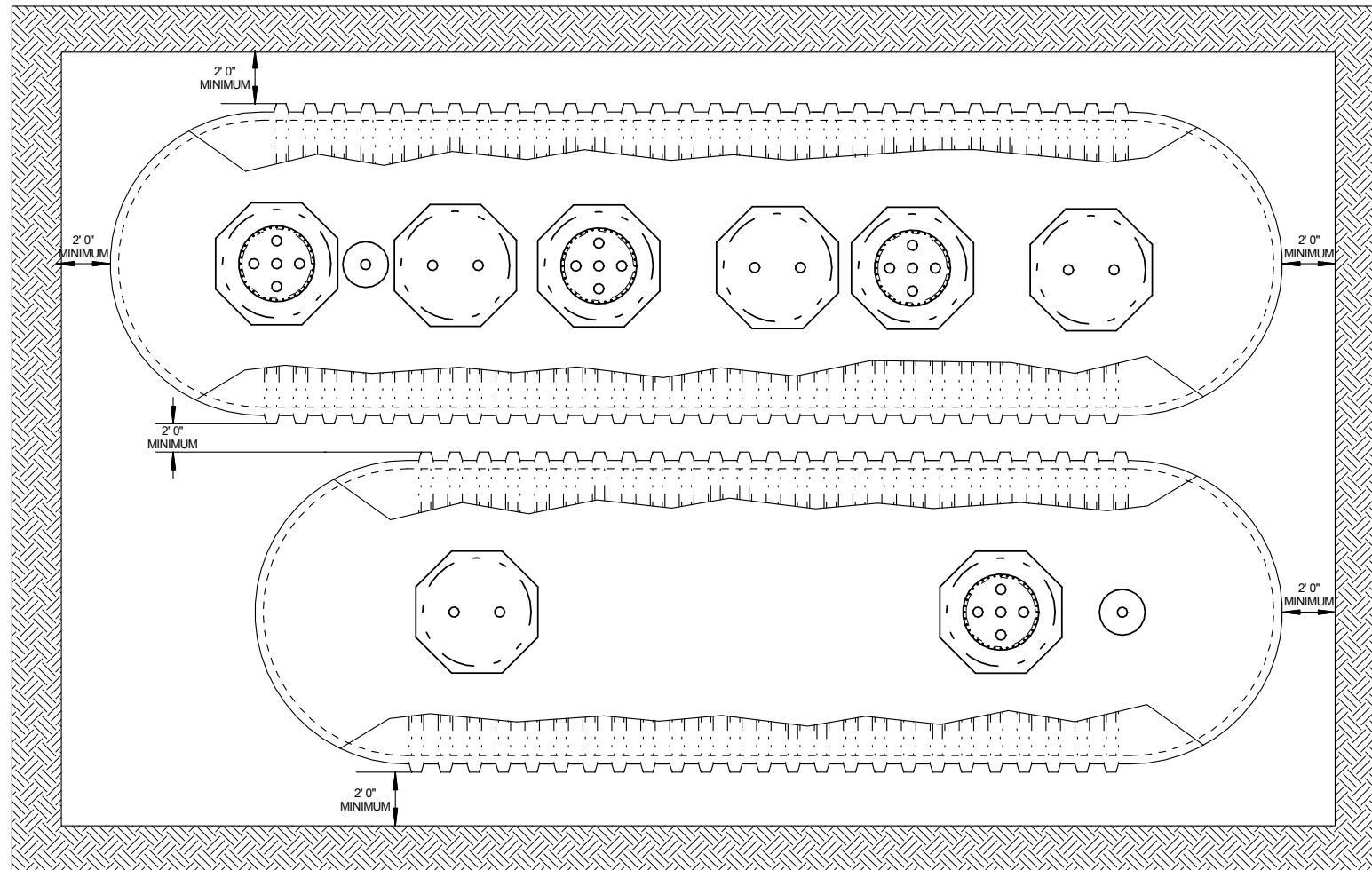
Scale: NOT TO SCALE
Date: 12-15-2022

Sheet: **TP-16**

ITEM	QTY	DESCRIPTION
(A)	1	18" DIA HYDROSTATIC MONITORING RESERVOIR WITH 4" NPT FITTING
(B)	2	4" NPT SERVICE FITTINGS
(C)	1	22" DIA MANWAY WITH 5 - 4" NPT FITTINGS IN COVER
(D)	1	48" DIA DW CONTAINMENT & 72" HIGH DOUBLE WALL BRINE MONITORED CONTAINMENT SUMP WITH 36" DIA WATERTIGHT TOP COVER
(E)	1	42" DIA DW CONTAINMENT & 72" HIGH DOUBLE WALL BRINE MONITORED CONTAINMENT SUMP WITH 32" DIA WATERTIGHT TOP COVER

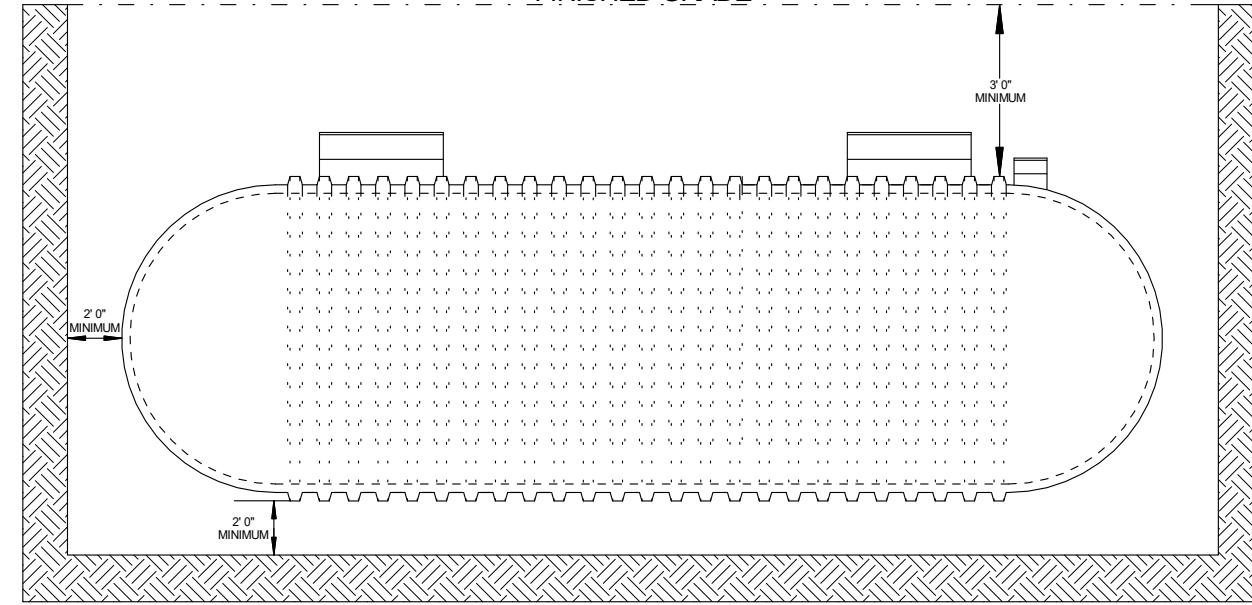
NO.	TANK DESCRIPTION	MANUFACTURER	PART NUMBER
(1)	30,000 GALLON UNDERGROUND FIBERGLASS STORAGE TANK	XERXES	10' DIA. DOUBLE-WALL CAP. 30,000 GALLONS

TOP VIEW



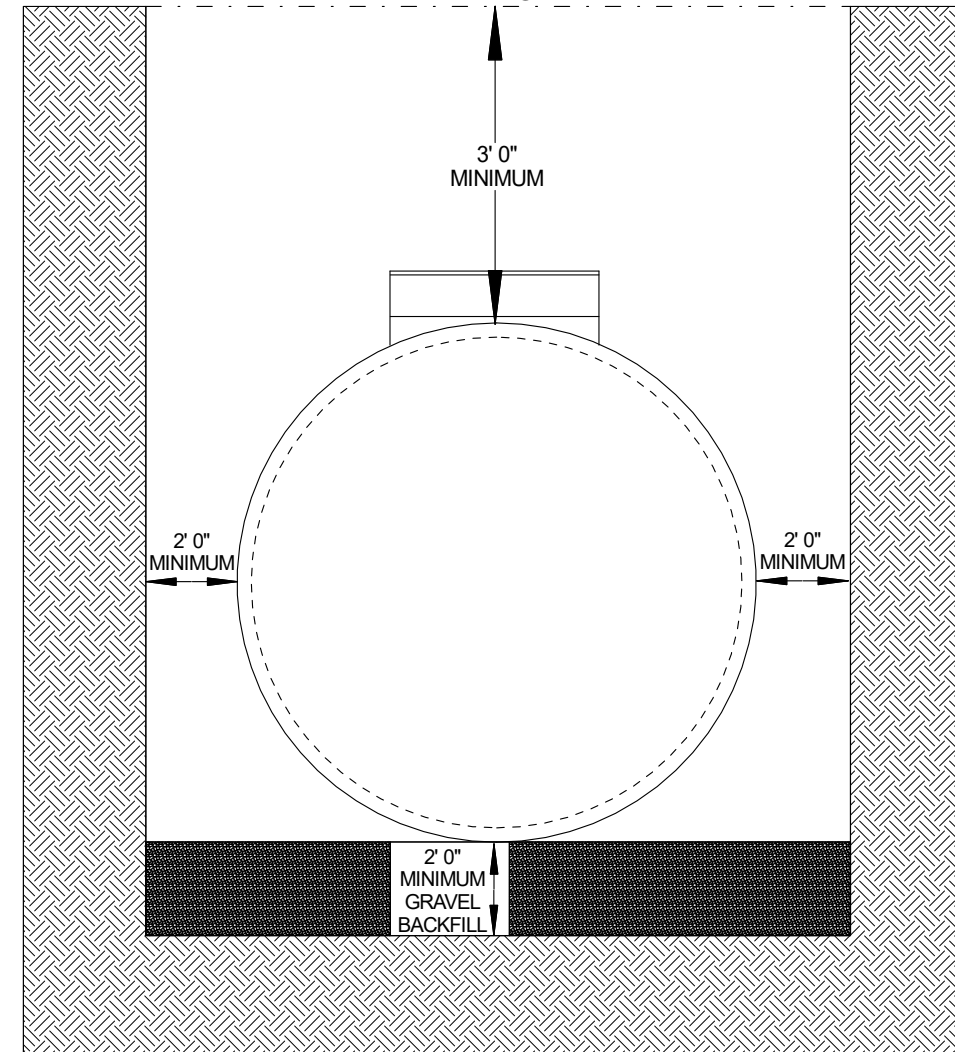
SIDE VIEW

FINISHED GRADE



END VIEW

FINISHED GRADE



Gas Station Design & Drafting Services

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DISCLAIMER
While every effort has been made to prevent errors or omissions while preparing this plan, the contractor must verify all notes, details and dimensions prior to commencing work.

TANK HOLE
DETAIL

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

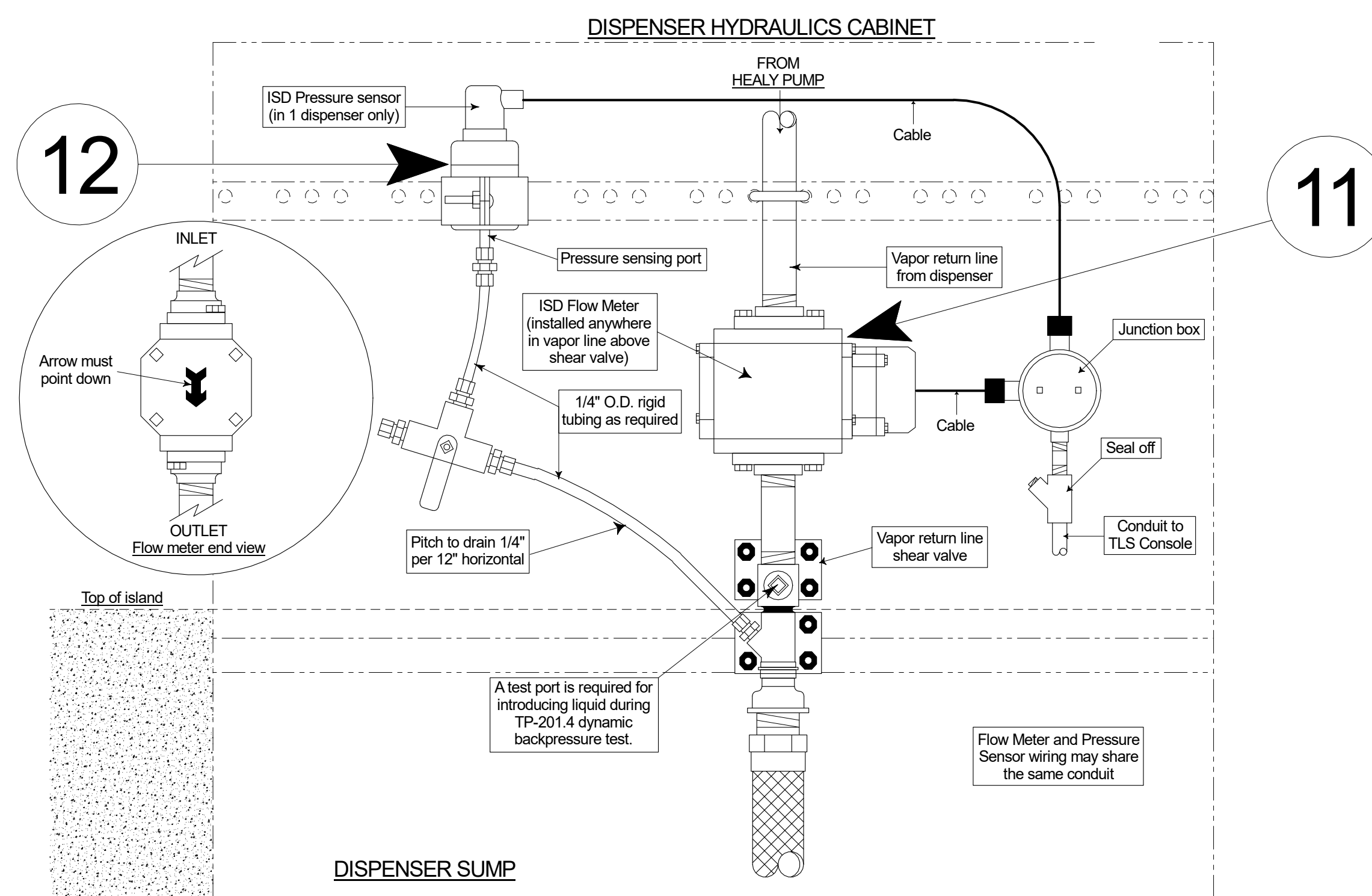
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Date: 12-19-2022

Sheet: TP-17

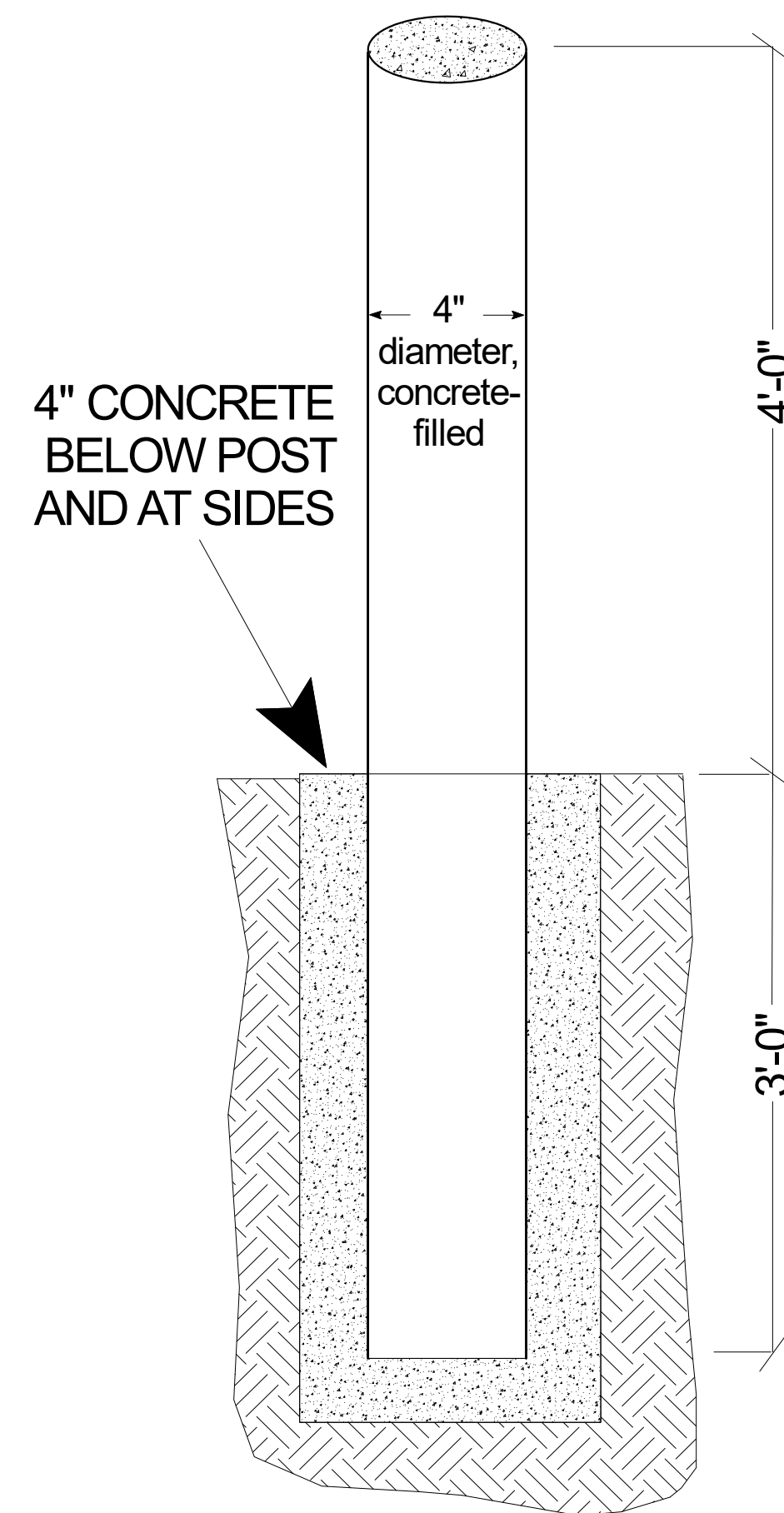
Drafted By:
(805) 710-2006
www.gasstationplan.com
gasstationdanddservices@gmail.com

ISD ABOVE SHEAR VALVE DETAIL



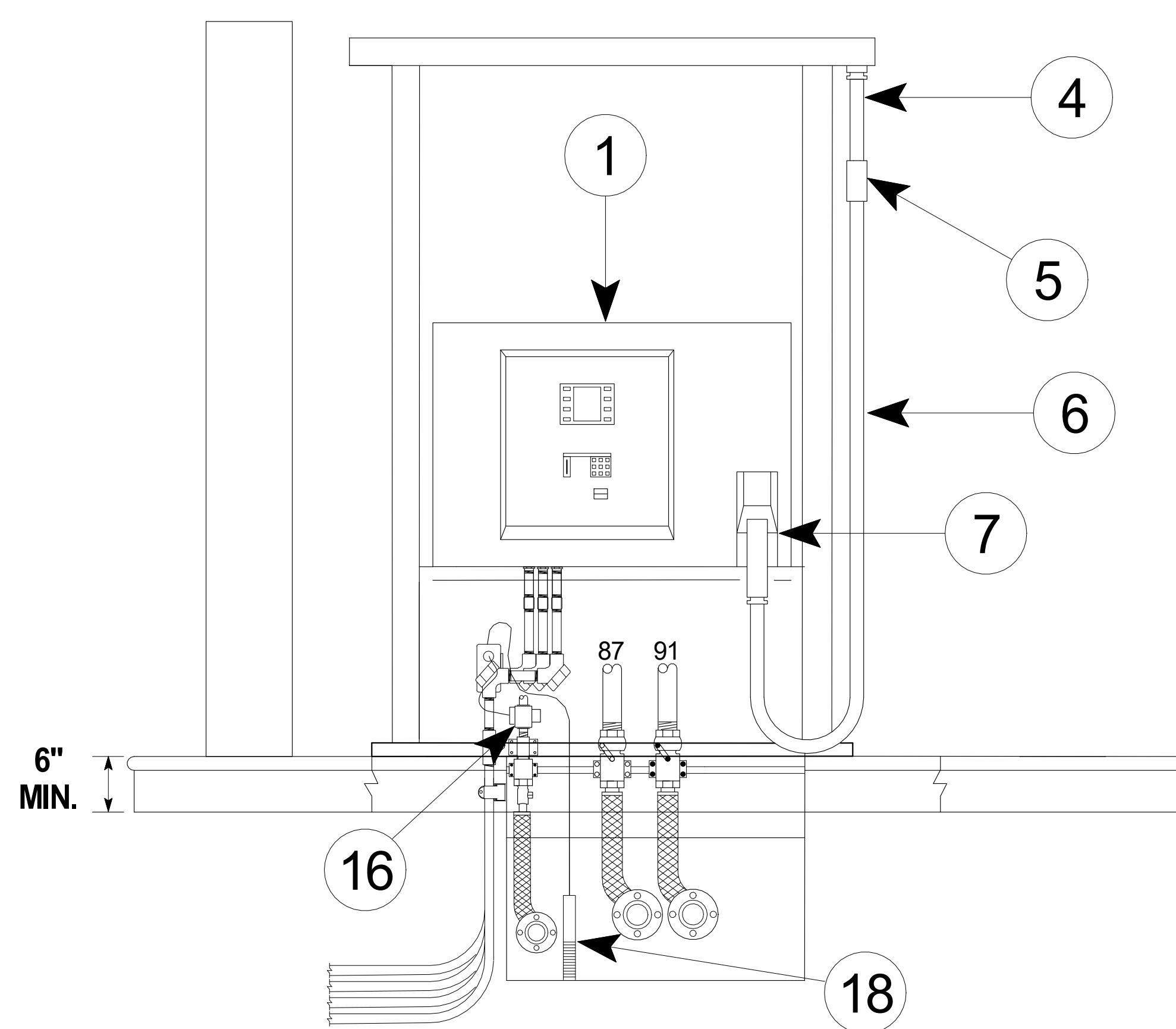
***NOTE: ISD VAPOR PRESSURE SENSOR TO BE INSTALLED IN DISPENSER CLOSEST TO UST'S (DISPENSER #7/8)**

BUMPER POST DETAIL

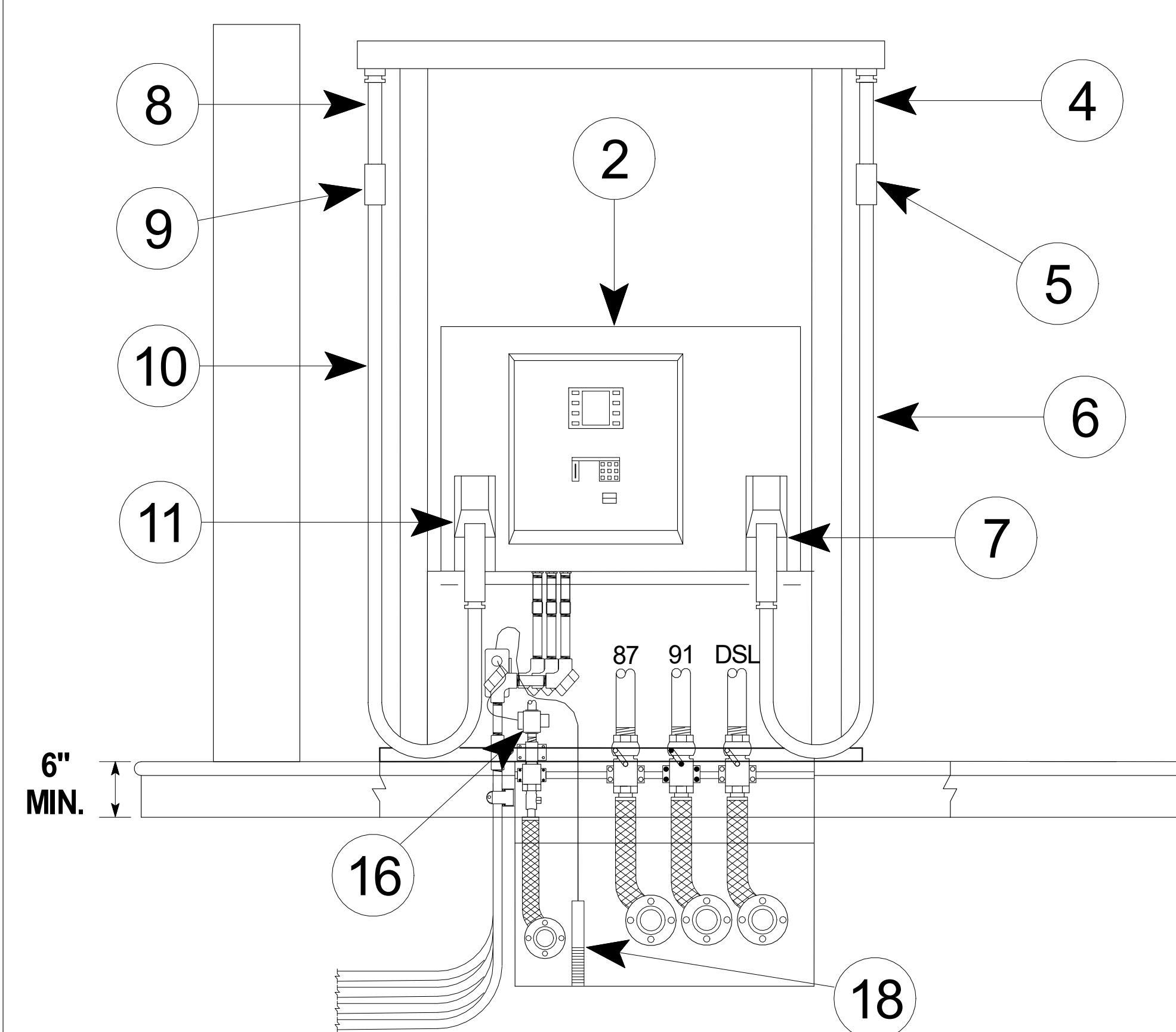


NO.	EQUIPMENT DESCRIPTION	MANUFACTURER	PART NUMBER
1	GILBARCO ENCORE 700S DISPENSER 3 + 0	GILBARCO	ENCORE 700S 3+0
2	GILBARCO ENCORE 700S DISPENSER 3 + 1	GILBARCO	ENCORE 700S 3+1
3	GILBARCO ENCORE 700S DISPENSER 3 + 0 + 1	GILBARCO	ENCORE 700S 3+0+1
4	12" COAXIAL HOSE	VST	VSTA-EVR-012
5	BREAKAWAY	VST	VSTA-EVR-SBKA
6	8' COAXIAL HOSE	VST	VDV-EVR-096
7	EVR NOZZLE	VST	VST-EVR-NBBK-2
8	12" DIESEL WHIP HOSE	CONTINENTAL	532-327-124-21269
9	DIESEL BREAKAWAY	HUSKY	003360
10	8' DIESEL HOSE	CONTINENTAL	532-327-124-00869
11	DIESEL NOZZLE	OPW	11A-0100
12	ETHANOL E85 12" WHIP HOSE	FRANKLIN FUELING	FX-FLXE200100
13	ETHANOL E85 BREAKAWAY	OPW	66V-0492
14	ETHANOL E85 8' HOSE	FRANKLIN FUELING	FX-FLXE200800
15	ETHANOL E85 NOZZLE	OPW	11BP-0992-E85
16	VAPOR FLOW METER (ISD)	VEEDER-ROOT	332374-002
17	VAPOR PRESSURE SENSOR (ISD)	VEEDER-ROOT	331946-001
18	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-208
19	SUMP SENSOR (NON DISCRIMINATING)	VEEDER-ROOT	VR-794380-323
20	TLS-350 SOFTWARE UPGRADE	VEEDER-ROOT	336.02
21	ISD SOFTWARE UPGRADE	VEEDER-ROOT	1.06

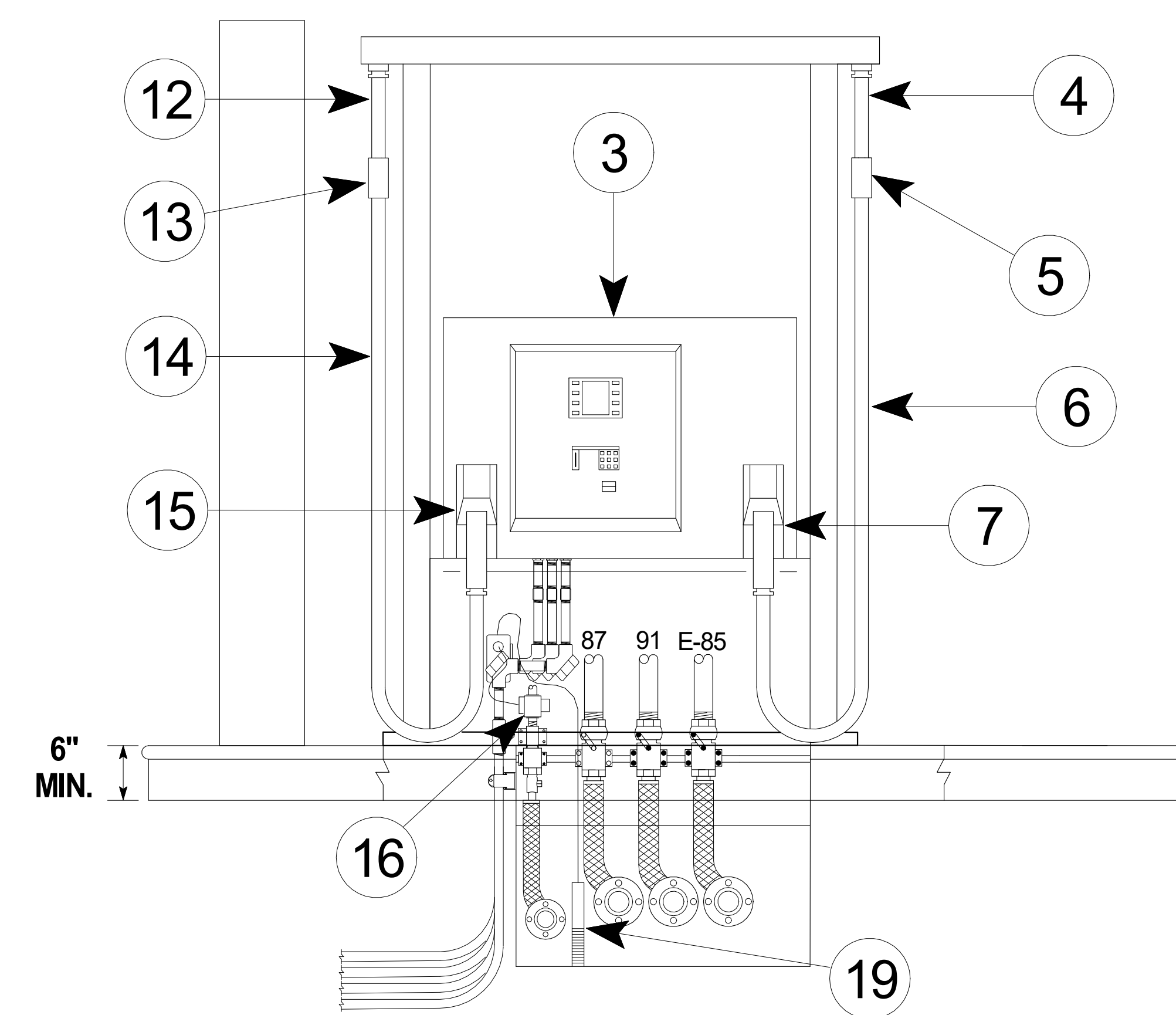
GILBARCO ENCORE 3+0 DISPENSER



GILBARCO ENCORE 3+1 DISPENSER



GILBARCO ENCORE 3+0+1 DISPENSER



DISPENSER DETAILS

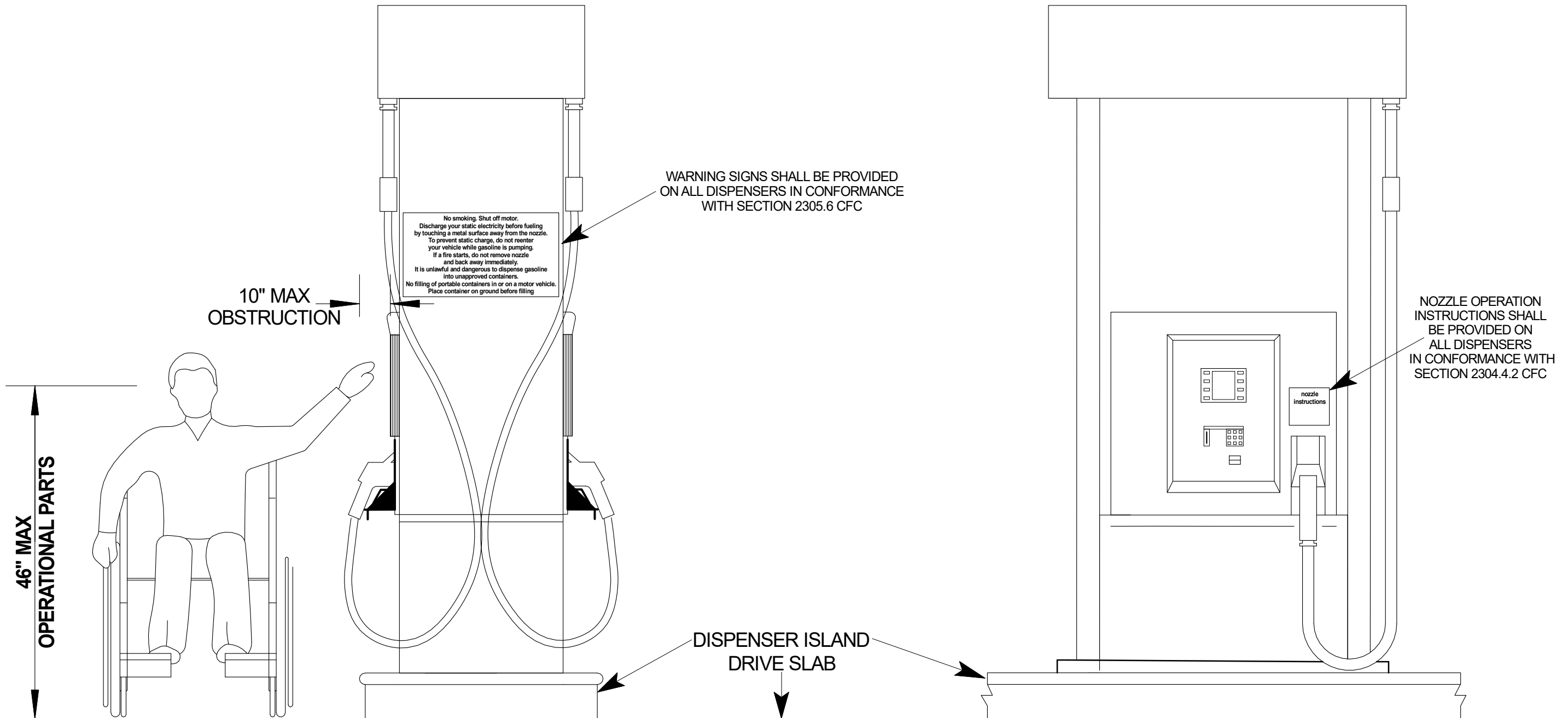
**A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712**

Scale: NOT TO SCALE

Date: 12-19-2022

Sheet:

TP-18



Drawn By
Gas Station Design & Drafting Services
 (805) 710-2006
 www.gasstationplan.com
 gasstationdanddservices@gmail.com

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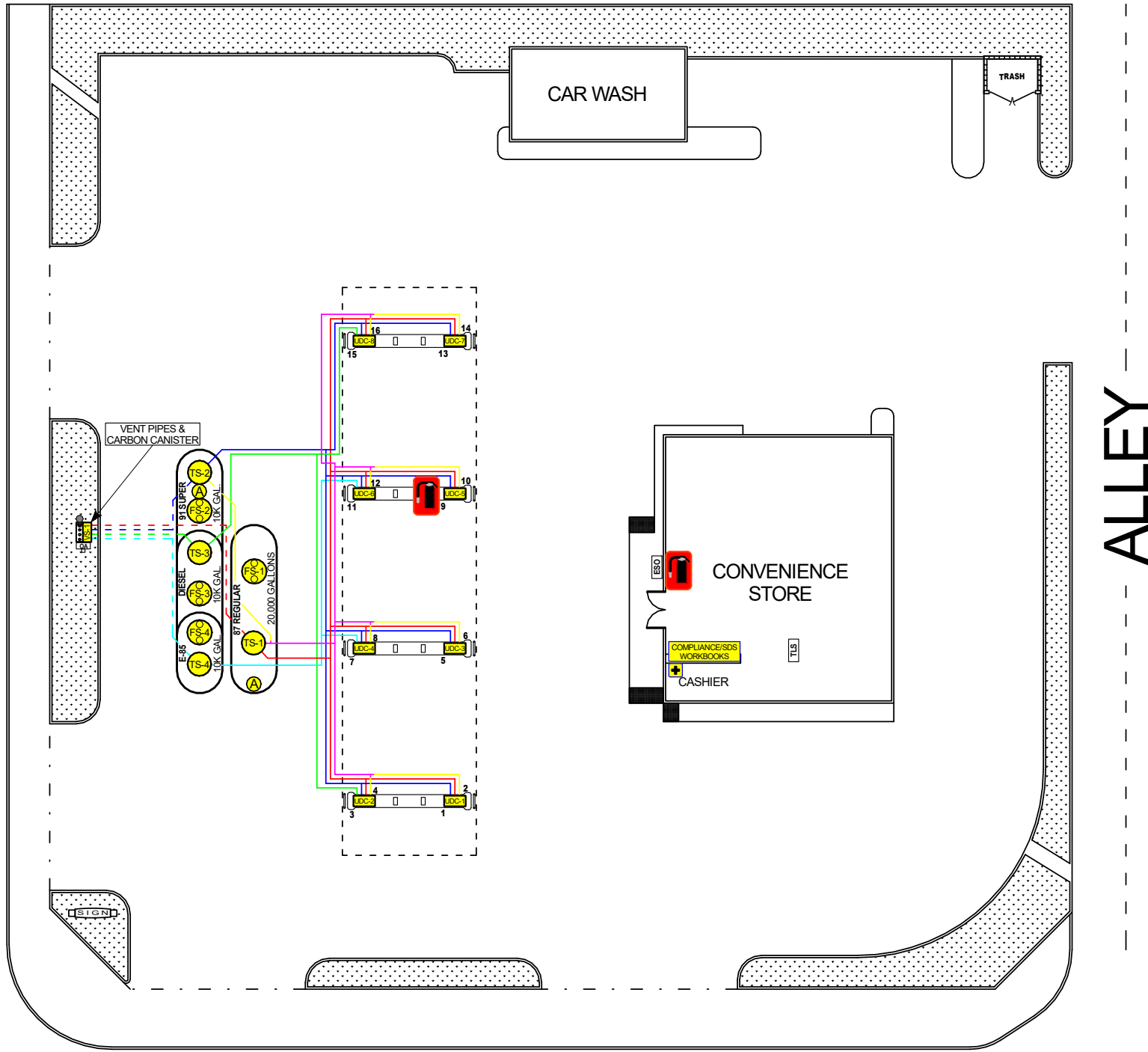
ADA COMPLIANCE

A-1 FUEL LLC
4311 South St.
Lakewood, CA 90712

Scale: NOT TO SCALE
 Date: 12-19-2022

Sheet: **TP-19**

LAKELWOOD BLVD.



SOUTH ST.

VACUUM ZONE LEGEND & CALCULATIONS		
VACUUM SENSOR KIT #1 - 87 TURBINE SUMP	PIPE LENGTH	SECONDARY VOLUME QUANTITY
ZONE #1 - 87 PRODUCT LINE	250 feet	6.75 cubic feet
ZONE #2 - 87 VENT LINE	55 feet	1.49 cubic feet
ZONE #3 - VAPOR RETURN LINE	270 feet	9.15 cubic feet
VACUUM SENSOR KIT #2 - 91 TURBINE SUMP		
ZONE #4 - 91 PRODUCT LINE	260 feet	7.02 cubic feet
ZONE #5 - 91 VENT LINE	30 feet	0.81 cubic feet
VACUUM SENSOR KIT #3 - DIESEL TURBINE SUMP		
ZONE #6 - B20 DIESEL PRODUCT LINE	175 feet	4.73 cubic feet
ZONE #7 - B20 DIESEL VENT LINE	25 feet	0.68 cubic feet
VACUUM SENSOR KIT #4 - E-85 TURBINE SUMP		
ZONE #8 - E-85 PRODUCT LINE	90 feet	2.43 cubic feet
ZONE #9 - E-85 VENT LINE	45 feet	1.22 cubic feet

PIPING LEGEND	
PRODUCT LINES	
3" OVER 2" 87 UNLEADED	
3" OVER 2" 91 SUPER UNLEADED	
3" OVER 2" E-85	
3" OVER 2" DIESEL	
3" OVER 2" VAPOR LINE	
4" OVER 3" VAPOR LINE	
VENT LINES	
3" OVER 2" 87 UNLEADED	
3" OVER 2" 91 SUPER UNLEADED	
3" OVER 2" E-85	
3" OVER 2" DIESEL	

LEGEND	
A	Annular
FS	Fill Sump
F	Fill bucket
V	Vapor recovery bucket
TS	Turbine Sump
ES0	Emergency Shutoff Switch
TLS	Veeder Root TLS-350
OA	Overfill Alarm
3+0	Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline
3+0+1	Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline & an additional nozzle (per side) to dispense E-85
3+1	Multiproduct dispenser (MPD) with a single nozzle (per side) to dispense three grades of gasoline & an additional nozzle (per side) to dispense Diesel

Gas Station Design & Drafting Services
 (805) 710-2006
 www.gasstationplan.com
 gasstationdesignservices@gmail.com

VACUUM ZONES & SENSOR LAYOUT

A-1 FUEL LLC
 4311 South St.
 Lakewood, CA 90712

Scale 1/32" = 1'
 Date 12-20-2022
 Sheet TP-20

ATTACHMENT "F"

GSD&D SERVICES

December 30, 2022

Nathaniel Dickel
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

RE: AQMD Modification/Application Station ID# 197475

A-1 FUEL LLC
DBA: GOMA ELBIALI
4311 SOUTH STREET
LAKEWOOD, CA 90712

Dear Nathaniel Dickel:

The following (enclosed) is submitted to obtain a "Modification Application" to remove the existing fueling system and install one new 20k UST and one new (10k/10k/10k) 3 compartment split UST, 8 UDC's, 8 dispensers, 1 vent box and a Veeder-root carbon canister on the vent rack. Two of the dispensers will be 3+1 (Gas & Diesel), two will be 3+0+1 (Gas & E-85) and four will be Gas only 3+0. The phase 1 EVR is to be OPW (VR-102) and the Phase 2 EVR is to be Balance (VR-204). The TLS-350 and ISD software will be upgraded to the latest versions.

GASOLINE/DIESEL PERMIT

- ◆ Form 400-A
- ◆ Form 400-CEQA
- ◆ Form 400-E11
- ◆ Form 400-PS
- ◆ Form 400-XPP
- ◆ A check for the expedited permit application fee of \$ 3,086.91

E-85 PERMIT

- ◆ Form 400-A (E-85)
- ◆ Form 400-CEQA (E-85)
- ◆ Form 400-E11 (E-85)
- ◆ Form 400-PS (E-85)
- ◆ Form 400-XPP (E-85)
- ◆ A check for the expedited permit application fee of \$ 3,086.91
- ◆ Future site plan

If you have any questions, or would like to discuss the enclosed information, please contact me Craig McLaren at (805) 710-2006 or E-mail camclaren@hotmail.com.

Sincerely,
Craig McLaren



South Coast Air Quality Management District

Form 400 - XPP

Express Permit Processing Request

Form 400-A, Form 400-CEQA and one or more 400-E-xx form(s) must accompany all submittals.

Mail To:
 SCAQMD
 P.O. Box 4944
 Diamond Bar, CA 91765-0944
 Tel: (909) 396-3385
 www.aqmd.gov

Section A - Operator Information

1. Facility Name (Business Name of Operator To Appear On The Permit): A-1 FUEL LLC	2. Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
--	---

Section B - Equipment Location Address **Section C - Permit Mailing Address**

3. <input checked="" type="radio"/> Fixed Location <input type="radio"/> Various Location (For equipment operated at various locations, provide address of initial site.) 4311 SOUTH STREET Street Address LAKEWOOD , CA 90712 City State Zip Goma Elbiali President Contact Name Title (562) 481-6598 Phone # Ext. Fax # a1fuels@gmail.com E-Mail	4. Permit and Correspondence Information: <input checked="" type="checkbox"/> Check here if same as equipment location address 4311 SOUTH STREET Address LAKEWOOD , CA 90712 City State Zip Goma Elbiali President Contact Name Title (562) 481-6598 Phone # Ext. Fax # a1fuels@gmail.com E-Mail
--	--

Section D - Authorization/Signature

I understand that the Expedited Permit Processing fees must be submitted at the time of application submittal, and that the application may be subject to additional fees per Rule 301. I understand that requests for Express Permit Processing neither guarantees action by any specific date nor does it guarantee permit approval; that Express Permit Processing is subject to availability of qualified staff; and that once Express Permit Processing has commenced, the expedited fees will not be refunded. I hereby certify that all information contained herein and information submitted with the application are true and correct.

5. Signature of Responsible Official: <i>Goma Elbiali</i>	6. Title of Responsible Official: President
7. Print Name of Responsible Official: Goma Elbiali	8. Date: 12/30/2022
9. Phone #: (562) 481-6598	10. Fax #:

AQMD USE ONLY		APPLICATION TRACKING #		TYPE B C		EQUIPMENT CATEGORY CODE:		FEE SCHEDULE:		VALIDATION	
ENG. DATE	A R	ENG. DATE	A R	CLASS I III	ASSIGNMENT Unit Engineer	CHECK/MONEY ORDER #	AMOUNT \$			TRACKING #	



Form 400-PS Plot Plan And Stack Information Form

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Form 400A and Form 400-CEQA.

Mail To:
SCAQMD
P.O. Box 4944
Diamond Bar, CA 91765-0944
Tel: (909) 396-3385
www.aqmd.gov

Section A - Operator Information

Facility Name (Business Name of Operator To Appear On The Permit): A-1 FUEL LLC	Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
Address where the equipment will be operated (for equipment which will be moved to various location in AQMD's jurisdiction, please list the initial location site): 4311 South St, Lakewood, CA 90712	
<input type="radio"/> Fixed Location <input type="radio"/> Various Locations	

Section B - Location Data

Plot Plan	Please attach a site map for the project with distances and scales. Identify and locate the proposed equipment on the map. A copy of the appropriate Thomas Brothers page, a web-based map, or a sketch that shows the major streets and location of the equipment is acceptable.
Location of Schools Nearby	<p>Is the facility located within a 1/4 mile radius (1,320 feet) of the outer boundary of a school? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>If yes, please provide name(s) of school(s) below:</p> <p>School Name: _____ School Name: _____</p> <p>School Address: _____ School Address: _____</p> <p>Distance from stack or equipment vent to the outer boundary of the school: _____ feet Distance from stack or equipment vent to the outer boundary of the school: _____ feet</p> <p>CA Health & Safety Code 42301.9: "School" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.</p>
Population Density	<input checked="" type="radio"/> Urban <input type="radio"/> Rural (<50% of land within 3 km radius accounted for by urban land use categories, i.e., multi-family dwelling or industrial.)
Zoning Classification	<input type="radio"/> Mixed Use Residential Commercial Zone (M-U) <input type="radio"/> Service and Professional Zone (C-S) <input checked="" type="radio"/> Medium Commercial (C-3) <input type="radio"/> Heavy Commercial (C-4) <input type="radio"/> Commercial Manufacturing (C-M)

Section C - Emission Release Parameters - Stacks, Vents

Stack Data	Stack Height: <u>12.00</u> feet (above ground level)	What is the height of the closest building nearest the stack? <u>15</u> feet
	Stack Inside Diameter: <u>2.00</u> inches	Stack Flow: <u>370</u> acfm Stack Temperature: _____ °F
	Rain Cap Present: <input checked="" type="radio"/> Yes <input type="radio"/> No	Stack Orientation: <input checked="" type="radio"/> Vertical <input type="radio"/> Horizontal
	If the stack height is less than 2.5 times the closest building height (H), please provide information on any building within 5xH distance from the stack (attach additional sheet if necessary):	
	Building #/Name: _____ Building #/Name: _____	
	Building Height: _____ feet (above ground level)	Building Height: _____ feet (above ground level)
	Building Width: _____ feet	Building Width: _____ feet
	Building Length: _____ feet	Building Length: _____ feet
Receptor Distance From Equipment Stack or Roof Vents/Openings	Distance to nearest residence or sensitive receptor*: <u>240</u> feet	
	Distance to nearest business: <u>120</u> feet	
Building Information	Are the emissions released from vents and/or openings from a building? <input type="radio"/> Yes <input checked="" type="radio"/> No	
	If yes, please provide:	
	Building #/Name: _____	Building Width: _____ feet
	Building Height: _____ feet (above ground level)	Building Length: _____ feet

*AQMD Rule 1470 defines SENSITIVE RECEPTOR as meaning any residence including private homes, condominiums, apartments, and living quarters, schools as defined under paragraph (b)(57), preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

Form 400-PS

Plot Plan And Stack Information Form

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Form 400A and Form 400-CEQA.

Section D - Authorization/Signature

I hereby certify that all information contained herein and information submitted with this application is true and correct.

Signature of Preparer: <i>Craig McLaren</i>	Title of Preparer: AGENT	Preparer's Phone #: (805) 710-2006 Preparer's Email: camclaren@hotmail.com
Contact Person: Goma Elbiali Contact's Email: a1fuels@gmail.com	Contact's Phone#: (562) 481-6598 Contact's Fax#:	Date Signed: 12/30/2022

THIS IS A PUBLIC DOCUMENT

Pursuant to the California Public Records Act, your permit application and any supplemental documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District.

Check here if you claim that this form or its attachments contain confidential trade secret information.



South Coast Air Quality Management District

Form 400-A

Application Form for Permit or Plan Approval

List only one piece of equipment or process per form.

Mail To: SCAQMD P.O. Box 4944 Diamond Bar, CA 91765-0944 Tel: (909) 396-3385 www.aqmd.gov

Section A - Operator Information

1. Facility Name (Business Name of Operator to Appear on the Permit): A-1 FUEL LLC
2. Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
3. Owner's Business Name (If different from Business Name of Operator): GOMA ELBIALI

Section B - Equipment Location Address
4. Equipment Location Is: Fixed Location
4311 SOUTH STREET
LAKEWOOD, CA 90712
Goma Elbiali, President
(562) 481-6598
E-Mail: a1fuels@gmail.com
Section C - Permit Mailing Address
5. Permit and Correspondence Information:
4311 SOUTH STREET
LAKEWOOD, CA 90712
Goma Elbiali, President
(562) 481-6598
E-Mail: a1fuels@gmail.com

Section D - Application Type

6. The Facility Is: Not In RECLAIM or Title V

7. Reason for Submitting Application (Select only ONE):

7a. New Equipment or Process Application:
7b. Facility Permits:
7c. Equipment or Process with an Existing/Previous Application or Permit:
Existing or Previous Permit/Application
If you checked any of the items in 7c., you MUST provide an existing Permit or Application Number: 638534

8a. Estimated Start Date of Construction (mm/dd/yyyy): 07/01/2023
8b. Estimated End Date of Construction (mm/dd/yyyy): 08/01/2023
8c. Estimated Start Date of Operation (mm/dd/yyyy): 08/01/2023

9. Description of Equipment or Reason for Compliance Plan (list applicable rule):
Remove existing fueling system and install 4 New UST's, 8 Gilbarco Encore 700s Dispensers and a VR Canister with ISD.
10. For identical equipment, how many additional applications are being submitted with this application?
11. Are you a Small Business as per AQMD's Rule 102 definition?
12. Has a Notice of Violation (NOV) or a Notice to Comply (NC) been issued for this equipment?

Section E - Facility Business Information

13. What type of business is being conducted at this equipment location? Gasoline Service Station & Mini Mart
14. What is your business primary NAICS Code?
15. Are there other facilities in the SCAQMD jurisdiction operated by the same operator?
16. Are there any schools (K-12) within 1000 feet of the facility property line?

Section F - Authorization/Signature

17. Signature of Responsible Official: Goma Elbiali
18. Title of Responsible Official: President
19. I wish to review the permit prior to issuance.
20. Print Name: GOMA ELBIALI
21. Date: 12/30/2022
22. Do you claim confidentiality of data? (If Yes, see instructions.)

23. Check List: Authorized Signature/Date, Form 400-CEQA, Supplemental Form(s) (ie., Form 400-E-xx), Fees Enclosed

Table with columns: AQMD USE ONLY, APPLICATION TRACKING #, CHECK #, AMOUNT RECEIVED, PAYMENT TRACKING #, VALIDATION, DATE, APP REJ, DATE, APP REJ, CLASS I III, BASIC CONTROL, EQUIPMENT CATEGORY CODE, TEAM, ENGINEER, REASON/ACTION TAKEN



Form 400-CEQA

California Environmental Quality Act (CEQA) Applicability

Mail To: SCAQMD P.O. Box 4944 Diamond Bar, CA 91765-0944

Tel: (909) 396-3385 www.aqmd.gov

The SCAQMD is required by state law, the California Environmental Quality Act (CEQA), to review discretionary permit project applications for potential air quality and other environmental impacts. This form is a screening tool to assist the SCAQMD in clarifying whether or not the project has the potential to generate significant adverse environmental impacts that might require preparation of a CEQA document [CEQA Guidelines §15060(a)]. Refer to the attached instructions for guidance in completing this form. For each Form 400-A application, also complete and submit one Form 400-CEQA. If submitting multiple Form 400-A applications for the same project at the same time, only one 400-CEQA form is necessary for the entire project. If you need assistance completing this form, contact Permit Services at (909) 396-3385 or (909) 396-2668.

Section A - Facility Information

1. Facility Name (Business Name of Operator To Appear On The Permit): A-1 FUEL LLC
2. Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475

3. Project Description: Remove existing fueling system and install 4 New UST's, 8 Gilbarco Encore 700s Dispensers and a VR Canister with ISD.

Section B - Review For Exemption From Further CEQA Action

Table with 3 columns: Yes, No, Is this application for: 1. A CEQA and/or NEPA document previously or currently prepared that specifically evaluates this project? 2. A request for a change of permittee only (without equipment modifications)? 3. A functionally identical permit unit replacement with no increase in rating or emissions? 4. A change of daily VOC permit limit to a monthly VOC permit limit? 5. Equipment damaged as a result of a disaster during state of emergency? 6. A Title V (i.e., Regulation XXX) permit renewal (without equipment modifications)? 7. A Title V administrative permit revision? 8. The conversion of an existing permit into an initial Title V permit?

If "Yes" is checked for any question in Section B, your application does not require additional evaluation for CEQA applicability. Skip to Section D - Signatures on page 2 and sign and date this form.

Section C - Review of Impacts Which May Trigger CEQA

Complete Parts I-VI by checking "Yes" or "No" as applicable. To avoid delays in processing your application(s), explain all "Yes" responses on a separate sheet and attach it to this form.

Table with 3 columns: Yes, No, Part I - General, Part II - Air Quality. Questions include: 1. Has this project generated any known public controversy regarding potential adverse impacts that may be generated by the project? 2. Is this project part of a larger project? 3. Will there be any demolition, excavating, and/or grading construction activities that encompass an area exceeding 20,000 square feet? 4. Does this project include the open outdoor storage of dry bulk solid materials that could generate dust?

1 A "project" means the whole of an action which has a potential for resulting in physical change to the environment, including construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit. For example, a project might include installation of a new, or modification of an existing internal combustion engine, dry-cleaning facility, boiler, gas turbine, spray coating booth, solvent cleaning tank, etc.

2 To download the CEQA guidelines, visit http://ceres.ca.gov/env_law/state.html.
3 To download this form and the instructions, visit http://www.aqmd.gov/ceqa or http://www.aqmd.gov/permit

Section C - Review of Impacts Which May Trigger CEQA (cont.)			
	Yes	No	Part II - Air Quality (cont.)
5.	<input type="radio"/>	<input type="radio"/>	Would this project result in noticeable off-site odors from activities that may not be subject to SCAQMD permit requirements? For example, compost materials or other types of greenwaste (i.e., lawn clippings, tree trimmings, etc.) have the potential to generate odor complaints subject to Rule 402 – Nuisance.
6.	<input type="radio"/>	<input type="radio"/>	Does this project cause an increase of emissions from marine vessels, trains and/or airplanes?
7.	<input type="radio"/>	<input type="radio"/>	Will the proposed project increase the QUANTITY of hazardous materials stored aboveground onsite or transported by mobile vehicle to or from the site by greater than or equal to the amounts associated with each compound on the attached Table 1?⁴
Part III – Water Resources			
8.	<input type="radio"/>	<input type="radio"/>	Will the project increase demand for water at the facility by more than 5,000,000 gallons per day? The following examples identify some, but not all, types of projects that may result in a “yes” answer to this question: 1) projects that generate steam; 2) projects that use water as part of the air pollution control equipment; 3) projects that require water as part of the production process; 4) projects that require new or expansion of existing sewage treatment facilities; 5) projects where water demand exceeds the capacity of the local water purveyor to supply sufficient water for the project; and 6) projects that require new or expansion of existing water supply facilities.
9.	<input type="radio"/>	<input type="radio"/>	Will the project require construction of new water conveyance infrastructure? Examples of such projects are when water demands exceed the capacity of the local water purveyor to supply sufficient water for the project, or require new or modified sewage treatment facilities such that the project requires new water lines, sewage lines, sewage hook-ups, etc.
Part IV – Transportation/Circulation			
10.	Will the project result in (Check all that apply):		
	<input type="radio"/>	<input type="radio"/>	a. the need for more than 350 new employees?
	<input type="radio"/>	<input type="radio"/>	b. an increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round-trips per day?
	<input type="radio"/>	<input type="radio"/>	c. increase customer traffic by more than 700 visits per day?
Part V – Noise			
11.	<input type="radio"/>	<input type="radio"/>	Will the project include equipment that will generate noise GREATER THAN 90 decibels (dB) at the property line?
Part VI – Public Services			
12.	Will the project create a permanent need for new or additional public services in any of the following areas (Check all that apply):		
	<input type="radio"/>	<input type="radio"/>	a. Solid waste disposal? Check “No” if the projected potential amount of wastes generated by the project is less than five tons per day.
	<input type="radio"/>	<input type="radio"/>	b. Hazardous waste disposal? Check “No” if the projected potential amount of hazardous wastes generated by the project is less than 42 cubic yards per day (or equivalent in pounds).
REMINDER: For each “Yes” response in Section C, attach all pertinent information including but not limited to estimated quantities, volumes, weights, etc.			
Section D - Signatures			
I HEREBY CERTIFY THAT ALL INFORMATION CONTAINED HEREIN AND INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THIS FORM IS A SCREENING TOOL AND THAT THE SCAQMD RESERVES THE RIGHT TO CONSIDER OTHER PERTINENT INFORMATION IN DETERMINING CEQA APPLICABILITY.			
1. Signature of Responsible Official of Firm: <i>Goma Elbiali</i>		2. Title of Responsible Official of Firm: President	
3. Print Name of Responsible Official of Firm: Goma Elbiali		4. Date Signed: 12/30/2022	
5. Phone # of Responsible Official of Firm: (562) 481-6598	6. Fax # of Responsible Official of Firm:	7. Email of Responsible Official of Firm: a1fuels@gmail.com	
8. Signature of Preparer, (If prepared by person other than responsible official of firm): <i>Craig McLaren</i>		9. Title of Preparer: Agent	
10. Print Name of Preparer: Craig McLaren		11. Date Signed: 12/30/2022	
12. Phone # of Preparer: (805) 710-2006	13. Fax # of Preparer:	14. Email of Preparer: camclaren@hotmail.com	

THIS CONCLUDES FORM 400-CEQA. INCLUDE THIS FORM AND ANY ATTACHMENTS WITH FORM 400-A.

⁴ Table 1 – Regulated Substances List and Threshold Quantities for Accidental Release Prevention can be found in the Instructions for Form 400-CEQA.



Form 400-E-11 Fuel Dispensing And Storage Equipment

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

Mail To:
SCAQMD
P.O. Box 4944
Diamond Bar, CA 91765-0944
Tel: (909) 396-3385
www.aqmd.gov

Section A - Operator Information

Facility Name (Business Name of Operator That Appears On Permit): A-1 FUEL LLC Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475

Address where the equipment will be operated (for equipment which will be moved to various location in AQMD's jurisdiction, please list the initial location site):
4311 South St, Lakewood, CA 90712 Fixed Location Various Locations

Section B - Facility Information

Property Zone
 a. Commercial b. Residential
 c. Industrial d. Parking e. Other (specify): _____

Business Type
 a. Retail Facility
 1. Has the owner/operator attended a SCAQMD approved Rule 461 training course?
 No Yes Date of Course Completion: _____
 2. Has the owner/operator developed an Operation and Maintenance manual as required by Rule 461?
 No Yes
 b. Non-Retail Facility
 1. Do you own any fleet vehicles?
 No Yes Total number of fleet vehicles: _____

Operating Schedule
 _____ 24 _____ hours/day _____ 7 _____ days/week _____ 365 _____ days/year

Section C - Equipment Description

1. UNDERGROUND STORAGE TANK INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS (Excluding Diesel for Single Compartment Tanks)

Dual or Multi-Compartment Tank?	Number of Compartments	Tank No.	Fuel Type (e.g. Unleaded 87)	Tank Capacity (Gallons)	Manifold Location		Tank Status		
					Under-ground	At Vent	New	Existing	Removed
<input type="checkbox"/>	1	1	Unleaded 87	20,000	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input checked="" type="checkbox"/>	3	2a	Unleaded 91	10,000	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input checked="" type="checkbox"/>	3	2b	Diesel	10,000	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input checked="" type="checkbox"/>	3	2c	E-85	10,000	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>					<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

a. Provide Phase I CARB Executive Order Number (see instructions): OPW-EVR VR-102

b. Are any of these storage tanks methanol compatible? No Yes (Identify these tanks): All Tanks

c. Will any of these storage tanks be located in a vault below grade? No Yes

d. Will a condensate/vapor trap be installed in the vapor return line? No Yes

e. Will the tank(s) at this site contain a remote fill? No Yes

f. Will semi-rigid piping (NUPI or UPP) be used for the vapor return line? No Yes

Form 400-E-11
Fuel Dispensing And Storage Equipment

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

Section C - Equipment Description (cont.)

2. ABOVEGROUND STORAGE TANK INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS (Excluding Diesel for Single Compartment Tanks)

Dual or Multi-Compartment Tank?	Number of Compartments	Tank No.	Fuel Type (e.g. Unleaded 87)	Tank Capacity (Gallons)	Tank Dimensions L x W x H L x Dia (Inches)			Phase II CARB Executive Order (Table III)	Hose Length (Feet)	Tank Status		
					L	W (or D)	H			New	Exist-ing	Re-moved
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Indicate the distance and address of the nearest residential and commercial/industrial structures located outside the property line of the facility as measured from the approximate center of the islands:

Residential _____ 180 _____ (ft) Commercial/Industrial _____ 120 _____ (ft)

Select One: N NE E SE S SW W NW Select One: N NE E SE S SW

Located at: 5813 Bonfair Ave, Lakewood, CA 90712 Located at: 5830 Lakewood Blvd, Lakewood, CA 90712

4. FUELING POSITION INFORMATION: COMPLETE FOR ALTERATIONS OR NEW CONSTRUCTION

Total Number of Fueling Positions After Alteration or New Construction: 16

Total Number of Fueling Positions Prior to Alteration (for Alterations Only): 14

5. NOZZLE INFORMATION: COMPLETE ALL COLUMNS

Fuel Type (e.g. Unleaded 87)	# New Nozzles	# Existing Nozzles	# Removed Nozzles	Phase II CARB Executive Order (Table II)	Maximum Monthly Throughput (Gal/Mo)	Maximum Annual Throughput (Gal/Yr)
Unleaded 87			14	VR-202 (VR)		
Unleaded 87	16			VR-204 (VR)		

Change of Throughput Condition:

Total throughput change: _____ gal/mo

Date of throughput change: _____

**Form 400-E-11
Fuel Dispensing And Storage Equipment**

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

6. GASOLINE PRODUCT INFORMATION: COMPLETE TABLE		# Of Product(s) (Excluding Diesel)			
Number of nozzle(s) dispensing ONE product (grade) of gasoline:	_____	x	1	=	_____
Number of nozzle(s) dispensing TWO product (grade) of gasoline:	_____	x	2	=	_____
Number of nozzle(s) dispensing THREE product (grade) of gasoline:	<u>16</u>	x	3	=	<u>48</u>
TOTAL NOZZLE COUNT:	<u>16</u>	TOTAL PRODUCT COUNT		=	<u>48</u>

7. DISPENSER INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS						
Dispenser		No. of Similar Dispensers	Dispenser			No. of Nozzles Per Dispenser
Make	Model No.		New	Existing	Removed	Unleaded
	3+0	7	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	2
Gilbarco	Encore 700s 3+0	2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	2
Gilbarco	Encore 700s 3+0+1	2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	2
Gilbarco	Encore 700s 3+1	4	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	2

8. THROUGHPUT INFORMATION: PROVIDE THROUGHPUT RECORDS FOR THE PAST 2 YEARS (EXISTING SITES)		
Year of Operation	Fuel Type	Throughput (Gal/Yr)
	Gasoline	
	Gasoline	

9. For existing gasoline storage and dispensing systems and based on the following, please provide a copy of your MOST RECENT vapor recovery test results.

a. Balance System Tests:
 • Static Pressure (Leak-Decay);
 • Dynamic Pressure (Back-Pressure); and,
 • Liquid Removal (if applicable).

b. Vacuum Assisted System Tests (Except Healy and Hirt Systems):
 • Static Pressure (Leak-Decay); and,
 • Air-to-Liquid Ratio (A/L).

c. Healy Vacuum Assisted System Tests:
 • Static Pressure (Leak-Decay);
 • Air-to-Liquid Ratio (A/L); and,
 • Vapor Return Line.

d. Vacuum Assisted Hirt System Test:
 • Air-to-Liquid Ratio (A/L).

e. For systems not mentioned, provide required test results as per that system's executive order.

10. Attach a plot plan, a copy of the current Permit to Operate, and other information as directed in Form 400-E-11 Requirements.

Section D - Authorization/Signature

I hereby certify that all information contained herein and information submitted with this application is true and correct.

Preparer Info	Signature: <u>Craig McLaren</u> Date: <u>12/30/2022</u>	Name: <u>Craig McLaren</u>
	Title: _____ Company Name: _____	Phone #: <u>(805) 710-2006</u> Fax #: _____
Contact Info	Name: <u>Goma Elbiali</u>	Phone #: <u>(562) 481-6598</u> Fax #: _____
	Title: <u>President</u> Company Name: <u>A-1 FUEL LLC</u>	Email: <u>camclaren@hotmail.com</u>
		Email: <u>a1fuels@gmail.com</u>

THIS IS A PUBLIC DOCUMENT

Pursuant to the California Public Records Act, your permit application and any supplemental documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District.

Check here if you claim that this form or its attachments contain confidential trade secret information.



Form 400-PS Plot Plan And Stack Information Form

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Form 400A and Form 400-CEQA.

Mail To:
SCAQMD
P.O. Box 4944
Diamond Bar, CA 91765-0944
Tel: (909) 396-3385
www.aqmd.gov

Section A - Operator Information

Facility Name (Business Name of Operator To Appear On The Permit): A-1 FUEL LLC	Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
Address where the equipment will be operated (for equipment which will be moved to various location in AQMD's jurisdiction, please list the initial location site): 4311 South St, Lakewood, CA 90712	
<input type="radio"/> Fixed Location <input type="radio"/> Various Locations	

Section B - Location Data

Plot Plan	Please attach a site map for the project with distances and scales. Identify and locate the proposed equipment on the map. A copy of the appropriate Thomas Brothers page, a web-based map, or a sketch that shows the major streets and location of the equipment is acceptable.
Location of Schools Nearby	Is the facility located within a 1/4 mile radius (1,320 feet) of the outer boundary of a school? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide name(s) of school(s) below: School Name: _____ School Name: _____ School Address: _____ School Address: _____ Distance from stack or equipment vent to the outer boundary of the school: _____ feet Distance from stack or equipment vent to the outer boundary of the school: _____ feet CA Health & Safety Code 42301.9: "School" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.
Population Density	<input checked="" type="radio"/> Urban <input type="radio"/> Rural (<50% of land within 3 km radius accounted for by urban land use categories, i.e., multi-family dwelling or industrial.)
Zoning Classification	<input type="radio"/> Mixed Use Residential Commercial Zone (M-U) <input type="radio"/> Service and Professional Zone (C-S) <input checked="" type="radio"/> Medium Commercial (C-3) <input type="radio"/> Heavy Commercial (C-4) <input type="radio"/> Commercial Manufacturing (C-M)

Section C - Emission Release Parameters - Stacks, Vents

Stack Data	Stack Height: <u>12.00</u> feet (above ground level)	What is the height of the closest building nearest the stack? <u>15</u> feet
	Stack Inside Diameter: <u>2.00</u> inches	Stack Flow: <u>370</u> acfm Stack Temperature: _____ °F
	Rain Cap Present: <input checked="" type="radio"/> Yes <input type="radio"/> No	Stack Orientation: <input checked="" type="radio"/> Vertical <input type="radio"/> Horizontal
	If the stack height is less than 2.5 times the closest building height (H), please provide information on any building within 5xH distance from the stack (attach additional sheet if necessary):	
	Building #/Name: _____	Building #/Name: _____
	Building Height: _____ feet (above ground level)	Building Height: _____ feet (above ground level)
	Building Width: _____ feet	Building Width: _____ feet
	Building Length: _____ feet	Building Length: _____ feet
Receptor Distance From Equipment Stack or Roof Vents/Openings	Distance to nearest residence or sensitive receptor*: <u>240</u> feet	
	Distance to nearest business: <u>120</u> feet	
Building Information	Are the emissions released from vents and/or openings from a building? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide:	
	Building #/Name: _____	Building Width: _____ feet
	Building Height: _____ feet (above ground level)	Building Length: _____ feet

*AQMD Rule 1470 defines SENSITIVE RECEPTOR as meaning any residence including private homes, condominiums, apartments, and living quarters, schools as defined under paragraph (b)(57), preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

Form 400-PS

Plot Plan And Stack Information Form

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Form 400A and Form 400-CEQA.

Section D - Authorization/Signature

I hereby certify that all information contained herein and information submitted with this application is true and correct.

Signature of Preparer: <i>Craig McLaren</i>	Title of Preparer: AGENT	Preparer's Phone #: (805) 710-2006 Preparer's Email: camclaren@hotmail.com
Contact Person: Goma Elbiali Contact's Email: a1fuels@gmail.com	Contact's Phone#: (562) 481-6598 Contact's Fax#:	Date Signed: 12/30/2022

THIS IS A PUBLIC DOCUMENT

Pursuant to the California Public Records Act, your permit application and any supplemental documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District.

Check here if you claim that this form or its attachments contain confidential trade secret information.



South Coast Air Quality Management District

Form 400-A

Application Form for Permit or Plan Approval

List only one piece of equipment or process per form.

Mail To: SCAQMD P.O. Box 4944 Diamond Bar, CA 91765-0944

Tel: (909) 396-3385 www.aqmd.gov

Section A - Operator Information

1. Facility Name (Business Name of Operator to Appear on the Permit): A-1 FUEL LLC
2. Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
3. Owner's Business Name (If different from Business Name of Operator):

Section B - Equipment Location Address
4. Equipment Location Is: Fixed Location
4311 SOUTH STREET
LAKEWOOD, CA 90712
Goma Elbiali, President
(562) 481-6598
E-Mail: a1fuels@gmail.com
Section C - Permit Mailing Address
5. Permit and Correspondence Information:
4311 SOUTH STREET
LAKEWOOD, CA 90712
Goma Elbiali, President
(562) 481-6598
E-Mail: a1fuels@gmail.com

Section D - Application Type

6. The Facility Is: Not In RECLAIM or Title V

7. Reason for Submitting Application (Select only ONE):

7a. New Equipment or Process Application:
7b. Facility Permits:
7c. Equipment or Process with an Existing/Previous Application or Permit:
Existing or Previous Permit/Application
If you checked any of the items in 7c., you MUST provide an existing Permit or Application Number: 638534

8a. Estimated Start Date of Construction (mm/dd/yyyy): 07/01/2022
8b. Estimated End Date of Construction (mm/dd/yyyy): 08/01/2022
8c. Estimated Start Date of Operation (mm/dd/yyyy): 08/01/2022

9. Description of Equipment or Reason for Compliance Plan (list applicable rule): Install a 10,000 gallon E-85 UST and two dispensers for E-85.
10. For identical equipment, how many additional applications are being submitted with this application?
11. Are you a Small Business as per AQMD's Rule 102 definition?
12. Has a Notice of Violation (NOV) or a Notice to Comply (NC) been issued for this equipment? If Yes, provide NOV/NC#:

Section E - Facility Business Information

13. What type of business is being conducted at this equipment location? Gasoline Service Station & Mini Mart
14. What is your business primary NAICS Code?
15. Are there other facilities in the SCAQMD jurisdiction operated by the same operator?
16. Are there any schools (K-12) within 1000 feet of the facility property line?

Section F - Authorization/Signature

I hereby certify that all information contained herein and information submitted with this application are true and correct.

17. Signature of Responsible Official: Goma Elbiali
18. Title of Responsible Official: President
19. I wish to review the permit prior to issuance.
20. Print Name: GOMA ELBIALI
21. Date: 12/30/2022
22. Do you claim confidentiality of data? (If Yes, see instructions.)

23. Check List: Authorized Signature/Date, Form 400-CEQA, Supplemental Form(s) (ie., Form 400-E-xx), Fees Enclosed

Table with columns: AQMD USE ONLY, APPLICATION TRACKING #, CHECK #, AMOUNT RECEIVED, PAYMENT TRACKING #, VALIDATION, DATE, APP REJ, DATE, APP REJ, CLASS I III, BASIC CONTROL, EQUIPMENT CATEGORY CODE, TEAM, ENGINEER, REASON/ACTION TAKEN



Form 400-CEQA

California Environmental Quality Act (CEQA) Applicability

Mail To: SCAQMD, P.O. Box 4944, Diamond Bar, CA 91765-0944, Tel: (909) 396-3385, www.aqmd.gov

The SCAQMD is required by state law, the California Environmental Quality Act (CEQA), to review discretionary permit project applications for potential air quality and other environmental impacts. This form is a screening tool to assist the SCAQMD in clarifying whether or not the project has the potential to generate significant adverse environmental impacts that might require preparation of a CEQA document [CEQA Guidelines §15060(a)].

Section A - Facility Information
1. Facility Name (Business Name of Operator To Appear On The Permit): A-1 FUEL LLC
2. Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475
3. Project Description: Install a 10,000 gallon E-85 UST and two dispensers for E-85.

Section B - Review For Exemption From Further CEQA Action

Table with 3 columns: Yes, No, Is this application for:
1. A CEQA and/or NEPA document previously or currently prepared that specifically evaluates this project?
2. A request for a change of permittee only (without equipment modifications)?
3. A functionally identical permit unit replacement with no increase in rating or emissions?
4. A change of daily VOC permit limit to a monthly VOC permit limit?
5. Equipment damaged as a result of a disaster during state of emergency?
6. A Title V (i.e., Regulation XXX) permit renewal (without equipment modifications)?
7. A Title V administrative permit revision?
8. The conversion of an existing permit into an initial Title V permit?

If "Yes" is checked for any question in Section B, your application does not require additional evaluation for CEQA applicability. Skip to Section D - Signatures on page 2 and sign and date this form.


Section C - Review of Impacts Which May Trigger CEQA

Complete Parts I-VI by checking "Yes" or "No" as applicable. To avoid delays in processing your application(s), explain all "Yes" responses on a separate sheet and attach it to this form.

Table with 3 columns: Yes, No, Part I - General, Part II - Air Quality
1. Has this project generated any known public controversy regarding potential adverse impacts that may be generated by the project?
2. Is this project part of a larger project?
3. Will there be any demolition, excavating, and/or grading construction activities that encompass an area exceeding 20,000 square feet?
4. Does this project include the open outdoor storage of dry bulk solid materials that could generate dust?

1 A "project" means the whole of an action which has a potential for resulting in physical change to the environment, including construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit.

2 To download the CEQA guidelines, visit http://ceres.ca.gov/env_law/state.html.
3 To download this form and the instructions, visit http://www.aqmd.gov/ceqa or http://www.aqmd.gov/permit

Section C - Review of Impacts Which May Trigger CEQA (cont.)			
	Yes	No	Part II - Air Quality (cont.)
5.	<input type="radio"/>	<input type="radio"/>	Would this project result in noticeable off-site odors from activities that may not be subject to SCAQMD permit requirements? For example, compost materials or other types of greenwaste (i.e., lawn clippings, tree trimmings, etc.) have the potential to generate odor complaints subject to Rule 402 – Nuisance.
6.	<input type="radio"/>	<input type="radio"/>	Does this project cause an increase of emissions from marine vessels, trains and/or airplanes?
7.	<input type="radio"/>	<input type="radio"/>	Will the proposed project increase the QUANTITY of hazardous materials stored aboveground onsite or transported by mobile vehicle to or from the site by greater than or equal to the amounts associated with each compound on the attached Table 1?⁴
Part III – Water Resources			
8.	<input type="radio"/>	<input type="radio"/>	Will the project increase demand for water at the facility by more than 5,000,000 gallons per day? The following examples identify some, but not all, types of projects that may result in a “yes” answer to this question: 1) projects that generate steam; 2) projects that use water as part of the air pollution control equipment; 3) projects that require water as part of the production process; 4) projects that require new or expansion of existing sewage treatment facilities; 5) projects where water demand exceeds the capacity of the local water purveyor to supply sufficient water for the project; and 6) projects that require new or expansion of existing water supply facilities.
9.	<input type="radio"/>	<input type="radio"/>	Will the project require construction of new water conveyance infrastructure? Examples of such projects are when water demands exceed the capacity of the local water purveyor to supply sufficient water for the project, or require new or modified sewage treatment facilities such that the project requires new water lines, sewage lines, sewage hook-ups, etc.
Part IV – Transportation/Circulation			
10.	Will the project result in (Check all that apply):		
	<input type="radio"/>	<input type="radio"/>	a. the need for more than 350 new employees?
	<input type="radio"/>	<input type="radio"/>	b. an increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round-trips per day?
	<input type="radio"/>	<input type="radio"/>	c. increase customer traffic by more than 700 visits per day?
Part V – Noise			
11.	<input type="radio"/>	<input type="radio"/>	Will the project include equipment that will generate noise GREATER THAN 90 decibels (dB) at the property line?
Part VI – Public Services			
12.	Will the project create a permanent need for new or additional public services in any of the following areas (Check all that apply):		
	<input type="radio"/>	<input type="radio"/>	a. Solid waste disposal? Check “No” if the projected potential amount of wastes generated by the project is less than five tons per day.
	<input type="radio"/>	<input type="radio"/>	b. Hazardous waste disposal? Check “No” if the projected potential amount of hazardous wastes generated by the project is less than 42 cubic yards per day (or equivalent in pounds).
REMINDER: For each “Yes” response in Section C, attach all pertinent information including but not limited to estimated quantities, volumes, weights, etc.			
Section D - Signatures			
I HEREBY CERTIFY THAT ALL INFORMATION CONTAINED HEREIN AND INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THIS FORM IS A SCREENING TOOL AND THAT THE SCAQMD RESERVES THE RIGHT TO CONSIDER OTHER PERTINENT INFORMATION IN DETERMINING CEQA APPLICABILITY.			
1. Signature of Responsible Official of Firm: 		2. Title of Responsible Official of Firm: President	
3. Print Name of Responsible Official of Firm: Goma Elbiali		4. Date Signed: 12/30/2022	
5. Phone # of Responsible Official of Firm: (562) 481-6598	6. Fax # of Responsible Official of Firm:	7. Email of Responsible Official of Firm: a1fuels@gmail.com	
8. Signature of Preparer, (If prepared by person other than responsible official of firm): 		9. Title of Preparer: Agent	
10. Print Name of Preparer: Craig McLaren		11. Date Signed: 12/30/2022	
12. Phone # of Preparer: (805) 710-2006	13. Fax # of Preparer:	14. Email of Preparer: camclaren@hotmail.com	

THIS CONCLUDES FORM 400-CEQA. INCLUDE THIS FORM AND ANY ATTACHMENTS WITH FORM 400-A.

⁴ Table 1 – Regulated Substances List and Threshold Quantities for Accidental Release Prevention can be found in the Instructions for Form 400-CEQA.



Form 400-E-11 Fuel Dispensing And Storage Equipment

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

Mail To:
SCAQMD
P.O. Box 4944
Diamond Bar, CA 91765-0944
Tel: (909) 396-3385
www.aqmd.gov

Section A - Operator Information

Facility Name (Business Name of Operator That Appears On Permit): A-1 FUEL LLC Valid AQMD Facility ID (Available On Permit Or Invoice Issued By AQMD): 197475

Address where the equipment will be operated (for equipment which will be moved to various location in AQMD's jurisdiction, please list the initial location site):
4311 South St, Lakewood, CA 90712 Fixed Location Various Locations

Section B - Facility Information

Property Zone	a. <input checked="" type="radio"/> Commercial b. <input type="radio"/> Residential c. <input type="radio"/> Industrial d. <input type="radio"/> Parking e. <input type="radio"/> Other (specify): _____
Business Type	a. <input checked="" type="radio"/> Retail Facility 1. Has the owner/operator attended a SCAQMD approved Rule 461 training course? <input type="radio"/> No <input checked="" type="radio"/> Yes Date of Course Completion: _____ 2. Has the owner/operator developed an Operation and Maintenance manual as required by Rule 461? <input type="radio"/> No <input checked="" type="radio"/> Yes b. <input type="radio"/> Non-Retail Facility 1. Do you own any fleet vehicles? <input type="radio"/> No <input type="radio"/> Yes Total number of fleet vehicles: _____
Operating Schedule	_____ 24 _____ hours/day _____ 7 _____ days/week _____ 365 _____ days/year

Section C - Equipment Description

1. UNDERGROUND STORAGE TANK INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS (Excluding Diesel for Single Compartment Tanks)

Dual or Multi-Compartment Tank?	Number of Compartments	Tank No.	Fuel Type (e.g. Unleaded 87)	Tank Capacity (Gallons)	Manifold Location		Tank Status		
					Under-ground	At Vent	New	Existing	Removed
<input checked="" type="checkbox"/>	3	2c	E-85	10,000	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>					<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>					<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>					<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>					<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

a. Provide Phase I CARB Executive Order Number (see instructions): OPW-EVR VR-102

b. Are any of these storage tanks methanol compatible? No Yes (Identify these tanks): All Tanks

c. Will any of these storage tanks be located in a vault below grade? No Yes

d. Will a condensate/vapor trap be installed in the vapor return line? No Yes

e. Will the tank(s) at this site contain a remote fill? No Yes

f. Will semi-rigid piping (NUPI or UPP) be used for the vapor return line? No Yes

**Form 400-E-11
Fuel Dispensing And Storage Equipment**

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

Section C - Equipment Description (cont.)

2. ABOVEGROUND STORAGE TANK INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS (Excluding Diesel for Single Compartment Tanks)

Dual or Multi-Compartment Tank?	Number of Compartments	Tank No.	Fuel Type (e.g. Unleaded 87)	Tank Capacity (Gallons)	Tank Dimensions L x W x H L x Dia (Inches)			Phase II CARB Executive Order (Table III)	Hose Length (Feet)	Tank Status		
					L	W (or D)	H			New	Exist-ing	Re-moved
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="checkbox"/>										<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Indicate the distance and address of the nearest residential and commercial/industrial structures located outside the property line of the facility as measured from the approximate center of the islands:

Residential _____ 180 _____ (ft) Commercial/Industrial _____ 120 _____ (ft)

Select One: N NE E SE S SW W NW Select One: N NE E SE S SW

Located at: 5813 Bonfair Ave, Lakewood, CA 90712 Located at: 5830 Lakewood Blvd, Lakewood, CA 90712

4. FUELING POSITION INFORMATION: COMPLETE FOR ALTERATIONS OR NEW CONSTRUCTION

Total Number of Fueling Positions After Alteration or New Construction: 4

Total Number of Fueling Positions Prior to Alteration (for Alterations Only): 0

5. NOZZLE INFORMATION: COMPLETE ALL COLUMNS

Fuel Type (e.g. Unleaded 87)	# New Nozzles	# Existing Nozzles	# Removed Nozzles	Phase II CARB Executive Order (Table II)	Maximum Monthly Throughput (Gal/Mo)	Maximum Annual Throughput (Gal/Yr)
E-85	4			VR-204 (VR)		

Change of Throughput Condition:

Total throughput change: _ _ gal/mo

Date of throughput change: _____

**Form 400-E-11
Fuel Dispensing And Storage Equipment**

This form must be accompanied by a completed Application for a Permit to Construct/Operate - Forms 400-A, Form 400-CEQA, and Form 400-PS.

6. GASOLINE PRODUCT INFORMATION: COMPLETE TABLE		# Of Product(s) (Excluding Diesel)			
Number of nozzle(s) dispensing ONE product (grade) of E-85:	4	x	1	=	4
Number of nozzle(s) dispensing TWO product (grade) of gasoline:		x	2	=	
Number of nozzle(s) dispensing THREE product (grade) of gasoline:		x	3	=	
TOTAL NOZZLE COUNT:	4		TOTAL PRODUCT COUNT	=	4

7. DISPENSER INFORMATION: COMPLETE AND CHECK THE APPROPRIATE COLUMNS						
Dispenser		No. of Similar Dispensers	Dispenser			No. of Nozzles Per Dispenser
Make	Model No.		New	Existing	Removed	E-85
Gilbarco	Encore 700s 3+0+1	2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	2
			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

8. THROUGHPUT INFORMATION: PROVIDE THROUGHPUT RECORDS FOR THE PAST 2 YEARS (EXISTING SITES)		
Year of Operation	Fuel Type	Throughput (Gal/Yr)
	Gasoline	
	Gasoline	

9. For existing gasoline storage and dispensing systems and based on the following, please provide a copy of your MOST RECENT vapor recovery test results.

a. Balance System Tests:
 • Static Pressure (Leak-Decay);
 • Dynamic Pressure (Back-Pressure); and,
 • Liquid Removal (if applicable).

b. Vacuum Assisted System Tests (Except Healy and Hirt Systems):
 • Static Pressure (Leak-Decay); and,
 • Air-to-Liquid Ratio (A/L).

c. Healy Vacuum Assisted System Tests:
 • Static Pressure (Leak-Decay);
 • Air-to-Liquid Ratio (A/L); and,
 • Vapor Return Line.

d. Vacuum Assisted Hirt System Test:
 • Air-to-Liquid Ratio (A/L).

e. For systems not mentioned, provide required test results as per that system's executive order.

10. Attach a plot plan, a copy of the current Permit to Operate, and other information as directed in Form 400-E-11 Requirements.

Section D - Authorization/Signature

I hereby certify that all information contained herein and information submitted with this application is true and correct.

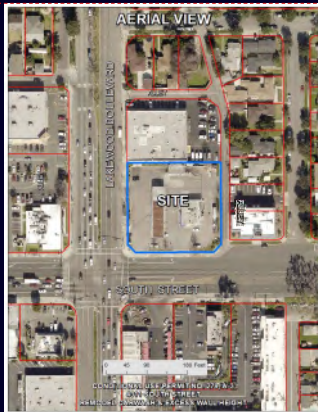
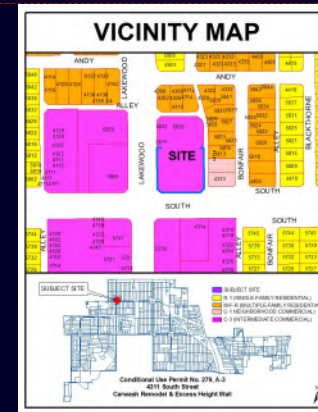
Preparer Info	Signature: <u>Craig McLaren</u> Date: <u>12/30/2022</u>	Name: <u>Craig McLaren</u>
	Title: _____ Company Name: _____	Phone #: <u>(805) 710-2006</u> Fax #: _____
Contact Info	Agent: <u>_____</u> Company Name: <u>GSD&D Services</u>	Email: <u>camclaren@hotmail.com</u>
	Name: <u>Goma Elbiali</u> Title: <u>President</u> Company Name: <u>A-1 FUEL LLC</u>	Phone #: <u>(562) 481-6598</u> Fax #: _____
		Email: <u>a1fuels@gmail.com</u>

THIS IS A PUBLIC DOCUMENT

Pursuant to the California Public Records Act, your permit application and any supplemental documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District.

Check here if you claim that this form or its attachments contain confidential trade secret information.

**CONDITIONAL USE PERMIT NO. 279,
AMENDMENT NO.3**





Date: 4-17-2023



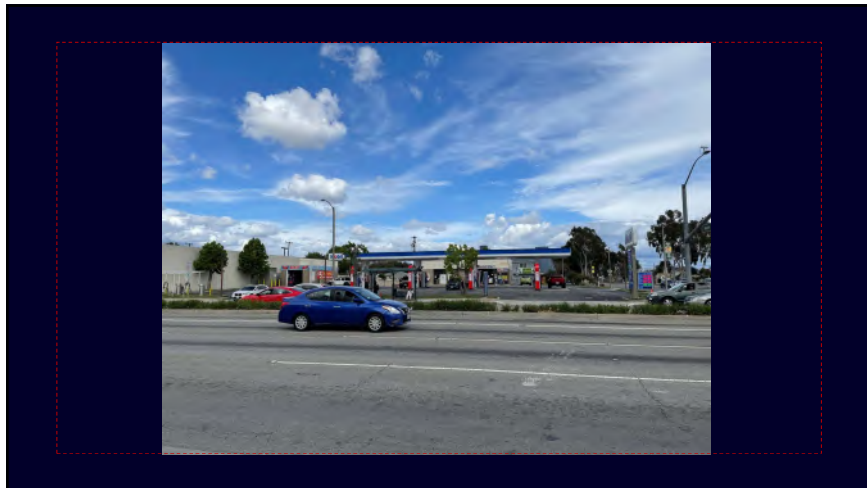
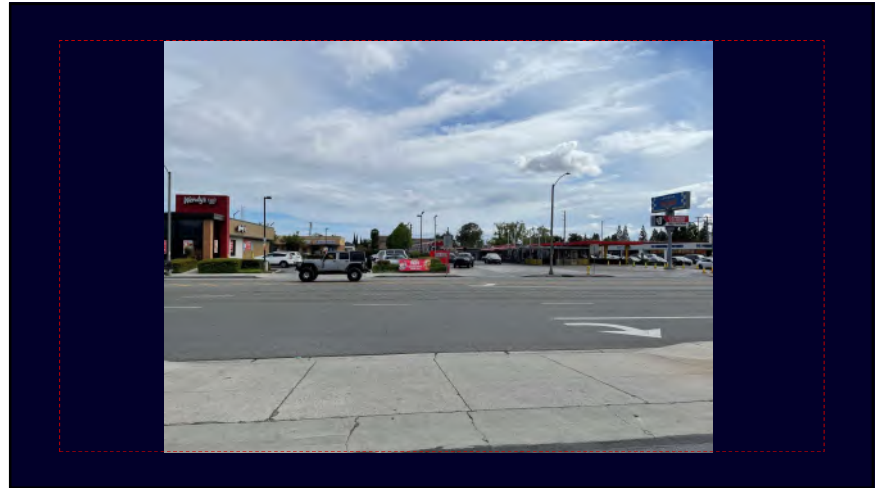


EXHIBIT "A"

PROJECT DESCRIPTION

LEGEND

- Existing
- Proposed
- Existing
- Proposed
- Existing
- Proposed
- Existing
- Proposed

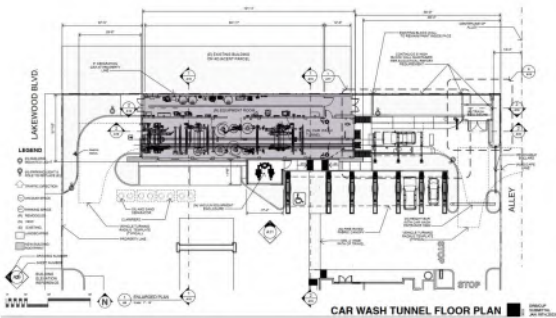
PROPERTY INFORMATION

PROPOSED SITE PLAN

VICINITY MAP

The site plan shows a rectangular building layout with multiple rooms and corridors. It includes parking spaces, an alleyway, and surrounding streets: LAKWOOD BLVD to the west, SOUTH STREET to the south, and an ALLEY to the east. A vicinity map in the top right corner shows the project location within a larger regional context.

EXHIBIT "B"



CAR WASH TUNNEL FLOOR PLAN

EXHIBIT "C"



COLOR BUILDING ELEVATIONS

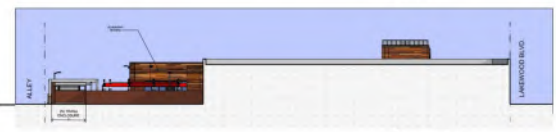


COLOR BUILDING ELEVATIONS

EXHIBIT "D"

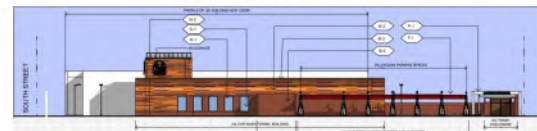


COLOR BUILDING ELEVATIONS

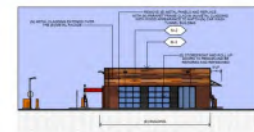


COLOR BUILDING ELEVATIONS

EXHIBIT "E"



COLORED BUILDING ELEVATIONS



COLORED BUILDING ELEVATIONS

EXHIBIT "F"



COLOR TRASH ENCLOSURE ELEVATIONS

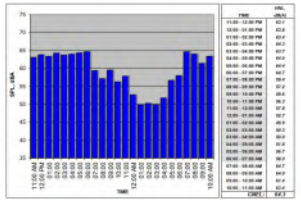
EXHIBIT "G"



ACTUAL CORNER VIEW FENCING, ACTUAL ALLEY VIEW FENCING, LAKWOOD BLVD FENCING, SOUTH STREET FENCING

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Medical Center Construction Project
 Address: 4331 South Street, Lakewood, CA
 Location: 1307 13th
 Notes: WASHINGTON THERC, Car Wash
 Date: 11/20/2022
 Scale: 1:100000000



Source: Amec/Parsons, Inc.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operations Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.4	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/R4 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start	Future Car Wash Noise Level, Leq, dBA	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
7:00 AM	56.4	52.7	52.7	Compliance
8:00 AM	56.4	49.9	49.9	Compliance
9:00 AM	56.4	50.3	50.3	Compliance
10:00 AM	56.4	50.0	50.0	Compliance
11:00 AM	56.4	51.8	51.8	Compliance
12:00 PM	56.4	56.7	56.7	Compliance
1:00 PM	56.4	58.0	58.0	Compliance
2:00 PM	56.4	64.7	59.7	Compliance
3:00 AM	56.4	64.3	60.5	Compliance
4:00 AM	56.4	61.4	57.9	Compliance
5:00 AM	56.4	61.4	56.4	Compliance
6:00 AM	56.4	63.1	59.3	Compliance
7:00 AM	56.4	63.8	61.0	Compliance
8:00 AM	56.4	63.4	59.0	Compliance
9:00 AM	56.4	64.3	60.5	Compliance
10:00 AM	56.4	64.3	60.5	Compliance
11:00 AM	56.4	64.3	60.5	Compliance
12:00 PM	56.4	64.3	60.5	Compliance
1:00 PM	56.4	64.3	60.5	Compliance
2:00 PM	56.4	64.3	60.5	Compliance
3:00 PM	56.4	64.3	60.5	Compliance
4:00 PM	56.4	64.3	60.5	Compliance
5:00 PM	56.4	64.3	60.5	Compliance
6:00 PM	56.4	64.3	60.5	Compliance
7:00 PM	56.4	64.3	60.5	Compliance
8:00 PM	56.4	64.3	60.5	Compliance
9:00 PM	56.4	64.3	60.5	Compliance
10:00 PM	56.4	64.3	60.5	Compliance
11:00 PM	56.4	64.3	60.5	Compliance

Note: Car Wash Project proposes operations during the daytime hours of 7AM to 6PM

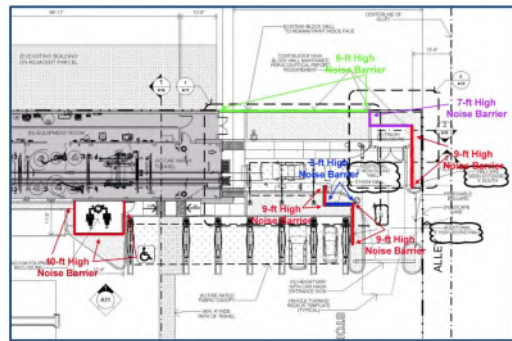
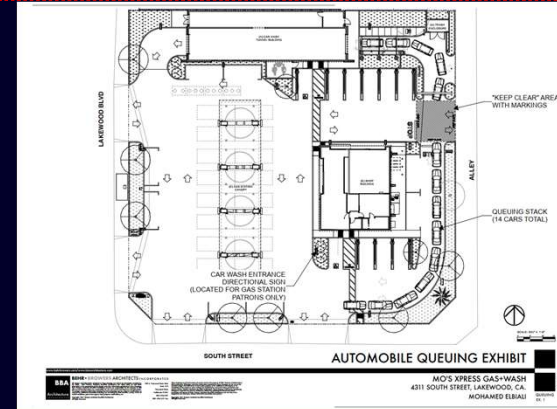


Figure 6. Location of the Recommended Car Wash Noise Barriers



Staff Recommendations

1. Adopt a resolution to UPHOLD the PEC decision to grant CUP No. 279, A-3 and DENY the appeal, including findings to justify the actions.
2. Adopt a resolution to UPHOLD the PEC decision to grant CUP No. 279, A-3 and DENY the appeal, but modify the conditions of approval, including findings to justify the actions.
3. Adopt a resolution to UPHOLD the appeal and DENY CUP No. 279, A-3, including findings to justify the actions.

**5/4/2023 PLANNING &
ENVIRONMENT
COMMISSION
MEETING
-ATTACHMENTS**

APPLICATION FOR: Conditional Use Permit No. 279, Amendment No. 3

LOCATION: 4311 South Street

APPLICANT: Mohamad Elbiali representing Mo's Xpress Gas + Wash

PROPOSAL: Reconstruct Carwash and Construct Excess Height Fencing.

ZONING: C-3 (Intermediate Commercial)

INTRODUCTION

The applicant, Mohamad Elbiali representing Mo's Xpress Gas + Wash, is requesting approval of a Conditional Use Permit No. 279, Amendment No. 3, to reconstruct and expand an existing carwash tunnel at an existing service station and to add a wall exceeding 7'-6" in height. The site is located at 4311 South Street (Site) and is designated by the General Plan for commercial uses and the Site is located in the C-3 (Intermediate Commercial) zone.

Pursuant to Lakewood Municipal Code (LMC) Section 9341.B, all uses in the C-1 zone "shall be conducted wholly within a building except... "vehicular parking and loading spaces, *vacuums, vacuum stations, and other outdoor equipment and activities normally associated with a carwash as permitted in conjunction with such facilities*, and other accessory uses, displays, and storage, which are normal and incidental to the primary permitted commercial use, where otherwise allowed or authorized by this Part." LMC Section 9347.A allows any use permitted as a matter of course in the C-1 zone in the C-3 zone under the same conditions. Pursuant to LMC Section 9347.D.11 a Conditional Use Permit is required to modify or update any existing carwash in the C-3 zone.

STATEMENT OF FACTS

Area Description

The Site is located at the northeast corner of Lakewood Boulevard and South Street (see Vicinity Map and Aerial View). The following table lists the land uses and zoning designations for the Site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Site	Service Station & Car Wash	C-3 (Intermediate Commercial)
North	Lumber Liquidators & PPG Paints	C-3 (Neighborhood Commercial)
East	Multi-Family Homes Pharmacy	C-1 (Intermediate Commercial) M-F-R (Multi-Family Residential)
South	Carwash Commercial center	C-3 (Intermediate Commercial)
West	Commercial center Restaurant, Pancho's Heritage	C-3 (Intermediate Commercial)

Site Description

As shown in Exhibit "A," the project site is square shaped and is approximately 0.96 acres in area. The site is designated by the General Plan as Commercial and is located in the C-3 (Intermediate Commercial) zone. A convenience store is located on the eastern portion of the site, a drive-through car wash building is on the northern portion of the site and four fuel islands. There is currently 12 parking spaces located on the lot. The building consists of an unused two-bay lube facility, a convenience store, restroom, and a storage area. The convenience store and gas pumps are open 24 hours a day. The hours of operation for the carwash allowed with the existing Conditional Use Permit, CUP No. 279 Amendment No. 2, is limited between 6:00 am to 9:00 pm, Monday through Friday; and 7:00 am to 9:00 pm, Saturday and Sunday. This building is 2,284 square feet in area and the existing car wash tunnel is 648 square feet in area and five (5) vacuum stations. The site is accessed by two (2) driveways along Lakewood Boulevard, two (2) driveways from South Street, and a public alley to the east.

The trash enclosure for the project site is located on the northeast corner of the building and will be upgraded to comply with current City standards. The proposed Resolution of Approval contains a requirement that proper approval and permits shall be obtained for all proposed exterior signage. There are no outstanding code enforcement cases for this property.

Prior CUPs

This application is the third proposed amendment to CUP No. 279. The original CUP and the first two amendments are summarized below.

CUP No. 279 was approved by the Planning and Environment Commission (PEC) in 1982 to construct a storeroom addition at an existing Mobil Oil Service Station. The service station currently has an active business license dated November 2, 2022.

CUP No. 279, Amendment No. 1 was approved by the PEC in 1984 to demolish the existing service station, liquor store, and food stand for construction of a new service station and mini-market. The fuel pumps and mini-market currently have active business licenses dated November 2, 2022.

CUP No. 279, Amendment No. 2 was approved by the PEC in 1989 for the carwash, an additional gas pump island, and expansion of the existing mini-market. The carwash, mini-market, and fuel pumps currently have active business licenses dated November 2, 2022. The mini-market, carwash and gas bay islands are still active on site. A condition in the proposed Resolution of Approval explicitly requires all businesses conducted on site to be licensed.

Proposed Conditional Use

The proposed project is for the reconstruction of a 3,227 square-foot tunnel carwash and 13 linear feet of a 9'-8" tall block wall at the northeast corner of the site. The drive-thru car wash tunnel will be ancillary to the primary use which is a service station. The carwash tunnel will have a single entrance/exit driveway approach with one (1) queue lane and a pay kiosk where customers select the type of wash and make their payment near the tunnel entrance. The tunnel is 101'-4" feet long and will include a blower to dry cars as they exit. After exiting the carwash tunnel, drivers make a 90-degree left turn back towards the gas pumps or exit towards Lakewood Boulevard. There will be three (3) canopies with permanent posts attaching fire rated fabric to provide shade for the cars entering the car wash tunnel and customers utilizing the vacuum stations.

There will be a total of nine (9) vacuum stations with a 202 square-foot vacuum equipment enclosure abutting the south wall of the tunnel. The vacuum stations are activated after the car wash is operated by customers. There will be nine (9) open parking spaces in all. The carwash tunnel includes a 2,284 square-foot equipment room located north of the car wash tunnel.

Although the carwash is self-serve, there will be employees available to help customers pay at the entrance kiosks and to guide drivers into the carwash conveyor rack (customers remain in their vehicles during the wash process). The proposed hours of operation for the carwash will be from 7:00 am to 8:00 pm, daily. The existing freestanding sign adjacent to Lakewood Boulevard will be refaced to match the new branding.

Development Review Board

The Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023. The DRB conditions of approval have been incorporated into the proposed Resolution of Approval.

Code Requirements

A Conditional Use Permit for the proposed project use can only be approved upon findings of the Planning and Environment Commission that the use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the proposed use is in accord

with the following principles and standards is necessary in each case, as specified in Section 9401 of the Lakewood Municipal Code.

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The subject site is designated for Commercial uses by the General Plan and is in the C-3 (Intermediate Commercial) zone. The proposed use is commercial in nature and therefore compatible with both the General Plan land use and the zoning designation of the property. Potential conflicts with the General Plan relating to specific areas, such as noise, have been included in the proposed Resolution of Approval.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be granted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The carwash will include various pieces of mechanical equipment. Proposed equipment includes blowers for drying automobiles, vacuum stations, and pumps for spraying water, soaps, and wax in the carwash tunnel. The blower for drying automobiles is capable of producing excessive levels of noise. The closest residential property line is located approximately 89 feet from the car wash entry tunnel to the residential property line located east of the subject site. That property is zoned as Multi-Family Residential and currently developed as a duplex.

The applicant retained the services of a noise consultant to prepare an acoustical analysis for this project. A noise measurement was conducted on November 29-30, 2022 was placed at the northeast property line closest to the residential boundary location. The current noise levels with the existing car wash measures at 64.7 dB(A) at 7:00 AM and 6:00 PM. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1 dB(A) per Table 6 of the Noise Study conducted by acoustical consultant. The maximum noise levels of the proposed vacuum equipment is estimated to be 54 dB(A) per Table 4 of the noise study conducted by acoustical consultant. The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dB(A) at the residential noise sensitive receptors to the west, north and east. The proposed noise levels comply with the LMC Section 9376.1 with a maximum level of 60 dB(A). That analysis found that the project would not result in a significant noise impact because the project includes the following features:

1. Limit operating hours to the proposed hours of 7:00 AM to 8:00 PM.
2. Minimum nine-foot, seven-foot, and six-foot high noise barriers at the north and east side, per Figure 6 of the Noise Study, to direct car wash and vacuum noise away from residences.
3. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1

dB(A) per Table 6 of the Noise Study.

4. The noise barrier height is relative to the car wash pad elevation.
 5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit.
 6. A minimum 10-foot high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.
 7. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire, and safety codes.
3. *The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The subject site is adequate in shape to accommodate the proposed car wash and the required yards, walls, fences, parking facilities, landscaping, and other development features. LMC Section 9490.H requires one parking space for every 250 gross square feet of retail area. The project will maintain the 765 square-foot convenience store that is used as retail sales which requires three (3) parking spaces. LMC Section 9490.E.1 requires three (3) parking spaces for a self-serve carwash and LMC Section 9490.X requires one space for each bay and two (2) additional parking spaces for employee parking. The project will provide nine (9) open parking spaces and nine (9) parking spaces with vacuum stations for a total of 18 parking spaces. The project will have one carwash tunnel. The extra nine (9) vacuum stations provides sufficient cushion for those customers whom choose to vacuum their cars. There is sufficient parking to accommodate the proposed use.

4. *The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The site is served by Lakewood Boulevard, South Street and a public alley. The General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways. The adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use. Therefore, any traffic impacts from the proposed conditional use would be less than significant.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

The existing service station complies with the standards imposed by LMC Sections 9340.C.2.(b) & (c). The proposed CUP requested complies with the standards imposed by

LMC Section 9347.D.11 as the proposed revised carwash design and noise study includes mitigation measures to prevent any noise impacts to adjacent properties.

Sheriff's Report

The Director of Public Safety and the Los Angeles County Sheriff's Department provided comment on this application (see attached Sheriff's Department letter dated March 25, 2023). The Sheriff's Department's review of calls for service at this location revealed no significant incidents since March 25th, 2020 that would otherwise cause concern related to the proposed CUP amendment. If this CUP amendment is approved, the Sheriff's Department recommends that certain conditions be included in the Resolution of Approval. Their recommendations have been incorporated into the proposed Resolution of Approval. The recommended conditions are as follows:

1. Increased security lighting (two staged) both front and rear.
2. Increased number and quality of security cameras both front and rear.
3. Maintain any existing alarm features.
4. Landscape to be trimmed to avoid potential hiding places.
5. This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

CEQA

The proposed project is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures.

Public Notice

Notification of the public hearing for this CUP was mailed to owners of property that are within a 300-foot radius of the subject property and posted at the subject site on April 21, 2023, and was posted on the City's webpage, April 24, 2023 pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

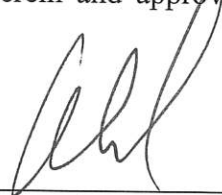
The applicant is applying for a Conditional Use Permit for the reconstruction and operation of car wash tunnel with three (3) canopies, nine (9) vacuum stations and for the construction of a 9'-8" foot tall block wall along the east property line adjacent to the trash enclosure. The proposed use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code, regarding conditional use permits.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the public hearing move to adopt the proposed Resolution granting approval of Conditional Use Permit No. 279, A-3 subject to the conditions contained therein and approve the associated Categorical Exemption.



Frankie Griffiths
Assistant Planner

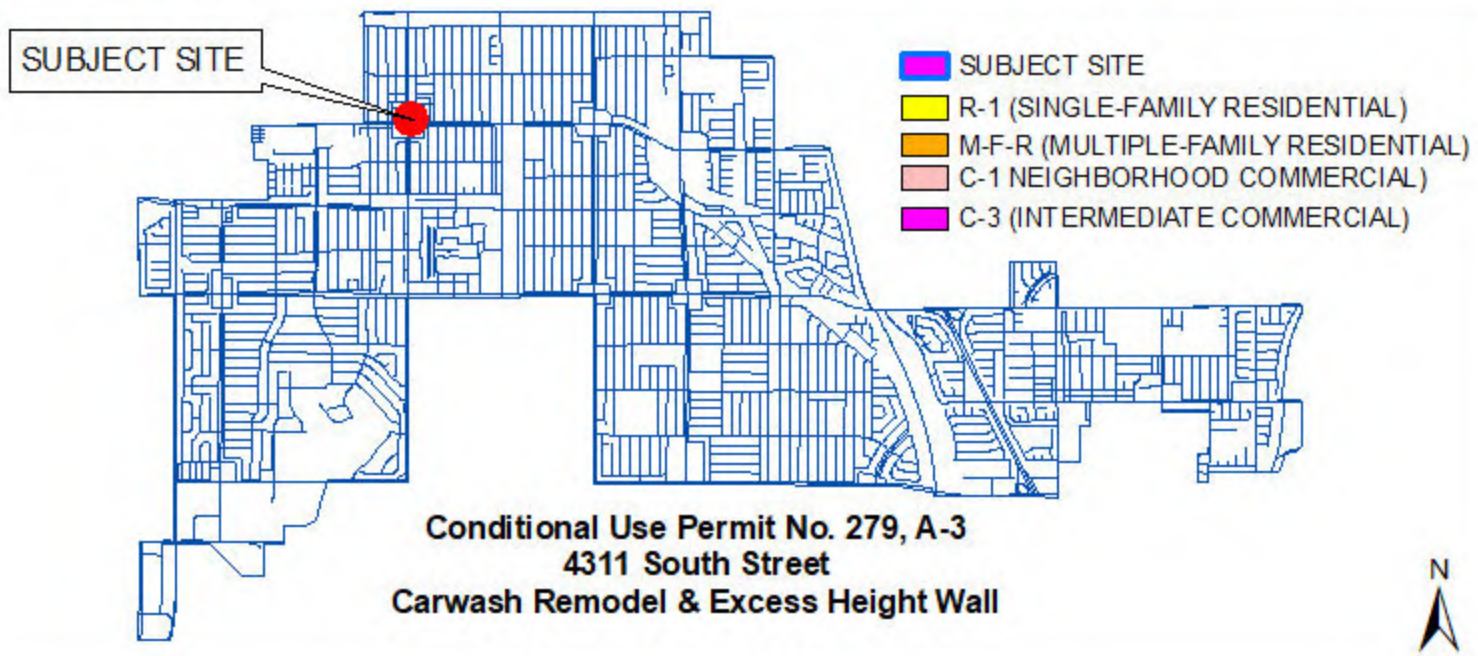
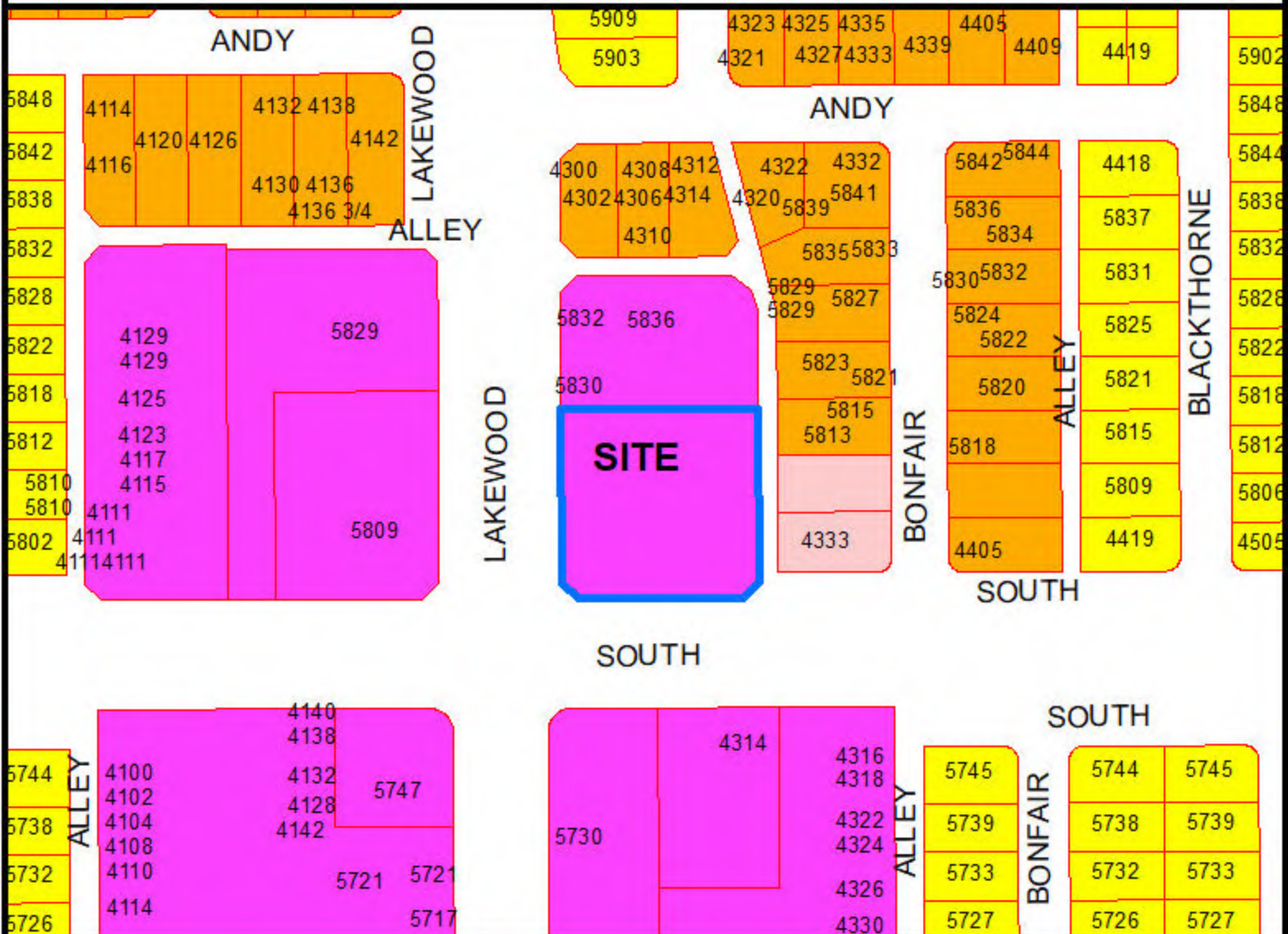


Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Vicinity Map
- 2) Aerial View
- 3) Exhibit "A" – Site Plan
- 4) Exhibit "B" – Floor Plan
- 5) Exhibit "C" – South & West Elevations
- 6) Exhibit "D" – East & North Elevations
- 7) Exhibit "E" – South, North, & West Elevations
- 8) Exhibit "F" – Trash Enclosure
- 9) Exhibit "G" – Colored Renderings
- 10) Noise Study Measurement Data
- 11) Resolution No. 11-82
- 12) Resolution No. 1-84
- 13) Resolution No. 22-89
- 14) Los Angeles County Sheriff's Department letter dated March 25, 2023.
- 15) Development Review Board letter dated April 22, 2023.
- 16) Proposed Resolution of Approval

VICINITY MAP



AERIAL VIEW

LAKESWOOD BOULEVARD

ALLEY

ALLEY

SITE

SOUTH STREET

0 45 90 180 Feet



CONDITIONAL USE PERMIT NO. 279, A-3
4311 SOUTH STREET
REMODEL CARWASH & EXCESS WALL HEIGHT

EXHIBIT "A"

PROJECT DESCRIPTION:

REPLACEMENT OF AN EXISTING 36' LONG AUTOMATED CAR WASH TUNNEL BUILDING WITH A NEW STATE OF THE ART, 100' LONG AUTOMATED CAR WASH TUNNEL BUILDING.

REPLACEMENT OF EXISTING SELF VACUUM SPACES AND EQUIPMENT WITH STATE OF THE ART SELF VACUUM SPACES AND EQUIPMENT.

REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNEL.

REPAIR AND REFURBISHMENT OF EXISTING MAIN BUILDING EXTERIOR TO MATCH NEW CAR WASH TUNNEL BUILDING, PRIMARILY VIA PAINTING, REMOVAL OF AN UN PERMITTED FABRIC CANOPY AND REPLACEMENT WITH A NEW FABRIC AWNING AND APPLICATION OF NEW METAL CLADDING TO UPPER PART OF FACADE

REPLACEMENT TRASH ENCLOSURE AT APPROXIMATELY THE SAME LOCATION AS THE EXISTING ONE.

REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING STATION BRAND WITH NEW OWNER BRAND SIGNAGE, TO BE PERMITTED SEPARATELY.

NEW DISABLED PARKING, DISABLED PATH OF TRAVEL AND OTHER SITE ACCESSIBILITY IMPROVEMENTS.

IMPROVED SITE CIRCULATION, TRAFFIC MARKINGS AND NEW DIRECTIONAL SIGNAGE.

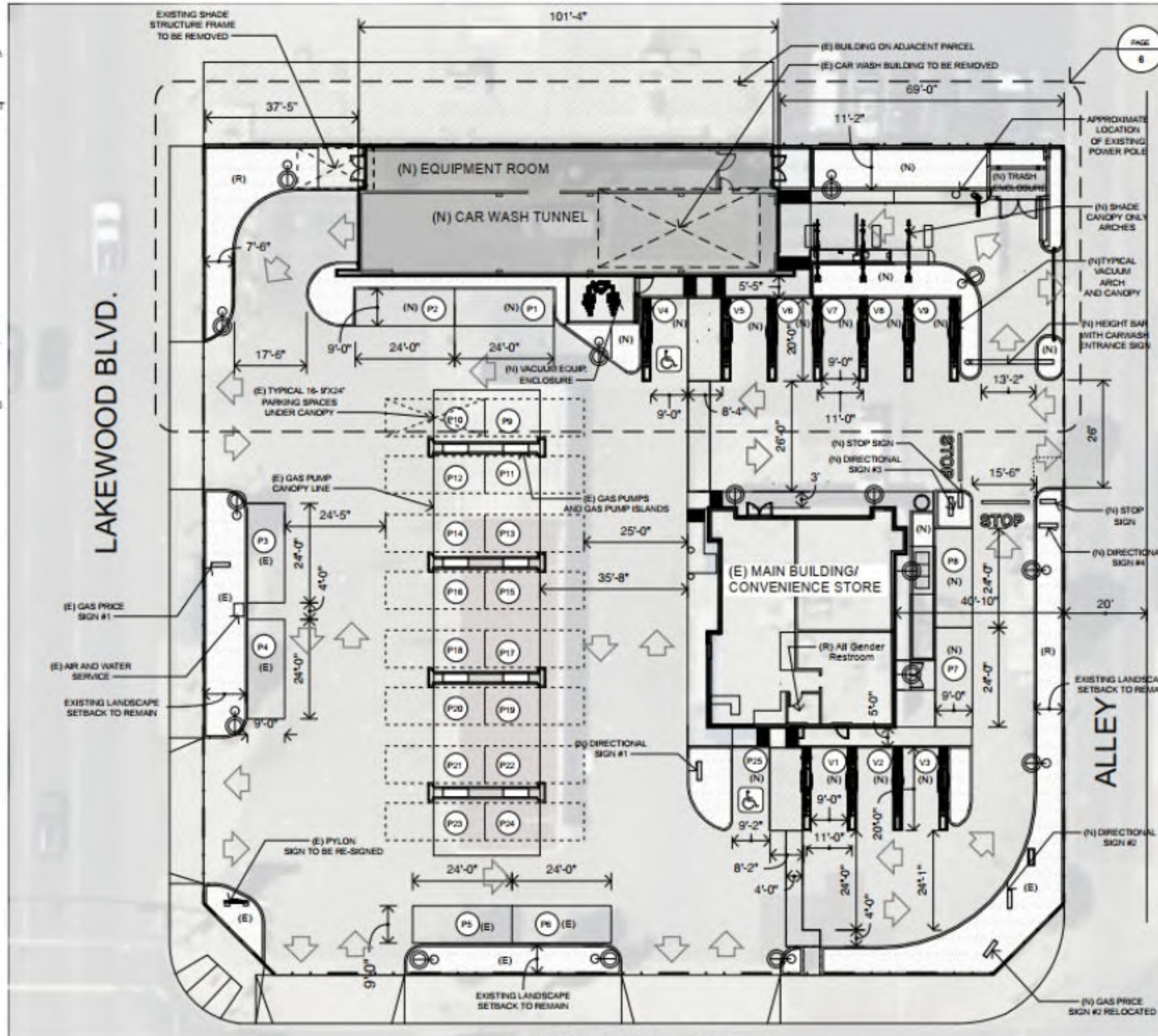
MODIFICATION OF DRIVEWAY ACCESS FROM THE ALLEY. ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO REMAIN AS IS.

NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW POLE LIGHTS AND ON BUILDING LIGHTS.

LANDSCAPE AREA INCREASE AND PLANTING UPGRADES.

LEGEND

- (N) BUILDING MOUNTED LIGHT
- (N) PARKING LIGHT & POLE TO REPLACE (E)
- TRAFFIC DIRECTION
- (V) VACUUM SPACE
- (P) PARKING SPACE
- (R) REMODELED
- (N) NEW
- (E) EXISTING
- LANDSCAPING
- NEW BUILDING FOOTPRINT



ADDITIONAL NOTES:
ALL EXISTING PRE-EXISTING VACUUM EQUIPMENT TO BE REMOVED.

VICINITY MAP



PROJECT SUMMARY

CUP #279 Amendment No 3- DRB# XXX

EXISTING BUILDING AREA	(E) MAIN BLDG.	2,284 SF	
	(E) CAR WASH BLDG (to be removed)	(648 SF)	
	(E) CANOPY COVER AREA		2,836 SF
	TOTAL EXISTING ENCLOSED BLDG AREA	2,932 SF	
PROPOSED BUILDING AREA	(N) CAR WASH TUNNEL BLDG.	3,227 SF	
	TOTAL PROPOSED BUILDING AREA	5,511 SF	
PROPOSED SITE AREAS	TOTAL SITE AREA	41,700 SF	
	TOTAL PAVING AREA	31,270 SF	
	TOTAL LANDSCAPED AREA	4,919 SF	
	TOTAL EXISTING LANDSCAPED AREA IMPACTED BY NEW CONSTRUCTION	(787 SF)	SEE WEBSITE FOR WWW.CALORCA
LOT COVERAGE RATIOS	BUILDING (CONSIDERED, ENCLOSED FOOTPRINT ONLY)	5,511 SF/13.2%	
	LANDSCAPING (5% MIN)	4,919 SF/11.8%	5% MIN.
	PAVING/HARDSCAPING	31,270 SF/75%	
PARKING SUMMARY	REQUIRED FOR SERVICE STATION	4 SPACES	1 SPACE FOR SERVICE STATION
	REQUIRED FOR AUTOMATIC CAR WASH	3 SPACES	2 SPACES FOR AUTOMATIC CAR WASH
	REQUIRED FOR GAS BAY PARKING	16 SPACES	THE PARKING SPACES ARE PROVIDED AT THE GAS PUMP BAY LOCATION
	TOTAL REQUIRED	23 SPACES	
	TOTAL PROVIDED	25 SPACES	
	HANDICAPPED SPACES	(1 VAN SPACE)	
	COMPACT SPACES	0 SPACES	
	VACUUM SPACES (VV)	3 SPACES	3 SPACES ARE NOT COUNTED FOR REQUIRED PARKING
	VACUUM HC SPACE	(1 VAN SPACE)	1 SPACE IS NOT COUNTED FOR REQUIRED PARKING
	TOTAL SPACES (w/ Vacuum)	34 SPACES	

PROPERTY INFORMATION

OWNER
MOHAMED ELBIALI, MGE OIL, LLC.
4311 South Street, Lakewood, CA 90712.
PHONE: (310) 426 8472

ARCHITECT
BBA ARCHITECTURE, 340N.WESTLAKE BLVD
SUITE 250, WESTLAKE VILLAGE, CA 91362.
FRANCISCO BEHR AIA
PHONE (805) 496 1101

PROJECT ADDRESS
4311 SOUTH STREET, LAKEWOOD, CA 90712

APN # (AIN)
7168-001-013

ZONING
C-3

TYPE OF CONSTRUCTION/ NEW CAR WASH TUNNEL BUILDING
V-B, UNSPRINKLERED

TYPE OF OCCUPANCY/ NEW CAR WASH TUNNEL BUILDING
B

LEGAL DESCRIPTION
TRACT # 13153 THAT PART S OF A LINE PARALLEL WITH AND DIST S AT R/A 140.85 FT FROM N LINE OF LOT 12 BLK O

PROPOSED SITE PLAN

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

EXHIBIT "B"

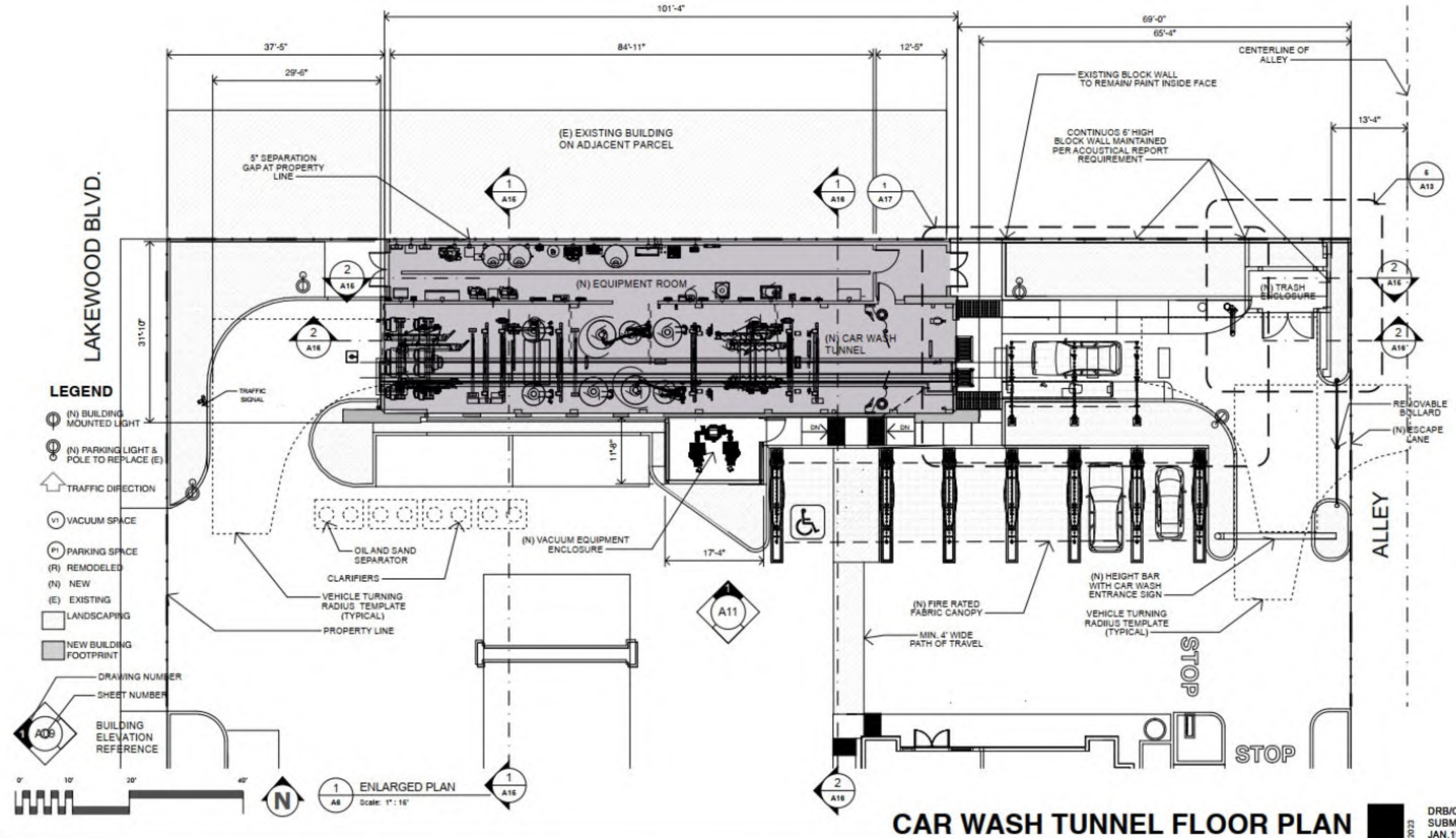


EXHIBIT "C"



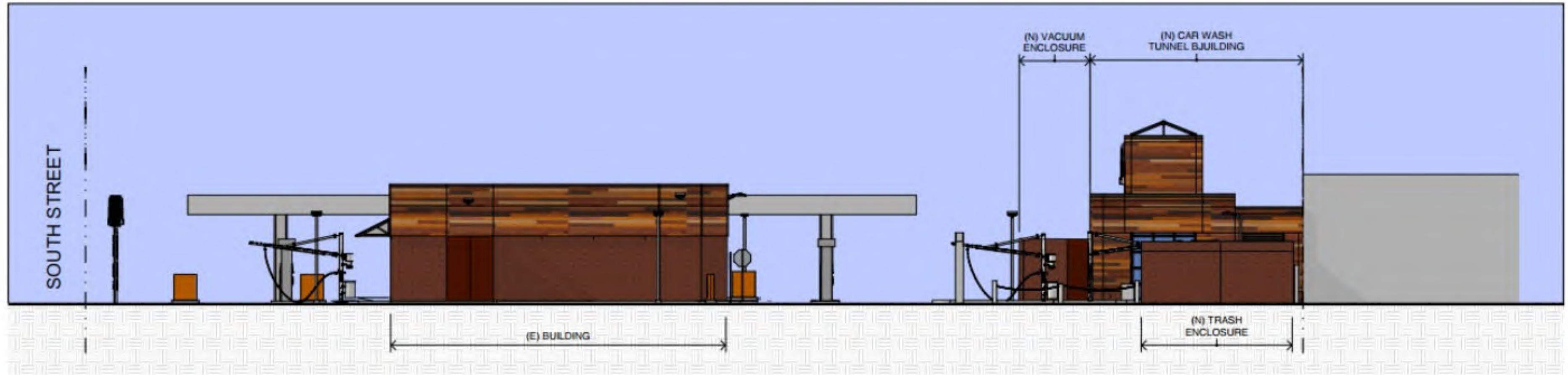
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AS Scale: 1" = 16'



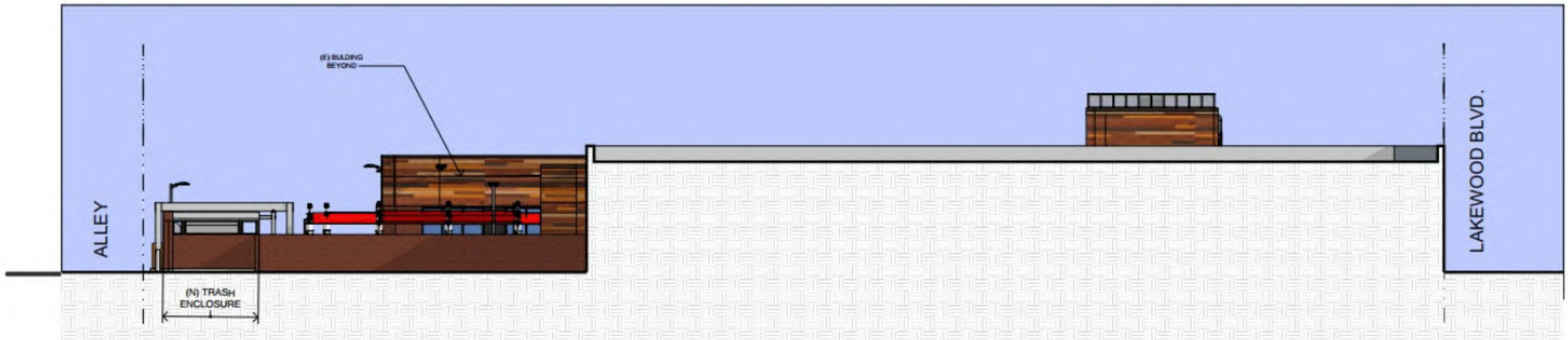
2 WEST ELEVATION
AS Scale: 1" = 16'



EXHIBIT "D"



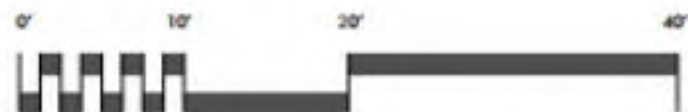
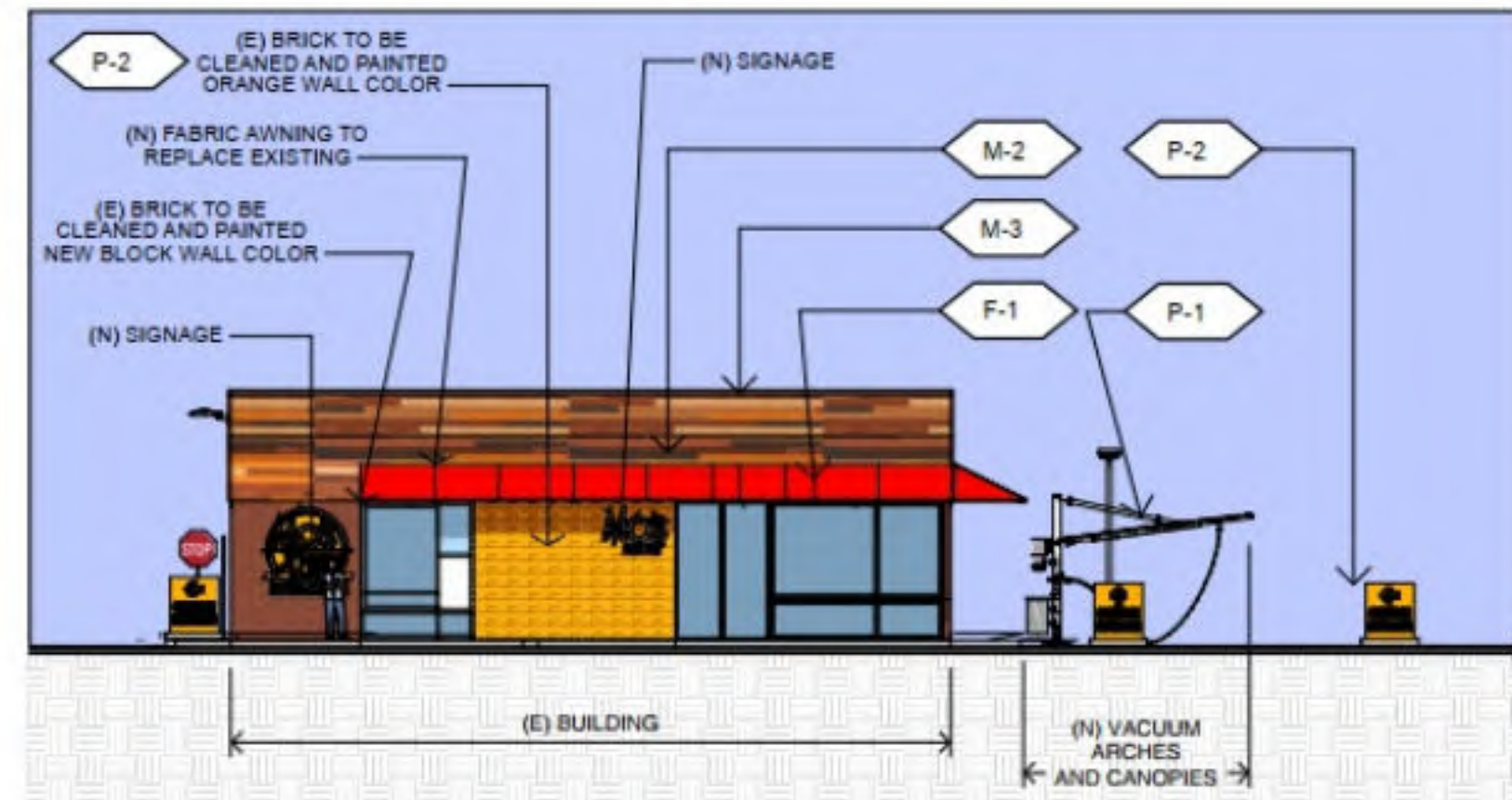
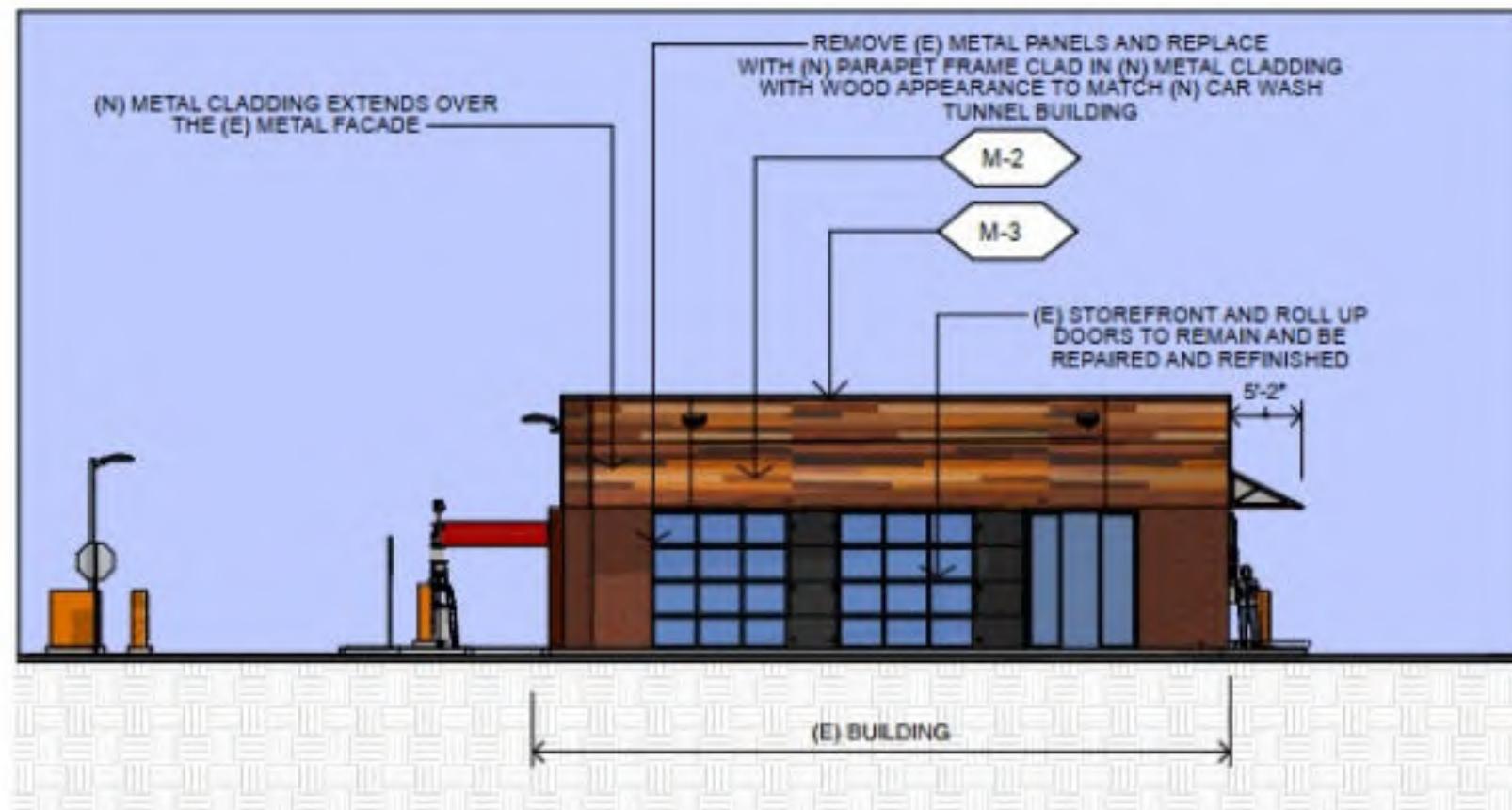
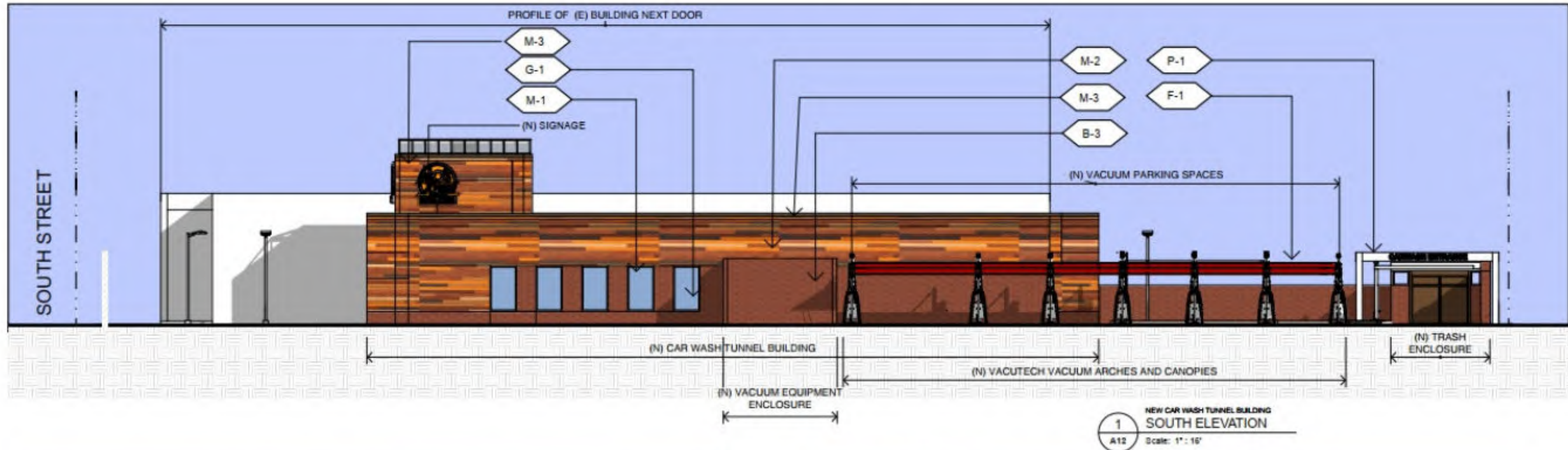
1 EAST ELEVATION
A10 Scale: 1" = 16'



2 NORTH ELEVATION
A10 Scale: 1" = 16'

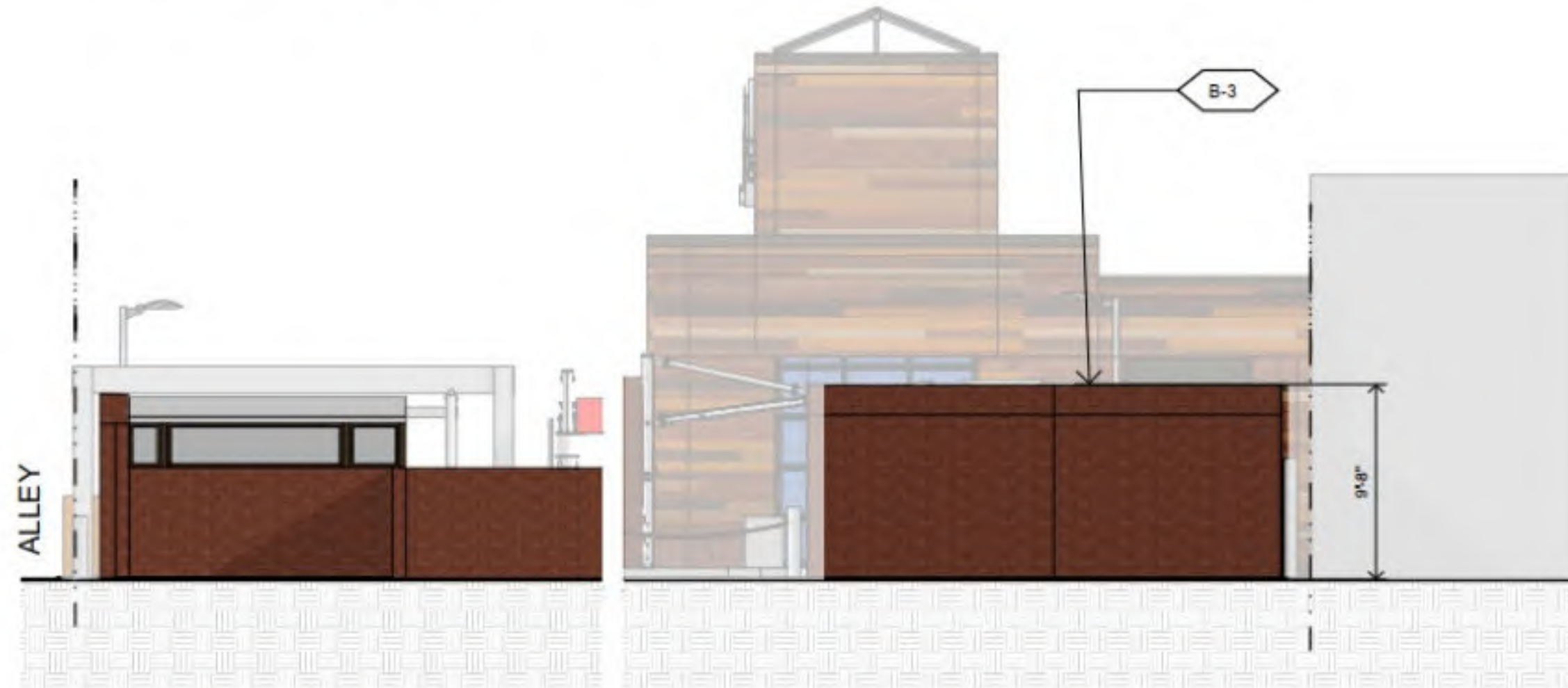


EXHIBIT "E"



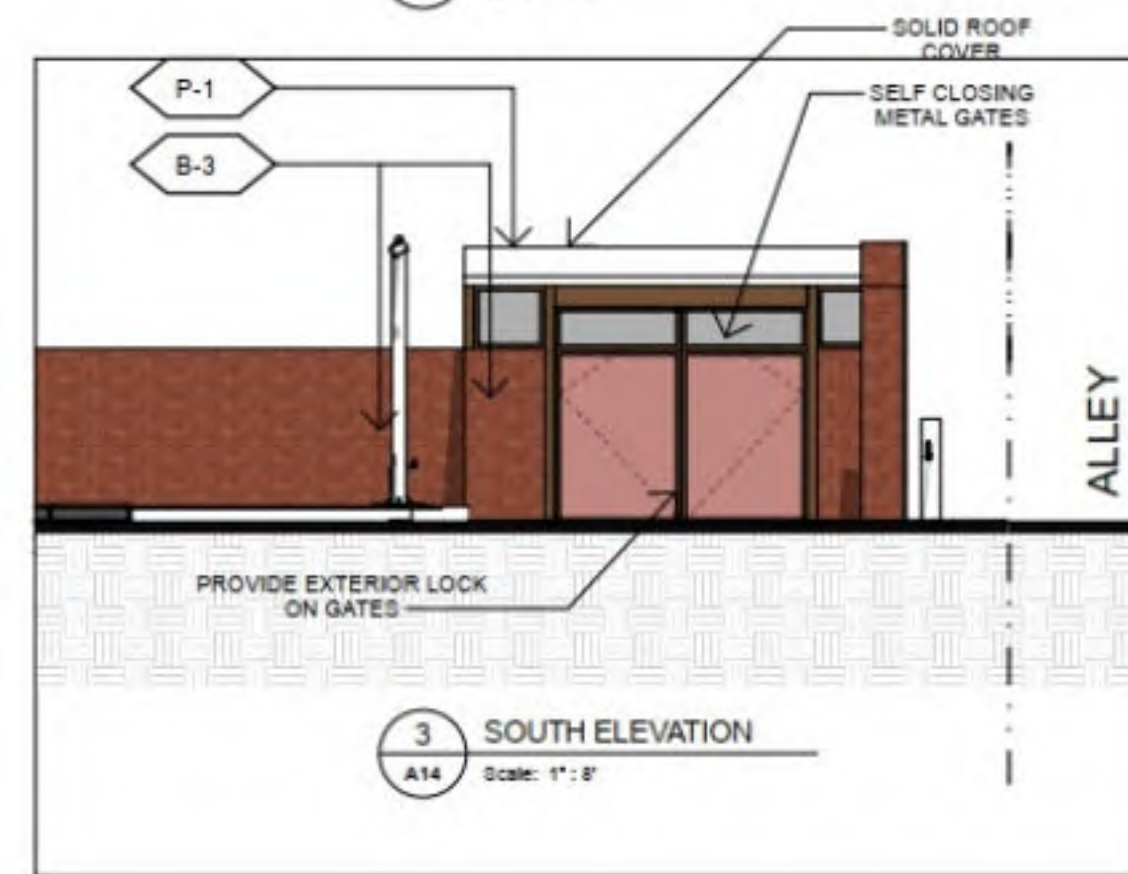
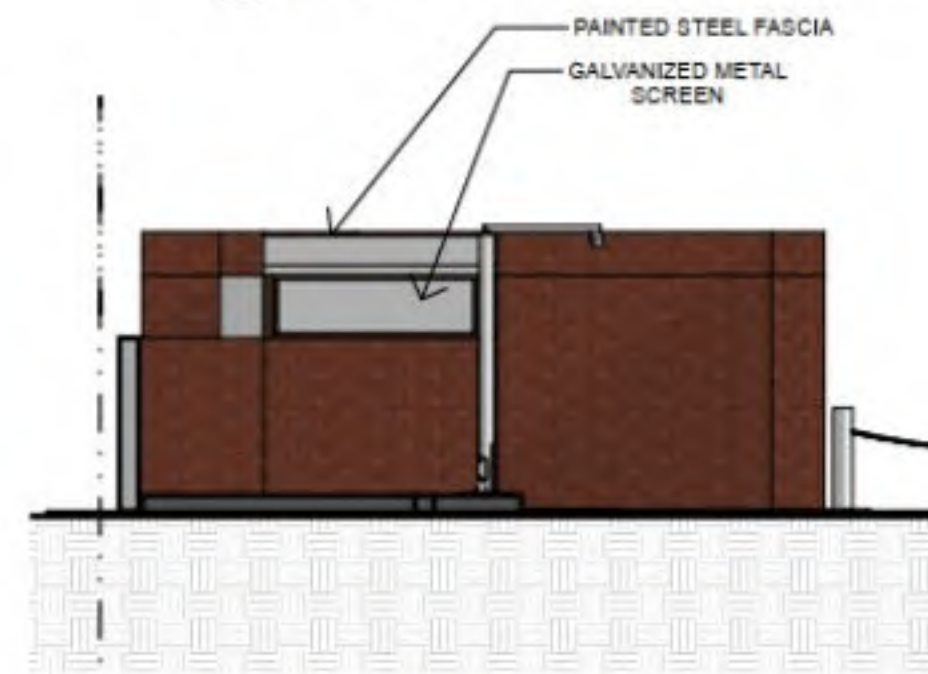
COLORED BUILDING ELEVATIONS

EXHIBIT "F"



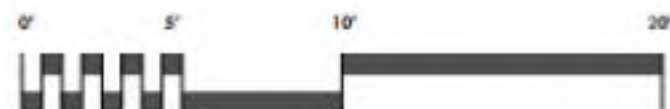
2 NORTH ELEVATION
A14 Scale: 1" = 8'

1 EAST ELEVATION
A14 Scale: 1" = 8'



4 WEST ELEVATION
A14 Scale: 1" = 8'

3 SOUTH ELEVATION
A14 Scale: 1" = 8'



COLOR TRASH ENCLOSURE ELEVATIONS

EXHIBIT "G"



AERIAL CORNER VIEW RENDERING

03/20/23
SUBMITTAL
JAN. 18TH, 2023



AERIAL ALLEY VIEW RENDERING

03/20/23
SUBMITTAL
JAN. 18TH, 2023



LAKWOOD BLVD. RENDERING

03/20/23
SUBMITTAL
JAN. 18TH, 2023



SOUTH STREET RENDERING 1

03/20/23
SUBMITTAL
JAN. 18TH, 2023



MO'S EXPRESS WASH AND GAS NOISE STUDY

MARCH 23, 2023

**PREPARED FOR:
MGE OIL, LLC**

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





Mo's Express Wash and Gas Noise Study – Lakewood, CA

Prepared for:

Mr. Mohamed Elbiali
MGE OIL, LLC
4311 South Street
Lakewood, CA 90712

Prepared by:

ROBERT WOO – Principal Acoustical Consultant, INCE
ANGELICA NGUYEN – Senior Acoustical Consultant

ACOUSTICS GROUP, INC.

CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION

(877) 595-9988



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EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the City's Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and to further reduce noise at the nearest noise sensitive receptors.

This report has been organized into multiple sections for ease of reference. Section 1 introduces the Project and provides a general discussion on the Project Components. Section 2 discusses Noise Fundamentals, and Section 3 presents the Noise Standards. Section 4 discusses the Noise Measurement. Section 5 presents the Noise Analysis; Section 6 discusses the Impact Assessment and Section 7 discusses the Noise Control Analysis. Section 8 presents the Noise Control Recommendations. Section 9 discusses the Conclusion.

1. INTRODUCTION

The Project proposes to replace the existing car wash with the proposed car wash at the project site located at 4311 South Street in Lakewood, CA with operating hours between 7AM to 8PM. Both the existing and proposed carwash operations are automatic carwashes with no car wash designated employees. The proposed car wash includes nine self-service vacuums that will replace the five existing self-service vacuums. Refer to Figure 1 for the general location of the Site and a Vicinity Map. Land uses immediately surrounding the site are commercial and residential. The main noise concern is car wash operations affecting the nearest residential properties to the west, north and east. The nearest residential property line is located directly east of the project site. Refer to Figure 2 for the Site Plan and Location of the Future Car Wash.

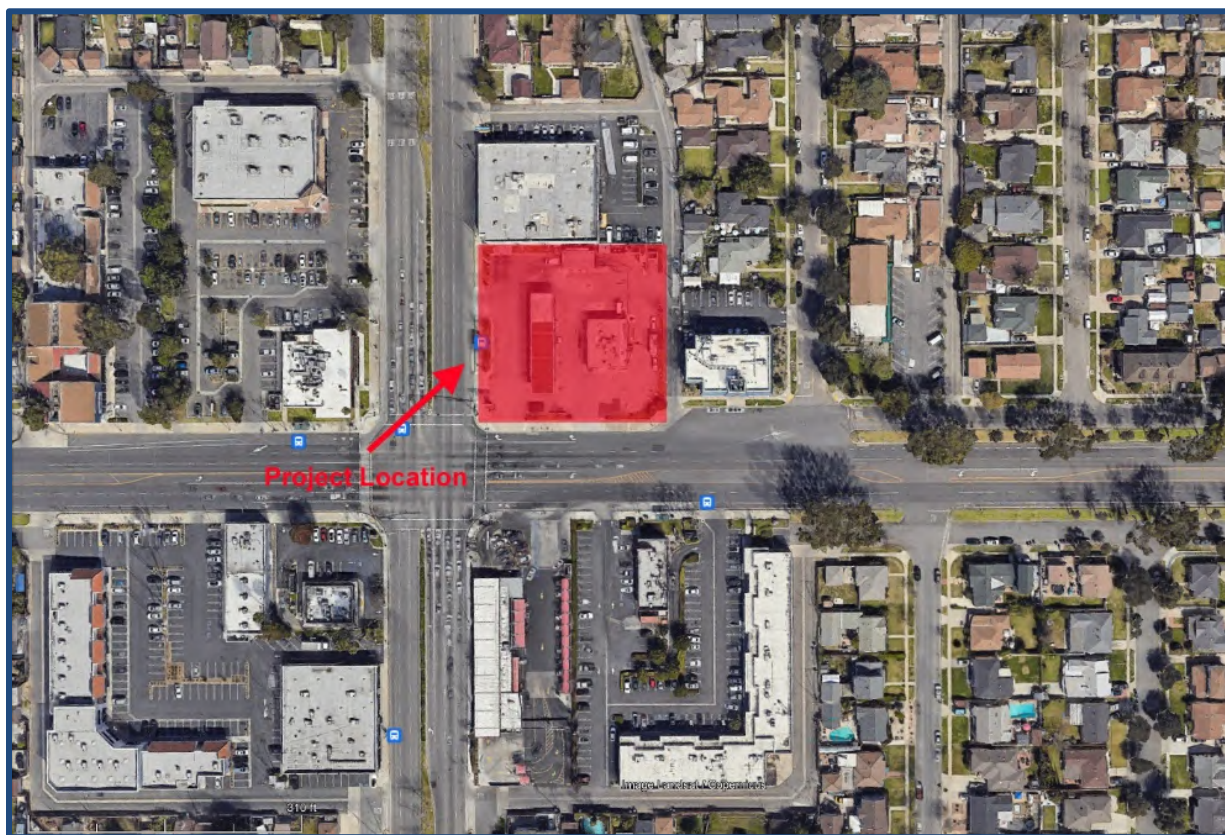


Figure 1. Project Location

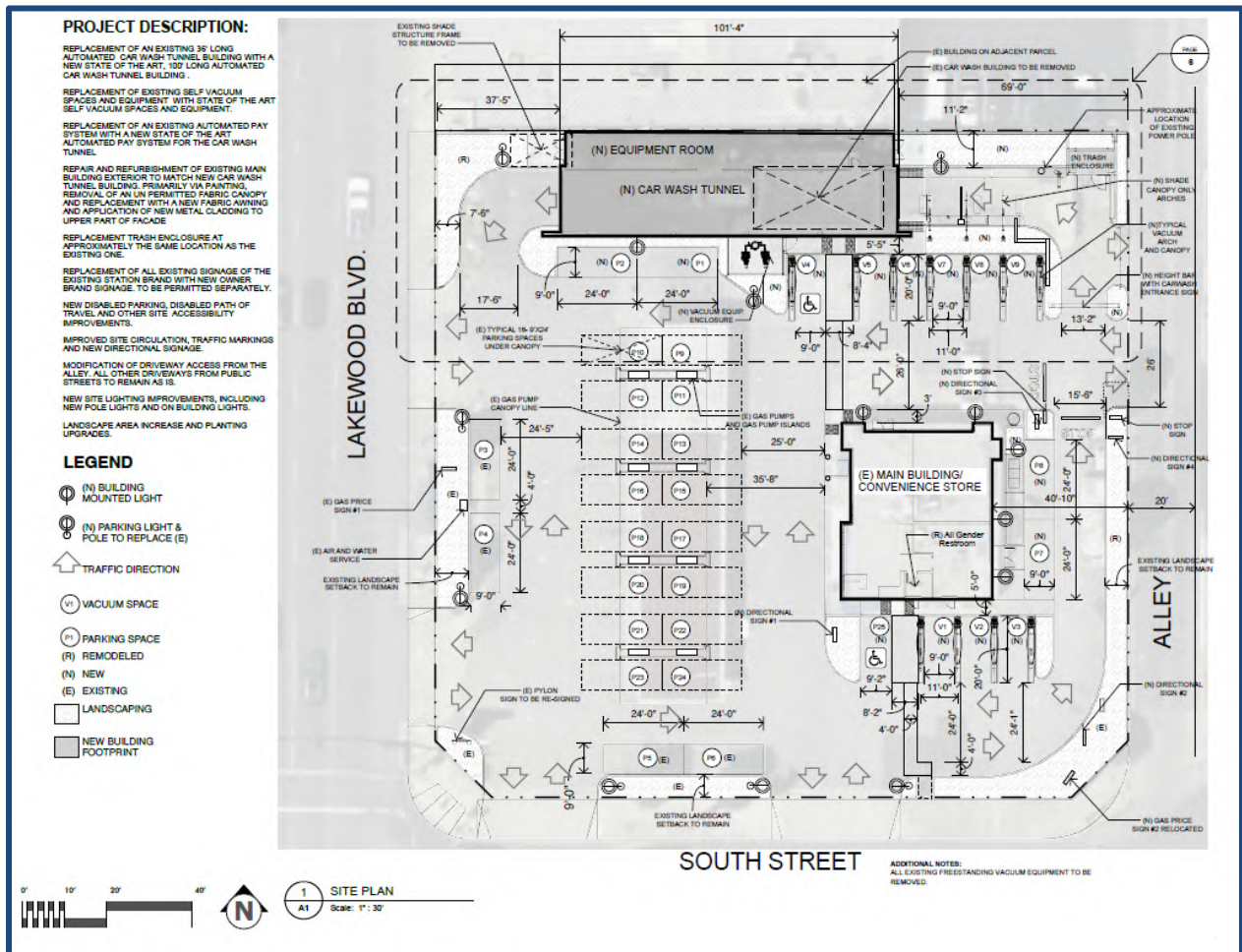
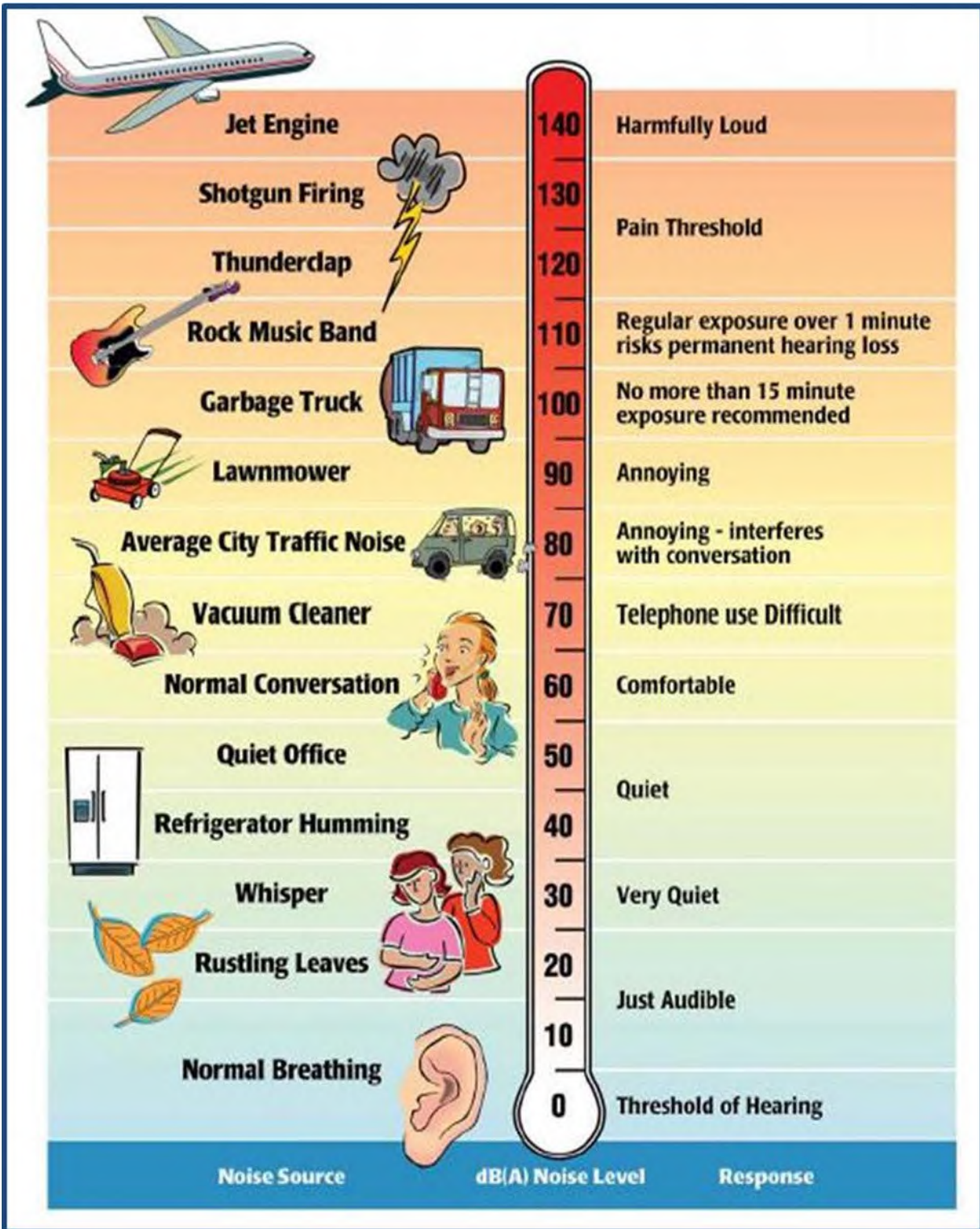


Figure 2. Site Plan

2. NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30 minutes in a 60-minute period.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



3. NOISE STANDARDS

The City of Lakewood Municipal Code has adopted regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise (Section 9376). The City of Lakewood limits intrusive exterior noise for commercial and residential to not exceed 60 dBA at the residential receptor property. Table 1 summarizes the City's Noise Ordinance Standard.

Table 1. City of Lakewood Noise Standard

Land Use	Noise Standard, Leq, dBA
Residential Receptor	60

4. NOISE MEASUREMENT

AGI conducted a site visit on November 29-30, 2022 to observe the project site and document ambient baseline noise levels at the project site. The noise measurement procedures outlined in LMC Section 9376.1A are not entirely appropriate for quantifying the ambient noise environment where the background is fluctuating as a result of vehicular traffic, the car wash and other sporadic community noise sources such as aircraft, community noise, birds, insects, construction activity, residences, etc. Thus, AGI performed continuous hourly noise measurements over 24-hours to provide the most accurate and conservative assessment of the ambient background noise, per standard industry practice. The noise measurements were conducted with a Type I precision acoustical analyzer that was operated with the microphone located at least 3 feet from reflective surfaces and at least 5 feet above the ground. The noise measurement could not be performed on the residential boundary because the boundary is directly adjacent to the driveway/alley and prevented locating a sound level meter in the middle of the unprotected roadway. Therefore, one long-term noise measurement was conducted at the project property line nearest the closest residential boundary location to the east (NM1).

The hourly ambient noise level during the measurement ranged from 49.9 to 64.7 dBA. During the proposed operating period of 7AM to 8PM, the hourly ambient noise level ranged from 59.4 to 64.7 dBA. Without car washes, the hourly ambient noise level during the measurement ranged from 55.4 to 61.6 dBA. Noise sources encountered during the 24-hour measurement period included the car wash, vehicular traffic, aircraft, community noise, birds, insects, construction activity, and residences. Table 2 summarizes the noise measurement data. Table 3 below summarizes the Hourly ambient background noise with and without car wash operations and the number of car wash events observed within each hour. Figure 4 shows the location of the noise measurement.



Table 2. Summary of Measured Ambient Noise Level

Receptor	Time	Lmax, dBA	Lmin, dBA	A-weighted Noise Level, Leq, dBA	Contributing Noise Sources
NM1	11/29/22 11:00 AM – 11/30/22 11:00 AM	86.5	37.6	49.9 – 64.7	Vehicular Traffic, car wash, aircraft, community noise, birds, insects, construction activity, residences

Table 3. Measured Hourly Ambient Noise Level – With and Without Car Wash

Date	Time	Ambient with Existing Carwash, Leq, dBA	Ambient without Car Wash, Leq, dBA ¹	Number of Carwashes
11/29/22	11:00 AM	63.1	59.3	4
11/29/22	12:00 PM	63.8	61.0	3
11/29/22	1:00 PM	63.4	59.0	4
11/29/22	2:00 PM	64.3	60.6	3
11/29/22	3:00 PM	63.7	58.3	5
11/29/22	4:00 PM	64.0	59.8	4
11/29/22	5:00 PM	64.4	61.4	3
11/29/22	6:00 PM	64.7	61.6	3
11/29/22	7:00 PM	59.4	59.4	0
11/29/22	8:00 PM	57.2	57.2	0
11/29/22	9:00 PM	59.6	57.5	2
11/29/22	10:00 PM	56.3	56.3	0
11/29/22	11:00 PM	57.8	57.8	0
11/30/22	12:00 AM	52.7	52.7	0
11/30/22	1:00 AM	49.9	49.9	0
11/30/22	2:00 AM	50.3	50.3	0
11/30/22	3:00 AM	50.0	50.0	0
11/30/22	4:00 AM	51.8	51.8	0
11/30/22	5:00 AM	56.7	56.7	0
11/30/22	6:00 AM	58.0	58.0	0
11/30/22	7:00 AM	64.7	59.7	3
11/30/22	8:00 AM	64.0	60.5	4
11/30/22	9:00 AM	61.4	57.9	2
11/30/22	10:00 AM	63.4	55.4	6

Note:¹Continuous noise measurements were conducted at NM1. Car wash operations were removed in post-processing to determine hourly ambient noise levels without the car wash.

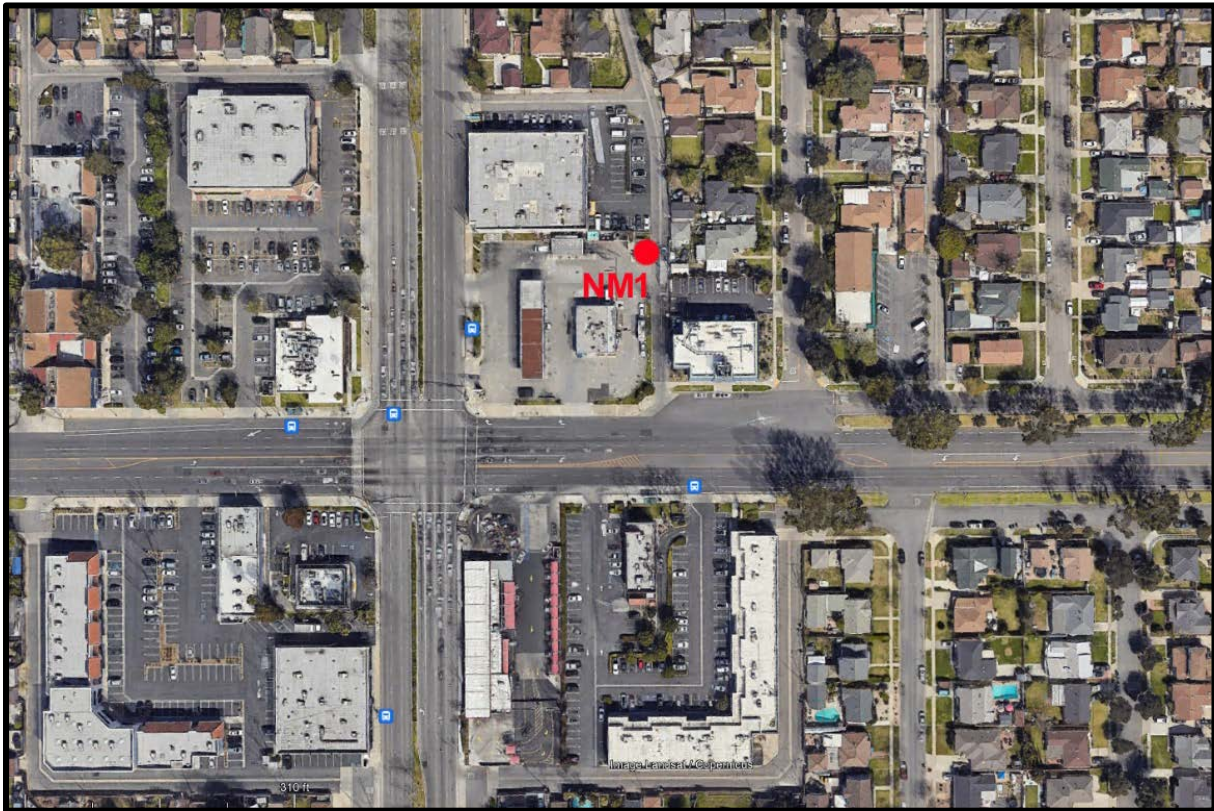


Figure 4. Noise Measurement Location

5. NOISE ANALYSIS

The noise generated from the car wash's future operations has the potential to impact nearby properties. The methodology used to analyze and predict operations noise from the project involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by future operations was calculated by inputting acoustical sources at the project site. Manufacturer's acoustical data was provided by the client for the analysis. The MacNeil Tech 21 15HP Dryer System with Powerlock Closed and Vacutech Turbine was evaluated for the Project Site. Table 3 lists the car wash equipment noise sources used for the analysis.



Table 4. Car Wash Equipment Noise Sources

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the residential noise sensitive receptors to the west, north and east, respectively. Real operating conditions may not achieve this level of activity but could possibly include one or possibly two continuous hour(s) of activity during the day. Refer to Figure 5 for a noise contour map of the future car wash noise without noise control.

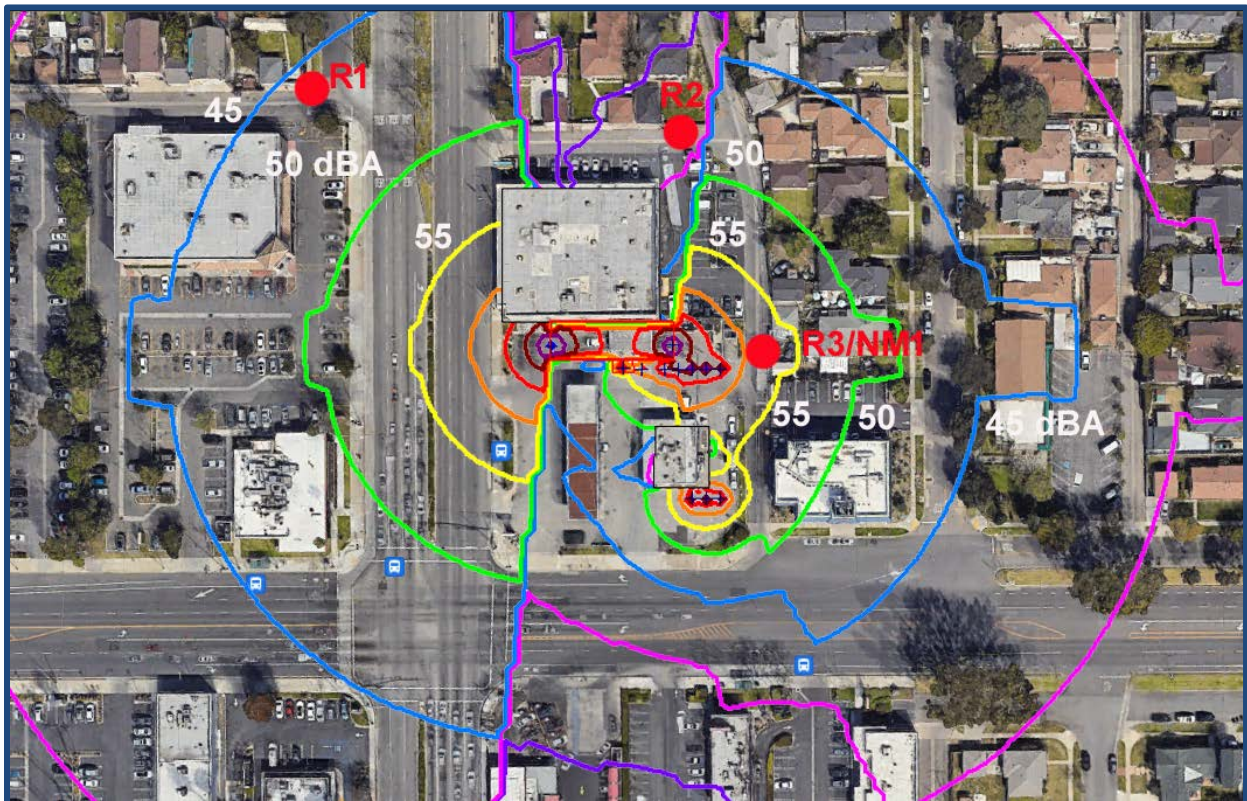


Figure 5. Noise Contour Map of the Future Car Wash Operations - Worst Case without Noise Control



6. ASSESSMENT

The noise level from future car wash operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Refer to Table 5 for a summary of the future car wash noise levels and impact assessment with City Standard.

Table 5. Summary of Operations Noise Impact Assessment - without Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	37.4	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	57.1	60	Compliance

Additionally, when the future car wash noise is compared with the ambient background either with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 6 for a comparison and impact assessment of the future car wash noise level with the ambient noise level at R3/NM1.



Table 6. Comparison and Impact Assessment of Future Car Wash Noise Levels with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	57.1	52.7	52.7	-
1:00 AM	57.1	49.9	49.9	-
2:00 AM	57.1	50.3	50.3	-
3:00 AM	57.1	50.0	50.0	-
4:00 AM	57.1	51.8	51.8	-
5:00 AM	57.1	56.7	56.7	-
6:00 AM	57.1	58.0	58.0	-
7:00 AM	57.1	64.7	59.7	Compliance
8:00 AM	57.1	64.0	60.5	Compliance
9:00 AM	57.1	61.4	57.9	Compliance
10:00 AM	57.1	63.4	55.4	Compliance
11:00 AM	57.1	63.1	59.3	Compliance
12:00 PM	57.1	63.8	61.0	Compliance
1:00 PM	57.1	63.4	59.0	Compliance
2:00 PM	57.1	64.3	60.6	Compliance
3:00 PM	57.1	63.7	58.3	Compliance
4:00 PM	57.1	64.0	59.8	Compliance
5:00 PM	57.1	64.4	61.4	Compliance
6:00 PM	57.1	64.7	61.6	Compliance
7:00 PM	57.1	59.4	59.4	Compliance
8:00 PM	57.1	57.2	57.2	-
9:00 PM	57.1	59.6	57.5	-
10:00 PM	57.1	56.3	56.3	-
11:00 PM	57.1	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

7. NOISE CONTROL ANALYSIS

Additional noise control measures were evaluated to further reduce the noise from the future car wash. Although, these additional noise control measures are not required, ownership desires to be a good neighbor with the surrounding residents and minimize car wash noise. With noise barriers (as per Figure 6) along the car wash exit to further shield equipment noise, the future car wash noise will be further reduced to as high as 45.6, 31.8, and 55.4 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Future noise levels from the car wash at the nearest residential properties to the west, north, and east would continue to comply with the City of Lakewood’s noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background, the car wash noise will be lower and will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 7 for a summary of the future car wash noise levels with noise control and impact assessment with City Standard. Refer to Table 8 for a comparison and impact



assessment of the future car wash noise level with noise control with the ambient noise level at R3/NM1.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	55.4	52.7	52.7	-
1:00 AM	55.4	49.9	49.9	-
2:00 AM	55.4	50.3	50.3	-
3:00 AM	55.4	50.0	50.0	-
4:00 AM	55.4	51.8	51.8	-
5:00 AM	55.4	56.7	56.7	-
6:00 AM	55.4	58.0	58.0	-
7:00 AM	55.4	64.7	59.7	Compliance
8:00 AM	55.4	64.0	60.5	Compliance
9:00 AM	55.4	61.4	57.9	Compliance
10:00 AM	55.4	63.4	55.4	Compliance
11:00 AM	55.4	63.1	59.3	Compliance
12:00 PM	55.4	63.8	61.0	Compliance
1:00 PM	55.4	63.4	59.0	Compliance
2:00 PM	55.4	64.3	60.6	Compliance
3:00 PM	55.4	63.7	58.3	Compliance
4:00 PM	55.4	64.0	59.8	Compliance
5:00 PM	55.4	64.4	61.4	Compliance
6:00 PM	55.4	64.7	61.6	Compliance
7:00 PM	55.4	59.4	59.4	Compliance
8:00 PM	55.4	57.2	57.2	-
9:00 PM	55.4	59.6	57.5	-
10:00 PM	55.4	56.3	56.3	-
11:00 PM	55.4	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

8. NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended to further reduce the noise from the future car wash:

1. Limit operating hours to the proposed hours of 7AM to 8PM.
2. A minimum 6-ft, 7-ft, and 9-ft high noise barriers at the north and east side of the project site as per Figure 6 to direct car wash noise away from residences.
3. Minimum 9-ft and 3-ft high noise barriers as per Figure 6 to reduce car wash and vacuum noise from residences.
4. The noise barrier height is relative to the car wash pad elevation.
5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit, stucco-on-wood, metal panel, plexi-glass, or any combination of these materials.
6. A minimum 10-ft high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.

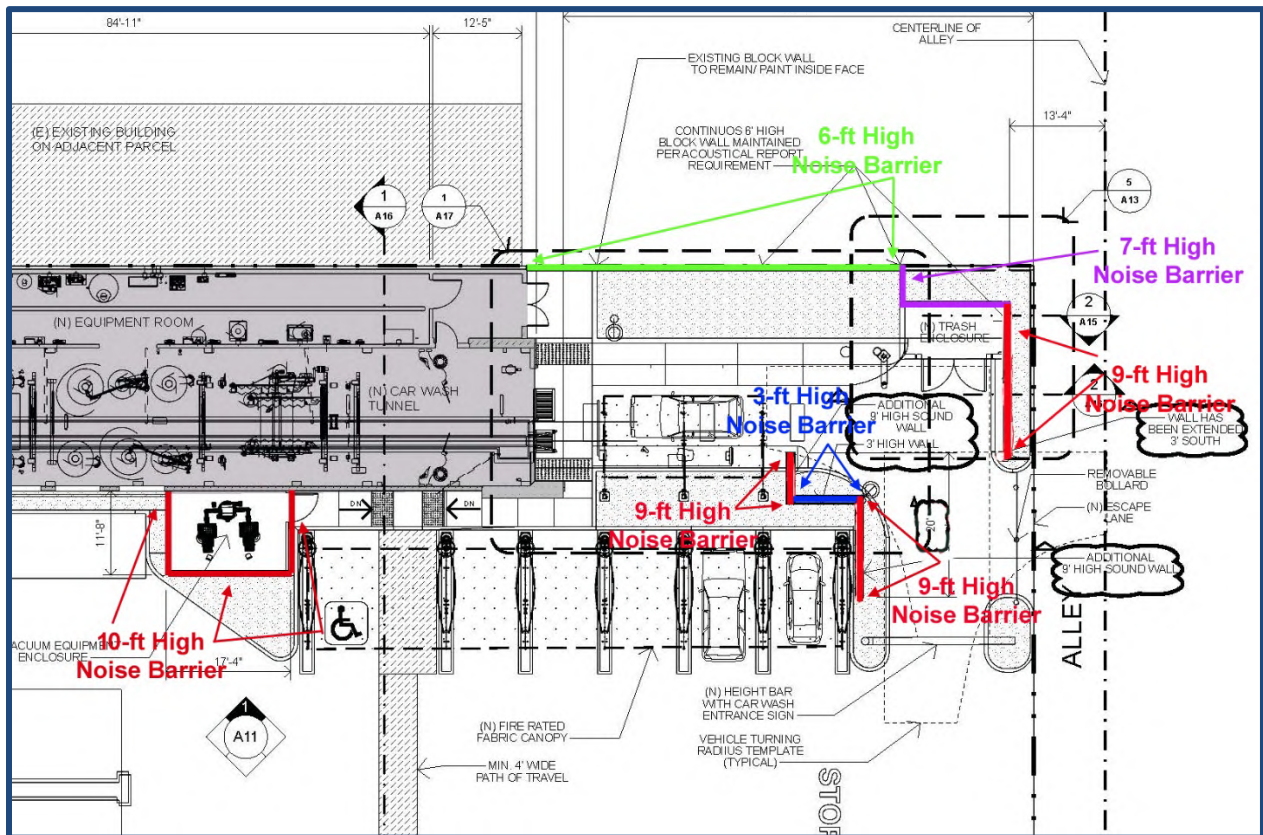


Figure 6. Location of the Recommended Car Wash Noise Barriers



7. The car wash equipment shall not exceed the following equipment noise source levels:

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

8. Refer to the Appendix for the manufacturer's product literature.
9. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire and safety codes.

9. CONCLUSION

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and further reduce noise at the nearest noise sensitive receptors.



REFERENCES

1. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
2. Car Wash Drawings, prepared by WSCS Design
3. AutoVac Industrial Vacuum & Air Systems Equipment Decibel Certification
4. International Drying Corporation Stealth Predator Dryer System Specifications



APPENDIX

NOISE STANDARDS

FIELD DATA

MODELING INPUT & OUTPUT

PRODUCT LITERATURE



NOISE STANDARDS

C. Where the shelter is constructed beneath the front yard area, entrances and vents not only shall be located out of the front yard area and the side yard area on corner lots, but shall be screened with shrubs, wall or fencing from direct view of the street on which the front yard or corner side yard fronts.

The Planning Commission may, in its discretion, in a proper case, modify or waive any or all of the aforementioned requirements contained in Subparagraphs A, B, or C.

(Added by Ord. 271)

9374. FUTURE STREETS. Where future street lines have been established by a Master or General Plan, no building or structure shall be erected within the future street line. Where future street lines have been adopted pursuant to a Master or General Plan, said future street lines shall be used in determining lot lines for the purposes of this Chapter. The application of this section to any person may be waived by the Planning Commission upon a showing that the waiver thereof will not materially affect putting into effect the Master Plan. (Added by Ord. 306)

9375. WALLS ABUTTING R-1 AND R-A PROPERTY. Where property in any zone other than R-1 and R-A sides or rears on the property line of an adjoining R-1 or R-A lot or parcel, a reinforced six-foot block or masonry wall shall be erected and maintained along the line of such lot adjoining said R-1 or R-A lot, except where a building, otherwise authorized, is erected and maintained on said property line. No such wall shall exceed forty-two inches, however, in the required front yard set-back, if any. (Added by Ord. 392)

9376. AIR CONDITIONERS, MECHANICAL EQUIPMENT AND MACHINERY NOISE IN RESIDENTIAL AREAS. No person within any area of the City zoned for residential use or any area adjacent thereto shall own, possess, control, or maintain any machinery, equipment, pumps, fans, air conditioning or air-handling apparatus, or similar mechanical devices which cause the noise level at the property line of any property zoned for residential uses to exceed the sound pressure level permitted herein by more than five decibels. The production or maintenance of any sound in excess of said levels is hereby declared to be an unnecessary interference with the enjoyment of residential property and contrary to the public health and general welfare. The ownership, maintenance, operation, or control of any such machinery or equipment producing said excess sound pressure levels is hereby declared to be a public nuisance.

9376.1. SAME: DECIBEL MEASUREMENT CRITERIA. The sound pressure level permitted herein shall be measured at any point on the property line of the residential property affected and is sixty decibels, reference 0.002 microbar, read on the A scale of a sound level meter. Reading shall be taken in accordance with the instrument manufacturer's instructions, using the slowest meter response, and as follows:

A. PLACEMENT OF MEASURING MICROPHONE. Placement of the microphone can be at any point on the property line, but shall not be closer than three (3) feet from any wall and not less than three (3) feet above the ground where the above-listed maximum sound pressure level shall apply. At any point the measured level shall be the average of not less than three (3) readings, taken at two-minute intervals. To have valid readings, the levels must be five (5) decibels or more above the levels prevailing at the same point, excluding noise caused by the objectionable machinery.

B. SOUND LEVEL METER. Sound pressure levels shall be measured with a sound level meter manufactured according to U.S.A. Standard S1.4-1961, published by the United States of America Standards Institute, New York City, New York.

9376.2. SAME: LOCATION OF MECHANICAL EQUIPMENT. No such sound producing machinery, equipment, pumps, fans, air conditioners, air handling apparatus, or similar mechanical devices shall be installed, located, or maintained in any residential zone unless so installed, or maintained in the manner or fashion determined by the Director of Community Development, or his authorized representative, as to not unreasonably interfere with the enjoyment or use of life and property in the vicinity, and provided, further, that the following minimum regulations are complied with:

A. ROOF. No mechanical equipment, except wind turbines, shall be erected, constructed, placed or maintained on or upon the roof of any building or structure located in the R-1, R-A, or A zones, unless the roof structure is so designed as to provide for the inclusion of said equipment as an integral part of the structure, and said installation has been approved by the Development Review Board. (Amended by Ord. 77-5)

B. FRONT YARD. Such unit may be located between a front lot line or side lot line and the nearest building on the lot, if the unit is screened and soundproofed to protect the surrounding properties from excessive noise or unsightly appearance.

C. REAR YARD. Such unit may be located within that area designated as the rear yard provided that it is not placed in the rear yard area of a corner lot parallel to and within twenty (20) feet of any lot line common to the required side yard of an abutting residential lot.

D. "UNITS" as used herein shall include all appurtenances, including ducts.

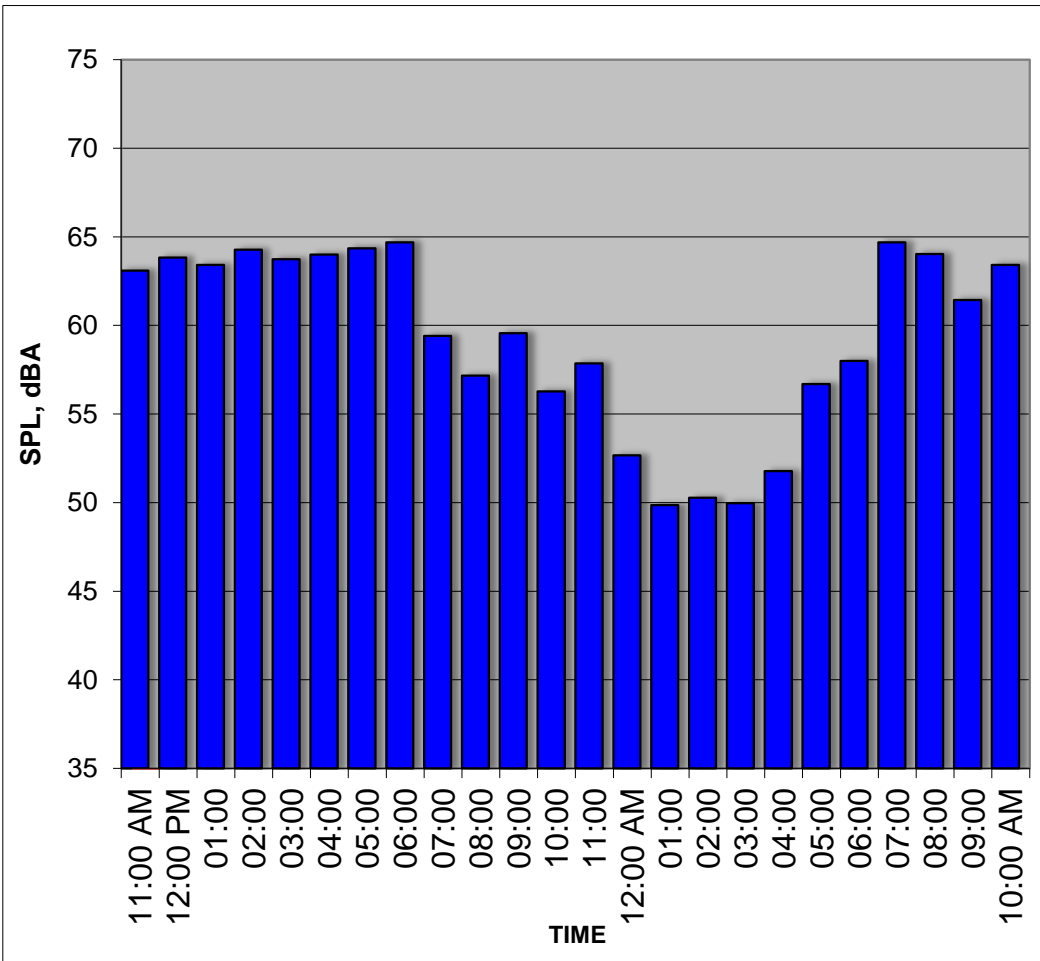


FIELD DATA

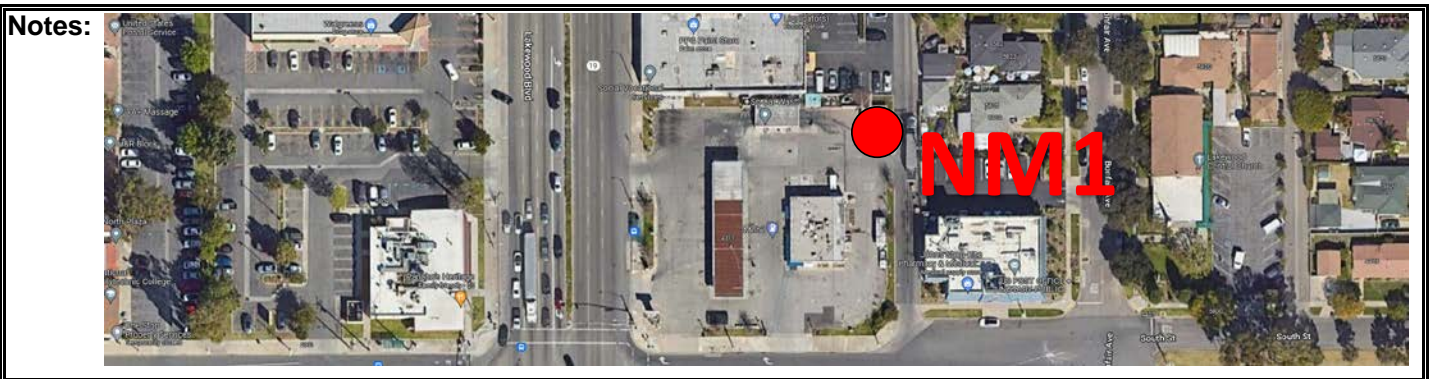
MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Mobile Car Wash Expansion Project
Address: 4311 South Street, Lakewood, CA
Location: Light pole
Noise Sources: Vehicular Traffic, Car Wash

Date: 11/29/2022
 - 11/30/2022
Position: NM1



TIME	HNL, dB(A)
11:00 - 12:00 PM	63.1
12:00 - 01:00 PM	63.8
01:00 - 02:00 PM	63.4
02:00 - 03:00 PM	64.3
03:00 - 04:00 PM	63.7
04:00 - 05:00 PM	64.0
05:00 - 06:00 PM	64.4
06:00 - 07:00 PM	64.7
07:00 - 08:00 PM	59.4
08:00 - 09:00 PM	57.2
09:00 - 10:00 PM	59.6
10:00 - 11:00 PM	56.3
11:00 - 12:00 AM	57.8
12:00 - 01:00 AM	52.7
01:00 - 02:00 AM	49.9
02:00 - 03:00 AM	50.3
03:00 - 04:00 AM	50.0
04:00 - 05:00 AM	51.8
05:00 - 06:00 AM	56.7
06:00 - 07:00 AM	58.0
07:00 - 08:00 AM	64.7
08:00 - 09:00 AM	64.0
09:00 - 10:00 AM	61.4
10:00 - 11:00 AM	63.4
CNEL:	64.3



Certificate of Calibration

17922 Sky Park Circle Suite "P"
 Irvine, CA 92614
 Phone: (949) 724-9474 Fax: (949) 724-9472

Customer: Acoustics Group Inc. 2082 Business Center Dr Irvine, CA 92612 Contact: Robert Woo Phone#: (877) 595-9988	Service Record #: SR-CI048935 Issue Date: 03/10/2021 Technician: Samuel Brambila Job No: J-AA50250 Customer PO #: Verbal Per Robert Calibration Date: 03/10/2021 Next Cal Due: 03/10/2023
--	--

Device Under Test	Manufacturer: Bruel Kjaer	Model: 2250	Serial #: 3011736	
	Description: Sound Level Meter		ID #: None Visible	
Device Conditions	As Received: Out of Tolerance	As Returned: In Tolerance	Adjusted?: Yes	Limited Use?: No
	Field Calibration?: Yes		Temperature: 21°C	Relative Humidity: 41%
Comments: Changed Ch. 1 sensitivity from 52.72 to 44.52 mV/Pa.				
Facility:	Area:	Position:		
Tolerance: ± 0.5 dB				

Sample Data Points

Description	Nominal	As Found	As Left
Sound Level @ 1 kHz	94.0 dB	91.6 dB *	93.6 dB

* Denotes out of tolerance measurement data.

Standard Used

Manufacturer	Model	Description	Next Cal Due	Traceable #
Extech	407766	Sound Level Calibrator	08/31/2021	T-1387
Procedure Used:		G-0005 Sound Level Meters		

Test/Calibration data, if applicable, is available upon request (fee required)

The standards and calibration program of usCalibration complies with the requirement of ANSI/NC SL Z540-1-1994 and ISO/IEC 17025:2005.

Standards used in this calibration, described in the referenced calibration procedure with associated uncertainties or tolerances, are traceable to the National Institute of Standards and Technology (N.I.S.T.).

No allowances have been made for the instability of the test device due to use, time, etc.: such allowances would be made by the customer as needed.

The test uncertainty ratio (TUR) for this calibration is no less than 4:1, unless otherwise specified.

There are no special limitations of use imposed on the calibrated item, unless specified.

This report applies only to the item described and shall not be reproduced except in full, without the written approval of usCalibration.



3/10/21

Samuel Brambila, Technician

Date





MODELING INPUT & OUTPUT

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: No Noise Control

Receiver

Name	M.	ID	Level Lr		Limit. Value		Land Use		Height (m)	Noise Type	Coordinates		
			Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type	Auto			X (m)	Y (m)	Z (m)
Exit			80	80	0	0	x	Total	1.5 r	274.75	297.69	1.5	
Entrance			78.6	81.5	0	0	x	Total	1.5 r	308.3	297.78	1.5	
West			45.6	45.6	0	0	x	Total	1.5 r	213.37	364.92	1.5	
North			32.5	33	0	0	x	Total	1.5 r	305.45	355.53	1.5	
East			53.8	55.4	0	0	x	Total	1.5 r	332.5	297.66	1.5	
East			56.1	58.4	0	0	x	Total	1.5 r	332.32	290.67	1.5	
East			57.1	59.2	0	0	x	Total	1.5 r	332.35	293.62	1.5	

Point Source

Name	M.	ID	Result. PWL			Lw / Li Type	Value	norm. dB(A)	Correction			Sound Reduction		Attenuatio Operating Time			KO (dB)	Freq. (Hz)	Direct. (m)	Height (m)	Coordinates		
			Day (dBA)	Evening (dBA)	Night (dBA)				Day dB(A)	Evening dB(A)	Night dB(A)	R	Area (m²)	Day (min)	Special (min)	Night (min)					X (m)	Y (m)	Z (m)
Exit			97.8	97.8	97.8	Lw	Exit		0	0	0					0	(none)	3.35 r	275.88	297.7	3.35		
Entrance			94.8	97.8	97.8	Lw	Entrance		-3	0	0					0	(none)	3 r	307.26	297.83	3		
Turbine			77.3	74.3	74.3	Lw	T		3	0	0					0	(none)	2 r	294.36	292.12	2		
V1			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	312.36	258.51	1.22		
V2			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	315.83	258.51	1.22		
V3			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	319.41	258.47	1.22		
V4			74.3	74.3	74.3	Lw	T		0	0	0					0	(none)	1.22 r	299.21	291.81	1.22		
V5			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	305.11	291.78	1.22		
V6			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	308.81	291.85	1.22		
V7			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	312.24	291.85	1.22		
V8			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	315.94	291.74	1.22		
V9			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)	1.22 r	319.37	291.81	1.22		

Buildings

Name	M.	ID	Absorption		Z-Ext. (m)	Cantilever		Height	
			left	right		horz. (m)	vert. (m)	Begin (m)	End (m)
								0 r	
							9.7	0	5.18 r
									5.18 r
					0.76				5.18 r
						9.7	0	5.18 r	
					0.76				5.18 r
									5.18 r
									5.18 r
									2.44 r
									1.82 r

Sound Level

Name	ID	Type	Oktave Spectrum (dB)											Source
			Weight.	31.5	63	125	250	500	1000	2000	4000	8000 A	lin	
MacNeil Ex Exit		Lw			91	95	92	92	93	91	89	86	97.8	100.8
MacNeil Er Entrance		Lw			91	95	92	92	93	91	89	86	97.8	100.8
Turbine T		Lw		55	55	57	70	72	69	68	61	51	74.3	76.3
Vacuum V1		Lw		66.9	67.4	69.3	66.5	63.2	68.3	74.1	75.1	72.6	79.9	80.4

Result Table

Receiver Name	ID	Land Use	Limiting Value		rel. Axis Station m	Distance m	Height m	Lr w/o Noise Control				dL req.		Lr w/ Noise Control		Exceeding		passive NC dB(A)
			Day dB(A)	Night dB(A)				Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)			
Exit			0	0				80	80	80	80	0	0	-	-	-	-	
Entrance			0	0				78.6	81.5	78.6	81.5	0	0	-	-	-	-	
West			0	0				45.6	45.6	45.6	45.6	0	0	-	-	-	-	
North			0	0				32.5	33	32.5	33	0	0	-	-	-	-	
East			0	0				53.8	55.4	53.8	55.4	0	0	-	-	-	-	
East			0	0				56.1	58.4	56.1	58.4	0	0	-	-	-	-	
East			0	0				57.2	59.2	57.2	59.2	0	0	-	-	-	-	

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: Noise Control

Receiver

Name	M.	ID	Level Lr		Limit. Value		Land Use		Height (m)	Noise Type	Coordinates		
			Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type	Auto			X (m)	Y (m)	Z (m)
Exit			80	80	0	0	x	Total	1.5 r	274.75	297.69	1.5	
Entrance			78.6	81.5	0	0	x	Total	1.5 r	308.3	297.78	1.5	
West			45.6	45.6	0	0	x	Total	1.5 r	213.37	364.92	1.5	
North			31.8	32.4	0	0	x	Total	1.5 r	305.45	355.53	1.5	
East			52.2	54.5	0	0	x	Total	1.5 r	332.5	297.66	1.5	
East			49	51.6	0	0	x	Total	1.5 r	332.32	290.67	1.5	
East			55.4	58.2	0	0	x	Total	1.5 r	332.35	293.62	1.5	

Point Source

Name	M.	ID	Result. PWL			Lw / Li Type	Value	norm. dB(A)	Correction			Sound Reduction		Attenuatio Operating Time			KO (dB)	Freq. (Hz)	Direct.	Height (m)	Coordinates		
			Day (dBA)	Evening (dBA)	Night (dBA)				Day dB(A)	Evening dB(A)	Night dB(A)	R	Area (m²)	Day (min)	Special (min)	Night (min)					X (m)	Y (m)	Z (m)
Exit			97.8	97.8	97.8	Lw	Exit		0	0	0					0	(none)		3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance		-3	0	0					0	(none)		3 r	307.26	297.83	3	
Turbine			77.3	74.3	74.3	Lw	T		3	0	0					0	(none)		2 r	294.36	292.12	2	
V1			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	312.36	258.51	1.22	
V2			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	315.83	258.51	1.22	
V3			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	319.41	258.47	1.22	
V4			74.3	74.3	74.3	Lw	T		0	0	0					0	(none)		1.22 r	299.21	291.81	1.22	
V5			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	305.11	291.78	1.22	
V6			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	308.81	291.85	1.22	
V7			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	312.24	291.85	1.22	
V8			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	315.94	291.74	1.22	
V9			79.9	79.9	79.9	Lw	V1		0	0	0					0	(none)		1.22 r	319.37	291.81	1.22	

Buildings

Name	M.	ID	Absorption		Z-Ext. (m)	Cantilever		Height	
			left	right		horz. (m)	vert. (m)	Begin (m)	End (m)
								0 r	
							9.7	0	5.18 r
									5.18 r
					0.76				5.18 r
						9.7	0	5.18 r	
					0.76				5.18 r
									5.18 r
									5.18 r
									2.44 r
									1.82 r

Sound Level

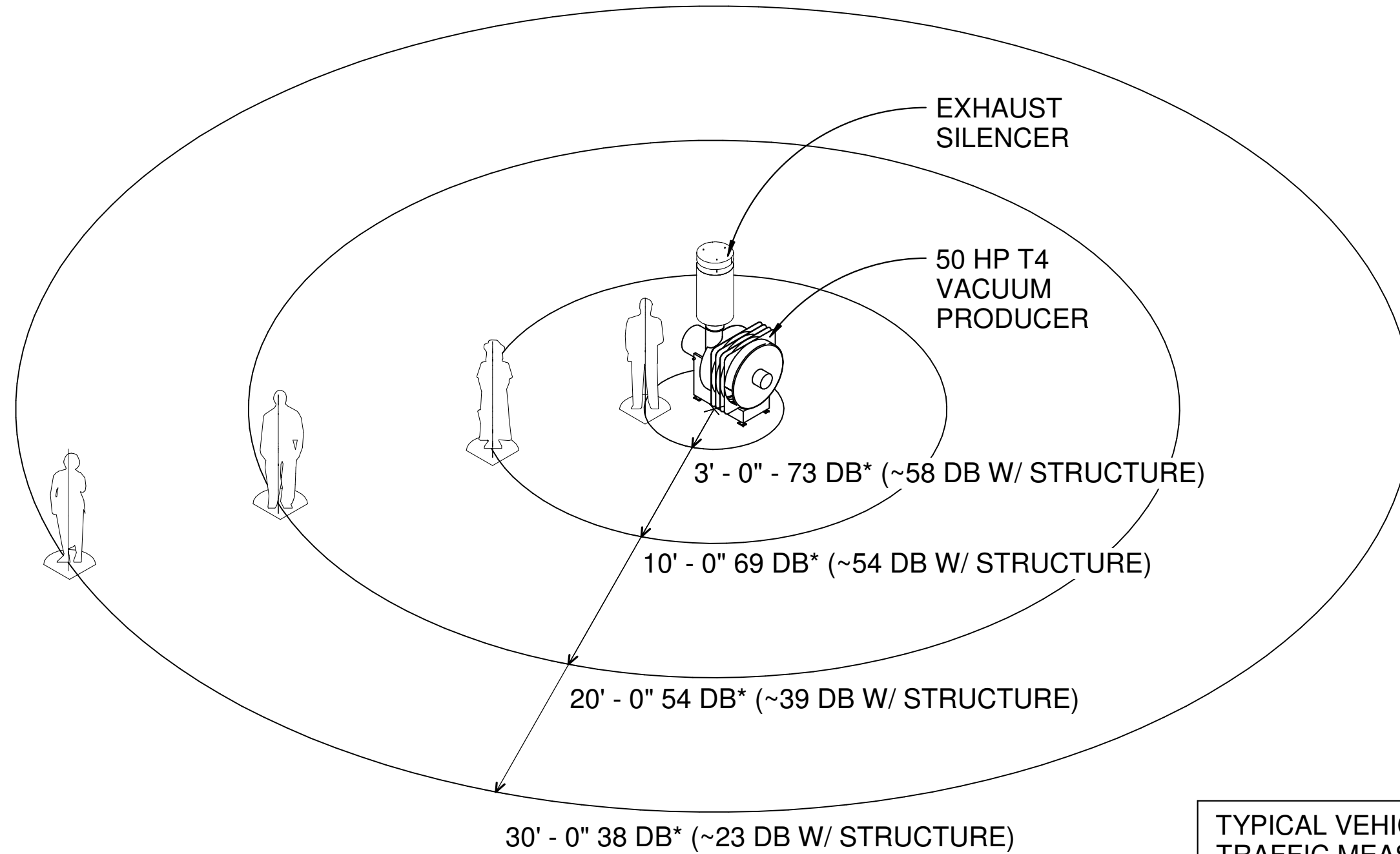
Name	ID	Type	Oktave Spectrum (dB)											Source
			Weight.	31.5	63	125	250	500	1000	2000	4000	8000 A	lin	
MacNeil Ex Exit		Lw			91	95	92	92	93	91	89	86	97.8	100.8
MacNeil Er Entrance		Lw			91	95	92	92	93	91	89	86	97.8	100.8
Turbine T		Lw		55	55	57	70	72	69	68	61	51	74.3	76.3
Vacuum V1		Lw		66.9	67.4	69.3	66.5	63.2	68.3	74.1	75.1	72.6	79.9	80.4

Result Table

Receiver Name	ID	Land Use	Limiting Value		rel. Axis Station m	Distance m	Height m	Lr w/o Noise Control				dL req.		Lr w/ Noise Control		Exceeding		passive NC dB(A)
			Day dB(A)	Night dB(A)				Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)	Day dB(A)	Night dB(A)			
Exit			0	0				80	80	80	80	0	0	-	-	-	-	
Entrance			0	0				78.6	81.5	78.6	81.5	0	0	-	-	-	-	
West			0	0				45.6	45.6	45.6	45.6	0	0	-	-	-	-	
North			0	0				31.8	32.4	31.8	32.4	0	0	-	-	-	-	
East			0	0				52.2	54.5	52.2	54.5	0	0	-	-	-	-	
East			0	0				49	51.6	49	51.6	0	0	-	-	-	-	
East			0	0				55.4	58.2	55.4	58.2	0	0	-	-	-	-	



MANUFACTURER'S PRODUCT LITERATURE AND LAYOUT



TYPICAL VEHICULAR TRAFFIC MEASURES 60-75 DB ON MOST CITY STREETS

*BASED ON READINGS TAKEN OUTDOORS, UNOBSTRUCTED, ON A CONCRETE SURFACE

TURBINE SOUND INTENSITY - 50 HP

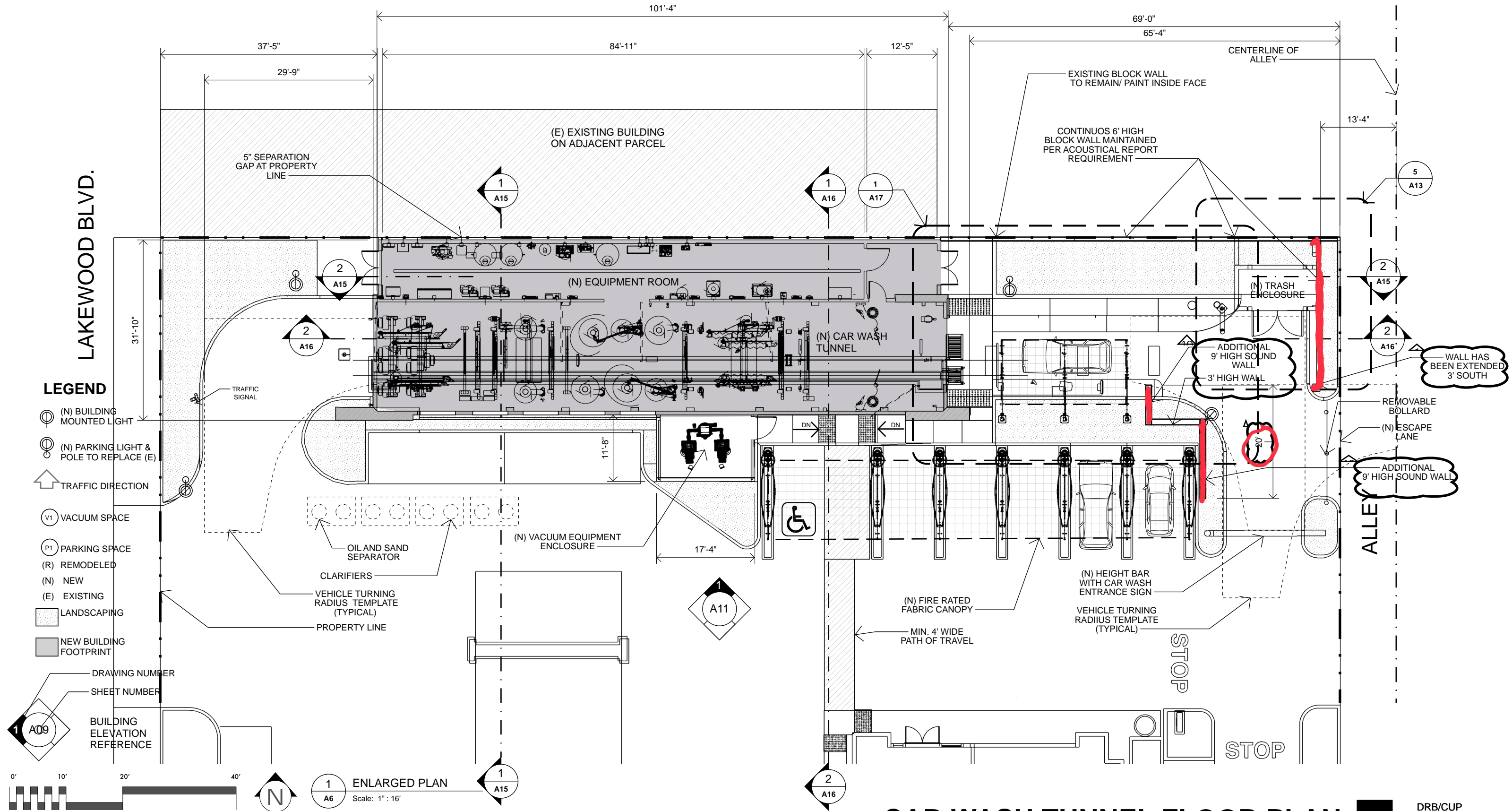


VPM60100

REV.: 0

BY: AS

3/21/2018 6:14:47 PM



CAR WASH TUNNEL FLOOR PLAN

Mo's XPress Gas+Wash
 4311 South Street, Lakewood, CA
 Owner: Mohamed Elbiali

DRB/CUP
 SUBMITTAL
 JAN.19TH,2023
 March 14, 2023
 A06

BBA BEHR BROWERS ARCHITECTS INCORPORATED

Thousand Oaks
 California 91360
 805 496-1101
 805 857-4777 Mobile

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OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 25th, 2023

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to provide you with our concerns regarding **Conditional Use Permit 279, A-3**, and amendment for the tunnel expansion of "Mo's Xpress Gas & Wash", located on the property of 4311 South Street, an existing service station.

REVIEW OF CONDITIONAL USE PERMIT (CUP) 279, A-3 and Amendment

Review of the application for Conditional Use Permit and amendment at "Mo's Xpress Gas & Wash".

We have conducted a review of calls for service since March 25th, 2020, at the above location. We are pleased to report there have been no incidents that reflect negatively on the business. During that time, there were 54 calls for service, which is typical for an area adjacent to a busy intersection.

Should the city of Lakewood approve the conditional use permit and amendment, we would like to make the following recommendations:

- Increased security lighting (two staged) both front and rear.
- Increased number and quality of security cameras both front and rear.
- Maintain any existing alarm features.
- Landscape to be trimmed to avoid potential hiding places.
- This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

Should the city of Lakewood approve the conditional use permit and

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

amendment, we recommend management from "Mo's Xpress Gas & Wash" have an ongoing liaison/ relationship with the Sheriff's Department and the City of Lakewood, to ensure a strong level of communication for crime prevention and problem-solving efforts.

If there are any further questions, you may contact Sergeant Theo K. Gekas at (562) 623-3657.

Sincerely,

Robert G. Luna, SHERIFF

A handwritten signature in black ink, appearing to read "R. Luna", with a long horizontal line extending to the right.

Daniel Holguin, Captain
Unit Commander, Lakewood Station

April 22, 2023

Mo Enterprises, LLC. (*MGE Oil, LLC.*)
Attn: Mohamad Elbiali
2749 E. Ocean Boulevard
Long Beach, CA 90803
E-mail: mgepetroleum1@gmail.com
Phone: (310) 926-8472

BBA Architecture
Attn: Francisco Behr, AIA/LEED AP BD&C
100 Thousand Oaks Boulevard, Suite #243
Thousand Oaks, CA 91360
E-mail: Franciso@bba-arch.com
Phone: 805.857.4777

DRB CASE NO. 9230 - Mo's Xpress Gas + Wash (*CUP No.279 Amendment No. 3*)
Site: 4311 South Street, Lakewood, CA 90712

The Development Review Board (DRB) after review and consideration **RECOMMENDS APPROVAL to the Planning and Environment Commission** (PEC), of a Conditional Use Permit (CUP) No.279 Amendment No.3 to allow the requested reconstruction and equipment upgrade of an existing carwash facility to create a new express carwash format. This recommended action by unanimous remote vote of a quorum of the Development Review Board (DRB) was taken in consideration that all the required findings specified by the Lakewood Municipal Code (LMC) Section 9484.1 are being made in a positive manner supporting the development of the related project. This action is not appealable as it is an advisory recommendation only. The Development Review Board is recommending to the PEC the following conditions, which if adopted by the PEC shall be completed by the applicant to the satisfaction of the Community Development Department.

DRB recommends that this project be found exempt from the California Environmental Quality Act (CEQA), in accordance with the CEQA Guidelines Article 19 Section 15301, Existing Facilities, Class 1, as it includes renovation of an existing carwash, where the project is in an area where all public services are available, and the area is not environmentally sensitive. A Notice of Exemption (NOE) may be prepared and recorded based on this finding, if requested.

1. Project Description. The "Project" includes:
 - a) Demolition of a 648 SF existing carwash facility with 5 vacuum stations.
 - b) Construction of a 3, 227 SF express carwash with equipment and 9 vacuum stations.
 - c) Construction of a 202 SF vacuum equipment enclosure.
 - d) Repair and repaint three existing gas station canopies (2,836 SF), including roof.
 - e) Construction of a sound attenuation wall (13 linear feet and 9' 8" in height).
 - f) Construction of a new 120 SF trash enclosure to conform to city standards.
 - g) Remodel and add restrooms in an existing 2,284 SF convenience store with storage.
 - h) Preservation of a 16-pump gasoline station (*Mobil brand*)

The .96-acre project site is zoned (C-3) (Intermediate Commercial) the land uses and structures shall adhere to all the regulations and development standards of the Lakewood Municipal Code (LMC), including the C-3 zone (*LMC Section 9347 et seq.*)

2. Permits. Provided CUP No, 279 Amendment No.3 is approved by the PEC, the applicant shall submit plans, obtain permits, and construct the requested Project as described above and in accordance with the PEC approved plans, which are on file with the Community Development Department and obtain successful final inspections. *A signed final should be provided to the property owner, prior to final payment to the contract.* These site improvements shall be constructed and operated in accordance with the following:
 - a) Los Angeles County Building and Safety. Comply with all California building, and construction codes as currently and most recently adopted by the City of Lakewood and the County of Los Angeles, including but not limited to building, structural, mechanical, electrical, plumbing, Title 24, and the Green codes.
 - b) Los Angeles County Fire and Public Health. Comply with any required County Fire and County Public Health plan reviews and inspections. These are independent from the Los Angeles County Building and Safety review and need to be submitted separately to each respective agency. Any food storage and/or preparation uses shall obtain approval from LA County Public Health.
 - c) Landscaping and Irrigation. Prior to issuance of any building permits or ground disturbing activities, -the final landscape and irrigation plans shall be approved by the DRB Landscape Expert detailing planting sizes, placement, and species.
 - d) Lakewood Public Works. All encroachment permits, the trash collection program, industrial waste permits, and any required Low Impact Development (LID) stormwater system shall be subject to review and approval by the Lakewood Public Works Department.
 - e) Noise Study Compliance. The project shall comply with any mitigation measures specified in the related noise study for this project.
3. Compliance. All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any non-complying structures shall either be removed or properly permitted, prior to final inspection of the requested improvements.
4. Materials. The applicant shall coordinate and/or match throughout all architectural elements, including the size, style and shape of roof overhangs, rafters, and fascia. All windows and doors shall match in terms of trim and style on each elevation. All roofing materials shall match, and all exterior materials, textures and colors shall blend. The applicant shall prepare, paint, and otherwise cover the exterior of the new structures in accordance with the materials specifications that are included in this approval.
5. Paint. The applicant shall repaint the existing structures. Any exterior portion of the commercial structure or any accessory structure that has cracked, faded, stained, or peeled paint shall be repainted, as necessary in the future.
6. Vehicle and Bicycle Parking. The approved plans have a total 34 proposed parking spaces (9 for vacuum stations and 25 open parking) that shall be doubled striped in parking lots prepared in accordance with approved plans and the City of Lakewood parking lot standards for striping, signage, and traffic circulation direction, including stop signs, stop limit striping, pedestrian crossings, and indicate left and right turns. Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility. A bike rack shall be provided (minimum 2 bikes.)

7. Los Angeles County Fire. Any required fire lane shall be maintained in a clear and unobstructive manner at all times around the perimeter of the entire building. There shall be no temporary or permanent storage in this area. In addition, there shall be no storage of combustible materials within eight (8) feet of any property line. The address number of the building shall be clearly visible from the street and a painted roof number is recommended.
8. Storage Containers. The retail store shall not place shipping containers on the site as a source of temporary secured storage for goods without a temporary use permit issued by the Community Development Department. Any containers allowed by such a permit shall be removed in accordance with the time limits imposed by the permit.
9. Waste Collection Procedures (Public Works). The construction debris and waste collection procedures program and trash enclosures shall comply with current City and State requirements and standards. Prior to final inspection, the property owner shall prepare and obtain approval from the City Public Works Department of a comprehensive solid waste collection and recycling procedures program. This shall be reviewed and be acceptable to both the City Public Works Department and EDCO, the City's franchised solid waste hauler. The waste collection and recycling procedures program shall include:
 - a) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
 - b) Sufficient capacity and storage areas for all required forms of collection, this includes normal solid waste, required recycling (*split bin is possible*) and required organic (*food and landscape*) waste storage, as required to comply with all related current state laws.
 - c) Methods to address compliance with SB 1383 (Lara -2016) regarding organic recycling and the required reduction of Short-Lived Climate Pollutants (SLCP), such as methane, hydrofluorocarbon gases, and anthropogenic black carbon.
 - d) The waste collection program shall address automotive waste (*including oil, tires, and batteries*), the use of a trash compactor and the external storage of many wood pallets and bales of compacted cardboard.
 - e) Any trash enclosure is required to be properly maintained by the property owner/operator/tenant with all trash inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed.
 - f) All trash bins shall either be located inside the building OR in an exterior fully secured, roofed, illuminated and lockable trash enclosure. There shall be no unscreened and unsecured exterior storage of waste materials.
 - g) Any trash enclosures on this site shall comply with the current city guidelines for a fully secured trash enclosure. Fully secured trash enclosures
 - h) shall be constructed with:
 - 1) Rainproof roof tall enough to accommodate fully opening the top of the bins,
 - 2) Welded wire mesh between the roof and wall with no gap greater than two inches,
 - 3) Lockable entry door with a spring or hydraulic door closer, and
 - 4) The trash enclosure area shall be illuminated during all hours of darkness to discourage unauthorized access, disposal, vandalism, or scavenging.
10. Litter and Solid Waste. Each parking lot shall be maintained daily and kept litter free. There shall be a minimum of two trash barrels (35-50 gallon) located proportionally throughout the lot (*e.g., one per aisle.*) The trash barrels shall be lined with heavy-duty plastic trash bags that are emptied daily to be deposited into an approved trash bin in an approved trash enclosure and subsequently collected and hauled away by an approved waste hauler. Where

possible, recyclables shall be separated and diverted from the solid waste stream into separate containers.

11. Sign/Façade Preparation. The background façade behind each proposed wall sign shall be properly patched and fully repainted one continuous color prior to installation of the sign(s). There shall be no visible shadowing or silhouette of previous signage. All signage is required to be reviewed and approved separately by the Community Development Department.
12. Hours of Operation: The service station and convenience store may operate 24 hours a day every day and the car wash may operate from 7 a.m. to 8 p.m. daily.
13. Store Operations. The store shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway or the view of the Point-of-Sale counter.
14. Site Lighting. The parking lot, trash enclosures and loading dock areas shall be maintained with sufficient lighting to illuminate the appearance and conduct of all persons in the parking areas and adjacent public sidewalks. There shall be sufficient lighting around the exterior perimeter of the premises to illuminate the areas sufficiently for security camera resolution. The lighting shall not exceed .5 foot-candles at the property line.
15. Public Safety and Security Plan. The property owner shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the Lakewood Public Safety Department (PSD) for each building. The PSSP shall be reviewed in coordination with the Los Angeles County Sheriff's Department. Building management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. This relationship shall include providing to the Sheriff Department and Lakewood PSD the applicant's written store security protocols. The security plans shall include:
 - a) Letter of Agency. The applicant shall sign a Letter of Agency with the County Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
 - b) Security System. A state-of-the-art security system shall be designed and installed that will combine motion detectors, contacts at doors, audio alarm and a closed-circuit television system to secure the premises. Data from security cameras shall be stored for a minimum of 30 days, and employees shall be trained to provide data to the Sheriff when requested. The security system shall be monitored by an offsite monitoring service and if possible, have backup data stored for 30 days in an offsite location. The video surveillance system shall be designed to assist the Los Angeles County Sheriff's Department personnel in criminal investigations.
 - c) Security Camera System. The security camera system shall have a minimum of 480 x 720 picture quality, capable of capturing video under 2 lux lighting conditions, and it shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition. A floor plan shall be prepared to illustrate the surveillance camera locations and area of coverage. The storage medium shall be secured in such a manner as to not facilitate the easy removal by unauthorized personnel or store employees under duress. This system shall include a) 24-hour, closed circuit video cameras with audio capabilities, b) Color monitors and c) Alarm systems equipped with both fixed and remote devices.

- d) Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed unless being used for the delivery of supplies.
 - e) Alarm/Panic System. The applicant shall install/maintain an alarm/panic system.
 - f) Parking Lot Signage. No Loitering signs shall be placed and remain clearly posted around the business, and any loitering should be strictly monitored and aggressively discouraged by management, including homeless encampments.
16. Landscaping and Irrigation Plans. Final Landscape Plans that meet commercial requirements shall be required to be submitted and approved by the Community Development Department in coordination with the DRB Landscape Expert, prior to issuance of building permits to include the following:
- a) Final Landscape Plans. These plans shall provide full details as to the number, size, placement, grouping, species, anticipated mature growth in terms of height and the spread width of coverage, and the estimated time each plant type will reach mature growth. Plans shall also indicate areas to be mulched and any stormwater detention/retention/infiltration facilities. Any missing or damaged plants or trees shall be replaced with a vibrant planting.
 - b) Plant Selection. The property owner should choose plant materials that are water conserving, require lower maintenance and are not aggressive with the capability of damaging hardscape or adjacent structures with root growth or tree limb breakage. Protection or restoration of native species and natural vegetation is encouraged, and the use of invasive/noxious plants is discouraged.
 - c) Water Conservation. The plans shall use plants and irrigation system components that are water conserving and that comply with the city's "Water Conservation in Landscape" ordinance. Hydrozones shall be created for plants with similar watering demands.
 - d) Mulch. Mulch shall be applied at the rate of four cubic yards per 1,000 SF of landscaped area with an average yield of a three-inch-deep layer of mulch on all uncovered soil areas.
 - e) Planters. The planters adjacent to turf shall have a concrete mow strip a minimum of 6 inches wide and 6 inches deep or be raised. The plans shall include a planter around any proposed freestanding sign. This planter shall be planted with regularly maintained annuals or select plant material that is eye appealing and distinctly different from adjacent plantings.
 - f) Trees shall be a minimum of 15 gallons in size with multiple branches and a main trunk diameter that is 1" or greater at three feet from soil level, including a staking plan.
 - g) Shrub plantings shall be a minimum of five gallons in size, planted in groups of three or more and on maximum five-foot centers.
 - h) Ground cover plantings shall be planted on a maximum of 12" on center and shall achieve 90% coverage within two years.
 - i) Utility box screening. Any utilities including transformers, gas meters, and backflow devices shall, when possible, be painted forest green and screened with landscaping. These shall be in such a manner that they are not readily visible to the public.
 - j) Parking Lot Landscaping. The parking lot shall be landscaped in accordance with Section 9492.P of the Lakewood Municipal Code.
17. Maintenance - Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner no longer than seven (7) days from discovery and notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area top to bottom and continuously blend with the adjacent surface. It shall not leave the appearance of a patchwork cover up.

18. **General Maintenance.** Commercial and Industrial property owners are required to maintain their Commercial/Industrial buildings and surrounding landscaping properly, always in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, walls/fences, ADA paths-of travel, parking lot surface and striping.
 - a) Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility.
 - b) Any cracked, faded, stained, or peeling painted surface shall be repaired and repainted.
 - c) All exterior surfaces shall be repaired regularly to provide a new appearance.
 - d) There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant plants do require trimming.
19. **Business License.** All contractors, including sign installers, and tenants shall have properly issued city business licenses. This will be confirmed prior to each final inspection.

Advisory Notes. *The DRB advises that:*

- **Construction Debris.** *Any construction activities that involve hauling away demolition or construction debris needs to be coordinated with and approved by the City Department of Public Works. The city has an authorized hauler, which is currently EDCO.*
- **Stormwater Protection.** *Any construction or operational activities that could potentially result in any water leaving the site as drainage shall be coordinated with the Lakewood Department of Public Works to assure proper procedures have been implemented (e.g., installation of waddles and track-out devices.)*
- **Temporary Banners** *(e.g., Now Open, Grand Opening, Sale etc.) require a separate permit with a deposit and shall be removed before the allowed permit time expires.*
- **Unauthorize Signs.** *Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles, or trailers being used as portable signs, human sign twirlers and mechanical mannequins are **NOT ALLOWED.***

Should you have any further questions concerning this matter, please do not hesitate to contact the Assistant Director of Community Development, J. Patrick McGuckian, at (562) 866-9771, extension 2302.

Sincerely,

J. Patrick McGuckian, AICP
Assistant Director of Community Development
Copies to: Building and Safety, Public Works, and Public Safety

PLAN CHECK REVIEW AND BUILDING PERMIT ISSUANCE

City of Lakewood – Community Development Department
Contact the Assistant Director at (562) 866-9771, Ext. 2302 for any questions.

When you receive an Action Letter and a set of plans titled “**Planning Approval**” then complete the following to submit your construction drawings to the Los Angeles County Building and Safety Online Plan Check system (“BSOP”) for plan check review and issuance of building permits.

DO NOT SUBMIT TO THE BSOP until you have a set of plans titled “Planning Approval.”

APPLICANT WILL (Designer or Property Owner):

1. **Assemble** the following PDF files that are each less than 15MB. Do not submit individual plan sheets. Combine all plan sheets into a single plan file do not submit as separate documents to include:
 - a) **PLANNING PLANS** – Plans titled “**Planning Approval**” with approval stamps that start with an 8.5”x11” inspector’s copy of site plan with official zoning compliance description and followed by a full-scale site plan, floor plan, roof plan and elevations of each side of the project structure.
 - b) **BUILDING PLANS**” - All other plans required for building plan check (*e. g. framing, electrical*)
 - c) **BUILDING CALCULATIONS** - Title 24 documents and engineering calculations
2. **Establish** an account with the LA County Building and Safety Online Plan Check System (BSOP). <https://dpw.lacounty.gov/BSO/BSOP/> (*City contracts with LA County for plan check & inspections*)
3. **Upload** the Planning Plans, Building Plans and Building Calculations into your personal account on the BSOP system, only after planning approval. (*Do not use the EPIC system.*)
 - a. The Plan Check Engineer (Plan Checker) will review the submittal to assure that all necessary documents are included. The Plan Checker will either accept it for processing or reject it with a list of missing items. The applicant will be notified within their BSOP account.
 - b. The Building Clerk will then generate a plan check file and send a request for plan check fee payment and forward a copy of that to the Administrative Services Department (ASD).
4. **Pay** the plan check fees to the ASD. This may be done by mailing a check payable to “City of Lakewood” to ASD or by credit/debit card by calling ASD at (562) 866-9771, extension 2622. The plan check payment must be accompanied with a copy of the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are placed in a workload queue based on the date received.
 - b. The Plan Checker will identify any needed corrections in approximately 2-3 weeks and return their comments and corrections to the applicant through the BSOP system.
5. **Make** the requested plan corrections and resubmit the corrected plans through the BSOP (*1-2-week review period.*) Once a corrected set of plans is approved by the Plan Checker, planning staff will transfer the approval stamps and confirm plan consistency. The applicant will be notified.
6. **Submit** an application for building permits to myplans@lakewoodcity.org. The Building Clerk processes the permit application, calculates the building permit fees, and sends the applicant an email with the amount of permit fees due.
7. **Pay** the required permit fees combined with the required business license fees for all contractors working on this project to ASD (*see step 5*). Also pay the “Construction of Dwelling Unit Tax” and record any required “Notice of Condition.” The building permits can now be issued to a licensed contractor or to a homeowner (*only on their primary residence*). Owners of commercial, rental or second homes are required to use a licensed contractor who must have a city business license.
8. **Keep** on the project site:
 - a. The official job card that was mailed to you for inspection signatures, and
 - b. One full set of the approved construction plans and an approved site plan. (*Printed by applicant*)
 - c. Call for inspections at least one day before and have the job ready at the scheduled inspection time.
 - d. Confirm the final inspection is signed on the job card and property owner should retain a copy.

RESOLUTION NO. 11-82

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR AN EXISTING SERVICE STATION

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobil Oil Corporation, 612 South Flower Street, Los Angeles, California, requesting a Conditional Use Permit pursuant to the provisions of Section 9340.C, of the Lakewood Municipal Code for addition to and maintenance of an existing service station site, on that certain real property within the City of Lakewood described as Portion of Lot 12, Block O of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California

all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 3rd day of June, 1982, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified and by reason of the imposition of the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use, as amended by staff, is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses, buildings and structures has been considered and the use will not adversely affect or be materially detrimental to said adjacent uses, buildings or structures.

C. The site for the conditional use is adequate in size and shape to accommodate the yard, walls, fences, parking, and loading facilities, landscaping and other development features required by the zoning ordinance, or is required as a condition in order to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

E. That the request for Conditional Use Permit No. 279 is to add to the existing service station at 4311 South Street, a 168 square feet storage room.

F. That by imposing conditions for approval, the above required findings can be made.

G. That a previous Conditional Use Permit was denied after Mobil Oil asked to continue the hearing but then never responded to the imposed conditions.

H. That on the service station site are two additional uses, a liquor store and a food stand.

I. That the buildings of the other uses have not been maintained as well as the service station buildings.

- J. That no trash enclosures exist for any of the three uses.
- K. That no parking or circulation is indicated on the site.
- L. That the service station conducts auto repair in two of its three bays at present because the third is used to store supplies.
- M. That approximately 2% of the site is landscaped and no street trees are located adjacent to the site in the public right-of-way.
- N. That the proposed project will conserve existing structures and facilities, adding and modifying where necessary.
- O. That no other uses are proposed for the site other than the existing service station with auto repair, the liquor store, and the food stand.
- P. That the proposed uses comply with all other limitations imposed by the Zoning Ordinance for the issuance of a Conditional Use Permit.
- Q. That the Development Review Board will review the project upon approval of the Conditional Use Permit to comment on design and to insure all conditions and codes are complied with.
- R. That the project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15103, Class 3, of the California Environmental Quality Act, as Amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, provided, however, the following conditions are observed and complied with at all times:

- A. That approval of the service station addition be based upon Exhibits A and B.
- B. That the inclusion of other uses, including trailers, trucks, or other equipment rental or parking, are not a permitted part of the Conditional Use Permit.
- C. That a circulation system and required parking spaces be provided, as per Section 9490, et seq., Section 9340.C.2, and the Development Review Board.
- D. That perimeter and interior landscaping be installed, pursuant to Section 9493 and the Development Review Board.
- E. That street trees be installed in the adjacent public right-of-way, in accordance with City requirements.
- F. That trash enclosures be installed per City specifications at each individual use.
- G. That the attached shed to the liquor store be repaired, in accordance with Building and Zoning Codes.
- H. That the free-standing sign in front of the food stand be repaired or removed in accordance with the Building and Zoning Codes.
- I. That the mansard roof on the food stand be repaired in accordance with the Building and Zoning Codes.
- J. That the applicant submit final drawings of landscaping, parking, circulations, signing, and building elevations, to the Development Review Board for review and approval prior to the issuance of any building, plumbing, electrical, or mechanical permits.

RESOLUTION NO. 1-84

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 1, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR A SERVICE STATION AND MINI-MARKET

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobile Oil Corporation, 3655 South Soto Street, Los Angeles, CA 90058, requesting a Conditional Use Permit, pursuant to the provisions of Section 9340C(2), of the Lakewood Municipal Code for the construction of a service station and mini-market on that certain real property within the City of Lakewood described as Lot 12, Block 0, Tract 13153, and more particularly described as 4311 South Street, Lakewood, CA 90712; all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 5th day of January, 1984, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses buildings and structures has been considered and the use will not be detrimental to the adjacent uses, buildings, or structures, subject to conditions of this Conditional Use Permit.

C. The site for the conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping and other development

features required by the zoning ordinance, or as required as a condition to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic which use would generate.

E. The request for CUP No. 279 is to replace the existing structures on the site with a 2,876 square foot service station and snack shop and three gas service islands with a combined area of 1,992 square feet.

F. The proposed project will demolish the existing service station, the liquor store and the Orange James food stand.

G. The proposed plans include a thirty (30) foot wide, unusable dirt strip between the planter and the block wall at the north end of the site.

H. The proposed wall on the north and east property lines will result in security and visibility problems to adjacent sites.

I. The proposed mini-market will sell beer and wine on-premise for off-premise consumption.

J. The proposed project is deficient in parking spaces, but has adequate room on the site to accommodate the required stalls.

K. The proposed project provides interior and perimeter landscaping.

L. A left turn from the station's south driveway onto South Street cannot be made without making a U-turn at Lakewood Boulevard. Thus, a driveway onto the alley at the east property line will serve to provide easterly access to South Street.

M. The Development Review Board has reviewed the proposed conditional use and made their recommendations for the project.

N. The project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15302, Class 2, of the California Environmental Quality Act, as amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determination, hereby granted the use as requested in Conditional Use Permit Case No. 279, Amendment No. 1, provided, however, the following conditions are observed and complied with at all times:

A. That the approval of the service station be based upon Exhibits A through D.

B. That gasoline sales, auto servicing in compliance with Section 9341J and a mini-market with beer and wine sales, for off premise consumption, shall be the only uses permitted.

C. That other uses, including trailers, trucks, or other equipment rental or parking, shall not be a permitted part of this Conditional Use Permit.

D. A minimum of nine (9) parking spaces shall be provided on the site, minimum of nine (9) feet by twenty (20) feet in size. Also, one (1) handicapped space shall be provided, minimum fourteen (14) feet by twenty (20) feet in size, designed and developed according to city requirements.

E. The landscaping shall be installed as per Development Review Board requirements.

F. That fifteen (15) gallon liquid amber trees shall be installed, per the City's Master Plan for street trees and per approval by the City for placement.

G. That a driveway shall be installed at the east property line onto the alley.

H. That the thirty (30) feet vacant space between the north planter and the north property line shall be eliminated by moving the planter to the north property line.

I. That the wall at the north and east property lines shall be eliminated.

J. That the sales of beer and wine at the mini-market shall be for off-premise consumption only.

K. That the applicant shall submit final drawings of landscaping, parking, circulation, signing and building elevations to be reviewed by the Community Development Department for compliance with the required conditions before the issuance of any building, plumbing, electrical or mechanical permits.

L. That the proper permits be obtained from the Building and Safety Division prior to the reconstruction of the service station.

M. That this Conditional Use Permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

N. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

O. That the proposed conditional use shall comply with the requirements of Section 9341.J of the Lakewood Municipal Code.

SECTION 4. A certified copy of the excerpts of the Minutes application to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 5th day of January, 1984, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Griffiths, Heckman, Minor, and Rodger
NOES: Commissioners: None
ABSENT: Commissioners: None

Burt J. Minor CHAIRMAN

ATTEST:

OK [Signature]
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Amendment No. 1 to Conditional Use Permit No. 279, and Resolution No. 1-84, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

J. H. Huntberry

DATED 1-11-84

Received _____ (Community Development Department)

K. That the proper permits be obtained from the Building and Safety Division prior to the remodeling of the existing service station.

L. That this conditional use permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

M. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

N. That the "Liquor" roof sign shall be removed from over the public right-of-way.

ADOPTED AND APPROVED this 3rd day of June, 1982, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor and Rodgers
NOES: Commissioners: None
ABSENT: Commissioners: Kane and Shingleton

Christine Shingleton
CHAIRMAN

ATTEST:

James R. Smith
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, and Resolution No. 11-82, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

DATED _____

Received _____ (Community Development Department)

EXHIBIT A

3

RESOLUTION NO. 22-89

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 2, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR THE ADDITION OF A CAR WASH, A FUTURE PUMP ISLAND AND EXPANSION OF A MINI-MARKET TO AN EXISTING MOBIL OIL SERVICE STATION.

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood having had submitted to it the application of Mobil Oil Corporation, 1255 Corporate Center Drive, Suite 201, Monterey Park, California 91754-7611, owner of an interest in the following described real property, requesting a Conditional Use Permit, pursuant to the provisions of Sections 9340.C.2, of the Lakewood Municipal Code for the addition of a car wash, a future pump island and expansion of an existing mini-market, on that certain real property within the City of Lakewood described as lot 12 of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

Section 2: The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 1st day of June, 1989, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The request is for Amendment No. 2 to Conditional Use Permit No. 279 for the addition of a car wash, a future pump island and expansion of a mini-market to an existing Mobil service station at 4311 South Street.

B. The service station is subject to the conditions of approval of Conditional Use Permit No. 279, and Amendment No. 1 to the same.

C. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.

D. The subject site is served by Lakewood Boulevard and South Street which are arterial streets that are adequate in width to carry the kind and quantity of traffic the use generates.

E. The proposed project is consistent with the City's General Plan.

F. A mitigated Negative Declaration has been prepared, pursuant to Section 15070 of the California Environmental Quality Act Guidelines, as amended with mitigating measures to eliminate potential noise impacts created by the project.

G. Notification of the public hearing has been provided in accordance with Section 9422, et seq., of the Lakewood Municipal Code.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, Amendment No. 2, provided, however, the following conditions are observed and complied with at all times:

A. Said conditions are complied with within six (6) months from the date of the granting of this application and not thereafter violated or deviated from except where authorized by amendment to this resolution adopted in accordance with the provisions of this resolution and the Municipal Code. The granting of said conditional use permit and this resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of said conditional use permit subject to the conditions herein set

forth are binding on the heirs, assigns and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval of Amendment No. 2 to Conditional Use Permit No. 279 is based on Exhibits A through D.

C. A digital or token system shall be used for the car wash.

D. Brick veneer is to be used at those areas where the bays are proposed to be enclosed, rather than sheet metal.

E. All existing and proposed signs shall conform to the conditions of the Development Review Board and the minimum requirements of the Lakewood Sign Ordinance.

F. An eight (8) feet high masonry wall shall be constructed in the planter area on the northeast side of the property, west of the trash enclosure, and along the north property line, as shown on Exhibit A; and the car wash shall be operated with the entrance door (automatic) closed.

G. The hours of operation of the car wash shall be limited between 6:00 A.M. to 9:00 P.M., Monday through Friday; and 7:00 A.M. to 9:00 P.M., Saturday and Sunday.

H. In the event the use of said premises as a service station is vacated, abandoned, or suspended, all buildings and structures shall be removed from said premises within a period of sixty (60) days following the vacation, abandonment, or suspension of use of said premises for a continuous period of six (6) months.

I. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of adoption of the resolution approving the same, or this approval shall become null and void.

J. Proper permits shall be obtained for all work related to the project.

K. To monitor the mitigation impacts the following actions will be undertaken:

1. During the plan check of the project the location and height of the masonry wall required by condition "F" will be verified on the plans before building permits are issued.

2. Staff shall verify the location and height of the wall during the construction work and before a building final is granted.

3. After the car wash commences operation the hours of operation as specified in condition "G" shall be monitored by staff on a random basis at least four times per year. The results shall be recorded in the CUP case file.

L. Revised plans shall be reviewed by the Development Review Board for confirmation of adequate circulation through the car wash.


SECTION 4. A certified copy of the excerpts of the minutes applicable to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 2nd day of July, 1987, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor, Wade
NOES: Commissioners: None
ABSENT: Commissioners: LaTourette


CHAIRMAN

ATTEST:



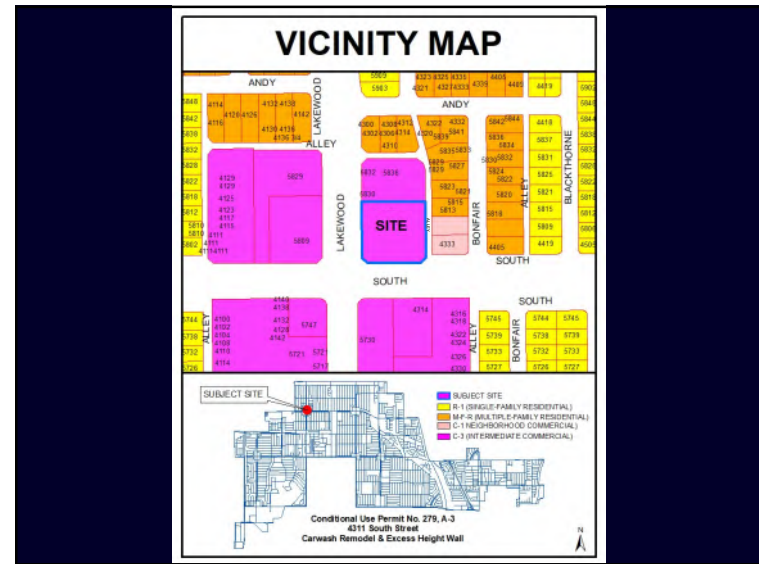
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, Amendment No. 2, and Resolution No. 22-89 , are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

Dated _____

Received _____ (Community Development Department)





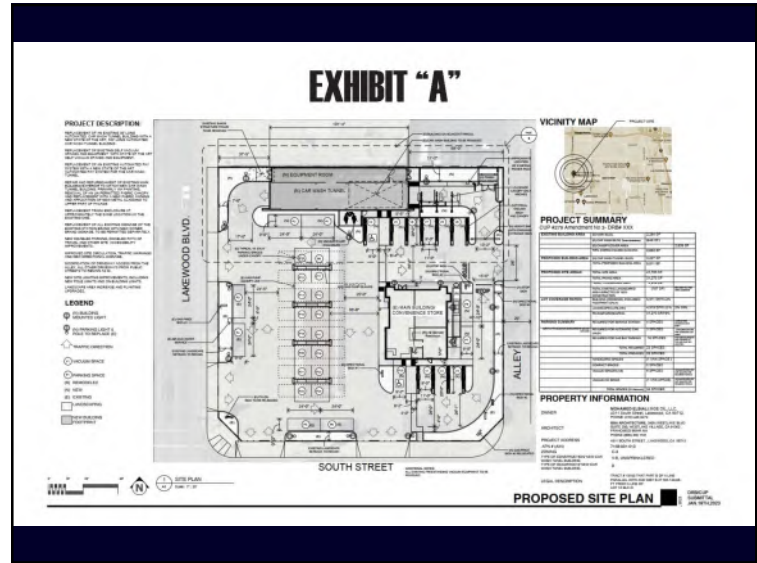


EXHIBIT "B"

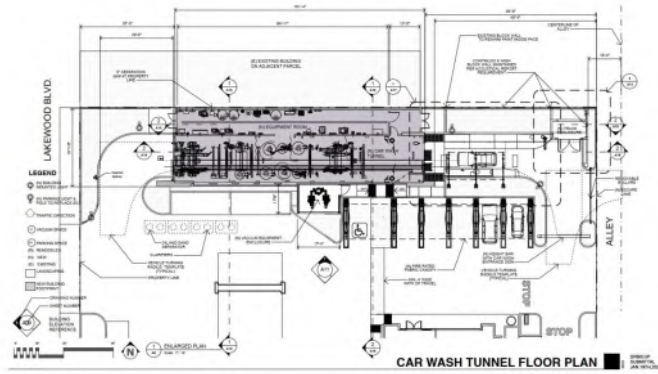


EXHIBIT "C"



EXHIBIT "D"

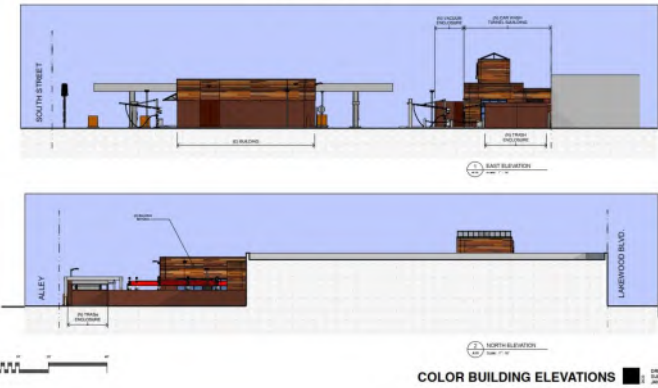
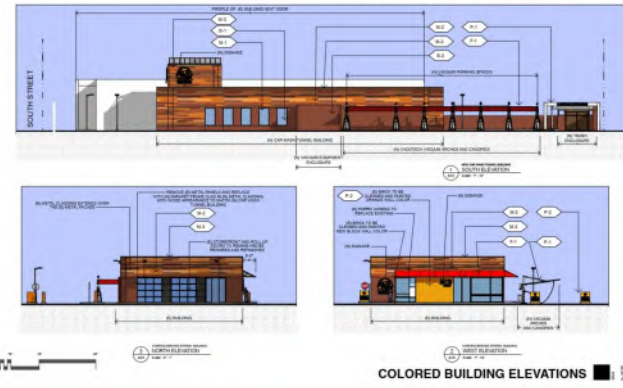


EXHIBIT "E"



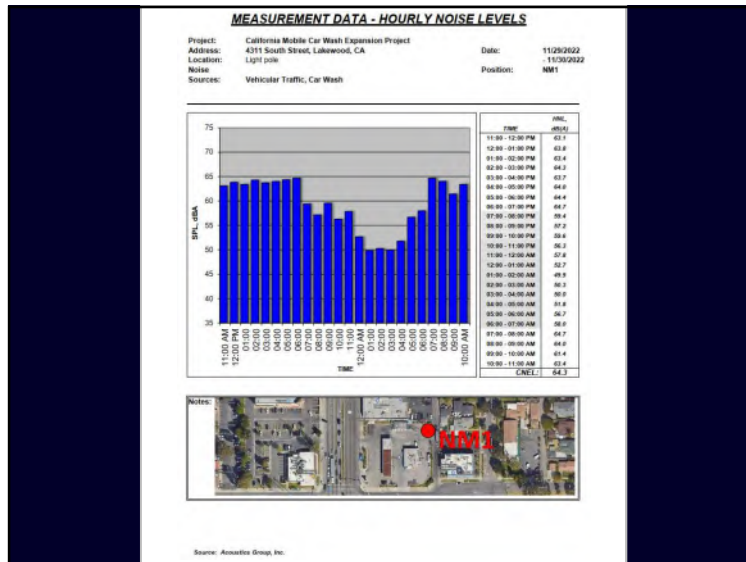
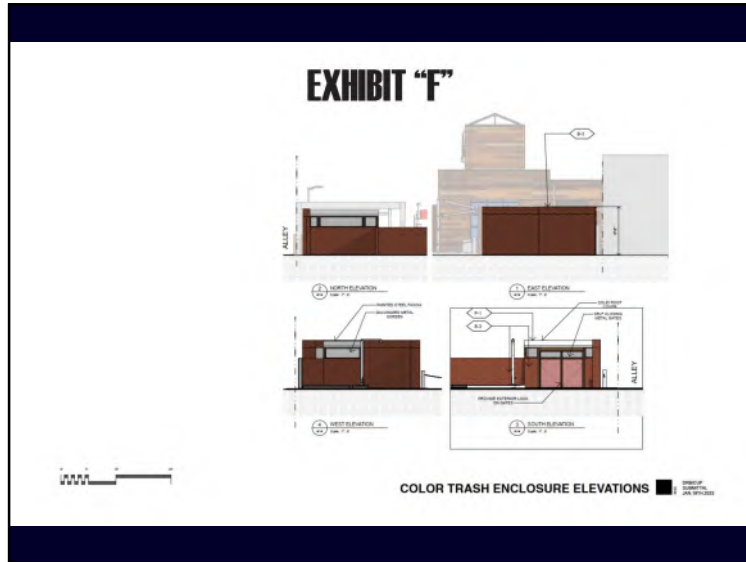


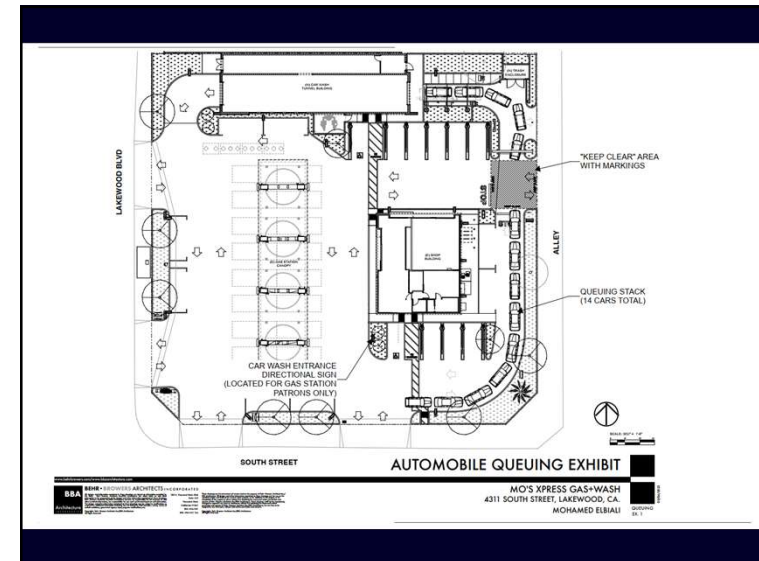
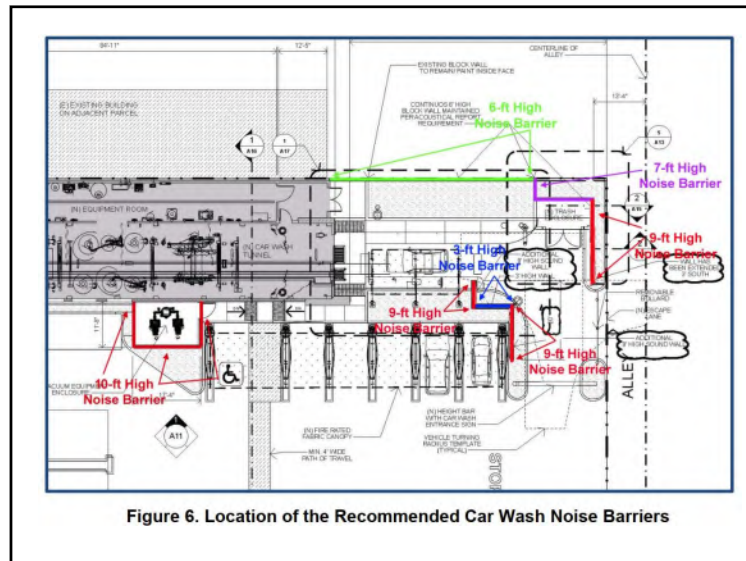
Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	55.4	52.7	52.7	-
1:00 AM	55.4	49.9	49.9	-
2:00 AM	55.4	50.3	50.3	-
3:00 AM	55.4	50.0	50.0	-
4:00 AM	55.4	51.8	51.8	-
5:00 AM	55.4	56.7	56.7	-
6:00 AM	55.4	58.0	58.0	-
7:00 AM	55.4	64.7	59.7	Compliance
8:00 AM	55.4	64.0	60.5	Compliance
9:00 AM	55.4	61.4	57.9	Compliance
10:00 AM	55.4	63.4	55.4	Compliance
11:00 AM	55.4	63.1	59.3	Compliance
12:00 PM	55.4	63.8	61.0	Compliance
1:00 PM	55.4	63.4	59.0	Compliance
2:00 PM	55.4	64.3	60.6	Compliance
3:00 PM	55.4	63.7	58.3	Compliance
4:00 PM	55.4	64.0	59.8	Compliance
5:00 PM	55.4	64.4	61.4	Compliance
6:00 PM	55.4	64.7	61.6	Compliance
7:00 PM	55.4	59.4	59.4	Compliance
8:00 PM	55.4	57.2	57.2	-
9:00 PM	55.4	59.6	57.5	-
10:00 PM	55.4	56.3	56.3	-
11:00 PM	55.4	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM



Staff Recommendation

- Hold a Public Hearing
- Adopt Resolution of Approval
 - Add 6-month review to conditions of approval
- Approve Categorical Exemption

RESOLUTION NO. 3-2023

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD NO. 3-2023 APPROVING AMENDMENT NO. 3 TO THE APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 279 FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Mr. Mohamad Elbiali is requesting an amendment to the existing Conditional Use Permit for the reconstruction of an existing automated car wash tunnel at an existing service station and to construct three shade canopies, nine vacuum stations, and an excess wall height in conjunction with an existing service station, pursuant to the provisions of Sections 9347.C.1, 9347.D.1, 9350.A, and 9384.C of the Lakewood Municipal Code on that certain real property within the City of Lakewood described as a portion of Lot 12 of Parcel Map No. 13153 as per map recorded in Book 256, Pages 1-5 of Parcel Map in the Office of the County Recorder of Los Angeles County, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission finds that the proposed project, Conditional Use Permit No. 279 Amendment No. 3, is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to said application on the 4th day of May, 2023, and the Planning and Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of Conditional Use Permit No. 279 Amendment No. 3, for the reconstruction of a carwash tunnel and excess wall height at 4311 South Street, Lakewood, all as shown on Exhibits "A", "B", "C", "D", "E", "F", and "G".

B. The proposed conditional use is found not to be in conflict with the goals of the General Plan, nor does the proposed use conflict with the commercial land use designation of the General Plan.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and are in continual compliance.

D. Lakewood Boulevard, South Street, and the public alley are adequate in width and improved as necessary to serve the traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The project will include nine (9) off-street open parking spaces, which will provide sufficient parking to accommodate the proposed use.

F. The subject site is adequate in size and shape to accommodate the yards, walls, landscaping, and other development features required by the Code. The site will adequately accommodate the parking requirements of the proposed use.

G. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 279 Amendment No. 3 provided, however, the following conditions are observed and complied with at all times:

A. The conditions, unless otherwise specified herein, shall be complied with within one year from the date of the granting of this application, and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of said Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (Exhibits excluded) has been recorded in the Office of the Los Angeles County Recorder. The granting of said Amendment, subject to the conditions herein set forth, are binding on their heirs, assigns, and successors in interest of the applicant and their heirs, assigns, and successors in interest.

B. All conditions from the previous CUPs for this property, contained in PEC Resolutions 11-82, 1-84, and 22-89 shall remain in full force and effect, except where a condition in this Resolution conflicts with a condition in a prior Resolution, in which case the condition in this Resolution shall supersede the prior condition.

C. Approval for the proposed car wash tunnel is based on Exhibits "A," "B," "C," "D," "E," "F," and "G".

D. The car wash and vacuums shall operate only between from 7 a.m. to 8 p.m. daily.

E. The business operator shall instruct the employees to notify law enforcement should they observe any criminal activity.

F. The use shall comply with the Recommended Guidelines contained in the LASD correspondence dated March 25, 2023.

G. The use shall comply with the Conditions of Approval contained in the DRB correspondence dated April 22, 2023 for DRB Case No. 9230.

H. Graffiti Protection. The applicant shall cover all perimeter walls with a wall-climbing perennial to discourage graffiti, (e.g. creeping fig or similar) and shall paint the perimeter walls with a graffiti-resistant paint or surfacing, where it is not possible to cover the wall with plant material. If there is exposed glass, the Development Review Board requires adding a graffiti-resistant vinyl covering.

I. Trash Enclosure. The trash enclosure shall be constructed to have a three-bin capacity to accommodate trash, organic waste, and recycling. The enclosure shall have a rainproof roof with wire mesh screen between the wall and roof to discourage unauthorized dumping. The drain from the enclosure shall be connected to the sanitary sewer system not the storm water system.

J. Proper permits shall be obtained from the Building and Safety Section for all interior and exterior work, prior to the commencement of such work, as necessary.

K. General Maintenance. The landscaping shall be properly maintained in an aesthetically pleasing manner. Any cracked, faded, stained or peeling painted surfaces throughout all sides of the facility shall be repainted as necessary. All exterior surfaces shall be maintained to provide a new or near-new appearance. Trash collection/enclosures shall comply with City requirements, including three bin capacity for trash, organic waste, and recycling installation of a rainproof roof and screening.

L. All contractors, including subcontractors, shall have properly issued city business licenses.

M. Mechanical noise producing equipment (e.g., compressors, pumps, and vacuums) shall be housed within mechanical equipment rooms/enclosures and shall not exceed 65 dB(A) at residential property lines.

N. This CUP shall be subject to a six-month review from the date of final approval of the permit for the construction of the carwash to ensure that the use is complying with the requirements contained in this Resolution and to allow input from the Director of Public Safety and/or the Los Angeles County Sheriff's Department for any concerns that may arise.

O. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of the adoption of the Resolution approving the same, or this approval shall become null and void.

P. This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

Q. The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, or arising out of the operation of the business, save and except that caused by City’s active negligence.

R. By signing or orally accepting the terms and provisions of this permit, entered into the minutes of these proceedings, the Permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of said permits could subject Permittee to further hearings before the Planning and Environment Commission on the issue of revocation or modification.

SECTION 5. A certified copy of the excerpts of the minutes applicable to this case and this Resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 4th day of May, 2023, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279 Amendment No.3 and Resolution No. 3-2023 are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its items.

Signature

Office Use Only

Date received _____

Received by _____ (Community Development Department)

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF MAY 4, 2023
MINUTES**

CALL TO ORDER

A regular meeting of the Lakewood Planning and Environment Commission was called to order by Chairperson Baca at 7:00 p.m. in the City Council Chambers, 5000 Clark Avenue, Lakewood, California.

PLEDGE OF ALLEGIANCE

Commissioner Cole led the Pledge of Allegiance.

ROLL CALL: Chairperson Baca
 Vice Chairperson Ung
 Commissioner Samaniego
 Commissioner Stuckey
 Commissioner Cole

Also present: Abel Avalos, Director of Community Development
 Patrick McGuckian, Assistant Director of Community Development
 Paul Kuykendall, Senior Planner
 Frankie Griffiths, Assistant Planner
 Ivy Tsai, City Attorney
 Cindy Kojaku, Administrative Secretary

APPROVAL OF MINUTES

There being no objections, Chairperson Baca ordered the Minutes of the Regular Meeting of April 6, 2023, approved as submitted.

ANNOUNCEMENTS AND PRESENTATIONS

Director Avalos made the following announcements:

- Sylvia Minjares is our new Administrative Clerk for Community Development.
- American Red Cross Blood Drive to be held on June 15, 2023, 9:00 – 3:30 p.m.
- May is Asian American and Pacific Islander Heritage Month.
- Pan Am Fiesta festivities will be held May 11 – May 14, 2023.
- Community CPR class at the Burns Community, April 29, 7:30 a.m. – 2:00 p.m.

Chairperson Baca made the following announcement:

- The PEC Commissioners will be recognized at Lakewood Celebrates, Tuesday, May 9, 2023.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT NO. 279, AMENDMENT NO. 3, 4311 SOUTH STREET – CAR WASH REMODEL.

Assistant Planner, Frankie Griffiths, presented the staff report and exhibits which recommended approval of Conditional Use Permit Number 279, Amendment No. 3 to reconstruct and expand the existing self-serve car wash tunnel along with a new 9' 8" block wall that exceeds the maximum height allowed. He added that two letters had been received, one in opposition and one in response from the applicant. These documents are on file with the Community Development Department.

Chairperson Baca asked if there are any questions of staff and then posed a question regarding the wall location.

Assistant Planner Griffiths responded that the wall would be along the northeast alley property line and surrounding the trash enclosure within the property lines of the site.

Commissioner Cole asked if staff received any written responses to the public hearing notice sent to neighboring properties with regard to the proposed modifications.

Assistant Planner Griffiths responded that only one letter was received from the public and it was after the PEC packets were sent out. It was in opposition to the project from attorneys representing the commercial carwash owner across the street. A second letter was received from the applicant in response to the challenges of the first letter.

Commissioner Samaniego asked questions regarding noise levels and decibels and wondered about the source of the noise study data and what other car washes, if any, were used to get those numbers.

Assistant Planner Griffiths responded that the Noise Study data and findings were produced by a noise consultant hired by the applicant.

Commissioner Samaniego questioned if the numbers provided are correct and asked if we should trust and abide by those numbers.

Assistant Planner Griffiths stated that there is a recommendation for a 6-month review of the carwash operation after construction and staff will take a noise measurement during that review to ensure the business is in compliance at that time.

Chairperson Baca opened the public hearing.

The applicant, Francisco Behr, architect of the project, representing Mohamed Elbiali, spoke about the project, summarizing a letter from the applicant that responds to the letter from the opposing carwash property owner. Mr. Behr emphasized that the carwash was only an accessory use to the primary service station use and even

though expanded the existing building size, it was smaller than the existing convenience store building. He objected to the characterizations of the opposition that the carwash building was five times larger than the existing 34 year old carwash. He stated that the applicant was just replacing outdated technology with a more modern and efficient facility with better and quieter equipment. He believed that the CEQA determination of a categorical exemption was the correct action for this project.

City Attorney Tsai requested Mr. Behr to summarize the letter and not read it verbatim, as it was already part of the official record.

Chairperson Baca clarified Mr. Behr's reference to CEQA as the California Environmental Quality Act.

Chairperson Baca asked if there are any questions from the Commission.

Commissioner Samaniego questioned, pertaining to Table 6 Noise Levels, where did we get those numbers from or are they coming from other car washes that you have?

Consultant, Robert Woo, the Principal of the Acoustics Group, responded to Commissioner Samaniego's question stating that they obtain noise data from the manufacturer and combine it with ambient noise measurements near the site.

Commissioner Baca questioned Applicant Behr, as the representative for the car wash, if he has read and agrees with the conditions of the approval. Applicant Francisco Behr stated he has read and agrees with the conditions of the approval.

Mr. Behr explained that Consultant Robert Woo obtained noise level information from the manufacturer, collected ambient noise data in the neighboring area and added that into a computer model that predicts the duration and location of noise. Robert Woo acknowledged that he agreed with what Applicant Behr stated.

City Attorney Tsai asked Applicant Behr if he is satisfied that he was able to fully make his statements in support of the project. Applicant Francisco Behr responded yes.

Chairperson Baca reminded the public to limit comments to five (5) minutes.

The following members of the public spoke against the project:

- Alex Shakouri
- Ernest Guadiana
- Jackson McNeill
- Alan Gafford

Alex Shakouri spoke saying this project would be financially devastating to his 10-year-old carwash business that is directly across the street from this proposed use.

Ernest Guadiana, land use attorney at Elkins Kalt Weintraub Reuben Gartside, LLP (“Elkins Kalt”) representing Alex Shakouri and Shakouri Investment Group (“Shakouri”), spoke against the project. He wanted to inform the Commission that he believes that this project should not be heard by the Planning Commission, as the Design Review Board (*Development Review Board – “DRB”*), has not first properly considered this project. He states that under the City’s Code, he understands that a noticed public hearing is not required for the DRB, however irrespective of this his client was not afforded a reasonable opportunity to be heard by the DRB. He never received any Notice of the DRB meeting and was unable to exercise his due process rights to oppose the project at that DRB hearing. He quoted LMC 9481(c) and would request that this be immediately remanded to the Design Review Board (*Development Review Board*), so that his client could voice his opposition in that forum.

Commissioner Cole asked Mr. Guadiana which is the Code section cited related to his client’s due process rights.

Attorney Ernest Guadiana stated LMC 9481(c).

Jackson McNeill, an Elkins – Kalt CEQA attorney representing Shakouri, spoke in opposition to the project, stating that none of the proposed categorical exemptions were applied appropriately to this project, that at a minimum, a traffic study should be completed and that an Initial Study should be prepared for the project.

Alan Gafford spoke against the project. He stated that this project is a new car wash that violates Ordinance 2018-6 which bans new car washes in the C-3 Zone District. He also challenged the validity of the noise study as the noise measurement device was not properly calibrated at the time of measurement. He stated that a traffic study was needed and that increasing the capacity from 30 cars washed a day to 300 was a significant change that needs to be further evaluated in an initial study.

The following members of the public spoke in favor of the project, representing themselves as local residents and customers, who regularly frequent the facility. All spoke favorably of the operation and conveniences created by having the store, gas station, and car wash all in one location:

- Michael Giroux
- Nina Giroux
- Clinton Hines
- Leticia Mijares
- Susan Mijares
- Brooke Schuetre
- Mariah Row
- Michael Lumplin
- Mohamed Elbiali

Chairperson Baca asked when the original carwash tunnel was constructed.

Owner Mohamed Elbiali stated he does not know—he has only owned this service station for less than one year. Assistant Planner Griffiths stated it was 1989.

Commissioner Samaniego asked that Owner Mohamed clarify his statement that he has not seen any such car washes in surrounding cities and asked if he owns other car washes. Owner Mohamed answered that he and his father own 20 gas stations. He clarified that he has not seen other one-stop shop service stations with a carwash and convenience store in the area, where a customer can get gas, a car wash, and snack.

Consultant Robert Woo (Acoustics Group) spoke again stating that the calibration of the noise instruments and certification were valid and current when data was collected.

City Attorney Tsai asked if the applicant would like to respond to comments.

Applicant Francisco Behr said yes and spoke again.

Commissioner Samaniego requested a discussion regarding Development Review Board hearing procedures and whether this is a new car wash or a remodel.

Commissioner Cole asked if staff would address the allegation regarding improper Development Review Board notification.

Assistant Director McGuckian explained that he is the Chairperson of the three-member Development Review Board (DRB), which consists of a planner, himself, an architect, and a landscape expert. The DRB process has changed dramatically in the last 3 years, due to pandemic restrictions on public gatherings and SB9 removing all single-family residential projects from the DRB discretionary review.

The DRB currently does conduct in-person meetings, decisions are made through electronic and/or telephonic communication and then consensus voting of the DRB members. The DRB never provided public notice to surrounding property owners. The Community Development Department has always maintained a list of current projects pending DRB review and action, that list is available to the public. The DRB action in this instances is advisory only and provides recommended conditions of approval to the Planning and Environment Commission (PEC) for consideration.

The property owner expressing opposition was not denied an opportunity to express his opposition or denied any due process procedure as allowed by current DRB procedures and regulations. The opposing property owner had an opportunity to avail himself of the DRB project list and to submit a letter of concern to the DRB, prior to their advisory action. The Lakewood Municipal Code fully recognizes the ability for such DRB deliberations/actions to be conducted through electronic communications.

Assistant Director McGuckian explained further that a carwash is not just a building, it is an authorized land use and activity. A carwash was approved in 1989 and that carwash has been continually used as such for 34 years.

This project replaces an outdated facility that continues this land use in a new building with modern equipment that is more efficient in terms of water and energy use, processing time, and noise attenuation, while providing a better-quality car wash.

There being no one else wishing to be heard on the matter, Chairperson Baca closed the public hearing and asked the Commission, if there was any discussion or a motion.

Commissioner Stuckey moved and Commissioner Cole seconded approval of staff recommendation to approve Conditional Use Permit No. 279, Amendment No. 3, 4311 South Street, and its related categorical exemptions.

AYES: COMMISSIONERS: Cole, Stuckey, Samaniego, Ung and Baca
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None

Chairperson Baca announced that the Motion has passed.

2. CONDITIONAL USE PERMIT NO. 1013, 5227 LAKEWOOD BOULEVARD

Senior Planner, Paul Kuykendall, presented the staff report and exhibits, which recommended approval of Conditional Use Permit 1013 for the establishment of a second-hand store, Savers. These documents are on file with the Community Development Department.

Chairperson Baca asked if there are any questions of staff. There were no questions.

Chairperson Baca opened the public hearing.

The applicant, Bob Superneau, PM Design Group, Architects for Savers, spoke and stated that he is here to represent the project and answer any questions.

Chairperson Baca questioned Applicant, Bob Superneau, if he has read and agrees with the conditions of the approval, and Bob Superneau responded affirmatively.

Chairperson Baca reminded the public to limit comments to five (5) minutes.

There were no questions from the public and no questions from the Commission.

There being no one else wishing to be heard on the matter, Chairperson Baca closed the public hearing and asked the Commission, if there was any discussion or a motion.

Commissioner Samaniego moved and Commissioner Ung seconded approval of staff recommendation to approve the Conditional Use Permit No. 1013, 5227 Lakewood Boulevard, and its related Categorical Exemption.

AYES: **COMMISSIONERS:** Cole, Stuckey, Samaniego, Ung and Baca
NOES: **COMMISSIONERS:** None
ABSENT: **COMMISSIONERS:** None
ABSTAIN: **COMMISSIONERS:** None

Chairperson Baca announced that the Motion has passed.

REPORTS: None.

PUBLIC COMMENTS: None.

STAFF COMMUNICATIONS:

Director Abel Avalos thanked everyone for their consideration of the two items presented. Going forward, any suggestions for the packet process, would be appreciated.

Chairperson Baca thanked Senior Planner Kuykendall and Assistant Planner Griffiths for their time in explaining some of the points which prepared him for the meeting.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.



Secretary

**6/27/2023 CITY COUNCIL
MEETING - REQUEST
FOR DE NOVO HEARING**

COUNCIL AGENDA

June 27, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Appeal of Conditional Use Permit No. 279, Amendment No. 3, 4311 South Street

INTRODUCTION

The appellant, Mr. Ernest J. Guadiana of Elkins Kalt Weintraub Reuben Gartside, LLP representing Shakouri Investment Group, LLC, is appealing the Planning and Environment Commission's (PEC) decision to approve Conditional Use Permit No. 279, Amendment No. 3 (CUP 279, A-3) to reconstruct and expand an existing carwash tunnel at an existing service station and to add a wall exceeding 7'-6" inches in height at 4311 South Street.

STATEMENT OF FACTS

On May 4, 2023 the PEC conducted a public hearing for CUP 279, A-3 following the hearing, the PEC adopted Resolution No. 3-2023 approving CUP 279, A-3 and the Categorical Exemption (Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e)). On May 25, 2023, a timely appeal of the PEC's approval of CUP 279, A-3 was submitted by the appellant (see attached letter dated May 25, 2023).

LMC Section 9407.5 states that the City Council may, by majority action at any time during the course of the review of a decision of the Planning Commission brought before it by either appeal or review, determine that a new hearing de novo should be heard for the purpose of taking new or additional evidence in respect to this matter. In such an event, a new hearing shall be set by the City Council, at which time the public will be entitled to appear to present new or additional evidence concerning this application.

On June 16, 2023, the appellant and counsel for the applicant submitted a joint letter requesting the City Council open the public hearing at its June 27, 2023 meeting and immediately adopt a motion to hear the appeal de novo on August 8, 2023 (see attached letter dated June 16, 2023).

RECOMMENDATION

Staff recommends the City Council set a public hearing de novo for CUP 279, A-3, pursuant to LMC Section 9407.5 on August 8, 2023, at 6:00 p.m.

Abel Avalos
Director of Community Development

Thaddeus McCormack
City Manager

EXHIBIT "A"

PROJECT DESCRIPTION:

REPLACEMENT OF AN EXISTING 36' LONG AUTOMATED CAR WASH TUNNEL BUILDING WITH A NEW STATE OF THE ART, 100' LONG AUTOMATED CAR WASH TUNNEL BUILDING.

REPLACEMENT OF EXISTING SELF VACUUM SPACES AND EQUIPMENT WITH STATE OF THE ART SELF VACUUM SPACES AND EQUIPMENT.

REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNEL.

REPAIR AND REFURBISHMENT OF EXISTING MAIN BUILDING EXTERIOR TO MATCH NEW CAR WASH TUNNEL BUILDING. PRIMARILY VIA PAINTING, REMOVAL OF AN UN PERMITTED FABRIC CANOPY AND REPLACEMENT WITH A NEW FABRIC AWNING AND APPLICATION OF NEW METAL CLADDING TO UPPER PART OF FACADE

REPLACEMENT TRASH ENCLOSURE AT APPROXIMATELY THE SAME LOCATION AS THE EXISTING ONE.

REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING STATION BRAND WITH NEW OWNER BRAND SIGNAGE. TO BE PERMITTED SEPARATELY.

NEW DISABLED PARKING, DISABLED PATH OF TRAVEL AND OTHER SITE ACCESSIBILITY IMPROVEMENTS.

IMPROVED SITE CIRCULATION, TRAFFIC MARKINGS AND NEW DIRECTIONAL SIGNAGE.

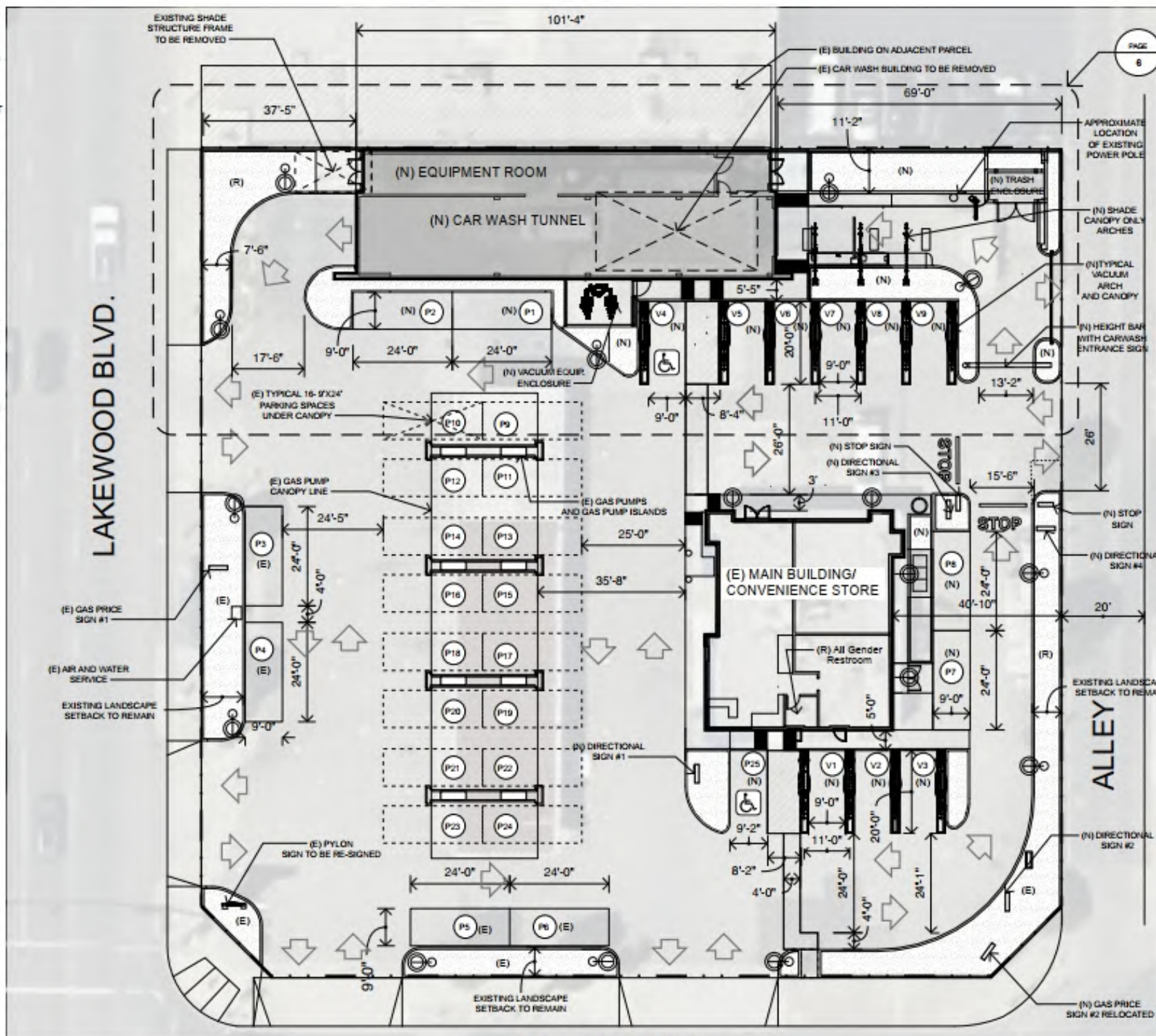
MODIFICATION OF DRIVEWAY ACCESS FROM THE ALLEY. ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO REMAIN AS IS.

NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW POLE LIGHTS AND ON BUILDING LIGHTS.

LANDSCAPE AREA INCREASE AND PLANTING UPGRADES.

LEGEND

- (N) BUILDING MOUNTED LIGHT
- (N) PARKING LIGHT & POLE TO REPLACE (E)
- TRAFFIC DIRECTION
- V1 VACUUM SPACE
- P1 PARKING SPACE
- (R) REMODELED
- (N) NEW
- (E) EXISTING
- LANDSCAPING
- NEW BUILDING FOOTPRINT



SOUTH STREET

ADDITIONAL NOTES:
ALL EXISTING PREFEASING VACUUM EQUIPMENT TO BE REMOVED.

VICINITY MAP



PROJECT SUMMARY

CUP #279 Amendment No 3- DRB# XXX

EXISTING BUILDING AREA	(E) MAIN BLDG.	2,284 SF	
	(E) CAR WASH BLDG (TO BE REMOVED)	(648 SF)	
	(E) CANOPY COVER AREA		2,836 SF
	TOTAL EXISTING ENCLOSED BLDG AREA	2,932 SF	
PROPOSED BUILDING AREA	(N) CAR WASH TUNNEL BLDG.	3,227 SF	
	TOTAL PROPOSED BUILDING AREA	5,511 SF	
PROPOSED SITE AREAS	TOTAL SITE AREA	41,700 SF	
	TOTAL PAVING AREA	31,270 SF	
	TOTAL LANDSCAPED AREA	4,919 SF	
	TOTAL EXISTING LANDSCAPED AREA IMPACTED BY NEW CONSTRUCTION	(787 SF)	SEE SHEET FOR WWW.CDRS.COM
LOT COVERAGE RATIOS	BUILDING (CONSIDER, ENCLOSED FOOTPRINT ONLY)	5,511 SF/13.2%	
	LANDSCAPING (5% MIN)	4,919 SF/11.8 %	5% MIN.
	PAVING/HARDSCAPING	31,270 SF/75%	
PARKING SUMMARY	REQUIRED FOR SERVICE STATION	4 SPACES	EXEMPTED UNDER LOCAL ORDINANCE
	REQUIRED FOR AUTOMATIC CAR WASH	3 SPACES	A REQUIRED SPACE FOR AUTOMATIC CAR WASH
	REQUIRED FOR GAS BAY PARKING	16 SPACES	THE TOTAL SPACES ARE PROVIDED AT THE GAS PUMP BAY LOCATION
	TOTAL REQUIRED	23 SPACES	
	TOTAL PROVIDED	25 SPACES	
	HANDICAPPED SPACES	(1 VAN SPACE)	
	COMPACT SPACES	0 SPACES	
	VACUUM SPACES (VV)	3 SPACES	VACUUM SPACES NOT QUALIFIED FOR REQUIRED PARKING
	VACUUM HC SPACE	(1 VAN SPACE)	VACUUM SPACES NOT QUALIFIED FOR REQUIRED PARKING
	TOTAL SPACES (W/Vacuum)	34 SPACES	

PROPERTY INFORMATION

OWNER: MOHAMED ELBIALI, MGE OIL, LLC, 4311 South Street, Lakewood, CA 90712. PHONE: (310) 426 8472

ARCHITECT: BBA ARCHITECTURE, 340N.WESTLAKE BLVD SUITE 250, WESTLAKE VILLAGE, CA 91362. FRANCISCO BEHR AIA PHONE (805) 496 1101

PROJECT ADDRESS: 4311 SOUTH STREET, LAKEWOOD, CA 90712

APN # (AIN): 716B-001-013

ZONING: C-3

TYPE OF CONSTRUCTION/ NEW CAR WASH TUNNEL BUILDING: V-B, UNSPRINKLERED

TYPE OF OCCUPANCY/ NEW CAR WASH TUNNEL BUILDING: B

LEGAL DESCRIPTION: TRACT # 13153 THAT PART S OF A LINE PARALLEL WITH AND DIST S AT R/A 140.85 FT FROM N LINE OF LOT 12 BLK D

PROPOSED SITE PLAN

DRB/CUP SUBMITTAL JAN. 19TH, 2023

EXHIBIT "B"

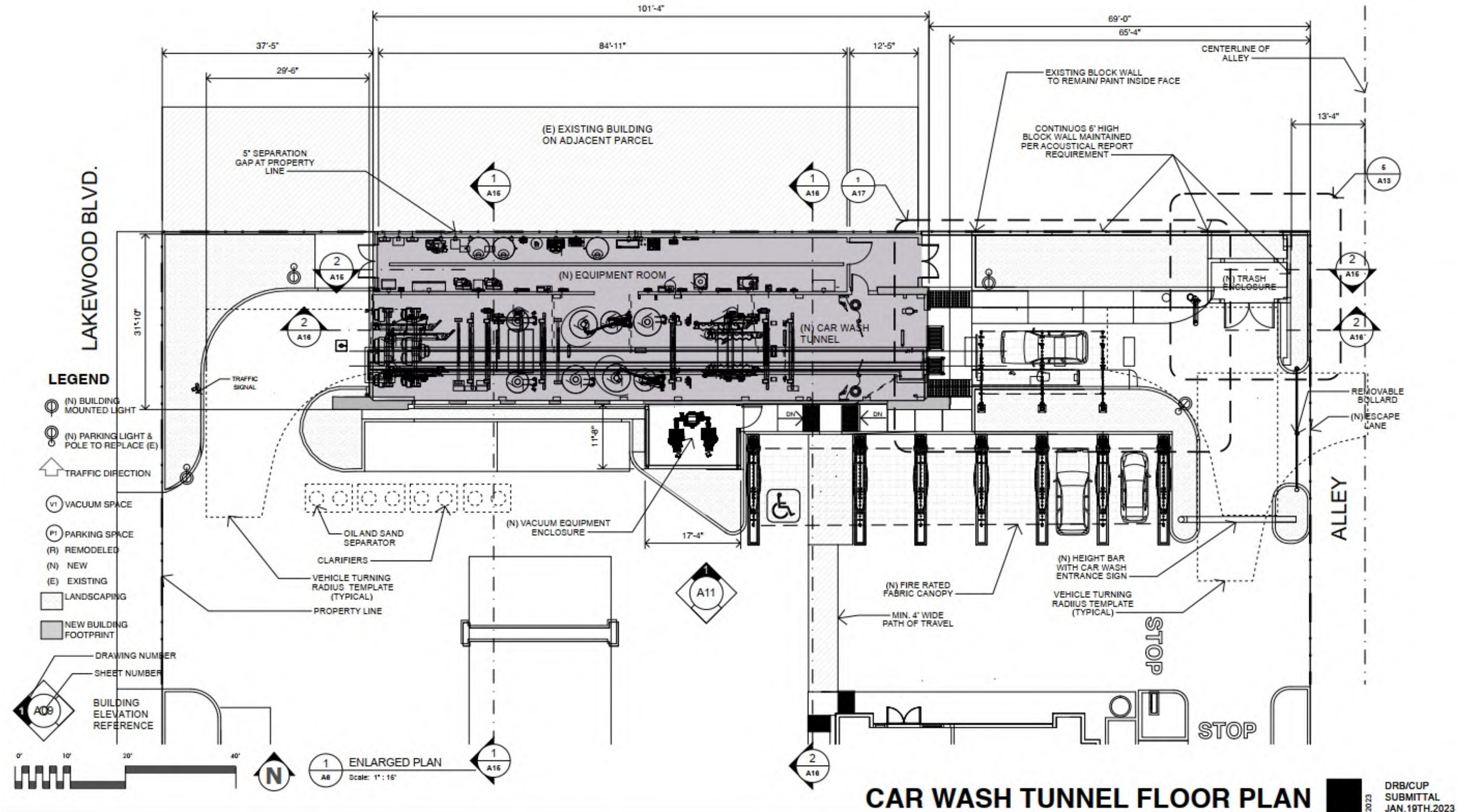


EXHIBIT "C"



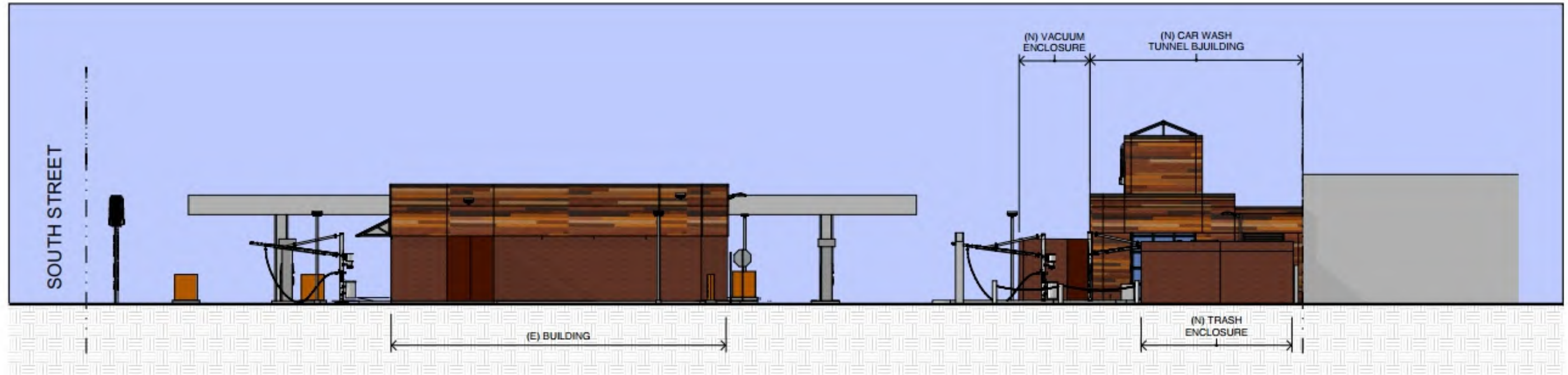
1 SOUTH ELEVATION
AS Scale: 1" = 16'



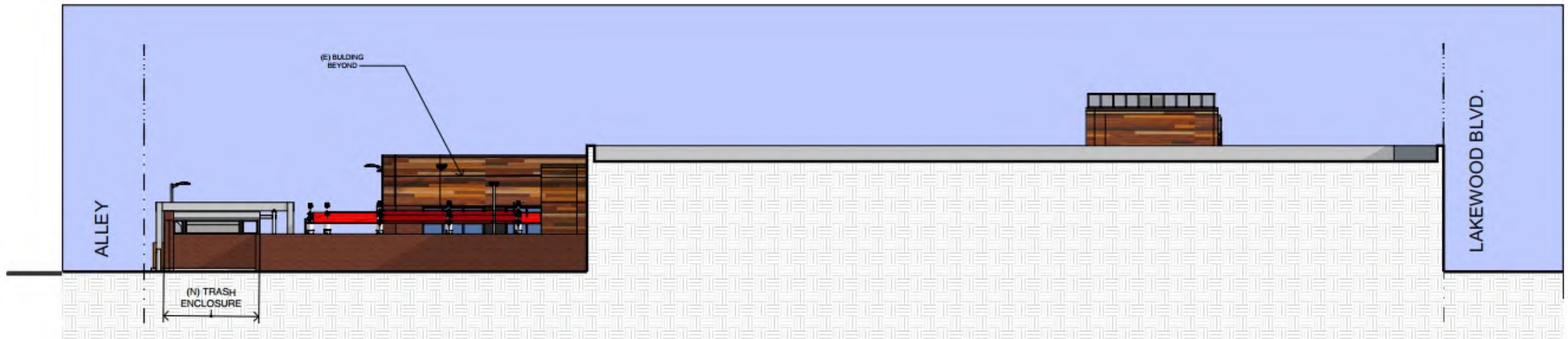
2 WEST ELEVATION
AS Scale: 1" = 16'



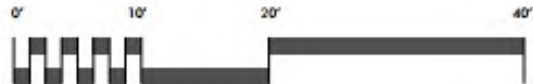
EXHIBIT "D"



1 EAST ELEVATION
A10 Scale: 1" = 16'

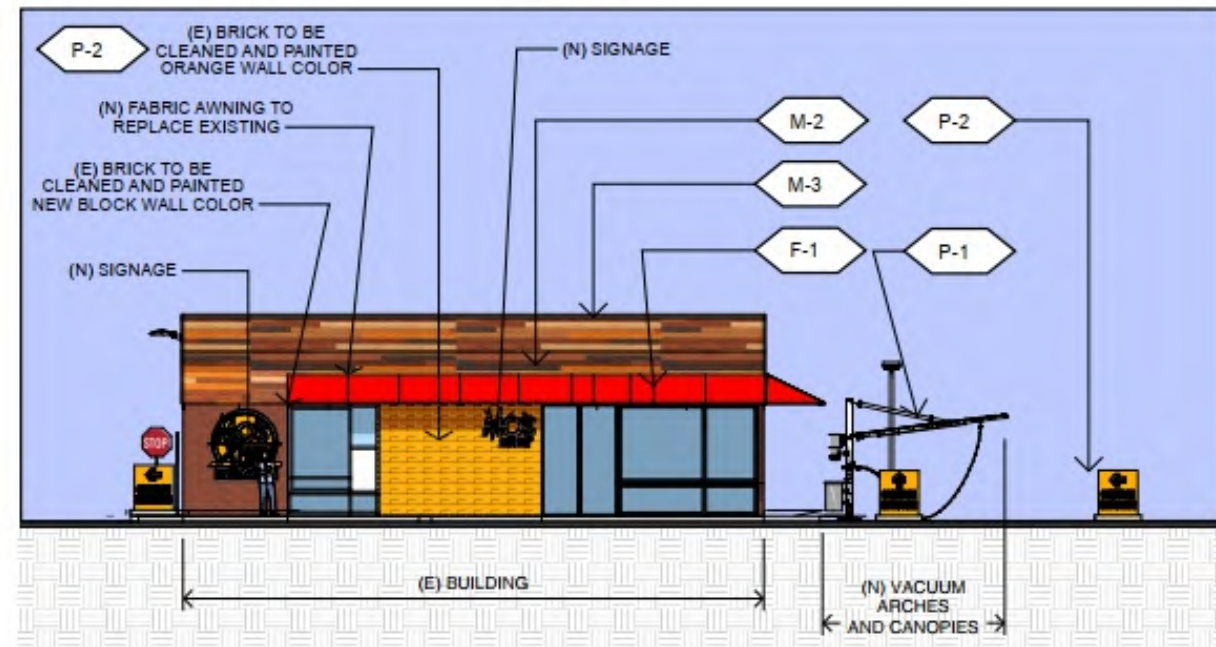
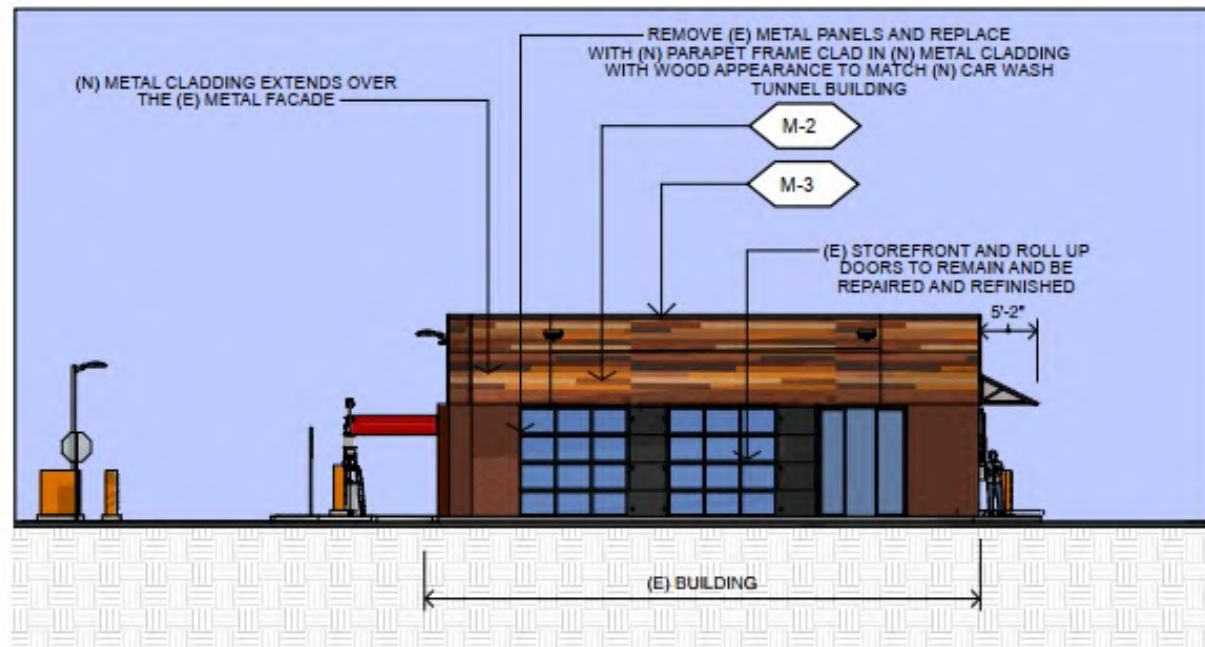
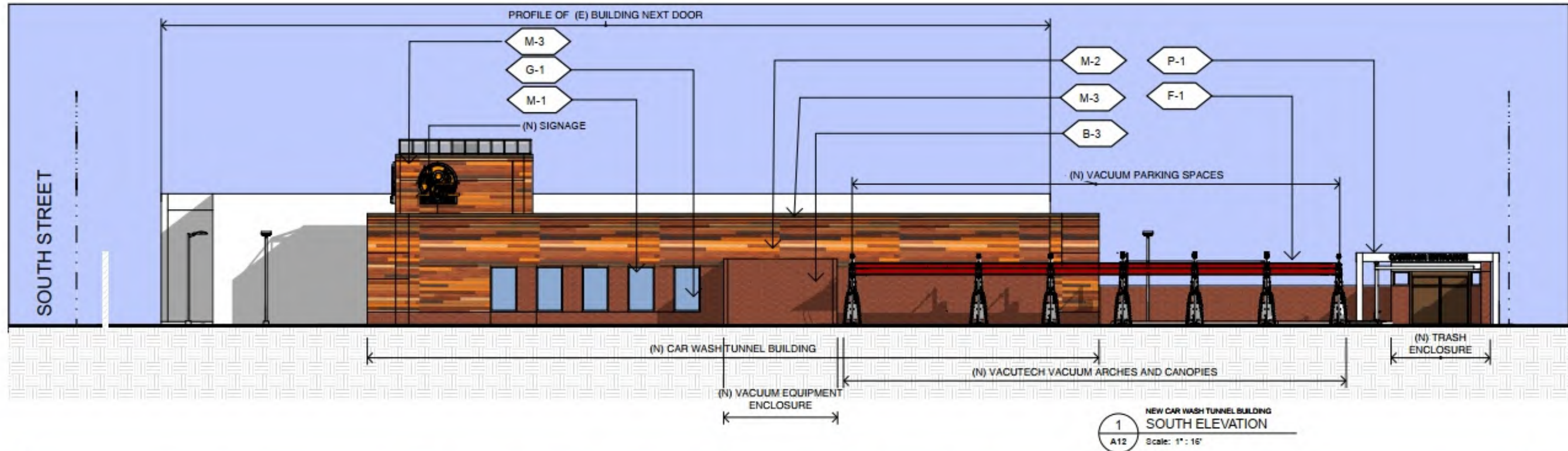


2 NORTH ELEVATION
A10 Scale: 1" = 16'



COLOR BUILDING ELEVATIONS

EXHIBIT "E"

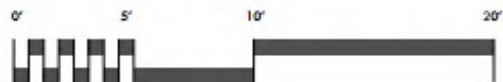
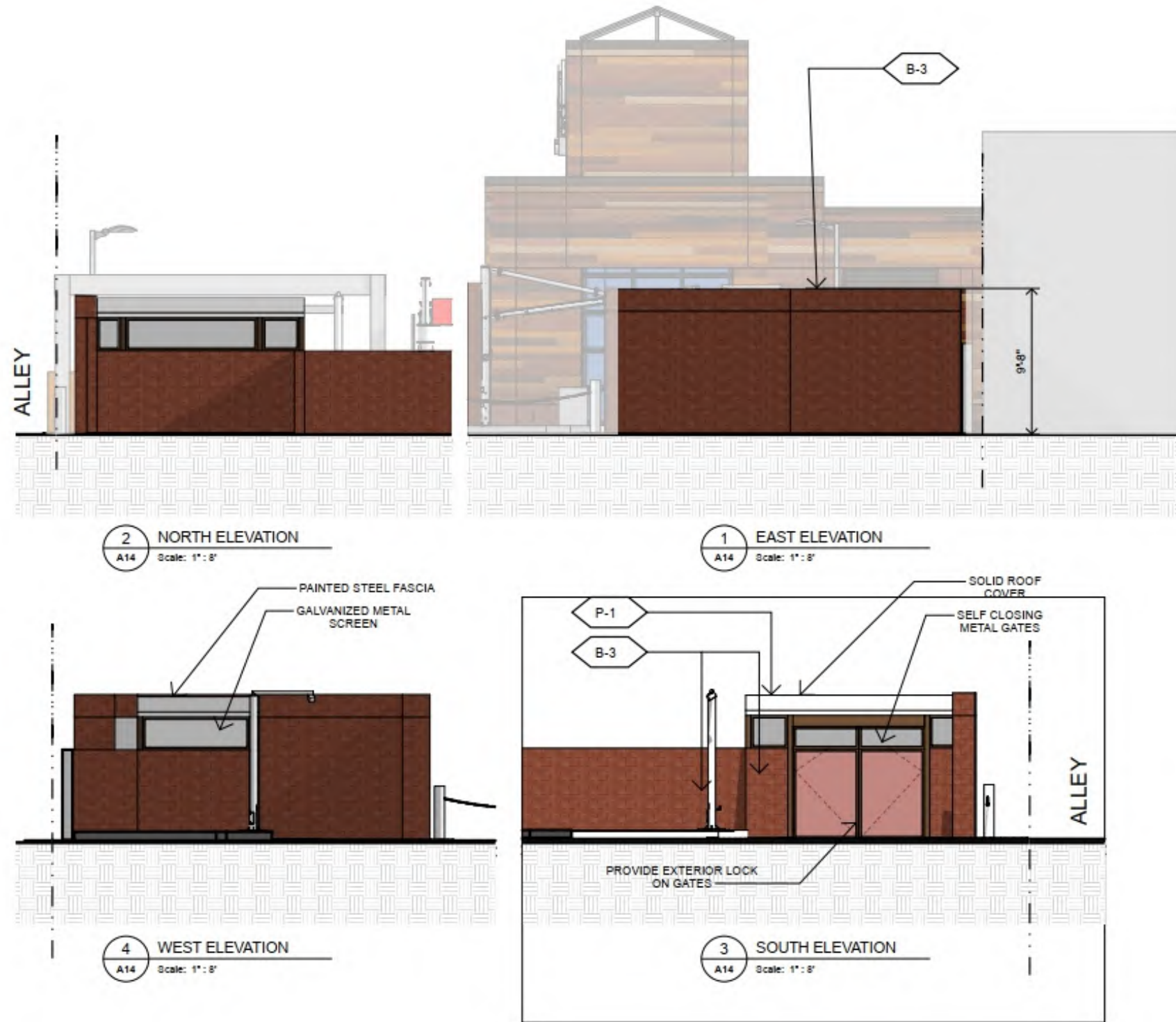


3 EXISTING SERVICE STATION BUILDING
NORTH ELEVATION
Scale: 0" : 1"

2 EXISTING SERVICE STATION BUILDING
WEST ELEVATION
Scale: 1" : 16"

COLORED BUILDING ELEVATIONS

EXHIBIT "F"



COLOR TRASH ENCLOSURE ELEVATIONS

EXHIBIT "G"



AERIAL CORNER VIEW RENDERING

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023



AERIAL ALLEY VIEW RENDERING

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023



LAKWOOD BLVD. RENDERING

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023



SOUTH STREET RENDERING 1

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

RECEIVED

Ernest J. Guadiana
D: (310) 746-4425
EGuadiana@elkinskalt.com

3643 '23 MAY 25 P1:49

CITY OF LAKEWOOD
CITY CLERK

May 25, 2023

VIA HAND DELIVERY

City Council
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

Re: Appeal of Planning & Environment Commission's Approval of Conditional Use Permit No. 279, Amendment No. 3.

Dear Councilmembers:

Our office represents Shakouri Investment Group, LLC ("**Shakouri**"), the owner of the Lakewood Car Wash & Detail Center, located across the street from the proposed expansion of Mo's Xpress Gas and Car Wash at 4311 South Street ("**Property**"). On May 4, 2023, the Planning and Environment Commission ("**PEC**") approved Amendment No. 3 to Conditional Use Permit No. 273 ("**CUP Amendment**") authorizing the demolition of the existing carwash on the Property and the construction of a new carwash that is five-times (5x) larger and three-times (3x) longer ("**Project**") than the one it replaces. By demolishing the existing "roll-over" car wash and replacing it with the proposed express, "tunnel"-style car wash, the Project will process several times more cars per hour, generating unstudied traffic and circulation impacts. This letter constitutes our client's appeal of the Project.

Not only does the Project fly in the face of this Council's stated policy to reduce the proliferation of carwashes in the City and mitigate their impacts, it violates the law. As discussed below:

- The City cannot make findings to approve the CUP amendment;
- The City impermissibly relies upon CEQA exemptions that do not apply, and the City must conduct additional review under CEQA before it can render a decision on the Project;
- The Project constitutes impermissible piecemealing under CEQA;
- The Project violates the Fire Code by dangerously placing the new carwash on top of existing fuel storage tanks;

5054621.5

- The Project violates the Lakewood Municipal Code's ("LMC" or "Code") prohibition on new carwashes; and
- The City violated Shakouri's due process rights by failing to give Shakouri the legally required notice of the Development Review Board hearing.

Setting aside the legal impermissibility of the Project, the Project will devastate Shakouri's business, which has remained a fixture of Lakewood for almost seven decades. For these reasons and as further explained below, our client appeals the Project, and the City Council should uphold the appeal. At minimum, because the City failed to provide proper notice of the Design Review Board ("DRB") hearing, the City Council must vacate the decision of the Planning Commission and remand the Project for a hearing before the DRB upon proper notice to the Property.

I. Relevant Background

A. The Applicant Proposes to Demolish the Existing Carwash and Construct a New, Dramatically Larger, High-Capacity Carwash.

The Project is located at 4311 South Street, which lies at the northeast corner of South Street and Lakewood Boulevard. The site is accessed by two (2) driveways along Lakewood Boulevard, two (2) driveways from South Street, and a public alley to the east. *See* PEC Agenda Report for the PEC's May 4, 2023 meeting ("**Agenda Report**"), pp. 1-2. We attach the Agenda Report and exhibits as **Exhibit A**.

A small carwash authorized by CUP 279, Amendment No. 2 exists on the northern boundary of the Property and consists of an approximately 648 square-foot, 35-foot carwash tunnel plus five (5) vacuum stations. *See* May 4, 2023 Agenda Report for CUP No. 279, Amendment No. 3 ("**Agenda Report**"), p. 2. As a "roll-over" or "in-bay" carwash, users drive their vehicle into the wash bay, put their car in park or neutral, and the car wash machine moves back and forth over the vehicle in a number of passes until the vehicle is totally washed and dried. While extremely compact, roll-over car washes have the disadvantage of only being able to wash one vehicle at a time.

This third amendment would completely change the car wash's operations. The Project proposes a new 3,227 square-foot, one-hundred and one foot (101') car wash tunnel (and associated equipment room), approximately five-times (5x) as big and three-times (3x) as long as the existing carwash. *See* Agenda Report, p. 2. The Project would also increase the number of vacuums from five (5) to nine (9). More importantly, the applicant proposes to replace the roll-over car wash with an express "tunnel" or "conveyor"-style carwash operation. In a tunnel carwash, the car is moved by a conveyor along the wash bay, where washing and drying systems

are longitudinally installed. Because more than one car moves through the carwash at a time, tunnel car washes can wash many time more cars per hour.¹ For reference, we attach the specifications for the relevant MacNeil carwash system as **Exhibit B**, which the applicant’s noise study (among other records) confirms the Project will use. *See* Mo’S Express Wash and Gas Noise Study, dated March 23, 2023, p. 8.

To date, neither the City nor the applicant have submitted or provided any traffic analysis for the Project.

B. Procedural Background

The Agenda Report to the PEC indicates that “[t]he Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023.” Agenda Report, p. 3.

Although the Code does not require the DRB “to hold noticed public hearings” (*see* LMC § 0481.B), the Code provides that “any interested persons shall be afforded reasonable opportunity to be heard by the Board.” City Planning staff confirmed during the PEC hearing on May 4, 2023, that it did not mail a notice or otherwise notify Shakouri of the proposed Project, much less provide any opportunity to be heard. City staff further indicated that the City does not post a DRB agenda or a list of pending DRB projects at City Hall or on its website. In fact, no method exists for any interested person or member of the public to determine whether a project is before the DRB except to call or email City planning staff directly.

Following DRB’s approval of the Project, the Project was agendized for the Planning Commission’s May 4, 2023, hearing. The Planning Commission then heard and approved the Project on May 4, 2023, over objections made by Shakouri, its counsel, and objections in public testimony. This appeal follows.

II. Basis for Appeal

A. The Findings for the Conditional Use Permit Amendment Cannot be Made.

To approve a CUP amendment, the City must find that “[t]he site for the conditional use [is] served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.” LMC § 9401.A.4. The City must support its

¹ See <https://www.reliableplus.com/in-bay-automatic-vs-tunnel-wash/>

findings with evidence that is “reasonable in nature, credible, and of solid value.” *See Protect Tustin Ranch v. City of Tustin* 70 Cal.App.5th 951, 960 (2021).

1. Inadequate Streets and Highways Exist to Support the Project.

The City cannot find that the streets and highways are adequate. In purporting to make this finding, the PEC Agenda Report relied solely on the fact that “[t]he General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways” and a rote statement that “[t]he adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use.” Agenda Report, p. 5. The resolution provides even less detail. During the PEC hearing, likewise, the City and applicant offered no analysis, study, report, testimony, or any other credible evidence to support this conclusion.

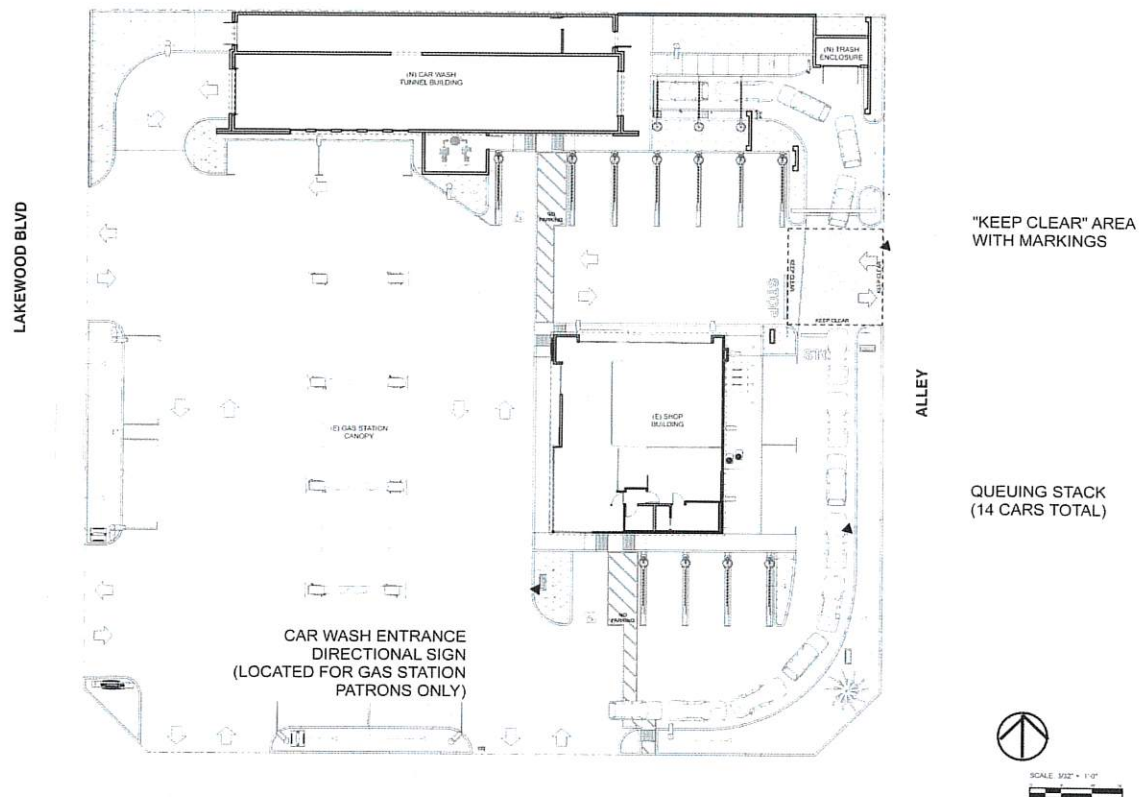
Lakewood Boulevard and South Street are admittedly arterial roadways. *See* General Plan Map, March 2013.² But even assuming these streets can carry additional traffic (which no evidence in the record supports), this does not demonstrate that the streets or highways are adequate to serve the Project or that the use will not adversely affect or materially detriment the adjacent uses. In fact, the increased car volume entailed by the Project is likely to lead to a whole host of impacts that have little or nothing to do with the size or width of Lakewood Boulevard or South Street or their designation as arterial roadways. These impacts include, without limitation, circulation conflicts, increased wait times at the South Street/Lakewood Boulevard stop light, vehicle conflicts with pedestrians at Property driveways (e.g., on Lakewood Boulevard), queuing or traffic in the public alley, and increased Vehicle Miles Travelled (“VMT”).

Shakouri and its counsel raised these concerns during the May 4, 2023, PEC hearing. Neither the City nor the applicant meaningfully responded to them. At most, applicant’s architect stated in general terms that Shakouri’s concerns were unfounded. But the architect is not an traffic engineer or similar professional, and his testimony does not constitute substantial evidence upon which the City can make its findings. *See Roddenberry v. Roddenberry*, 44 Cal.App.4th 634, 651 (1996) (“[o]pinion testimony which is conjectural or speculative 'cannot rise to the dignity of substantial evidence.'”); *People v. Fiore*, 227 Cal.App.4th 1362, 1384 (2014) (“[A] lay opinion must involve a subject that is of such common knowledge that men of ordinary education could reach a conclusion as intelligently as the witness.”) (internal quotation marks omitted). ”

Further, neither the City nor the applicant provided any study or analysis to determine if the proposed car wash site plan has sufficient capacity to accommodate the expected peak hour

² Available here: <https://www.lakewoodcity.org/files/assets/public/about/documents/lakewoodgenplan.pdf>

service demand or queue-length. Even a cursory review of the queuing plan reveals limited space for vehicles queue behind the tunnel. Inadequate queuing space will create circulation conflicts and will cause vehicles to back up into the streets and/or alleys—a common issue with high-capacity car washes.³ We attach the queuing plan (provided by staff subsequent to the PEC hearing) as Exhibit C and show it here for reference:



Even assuming that (1) vehicles would line up as shown; (2) that the cars are drawn to scale; and (3) that there would be no oversize cars or trucks, this plan necessarily depends on hyper-observant drivers uniformly obeying “keep clear” markings and patiently making space for vehicles entering/exiting driveways and parking spaces. In reality, drivers will almost certainly block the driveways on South Street and the public alleyway. Further, patrons are likely to enter (or try to enter) the carwash queue from the drive aisle to the north of the convenience store. This

³ See <https://www.carwash.com/carwash-queuing-backup-proves-ongoing-problem/>

will create conflicts with the drive aisle to/from the gas pumps on the northern side of the convenience store and block in the parking spaces at the northern end of the project site. The queuing plan similarly fails to leave room for vehicles entering/existing parking spaces to the south of the convenience store. In short: This plan makes no sense.

City staff and applicant did little to address these concerns. During the PEC hearing, staff and the applicant's architect reiterated the queuing plan purportedly shows adequate queuing length. Staff indicated that the queuing plan has been reviewed by public works and the fire department. PEC Audio Recording at 16:35. But no indication was made that staff or the applicant's architect are qualified traffic engineers or similar professionals, and their testimony does not constitute substantial evidence upon which the City can make its findings. *Roddenberry, supra*, 44 Cal.App.4th at 651; *People v. Fiore, supra*, 227 Cal.App.4th at 1384. The applicant bears the burden of demonstrating that the plan is sufficient. They have not done so here.

In short, no substantial evidence supports the finding that the streets and highways are adequate. At the same time, real questions exist about the traffic, circulation, queuing, and vehicular conflict issues raised by the Project. Until analysis is conducted to address these issues, the findings cannot be made and the Project must be denied.

2. The Project Will Create Adverse and Detrimental Effects on Adjacent Uses.

The City cannot issue a CUP amendment where the project "will adversely affect or be materially detrimental to ... adjacent uses, buildings or structures." LMC § 9401.A.2.

By placing a new, high-capacity carwash directly across the street, the Project will detrimentally and adversely affect Shakouri's long-standing business. Shakouri testified to this impact during the PEC hearing, and no evidence in the record substantially disputes this. Further, the traffic, circulation, queuing, and vehicular conflict issues will detrimentally impact the adjacent residential uses to the east. *See* Agenda Report, p. 4 ("The closest residential property line is located approximately 89 feet from the car wash entry tunnel to the residential property line located east of the subject site."). In fact, a multitude of multi-family residential and single-family residential uses exist within a 500-foot radius of the Project.⁴ At the same time, the City Council recently expressed concern over the "adequacy of carwash regulations pertaining to ... traffic generation in close proximity to residential areas." *See* Ordinance No. 2018-6, Section 1.

⁴ For reference, *see* the City's zoning map, available here:

<https://www.lakewoodcity.org/files/assets/public/about/documents/zoningmap.pdf>

Because the Project will detrimentally and adversely affect the adjacent residential neighborhood and Shakouri's business across the street, the City cannot make the required findings and the Project must be denied.⁵

B. The Project Impermissibly Relies upon CEQA Exemptions That Do Not Apply and the City Must Conduct Additional Review Under CEQA Before It Can Render a Decision on the Project.

The Agenda Report and Resolution state in a conclusory manner that the Project is categorically exempt from CEQA pursuant to Sections 15301, 15302(b), and 15303(e) of the CEQA Guidelines. Agenda Report, p. 6 (i.e., stating that the Project is entitled to Class 1, Class 2, and Class 3 exemptions).

The Project fails to meet the plain criteria for these exemptions. Separately, the unusual circumstances exception to the exemptions applies. Accordingly, additional review is required under CEQA.

1. The Class 1 Exemption (Guidelines Section 15301) does not apply.

Class 1 exemptions apply to "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." Cal. Code Regs. tit. 14, § 15301. Neither the PEC Agenda Report, the City staff presentation, nor the public testimony purports to explain why the City believes it can apply a Class 1 exemption.

In fact, the City cannot apply the Class 1 exemption for at least two reasons: First, the exemption only applies to minor alterations to existing facilities or structures. *Id.* Here, the applicant proposes the total "reconstruction" of the car wash. As confirmed by the site plan, no portion of the existing structure will remain. We attach the site plan as **Exhibit D**. The Project is not an "existing facility" to which this exemption may apply.

Second, the exemption only applies to activities involving "negligible or no expansion of existing or former use." Here, the Project will be approximately three times as long and five times as big as the existing carwash, and it will operate in a manner that allows it to wash many times

⁵ During the PEC hearing, concerns were raised with the applicant's noise study and with the noise generated by the Project. Appellant reserves the right to supplement its appeal and challenge the Project based on these concerns and/or the Project's failure to comply with the City's noise ordinance.

more cars per hour. This is not a “negligible expansion” of the existing use.⁶ *See Cnty. of Amador v. El Dorado Cnty. Water Agency*, 76 Cal. App. 4th 931, 967 (1999) (change in facility operation to permit consumptive use of water was “not a negligible expansion of current use.”); *Saint Ignatius Neighborhood Assn. v. City & Cnty. of San Francisco*, 301 Cal. Rptr. 3d 641, 645 (2022) *review denied and ordered not to be officially published* (Mar. 22, 2023) (“*Saint Ignatius*”) (Class 1 exemption did not apply to new stadium lighting where lighting would allow for increased use of stadium at nighttime).

Shakouri’s counsel raised these arguments in its May 3, 2023 correspondence and in public testimony during the May 4, 2023 hearing. Neither applicant, nor City staff, nor public testimony addressed these points.

2. The Class 2 Exemption (Guidelines Section 15302) does not apply.

Class 2 exemptions apply to the “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.” Cal. Code Regs. tit. 14, § 15302. The Agenda Report and Resolution specifically rely upon Guidelines section 15302(b), which allows for the “[r]eplacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.” Cal. Code Regs. tit. 14, § 15302(b). City staff gives no elaboration as to why this exemption is purportedly applicable.

Again, nothing indicates that the Project will result in a carwash similar in size or capacity as the existing carwash. While Courts have ruled that the reconstructed facilities need not be “precisely or literally the same size” as the old structures to apply the Class 2 exemption, they must be “substantially the same size.” *Dehne v. Cnty. of Santa Clara*, 115 Cal. App. 3d 827, 839 (1981) (Class 2 exemption only allowed because reconstructed plant would be smaller, with similar or less capacity, in basically the same location as the original plant, and would reduce environmental impacts). Here, the applicant proposes a new car wash approximately three times as long and five times as big as the existing carwash that will allow the applicant to dramatically increase carwash capacity. No reasonable argument can be made that the Project is “substantially the same size” or capacity as the existing facility. The Class 2 exemption does not apply.

⁶ Without prejudice to this argument, we acknowledge that the Class 1 exemption allows for certain “additions to existing structures” up to 10,000 square feet. *See* Guidelines Section 15301(e). However, the existing car wash structure will not remain, and this is not an addition project.

Like its other CEQA objections, Shakouri's counsel raised these objections in its May 3, 2023, correspondence and in public testimony during the May 4, 2023, hearing. Neither applicant, nor City staff, nor public testimony addressed these points.

3. The Class 3 Exemption (Guidelines Section 15303) does not apply.

Class 3 exemptions consist of the "construction and location of limited numbers 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." Cal. Code Regs. tit. 14, § 15303. The City Agenda Report and resolution rely upon Guidelines section 15303(e), which allows for "[a]ccessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences." Cal. Code Regs. tit. 14, § 15303(e).

"Exemption categories are not to be expanded beyond the reasonable scope of their statutory language." *San Lorenzo Valley Cmty. Advocs. for Responsible Educ. v. San Lorenzo Valley Unified Sch. Dist.*, 139 Cal. App. 4th 1356, 1382 (2006) (emphasis added) (internal citations and quotations omitted). Here, the proposed car wash is not an "accessory structure" under any reasonable definition of that term. If constructed, the car wash will be by far the largest building on the Property—almost 1,000 square feet larger than the small gas station convenience store. *See* Agenda Report, Exhibit "A." As such, it bears no reasonable relationship to the other examples of "accessory structures" provided in the CEQA guidelines, such a "swimming pool" or "fence." *See* Cal. Code Regs. tit. 14, § 15303(e); *see also Saint Ignatius, supra*, 301 Cal. Rptr. 3d at 646 (new stadium light poles did not qualify for Class 3 exemptions where they were fundamentally dissimilar from other examples in the CEQA Guidelines).

The City's Zoning Ordinance, likewise, defines an "accessory use" as a "use customarily incidental and accessory to the principal use of a lot or building located upon the same lot or building site." LMC § 9302.2. It defines an "accessory building" as "a subordinate building on the lot or building site, the use of which is incidental to that of the main building, and which is used exclusively by the occupants of the main building...." LMC § 9302.1. Again, nothing about the proposed carwash—which will be larger than all other structures on the Property and which will not be used "exclusively by the occupants" of the gas station building—is "subordinate" or "accessory" under any reasonable construction of those terms.

City staff gives no explanation as to why this exemption is purportedly applicable. As shown above, it unequivocally does not. Staff has not met its burden to apply the Class 3 exemption.

4. Unusual Circumstances Preclude the City from Applying an Exemption.

Even if the Project qualified for a categorical exemption (which we dispute), categorical exemptions do not apply to “activit[ies] where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” Cal. Code Regs. tit. 14, § 15300.2(c).

As the California Supreme Court opined, “A party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, by showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance. Alternatively, ... a party may establish an unusual circumstance with evidence that the project will have a significant environmental impact.” *Berkeley Hillside Pres. v. City of Berkeley*, 60 Cal. 4th 1086, 1105 (2015).

Unusual circumstances apply here because, among other things, (1) the Property is larger than virtually all nearby commercial parcels; (2) the proposed carwash operation is unusually large compared to both the existing and other carwashes in the City; (3) the Property’s location adjacent to and nearby residential uses and residentially zoned properties, in combination with the nature of the high-volume car wash operation, increases the risk of impacts to residential tenants in a way that other, similar commercial uses do not; and (4) the Property’s location next to Lakewood Boulevard, South Street, and a public alley will create vehicular impacts in a way not created by other, similar commercial operations. Among other things, these impacts include circulation conflicts, increased wait times at the South Street/Lakewood Boulevard stop light, vehicle conflicts with pedestrians at Property driveways (e.g., on Lakewood Boulevard), queuing or traffic in the public alley, and increased VMT.

Because unusual circumstances exist, none of the categorical exemptions apply. Cal. Code Regs. tit. 14, § 15300.2(c). Accordingly, the City must conduct an initial study under CEQA.

C. The Project Constitutes Impermissible Piecemealing Under CEQA.

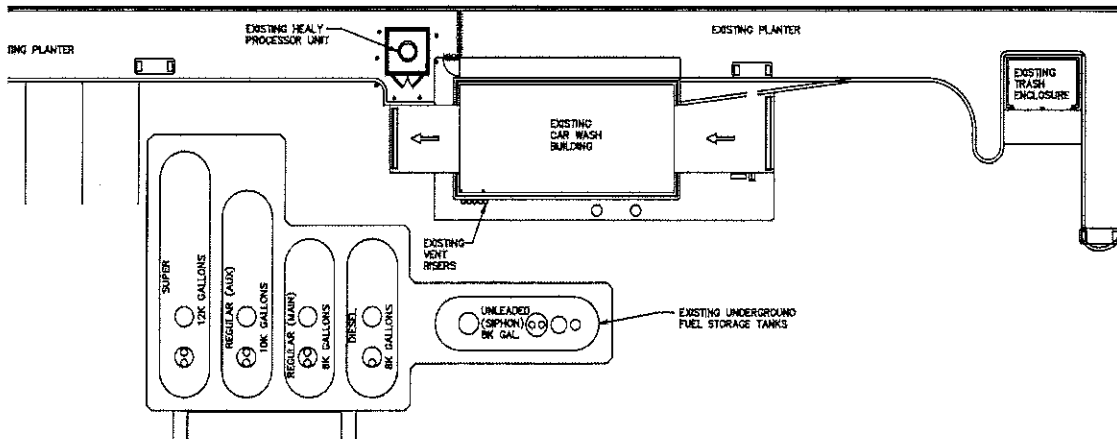
Under CEQA, a project is defined as the “whole of an action” with the potential to physically change the environment. Cal. Code Regs. tit. 14, § 15378(a). Thus, a development proposal thus cannot be “piecemealed” into several segments, each viewed in isolation from the others, for purposes of CEQA analysis. *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal. App. 4th 1209, 1222 (2012) (“Agencies cannot allow environmental considerations [to] become submerged by chopping a large project into many little ones”) (internal quotations omitted).

To avoid piecemealing, an agency's environmental review of a project under CEQA must address all aspects of a project that are a "reasonably foreseeable consequence" of the project and would be "significant" such that "it will likely change the scope or nature of the initial project or its environmental effects." *McCann v. City of San Diego*, 70 Cal. App. 5th 51, 84 (2021) (quoting *Laurel Heights Improvement Association v. Regents of the University of California*, 47 Cal.3d 376, 253 Cal.Rptr. 426 (1988)).

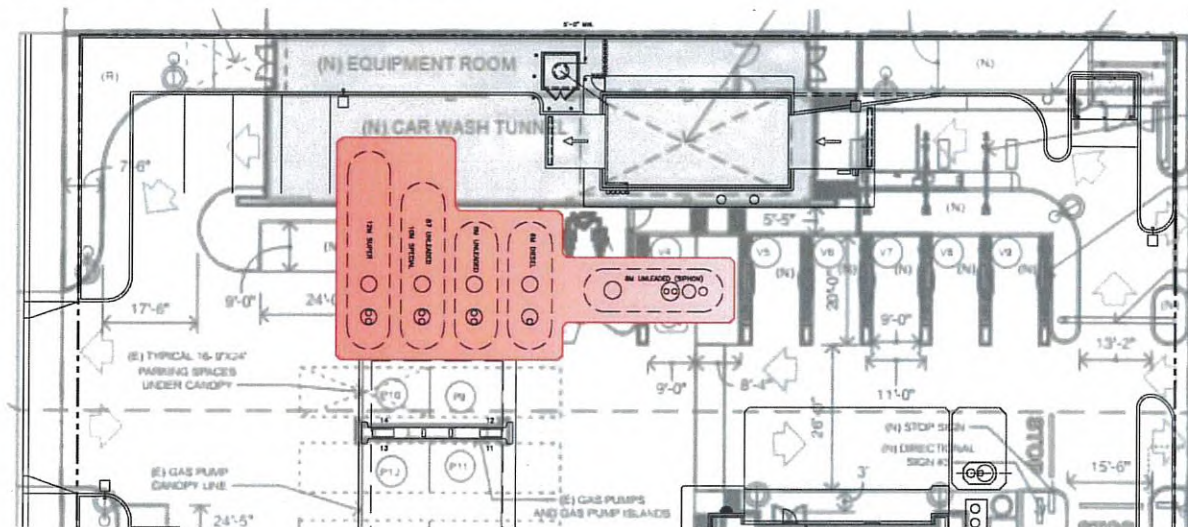
In this case, the applicant intends to upgrade various other portions of the carwash. The plans, for example, clearly show updated and renovated exterior elevations (including signage) on the convenience store. *See* Agenda Report, Exhs. C-G; *see also* PEC Audio Recording beginning at 12:56. Further, as explained below, the Fire Code will require the applicant to relocate its underground storage tanks. None of these aspects were included in the "project" or considered in the City's application of the CEQA exemptions. The law forbids ignoring these impacts by segmenting the project. *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal. App. 4th 1209, 1222 (2012). The City cannot do so here.

D. The Project Violates the Fire Code by Developing Over Underground Fuel Storage Tanks.

A site plan of the existing carwash obtained from public records, below, shows that there are underground fuel storage tanks ("Fuel USTs") immediately west of the existing car wash tunnel. We attach a site plan showing the Fuel USTs as **Exhibit E**. The proposed carwash would build a new carwash over the existing Fuel USTs. In addition, the Project proposes to build vacuum producers and stalls over an existing Fuel UST. The following image shows the location of the Fuel USTs as they exist today:



The following graphic, meanwhile, shows the location of the Fuel USTs superimposed over the proposed Project. **This image demonstrates that the Project will lie directly on top of existing underground storage tanks:**



This violates the Fire Code, which states that “[t]anks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.” CFC § 5704.2.11. Here, the Project will be located directly on top of the Fuel USTs in direct violation of the Fire Code. No evidence exists that the fire department or applicant are even aware of this issue, much less that they have addressed it.

Besides being illegal, siting the Project over the USTs is deeply concerning. Doing so risks damage to the USTs, which could result in leaking, contamination, and harms to the public and environment; further, it will make maintenance, repair, or future removal of the USTs difficult or impossible. **Appellant’s architect—Ahmad Ghaderi, who has worked on dozens if not hundreds of gas station and carwash projects—is not aware of a single project in which a carwash or other building has been located on top of Fuel USTs.**

In addition, we note that the Project would build over the existing vent rises at the southwest corner of the existing carwash. Vent pipes are put in place to equilibrate pressures in the tanks and must be located outside of buildings. *See generally* Hilpert M, Rule AM, Adria-Mora B, Tiberi T., *Vent pipe emissions from storage tanks at gas stations: Implications for setback distances*, Sci Total Environ., Feb. 10, 2019; CFC § 5704.2.7.3.3 (“Vent pipe outlets for tanks ... shall be located such that the vapors are released at a safe point outside of buildings.”). Applicant

must explain where and how it will relocate these vents. Unless and until the applicant addresses these issues, the Project remains not only unwise, but illegal and unsafe. Thus, as presently proposed, the Project must be denied.

E. The Project Violates the Municipal Code Because It Constitutes a New Carwash.

The applicant describes the Project as a “reconstruction” and equipment upgrade of an existing car wash, a description the Agenda Report adopts. *See, e.g.*, Agenda Report, pp. 1, 3. Staff repeated this assertion during the PEC hearing. Presumably, the applicant and City staff characterize the Project this way because the LMC allows applicants to “modify” an existing car wash while specifically prohibiting new carwash facilities. LMC § 9347.D.11. This prohibition was adopted, among other things, out of concern for the “proliferation of car washes” in the City and because of their noise and traffic impacts. *See City Council Minutes*, October 9, 2018, Ordinance No. 2018-6 (“Mayor Croft concurred that there was a proliferation of car washes”); Ordinance No. 2018-6, Section 1 (need for carwash regulations in order to address noise and traffic generation from car washes).

The characterization of the Project as the “reconstruction” of an existing car wash is inaccurate. To reiterate, the new car wash will be approximately three times as long and five times as big as the existing carwash, and will operate in an entirely different manner and format that allows it to wash exponentially more cars per hour. No part of the existing car wash will remain. By any logical standard, the Project constitutes a new car wash. As such, the Project is prohibited by the code. LMC § 9347.D.11.

F. Because the City Violated Shakouri’s Due Process Right, the City Must Remand the Project to the Design Review Board

This Project is subject to review by the Design Review Board. LMC §§ 9480, 9482. While the DRB only provides a recommendation to the Planning Commission, and not final approval (LMC § 9480), the DRB hearing remains a critical opportunity for the City and interested parties to identify issues and concerns with proposed projects and for applicants to address them.

The Agenda Report to the PEC stated that “[t]he Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023.” Agenda Report, p. 3. Although the Code does not require the DRB “to hold noticed public hearings” (*see* LMC § 9481.C), the Code provides that “any interested persons shall be afforded reasonable opportunity to be heard by the Board.” *Id.*

While the ordinance does not delineate “reasonable opportunity to be heard,” the U.S. Supreme Court has said that “[a]n elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950).

Shakouri undoubtedly qualifies as a “interested person” that this language is meant to protect; the Project will fundamentally harm Shakouri’s business across the street. However, absolutely no effort was made to apprise Mr. Shakouri of the Board’s meeting or to provide Shakouri with an opportunity to present his objections. In fact, City Planning staff did not contest that it did not mail a notice or otherwise notify Shakouri of the proposed Project; and City staff indicated that the City does not post a DRB agenda or a list of pending DRB projects on its website, at City hall, or anywhere else. Indeed, staff stated that no method exists for any interested person or member of the public to determine whether a project is before the DRB except to inquire with planning staff. See PEC Audio Recording beginning at 1:33:20; and beginning 1:35:50.

This does not comport with due process. See *Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 14 (1978) (“The purpose of notice under the Due Process Clause is to apprise the affected individual of, and permit adequate preparation for, an impending hearing.”). The only remedy is to remand the Project to the DRB, where Shakouri can present his objections. Then, should the DRB still recommend approval of the Project, the applicant can proceed to a hearing before PEC at that time. Until then, the action taken by the PEC and any decision taken by the City Council remain unenforceable.

G. The Project Will Devastate the Adjacent Carwash

Shakouri owns the car wash operation to the south across South Street. This multi-generational family business was approved and built in the 1950’s, and the carwash maintains significant community support and a strong local following.

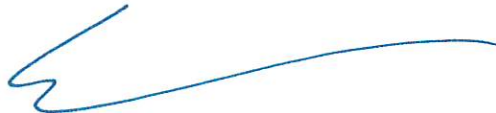
At the same time, no pressing need exists for another car wash in this area and, indeed, the City has previously expressed concern about the proliferation of car washes. See City Council Minutes, October 9, 2018, Ordinance No. 2018-6. Permitting an essentially new, high-capacity car wash across the street will decimate Shakouri’s business—a harm that is particularly unjust given the illegalities described above and the City’s prohibition of new carwashes. The Commission should deny the application.

III. Conclusion

The Agenda Report describes this as a minor “reconstruction.” In reality, the Project impermissibly proposes to replace the existing car wash with a new, dramatically larger and more efficient operation. The proposed new operation raises substantial questions about the impacts of the Project and its detrimental effects on adjacent uses. The City fails to analyze or address these impacts, and the findings for the CUP amendment cannot be made. In addition, the categorical exemptions that the City relies upon under CEQA do not apply. Even if these exemptions applied, the City failed to consider the planned renovation of the remainder of the site in its analysis—an impermissible “piecemealing” under CEQA. Thus, even if a factual basis existed to make the required findings, an initial study is required under CEQA before the Project can be considered or approved. More concerning still, the Project builds over the existing fuel storage tanks and riser vents, a dangerous violation of the Fire Code.

For the foregoing reasons, our client appeals the Project, and the City Council should uphold the appeal and deny the Project.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Ernest J. Guadiana', with a long horizontal stroke extending to the right.

ERNEST J. GUADIANA
Elkins Kalt Weintraub Reuben Gartside LLP

EJG:jdm

EXHIBIT A

APPLICATION FOR: Conditional Use Permit No. 279, Amendment No. 3
LOCATION: 4311 South Street
APPLICANT: Mohamad Elbiali representing Mo's Xpress Gas + Wash
PROPOSAL: Reconstruct Carwash and Construct Excess Height Fencing.
ZONING: C-3 (Intermediate Commercial)

INTRODUCTION

The applicant, Mohamad Elbiali representing Mo's Xpress Gas + Wash, is requesting approval of a Conditional Use Permit No. 279, Amendment No. 3, to reconstruct and expand an existing carwash tunnel at an existing service station and to add a wall exceeding 7'-6" in height. The site is located at 4311 South Street (Site) and is designated by the General Plan for commercial uses and the Site is located in the C-3 (Intermediate Commercial) zone.

Pursuant to Lakewood Municipal Code (LMC) Section 9341.B, all uses in the C-1 zone "shall be conducted wholly within a building except... *vehicular parking and loading spaces, vacuums, vacuum stations, and other outdoor equipment and activities normally associated with a carwash as permitted in conjunction with such facilities*, and other accessory uses, displays, and storage, which are normal and incidental to the primary permitted commercial use, where otherwise allowed or authorized by this Part." LMC Section 9347.A allows any use permitted as a matter of course in the C-1 zone in the C-3 zone under the same conditions. Pursuant to LMC Section 9347.D.11 a Conditional Use Permit is required to modify or update any existing carwash in the C-3 zone.

STATEMENT OF FACTS

Area Description

The Site is located at the northeast corner of Lakewood Boulevard and South Street (see Vicinity Map and Aerial View). The following table lists the land uses and zoning designations for the Site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Site	Service Station & Car Wash	C-3 (Intermediate Commercial)
North	Lumber Liquidators & PPG Paints	C-3 (Neighborhood Commercial)
East	Multi-Family Homes Pharmacy	C-1 (Intermediate Commercial) M-F-R (Multi-Family Residential)
South	Carwash Commercial center	C-3 (Intermediate Commercial)
West	Commercial center Restaurant, Pancho's Heritage	C-3 (Intermediate Commercial)

Site Description

As shown in Exhibit "A," the project site is square shaped and is approximately 0.96 acres in area. The site is designated by the General Plan as Commercial and is located in the C-3 (Intermediate Commercial) zone. A convenience store is located on the eastern portion of the site, a drive-through car wash building is on the northern portion of the site and four fuel islands. There is currently 12 parking spaces located on the lot. The building consists of an unused two-bay lube facility, a convenience store, restroom, and a storage area. The convenience store and gas pumps are open 24 hours a day. The hours of operation for the carwash allowed with the existing Conditional Use Permit, CUP No. 279 Amendment No. 2, is limited between 6:00 am to 9:00 pm, Monday through Friday; and 7:00 am to 9:00 pm, Saturday and Sunday. This building is 2,284 square feet in area and the existing car wash tunnel is 648 square feet in area and five (5) vacuum stations. The site is accessed by two (2) driveways along Lakewood Boulevard, two (2) driveways from South Street, and a public alley to the east.

The trash enclosure for the project site is located on the northeast corner of the building and will be upgraded to comply with current City standards. The proposed Resolution of Approval contains a requirement that proper approval and permits shall be obtained for all proposed exterior signage. There are no outstanding code enforcement cases for this property.

Prior CUPs

This application is the third proposed amendment to CUP No. 279. The original CUP and the first two amendments are summarized below.

CUP No. 279 was approved by the Planning and Environment Commission (PEC) in 1982 to construct a storeroom addition at an existing Mobil Oil Service Station. The service station currently has an active business license dated November 2, 2022.

CUP No. 279, Amendment No. 1 was approved by the PEC in 1984 to demolish the existing service station, liquor store, and food stand for construction of a new service station and mini-market. The fuel pumps and mini-market currently have active business licenses dated November 2, 2022.

CUP No. 279, Amendment No. 2 was approved by the PEC in 1989 for the carwash, an additional gas pump island, and expansion of the existing mini-market. The carwash, mini-market, and fuel pumps currently have active business licenses dated November 2, 2022. The mini-market, carwash and gas bay islands are still active on site. A condition in the proposed Resolution of Approval explicitly requires all businesses conducted on site to be licensed.

Proposed Conditional Use

The proposed project is for the reconstruction of a 3,227 square-foot tunnel carwash and 13 linear feet of a 9'-8" tall block wall at the northeast corner of the site. The drive-thru car wash tunnel will be ancillary to the primary use which is a service station. The carwash tunnel will have a single entrance/exit driveway approach with one (1) queue lane and a pay kiosk where customers select the type of wash and make their payment near the tunnel entrance. The tunnel is 101'-4" feet long and will include a blower to dry cars as they exit. After exiting the carwash tunnel, drivers make a 90-degree left turn back towards the gas pumps or exit towards Lakewood Boulevard. There will be three (3) canopies with permanent posts attaching fire rated fabric to provide shade for the cars entering the car wash tunnel and customers utilizing the vacuum stations.

There will be a total of nine (9) vacuum stations with a 202 square-foot vacuum equipment enclosure abutting the south wall of the tunnel. The vacuum stations are activated after the car wash is operated by customers. There will be nine (9) open parking spaces in all. The carwash tunnel includes a 2,284 square-foot equipment room located north of the car wash tunnel.

Although the carwash is self-serve, there will be employees available to help customers pay at the entrance kiosks and to guide drivers into the carwash conveyor rack (customers remain in their vehicles during the wash process). The proposed hours of operation for the carwash will be from 7:00 am to 8:00 pm, daily. The existing freestanding sign adjacent to Lakewood Boulevard will be refaced to match the new branding.

Development Review Board

The Development Review Board reviewed the proposed project as DRB Case No. 9230 and recommended approval of the project to the Planning and Environment Commission, subject to the conditions in the attached letter dated April 22, 2023. The DRB conditions of approval have been incorporated into the proposed Resolution of Approval.

Code Requirements

A Conditional Use Permit for the proposed project use can only be approved upon findings of the Planning and Environment Commission that the use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the proposed use is in accord

with the following principles and standards is necessary in each case, as specified in Section 9401 of the Lakewood Municipal Code.

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The subject site is designated for Commercial uses by the General Plan and is in the C-3 (Intermediate Commercial) zone. The proposed use is commercial in nature and therefore compatible with both the General Plan land use and the zoning designation of the property. Potential conflicts with the General Plan relating to specific areas, such as noise, have been included in the proposed Resolution of Approval.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be granted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The carwash will include various pieces of mechanical equipment. Proposed equipment includes blowers for drying automobiles, vacuum stations, and pumps for spraying water, soaps, and wax in the carwash tunnel. The blower for drying automobiles is capable of producing excessive levels of noise. The closest residential property line is located approximately 89 feet from the car wash entry tunnel to the residential property line located east of the subject site. That property is zoned as Multi-Family Residential and currently developed as a duplex.

The applicant retained the services of a noise consultant to prepare an acoustical analysis for this project. A noise measurement was conducted on November 29-30, 2022 was placed at the northeast property line closest to the residential boundary location. The current noise levels with the existing car wash measures at 64.7 dB(A) at 7:00 AM and 6:00 PM. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1 dB(A) per Table 6 of the Noise Study conducted by acoustical consultant. The maximum noise levels of the proposed vacuum equipment is estimated to be 54 dB(A) per Table 4 of the noise study conducted by acoustical consultant. The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dB(A) at the residential noise sensitive receptors to the west, north and east. The proposed noise levels comply with the LMC Section 9376.1 with a maximum level of 60 dB(A). That analysis found that the project would not result in a significant noise impact because the project includes the following features:

1. Limit operating hours to the proposed hours of 7:00 AM to 8:00 PM.
2. Minimum nine-foot, seven-foot, and six-foot high noise barriers at the north and east side, per Figure 6 of the Noise Study, to direct car wash and vacuum noise away from residences.
3. The maximum noise levels of the proposed car wash tunnel is estimated to be 57.1

dB(A) per Table 6 of the Noise Study.

4. The noise barrier height is relative to the car wash pad elevation.
 5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit.
 6. A minimum 10-foot high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.
 7. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire, and safety codes.
3. *The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The subject site is adequate in shape to accommodate the proposed car wash and the required yards, walls, fences, parking facilities, landscaping, and other development features. LMC Section 9490.H requires one parking space for every 250 gross square feet of retail area. The project will maintain the 765 square-foot convenience store that is used as retail sales which requires three (3) parking spaces. LMC Section 9490.E.1 requires three (3) parking spaces for a self-serve carwash and LMC Section 9490.X requires one space for each bay and two (2) additional parking spaces for employee parking. The project will provide nine (9) open parking spaces and nine (9) parking spaces with vacuum stations for a total of 18 parking spaces. The project will have one carwash tunnel. The extra nine (9) vacuum stations provides sufficient cushion for those customers whom choose to vacuum their cars. There is sufficient parking to accommodate the proposed use.

4. *The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The site is served by Lakewood Boulevard, South Street and a public alley. The General Plan Circulation Element designates Lakewood Boulevard and South Street as Major Arterial roadways. The adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use. Therefore, any traffic impacts from the proposed conditional use would be less than significant.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

The existing service station complies with the standards imposed by LMC Sections 9340.C.2.(b) & (c). The proposed CUP requested complies with the standards imposed by

LMC Section 9347.D.11 as the proposed revised carwash design and noise study includes mitigation measures to prevent any noise impacts to adjacent properties.

Sheriff's Report

The Director of Public Safety and the Los Angeles County Sheriff's Department provided comment on this application (see attached Sheriff's Department letter dated March 25, 2023). The Sheriff's Department's review of calls for service at this location revealed no significant incidents since March 25th, 2020 that would otherwise cause concern related to the proposed CUP amendment. If this CUP amendment is approved, the Sheriff's Department recommends that certain conditions be included in the Resolution of Approval. Their recommendations have been incorporated into the proposed Resolution of Approval. The recommended conditions are as follows:

1. Increased security lighting (two staged) both front and rear.
2. Increased number and quality of security cameras both front and rear.
3. Maintain any existing alarm features.
4. Landscape to be trimmed to avoid potential hiding places.
5. This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

CEQA

The proposed project is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures.

Public Notice

Notification of the public hearing for this CUP was mailed to owners of property that are within a 300-foot radius of the subject property and posted at the subject site on April 21, 2023, and was posted on the City's webpage, April 24, 2023 pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

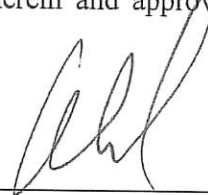
The applicant is applying for a Conditional Use Permit for the reconstruction and operation of car wash tunnel with three (3) canopies, nine (9) vacuum stations and for the construction of a 9'-8" foot tall block wall along the east property line adjacent to the trash enclosure. The proposed use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code, regarding conditional use permits.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the public hearing move to adopt the proposed Resolution granting approval of Conditional Use Permit No. 279, A-3 subject to the conditions contained therein and approve the associated Categorical Exemption.



Frankie Griffiths
Assistant Planner

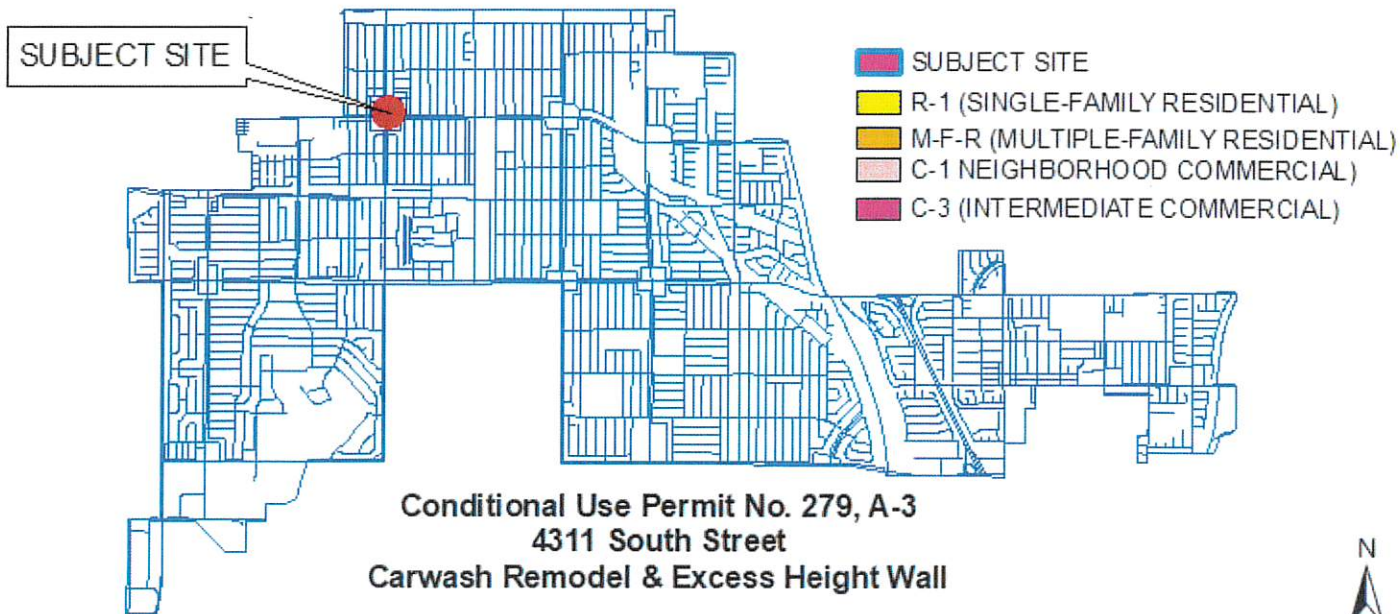
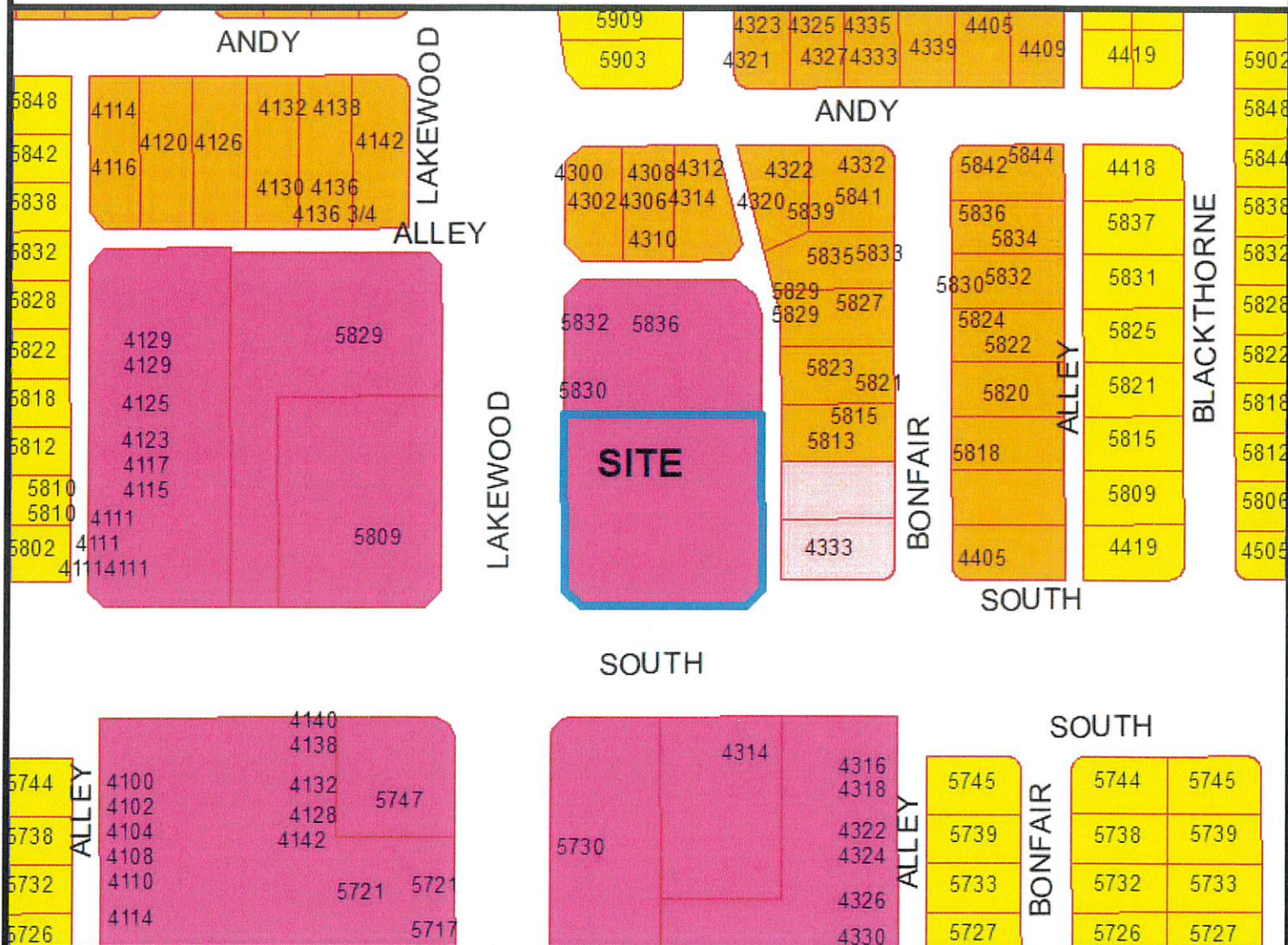


Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Vicinity Map
- 2) Aerial View
- 3) Exhibit "A" – Site Plan
- 4) Exhibit "B" – Floor Plan
- 5) Exhibit "C" – South & West Elevations
- 6) Exhibit "D" – East & North Elevations
- 7) Exhibit "E" – South, North, & West Elevations
- 8) Exhibit "F" – Trash Enclosure
- 9) Exhibit "G" – Colored Renderings
- 10) Noise Study Measurement Data
- 11) Resolution No. 11-82
- 12) Resolution No. 1-84
- 13) Resolution No. 22-89
- 14) Los Angeles County Sheriff's Department letter dated March 25, 2023.
- 15) Development Review Board letter dated April 22, 2023.
- 16) Proposed Resolution of Approval

VICINITY MAP



AERIAL VIEW

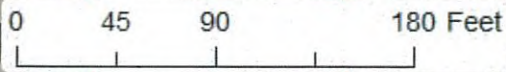
LAKELWOOD BOULEVARD

ALLEY

ALLEY

SITE

SOUTH STREET



CONDITIONAL USE PERMIT NO. 279, A-3
4311 SOUTH STREET
REMODEL CARWASH & EXCESS WALL HEIGHT

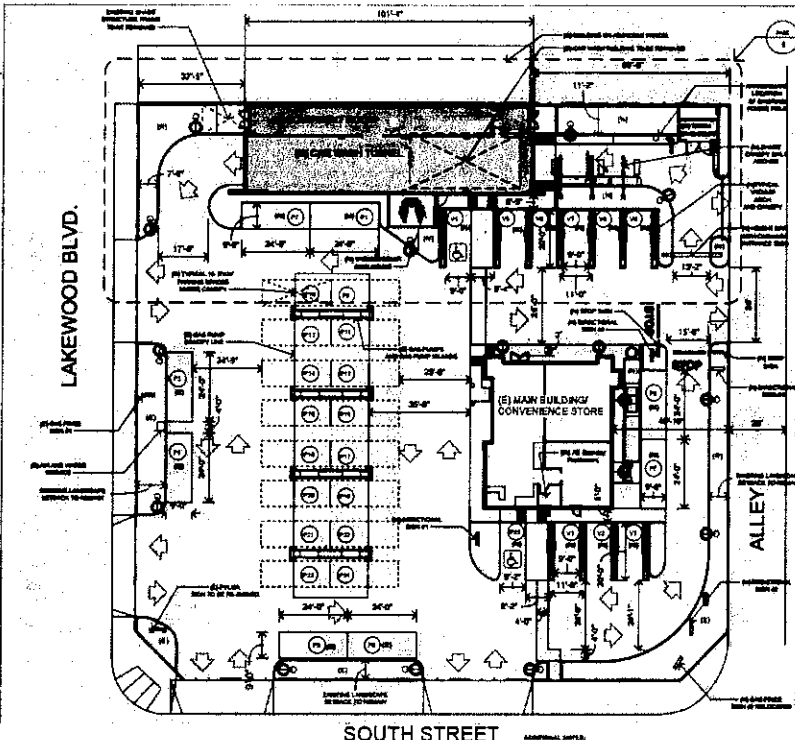
EXHIBIT "A"

PROJECT DESCRIPTION:

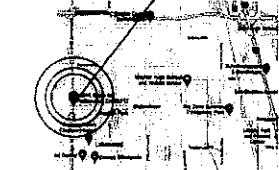
- REPLACEMENT OF AN EXISTING 2-STORY AUTOMATED CAR WASH TUNNEL BUILDING WITH A NEW STATE-OF-THE-ART, 2-STORY AUTOMATED CAR WASH TUNNEL BUILDING.
- REPLACEMENT OF EXISTING SELF-VACUUM SPACES AND EQUIPMENT WITH STATE OF THE ART SELF-VACUUM SPACES AND EQUIPMENT.
- REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNEL.
- REPAIR AND IMPROVEMENT OF EXISTING SEWER MAINS SERVING TO THE NEW CAR WASH TUNNEL BUILDING, INCLUDING THE REPAIR AND REPLACEMENT OF EXISTING 12" DIA. SEWER MAINS WITH A NEW 12" DIA. SEWER MAIN AND INSTALLATION OF NEW 12" DIA. SEWER MAINS TO THE UPPER PART OF P-SPACE.
- REPLACEMENT TRASH ENCLOSURE AT APPROPRIATE LOCATION AS THE EXISTING ONE.
- REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING BUILDING WITH NEW SIGNAGE BEING DESIGNED TO BE INSTALLED IMMEDIATELY UPON COMMENCEMENT OF CONSTRUCTION.
- NEW DESIGNER FURNISHED, DETAILED PAVING OF TRAVEL AND OTHER SITE ACCESSIBILITIES IMPROVEMENTS.
- IMPROVED SITE CIRCULATION, TRAFFIC SIGNAGE AND NEW FUNCTIONAL SIGNAGE.
- ADJUSTMENT OF DRIVEWAY ACCESS FROM THE ALLEY, ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO PARAPARK AS IS.
- NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW POLE LIGHTS AND OR BUILDING LIGHTS.
- LANDSCAPE AREA INCREASE AND PLANTING UPGRADES.

LEGEND

- (R) BUILDING ADJACENT LIGHT
- (R) PARKING LIGHT & POLE TO REPLACE (R)
- TRAFFIC DIRECTION
- VACUUM SPACE
- PARKING SPACE
- TRUCK SPACE
- NEW
- EXISTING
- LANDSCAPING
- NEW BUILDING FOOTPRINT



VICINITY MAP



PROJECT SUMMARY

CLUP #278 Amendment No 3- ORB# XXX

CONFORMANCE CRITERIA	REQUIREMENT	COMPLIANCE
PROPOSED MAX. GROUND COVER	MAXIMUM 30%	30%
PROPOSED MAX. GRADE	MAXIMUM 10%	10%
PROPOSED MAX. SLOPE	MAXIMUM 5%	5%
PROPOSED MAX. DRAINAGE	MAXIMUM 10%	10%
PROPOSED MAX. EROSION CONTROL	MAXIMUM 10%	10%
PROPOSED MAX. TRAFFIC SIGNAGE	MAXIMUM 10%	10%
PROPOSED MAX. LIGHTING	MAXIMUM 10%	10%
PROPOSED MAX. LANDSCAPING	MAXIMUM 10%	10%
PROPOSED MAX. SEWER	MAXIMUM 10%	10%
PROPOSED MAX. WATER	MAXIMUM 10%	10%
PROPOSED MAX. GAS	MAXIMUM 10%	10%
PROPOSED MAX. OTHER UTILITIES	MAXIMUM 10%	10%

PROPERTY INFORMATION

OWNER: MONARCHED EMBALLAGE OIL, LLC, 2215 SOUTH STREET, LAKEWOOD, CA 90712, PHONE: (562) 424-1474

ARCHITECT: BMA ARCHITECTURE, 2400 SOUTH STREET, FRANCHISCO, CA 94947, PHONE: (415) 435-1100

PROJECT ADDRESS: 4111 SOUTH STREET, LAKEWOOD, CA 90712

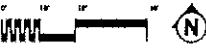
APR # (APR): 7154-001-013

ZONING: C-3

TYPE OF CONSTRUCTION: NEW CAR WASH TUNNEL BUILDING

TYPE OF OCCUPANCY: NEW CAR WASH TUNNEL BUILDING

LEGAL DESCRIPTION: TRACT 7 (PART PART 8 OF ALPHE PARALLELS WITH AND WEST 64' AND 104' 6" FROM THE N 1/4 OF LOT 13, M.C.D.



1 SITE PLAN
Scale: 1" = 30'

PROPOSED SITE PLAN

DRB/CUP
SUBMITTAL
JAN. 18TH 2023

EXHIBIT "B"

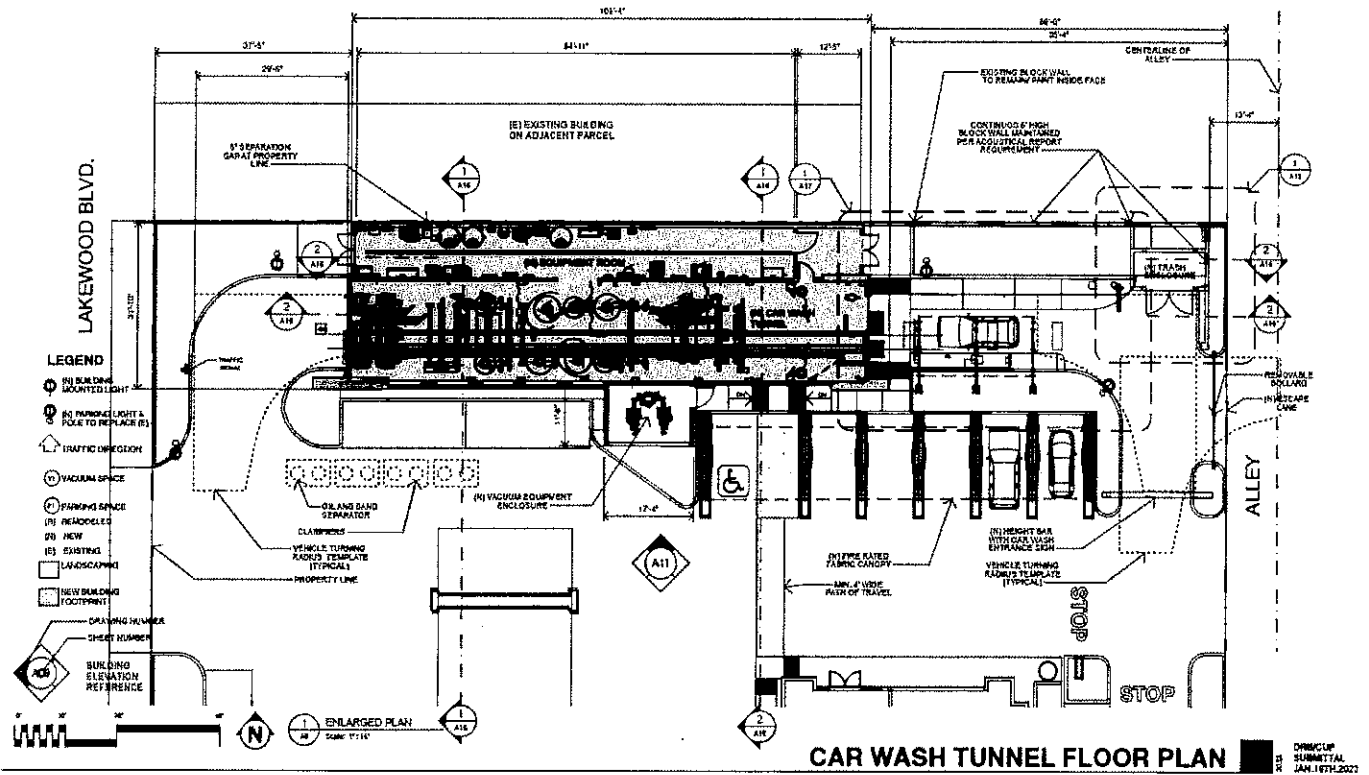
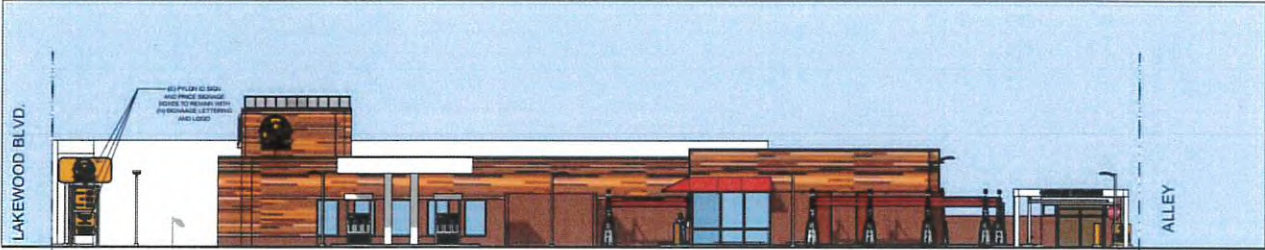


EXHIBIT "C"



1 SOUTH ELEVATION
AS Scale: 1" = 10'



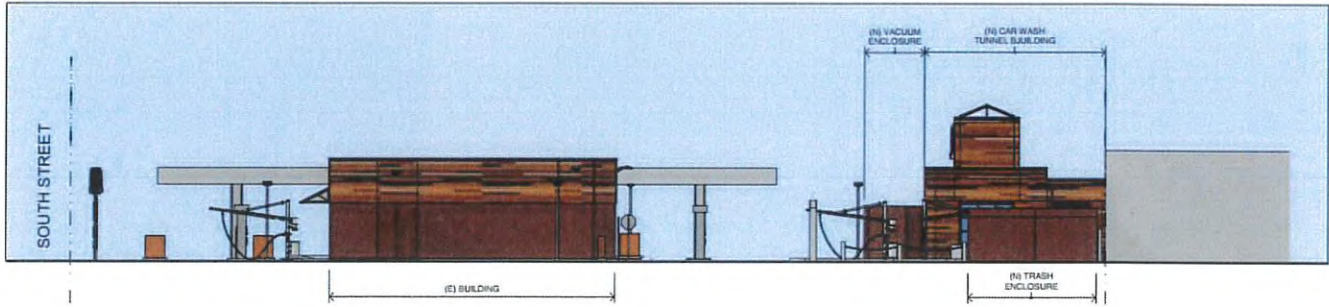
2 WEST ELEVATION
AS Scale: 1" = 10'



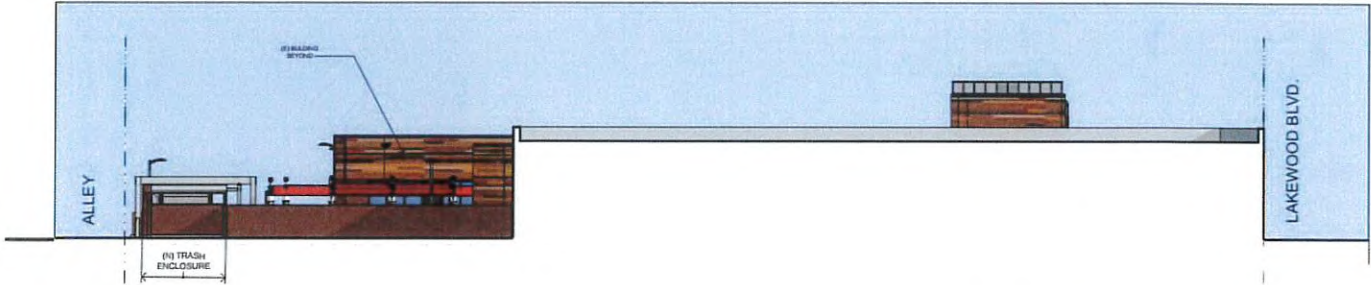
COLOR BUILDING ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

EXHIBIT "D"



1 EAST ELEVATION
419 Scale: 1" = 10'



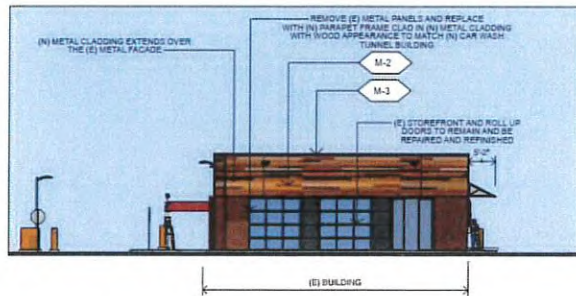
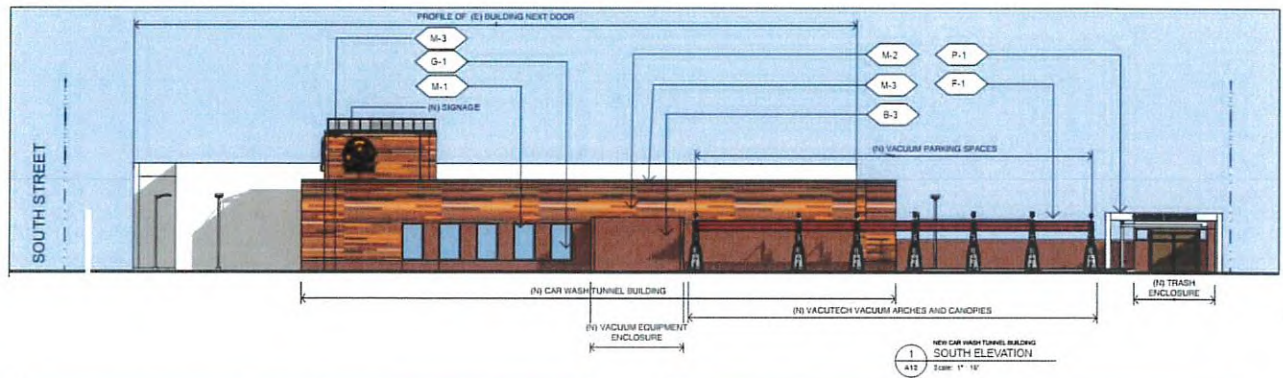
2 NORTH ELEVATION
419 Scale: 1" = 10'



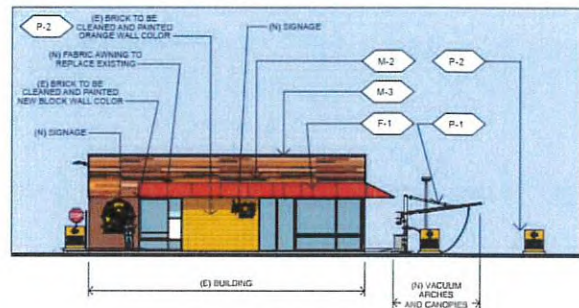
COLOR BUILDING ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023

EXHIBIT "E"



3 EXISTING SERVICE STATION BUILDING NORTH ELEVATION
Scale: 1" = 1'

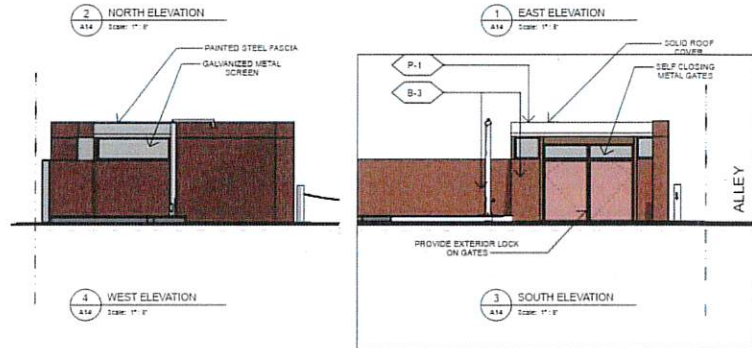
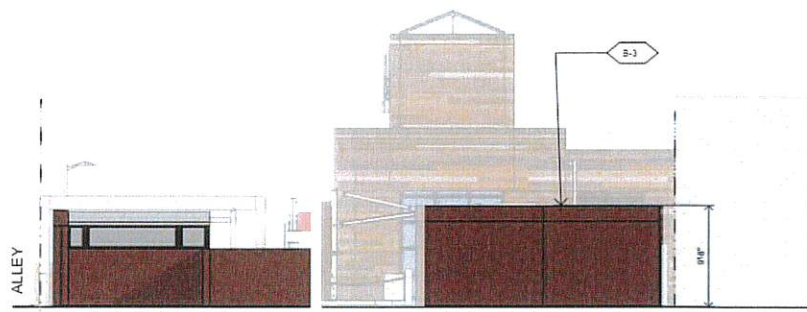


2 EXISTING SERVICE STATION BUILDING WEST ELEVATION
Scale: 1" = 1'

COLORED BUILDING ELEVATIONS

DRB/CUP SUBMITTAL JAN. 19TH. 2023

EXHIBIT "F"



COLOR TRASH ENCLOSURE ELEVATIONS

DRB/CUP
SUBMITTAL
JAN. 19TH 2023

EXHIBIT "G"



AERIAL CORNER VIEW RENDERING



AERIAL ALLEY VIEW RENDERING



LAKWOOD BLVD. RENDERING



SOUTH STREET RENDERING 1



Mo's EXPRESS WASH AND GAS NOISE STUDY

MARCH 23, 2023

PREPARED FOR:
MGE OIL, LLC

PREPARED BY:
ACOUSTICS GROUP, INC.
CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION





Mo's Express Wash and Gas Noise Study – Lakewood, CA

Prepared for:

Mr. Mohamed Elbiali
MGE OIL, LLC
4311 South Street
Lakewood, CA 90712

Prepared by:

ROBERT WOO – Principal Acoustical Consultant, INCE
ANGELICA NGUYEN – Senior Acoustical Consultant

ACOUSTICS GROUP, INC.

CONSULTANTS IN ACOUSTICS, NOISE & VIBRATION

(877) 595-9988



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EXECUTIVE SUMMARY

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the City's Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and to further reduce noise at the nearest noise sensitive receptors.

This report has been organized into multiple sections for ease of reference. Section 1 introduces the Project and provides a general discussion on the Project Components. Section 2 discusses Noise Fundamentals, and Section 3 presents the Noise Standards. Section 4 discusses the Noise Measurement. Section 5 presents the Noise Analysis; Section 6 discusses the Impact Assessment and Section 7 discusses the Noise Control Analysis. Section 8 presents the Noise Control Recommendations. Section 9 discusses the Conclusion.

1. INTRODUCTION

The Project proposes to replace the existing car wash with the proposed car wash at the project site located at 4311 South Street in Lakewood, CA with operating hours between 7AM to 8PM. Both the existing and proposed carwash operations are automatic carwashes with no car wash designated employees. The proposed car wash includes nine self-service vacuums that will replace the five existing self-service vacuums. Refer to Figure 1 for the general location of the Site and a Vicinity Map. Land uses immediately surrounding the site are commercial and residential. The main noise concern is car wash operations affecting the nearest residential properties to the west, north and east. The nearest residential property line is located directly east of the project site. Refer to Figure 2 for the Site Plan and Location of the Future Car Wash.

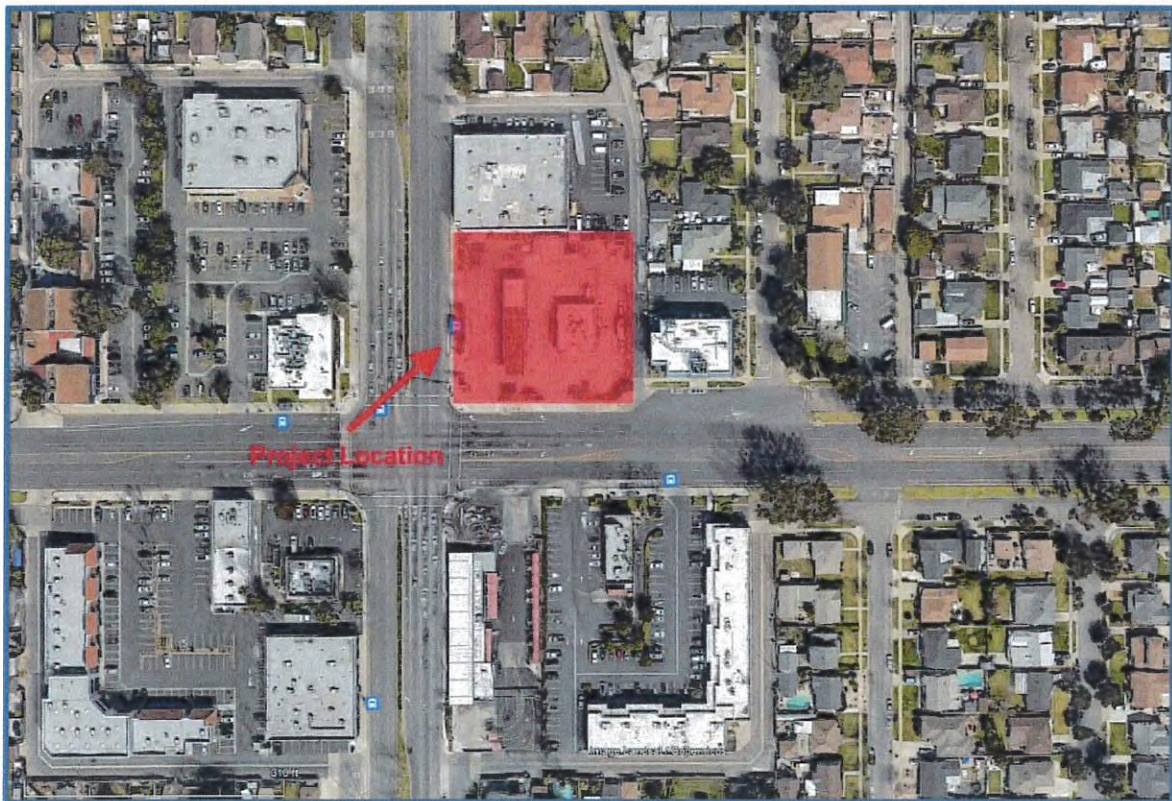


Figure 1. Project Location

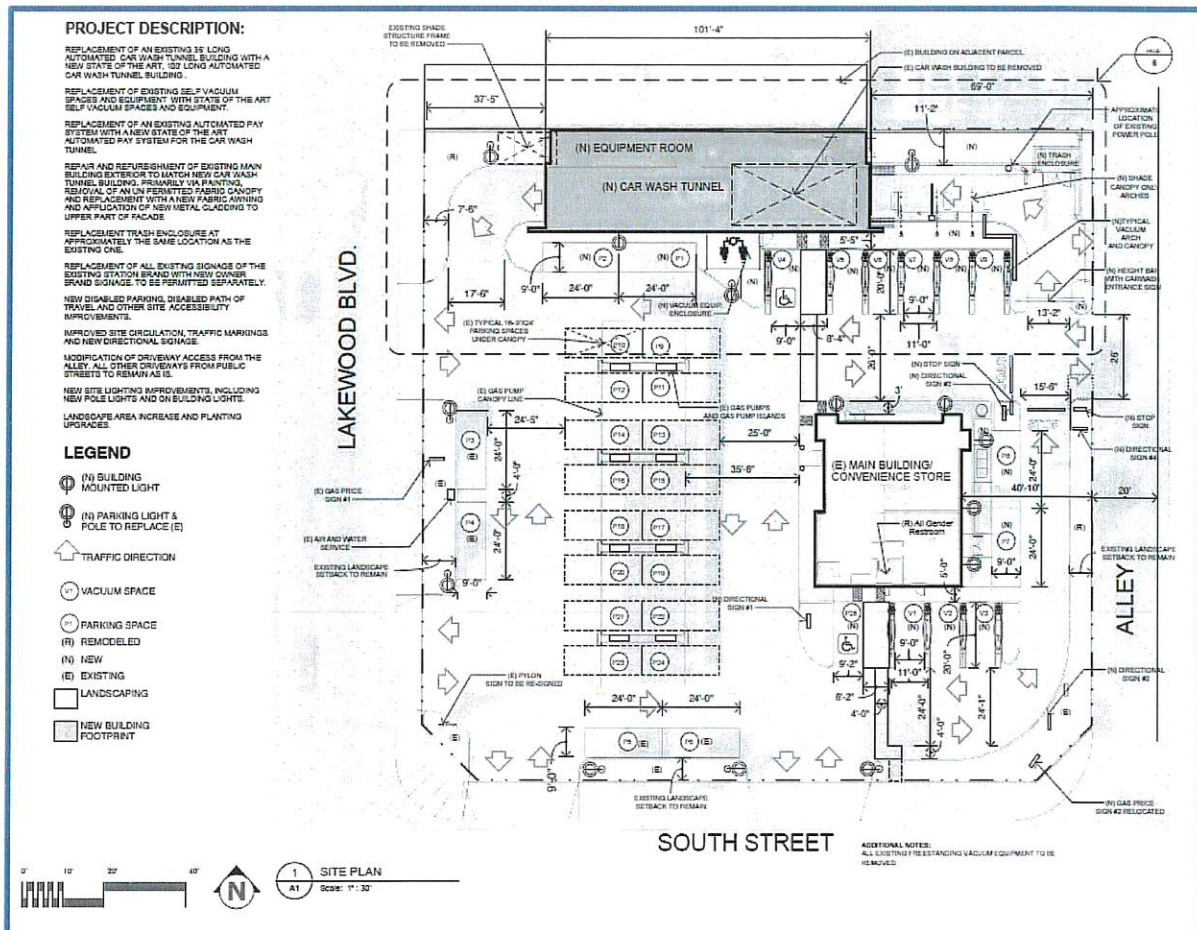
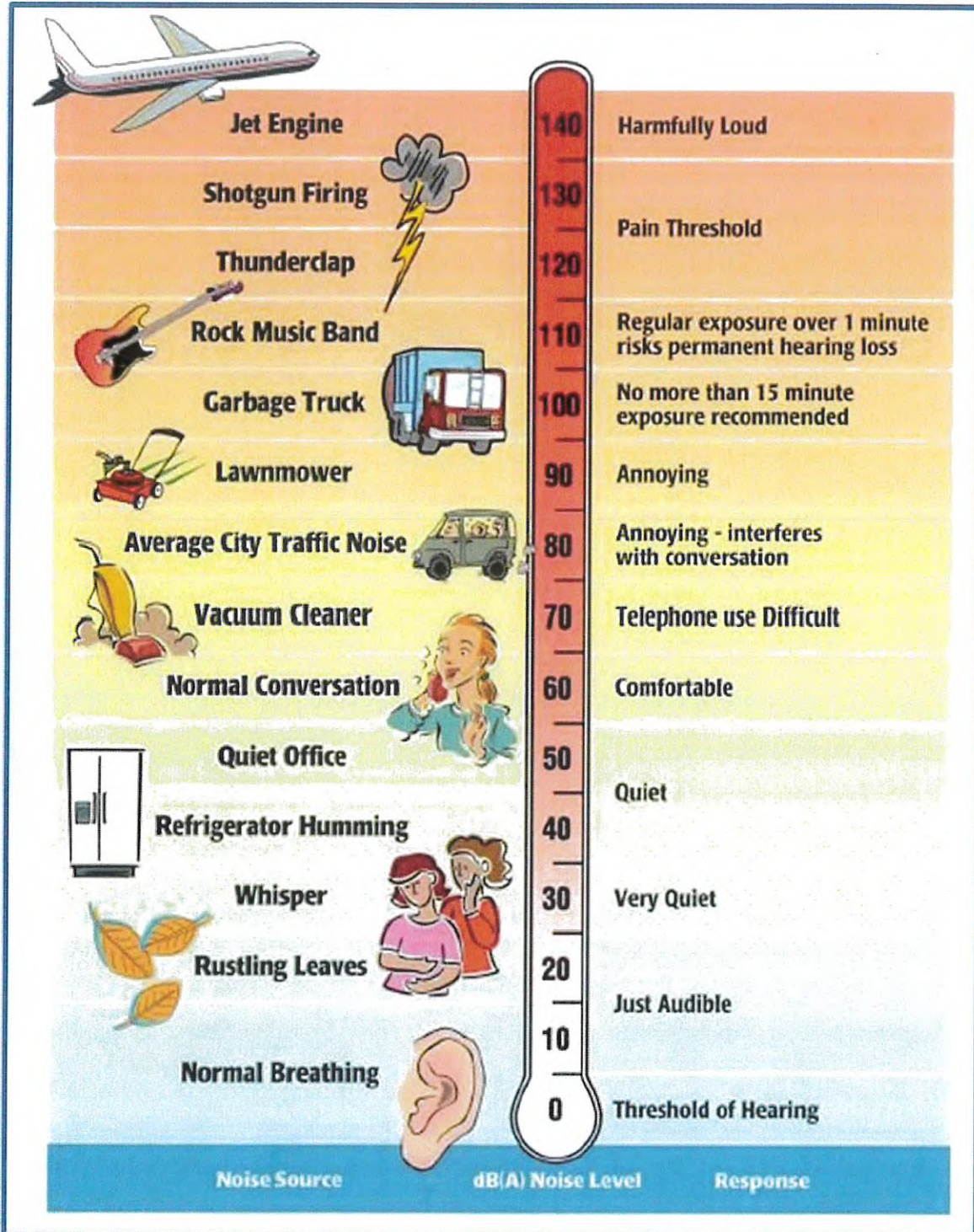


Figure 2. Site Plan

2. NOISE

The magnitude by which noise affects its surrounding environment is measured on a logarithmic scale in decibels (dB). Because the human ear is limited to hearing a specific range of frequencies, the A-weighted filter system is used to form relevant results. A-weighted sound levels are represented as dBA. Figure 3 shows typical A-weighted exterior and interior noise levels that occur in human environments.

Several noise metrics have been developed to evaluate noise. L_{eq} is the energy average noise level and corresponds to a steady-state sound level that has the same acoustical energy as the sum of all the time varying noise events. L_{max} is the maximum noise level measured during a sampling period, and L_{xx} are the statistical noise levels that are exceeded xx-% of the time of the measurement. L_{50} is the average noise level that is exceeded 50% of the time, 30 minutes in a 60-minute period.



Source: Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.

Figure 3. Typical A-weighted Noise Levels



3. NOISE STANDARDS

The City of Lakewood Municipal Code has adopted regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise (Section 9376). The City of Lakewood limits intrusive exterior noise for commercial and residential to not exceed 60 dBA at the residential receptor property. Table 1 summarizes the City's Noise Ordinance Standard.

Table 1. City of Lakewood Noise Standard

Land Use	Noise Standard, Leq, dBA
Residential Receptor	60

4. NOISE MEASUREMENT

AGI conducted a site visit on November 29-30, 2022 to observe the project site and document ambient baseline noise levels at the project site. The noise measurement procedures outlined in LMC Section 9376.1A are not entirely appropriate for quantifying the ambient noise environment where the background is fluctuating as a result of vehicular traffic, the car wash and other sporadic community noise sources such as aircraft, community noise, birds, insects, construction activity, residences, etc. Thus, AGI performed continuous hourly noise measurements over 24-hours to provide the most accurate and conservative assessment of the ambient background noise, per standard industry practice. The noise measurements were conducted with a Type I precision acoustical analyzer that was operated with the microphone located at least 3 feet from reflective surfaces and at least 5 feet above the ground. The noise measurement could not be performed on the residential boundary because the boundary is directly adjacent to the driveway/alley and prevented locating a sound level meter in the middle of the unprotected roadway. Therefore, one long-term noise measurement was conducted at the project property line nearest the closest residential boundary location to the east (NM1).

The hourly ambient noise level during the measurement ranged from 49.9 to 64.7 dBA. During the proposed operating period of 7AM to 8PM, the hourly ambient noise level ranged from 59.4 to 64.7 dBA. Without car washes, the hourly ambient noise level during the measurement ranged from 55.4 to 61.6 dBA. Noise sources encountered during the 24-hour measurement period included the car wash, vehicular traffic, aircraft, community noise, birds, insects, construction activity, and residences. Table 2 summarizes the noise measurement data. Table 3 below summarizes the Hourly ambient background noise with and without car wash operations and the number of car wash events observed within each hour. Figure 4 shows the location of the noise measurement.



Table 2. Summary of Measured Ambient Noise Level

Receptor	Time	Lmax, dBA	Lmin, dBA	A-weighted Noise Level, Leq, dBA	Contributing Noise Sources
NM1	11/29/22 11:00 AM – 11/30/22 11:00 AM	86.5	37.6	49.9 – 64.7	Vehicular Traffic, car wash, aircraft, community noise, birds, insects, construction activity, residences

Table 3. Measured Hourly Ambient Noise Level – With and Without Car Wash

Date	Time	Ambient with Existing Carwash, Leq, dBA	Ambient without Car Wash, Leq, dBA ¹	Number of Carwashes
11/29/22	11:00 AM	63.1	59.3	4
11/29/22	12:00 PM	63.8	61.0	3
11/29/22	1:00 PM	63.4	59.0	4
11/29/22	2:00 PM	64.3	60.6	3
11/29/22	3:00 PM	63.7	58.3	5
11/29/22	4:00 PM	64.0	59.8	4
11/29/22	5:00 PM	64.4	61.4	3
11/29/22	6:00 PM	64.7	61.6	3
11/29/22	7:00 PM	59.4	59.4	0
11/29/22	8:00 PM	57.2	57.2	0
11/29/22	9:00 PM	59.6	57.5	2
11/29/22	10:00 PM	56.3	56.3	0
11/29/22	11:00 PM	57.8	57.8	0
11/30/22	12:00 AM	52.7	52.7	0
11/30/22	1:00 AM	49.9	49.9	0
11/30/22	2:00 AM	50.3	50.3	0
11/30/22	3:00 AM	50.0	50.0	0
11/30/22	4:00 AM	51.8	51.8	0
11/30/22	5:00 AM	56.7	56.7	0
11/30/22	6:00 AM	58.0	58.0	0
11/30/22	7:00 AM	64.7	59.7	3
11/30/22	8:00 AM	64.0	60.5	4
11/30/22	9:00 AM	61.4	57.9	2
11/30/22	10:00 AM	63.4	55.4	6

Note: ¹Continuous noise measurements were conducted at NM1. Car wash operations were removed in post-processing to determine hourly ambient noise levels without the car wash.

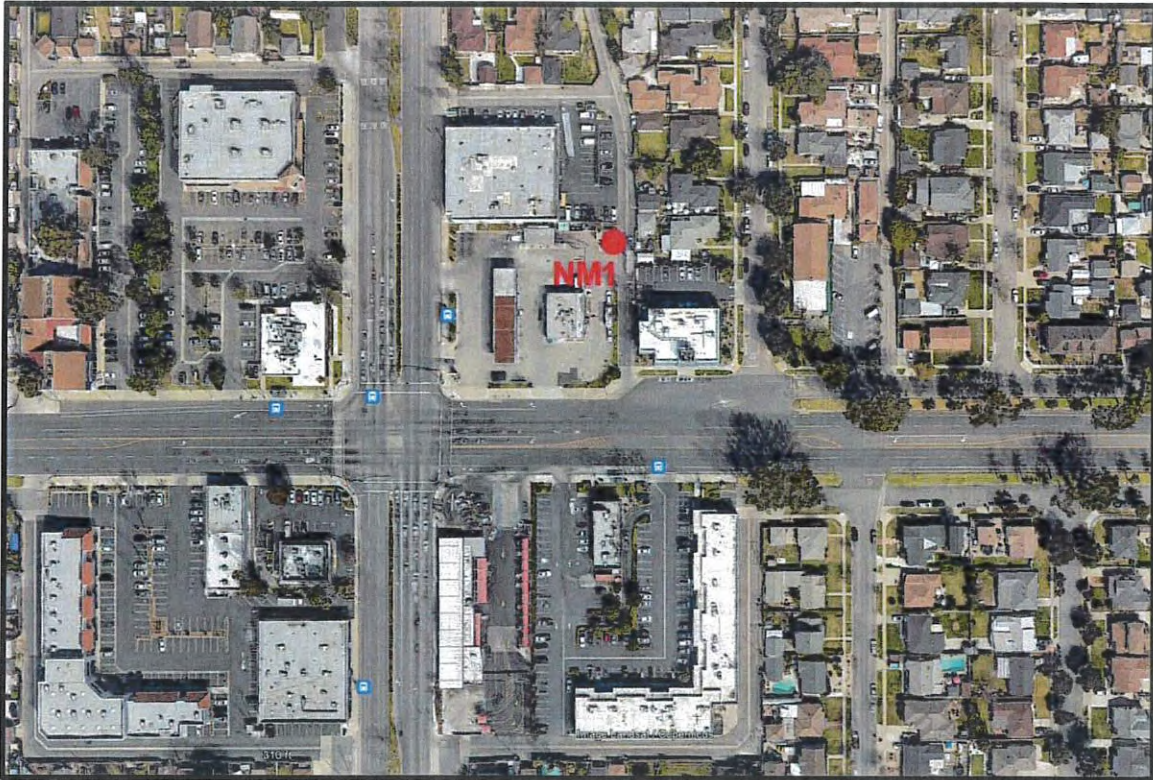


Figure 4. Noise Measurement Location

5. NOISE ANALYSIS

The noise generated from the car wash's future operations has the potential to impact nearby properties. The methodology used to analyze and predict operations noise from the project involved the use of the CadnaA computer noise model. CadnaA can simulate the physical environment by factoring in x, y, and z geometrics of a particular site to simulate the buildings, obstacles, and typography. The model uses industry recognized algorithms (ISO 9613) to perform acoustical analyses. The noise generated by future operations was calculated by inputting acoustical sources at the project site. Manufacturer's acoustical data was provided by the client for the analysis. The MacNeil Tech 21 15HP Dryer System with Powerlock Closed and Vacutech Turbine was evaluated for the Project Site. Table 3 lists the car wash equipment noise sources used for the analysis.



Table 4. Car Wash Equipment Noise Sources

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

The car wash's future noise level was modeled for an assumed worst-case future condition which involves constant operations of the car wash blower and vacuum. The noise level from future operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the residential noise sensitive receptors to the west, north and east, respectively. Real operating conditions may not achieve this level of activity but could possibly include one or possibly two continuous hour(s) of activity during the day. Refer to Figure 5 for a noise contour map of the future car wash noise without noise control.



Figure 5. Noise Contour Map of the Future Car Wash Operations - Worst Case without Noise Control



6. ASSESSMENT

The noise level from future car wash operations is estimated to be as high as 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood’s noise standard of 60 dBA. Refer to Table 5 for a summary of the future car wash noise levels and impact assessment with City Standard.

Table 5. Summary of Operations Noise Impact Assessment - without Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	37.4	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	57.1	60	Compliance

Additionally, when the future car wash noise is compared with the ambient background either with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 6 for a comparison and impact assessment of the future car wash noise level with the ambient noise level at R3/NM1.



Table 6. Comparison and Impact Assessment of Future Car Wash Noise Levels with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	57.1	52.7	52.7	-
1:00 AM	57.1	49.9	49.9	-
2:00 AM	57.1	50.3	50.3	-
3:00 AM	57.1	50.0	50.0	-
4:00 AM	57.1	51.8	51.8	-
5:00 AM	57.1	56.7	56.7	-
6:00 AM	57.1	58.0	58.0	-
7:00 AM	57.1	64.7	59.7	Compliance
8:00 AM	57.1	64.0	60.5	Compliance
9:00 AM	57.1	61.4	57.9	Compliance
10:00 AM	57.1	63.4	55.4	Compliance
11:00 AM	57.1	63.1	59.3	Compliance
12:00 PM	57.1	63.8	61.0	Compliance
1:00 PM	57.1	63.4	59.0	Compliance
2:00 PM	57.1	64.3	60.6	Compliance
3:00 PM	57.1	63.7	58.3	Compliance
4:00 PM	57.1	64.0	59.8	Compliance
5:00 PM	57.1	64.4	61.4	Compliance
6:00 PM	57.1	64.7	61.6	Compliance
7:00 PM	57.1	59.4	59.4	Compliance
8:00 PM	57.1	57.2	57.2	-
9:00 PM	57.1	59.6	57.5	-
10:00 PM	57.1	56.3	56.3	-
11:00 PM	57.1	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

7. NOISE CONTROL ANALYSIS

Additional noise control measures were evaluated to further reduce the noise from the future car wash. Although, these additional noise control measures are not required, ownership desires to be a good neighbor with the surrounding residents and minimize car wash noise. With noise barriers (as per Figure 6) along the car wash exit to further shield equipment noise, the future car wash noise will be further reduced to as high as 45.6, 31.8, and 55.4 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Future noise levels from the car wash at the nearest residential properties to the west, north, and east would continue to comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background, the car wash noise will be lower and will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Refer to Table 7 for a summary of the future car wash noise levels with noise control and impact assessment with City Standard. Refer to Table 8 for a comparison and impact



assessment of the future car wash noise level with noise control with the ambient noise level at R3/NM1.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operation Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.6	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/NM1 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R3/NM1

Hour Start Time	Future Car Wash Noise Level, Leq, dBA ¹	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	55.4	52.7	52.7	-
1:00 AM	55.4	49.9	49.9	-
2:00 AM	55.4	50.3	50.3	-
3:00 AM	55.4	50.0	50.0	-
4:00 AM	55.4	51.8	51.8	-
5:00 AM	55.4	56.7	56.7	-
6:00 AM	55.4	58.0	58.0	-
7:00 AM	55.4	64.7	59.7	Compliance
8:00 AM	55.4	64.0	60.5	Compliance
9:00 AM	55.4	61.4	57.9	Compliance
10:00 AM	55.4	63.4	55.4	Compliance
11:00 AM	55.4	63.1	59.3	Compliance
12:00 PM	55.4	63.8	61.0	Compliance
1:00 PM	55.4	63.4	59.0	Compliance
2:00 PM	55.4	64.3	60.6	Compliance
3:00 PM	55.4	63.7	58.3	Compliance
4:00 PM	55.4	64.0	59.8	Compliance
5:00 PM	55.4	64.4	61.4	Compliance
6:00 PM	55.4	64.7	61.6	Compliance
7:00 PM	55.4	59.4	59.4	Compliance
8:00 PM	55.4	57.2	57.2	-
9:00 PM	55.4	59.6	57.5	-
10:00 PM	55.4	56.3	56.3	-
11:00 PM	55.4	57.8	57.8	-

Note: ¹Car Wash Project proposes operations during the daytime hours of 7AM to 8PM



8. NOISE CONTROL RECOMMENDATIONS

The following noise control measures are recommended to further reduce the noise from the future car wash:

1. Limit operating hours to the proposed hours of 7AM to 8PM.
2. A minimum 6-ft, 7-ft, and 9-ft high noise barriers at the north and east side of the project site as per Figure 6 to direct car wash noise away from residences.
3. Minimum 9-ft and 3-ft high noise barriers as per Figure 6 to reduce car wash and vacuum noise from residences.
4. The noise barrier height is relative to the car wash pad elevation.
5. The noise barrier should be a continuous structure without gaps or opening and should be constructed from concrete masonry unit, stucco-on-wood, metal panel, plexi-glass, or any combination of these materials.
6. A minimum 10-ft high noise barrier structure surrounding the Vacutech Turbine as per manufacturer's instructions.

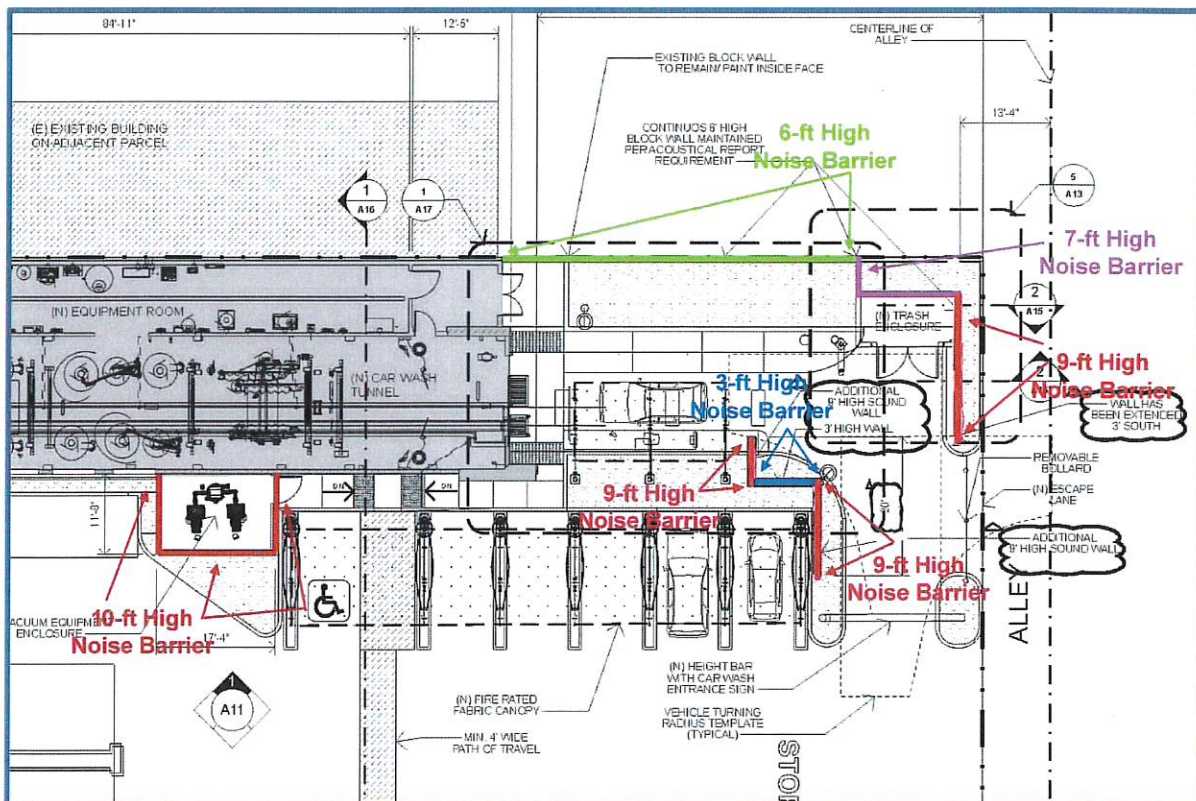


Figure 6. Location of the Recommended Car Wash Noise Barriers



7. The car wash equipment shall not exceed the following equipment noise source levels:

Noise Source	Distance, ft	Equipment Noise Level Leq, dBA
MacNeil Tech 21 15HP Dryer System with Powerlock Closed	3	84.2
Vacutech Turbine 50HP	10	69 (54 with structure)

Source: MacNeil Tech 21 15HP Dryer System with Powerlock Sound Pressure Levels, Vacutech Turbine Sound Intensity 50 HP

8. Refer to the Appendix for the manufacturer's product literature.
9. The final design should be reviewed by a licensed Mechanical Engineer to ensure compliance with all applicable mechanical, fire and safety codes.

9. CONCLUSION

Acoustics Group, Inc., (AGI) was retained to conduct a noise study of the Car Wash Project located at 4311 South Street in Lakewood, CA. AGI has reviewed the Lakewood Noise Standards, conducted noise measurements, analyzed the noise levels from future noise sources at the site, assessed the impact of the future noise to determine compliance with the Exterior Noise Standards, and recommended noise control measures.

The applicant proposes to replace the existing car wash at project site with the proposed car wash. The future Car Wash operations would produce equipment noise levels as high 45.6, 37.4, and 57.1 dBA at the ground floor of the residential noise sensitive receptors to the west, north, and east, respectively. Noise levels from the car wash at the nearest residential properties to the west, north, and east would comply with the City of Lakewood's noise standard of 60 dBA. Additionally, when the future car wash noise is compared with the ambient background with or without the existing car wash, the car wash noise will be below the ambient background noise during the proposed operating hours of 7AM to 8PM. Noise control has been recommended to ensure compliance with the noise standards and further reduce noise at the nearest noise sensitive receptors.



REFERENCES

1. Melville Branch and R. Beland, 1970. EPA/ONAC 550/9-74-004, March 1974.
2. Car Wash Drawings, prepared by WSCS Design
3. AutoVac Industrial Vacuum & Air Systems Equipment Decibel Certification
4. International Drying Corporation Stealth Predator Dryer System Specifications



APPENDIX

NOISE STANDARDS

FIELD DATA

MODELING INPUT & OUTPUT

PRODUCT LITERATURE



NOISE STANDARDS

C. Where the shelter is constructed beneath the front yard area, entrances and vents not only shall be located out of the front yard area and the side yard area on corner lots, but shall be screened with shrubs, wall or fencing from direct view of the street on which the front yard or corner side yard fronts.

The Planning Commission may, in its discretion, in a proper case, modify or waive any or all of the aforementioned requirements contained in Subparagraphs A, B, or C.

(Added by Ord. 271)

9374. FUTURE STREETS. Where future street lines have been established by a Master or General Plan, no building or structure shall be erected within the future street line. Where future street lines have been adopted pursuant to a Master or General Plan, said future street lines shall be used in determining lot lines for the purposes of this Chapter. The application of this section to any person may be waived by the Planning Commission upon a showing that the waiver thereof will not materially affect putting into effect the Master Plan. (Added by Ord. 306)

9375. WALLS ABUTTING R-1 AND R-A PROPERTY. Where property in any zone other than R-1 and R-A sides or rears on the property line of an adjoining R-1 or R-A lot or parcel, a reinforced six-foot block or masonry wall shall be erected and maintained along the line of such lot adjoining said R-1 or R-A lot, except where a building, otherwise authorized, is erected and maintained on said property line. No such wall shall exceed forty-two inches, however, in the required front yard set-back, if any. (Added by Ord. 392)

9376. AIR CONDITIONERS, MECHANICAL EQUIPMENT AND MACHINERY NOISE IN RESIDENTIAL AREAS. No person within any area of the City zoned for residential use or any area adjacent thereto shall own, possess, control, or maintain any machinery, equipment, pumps, fans, air conditioning or air-handling apparatus, or similar mechanical devices which cause the noise level at the property line of any property zoned for residential uses to exceed the sound pressure level permitted herein by more than five decibels. The production or maintenance of any sound in excess of said levels is hereby declared to be an unnecessary interference with the enjoyment of residential property and contrary to the public health and general welfare. The ownership, maintenance, operation, or control of any such machinery or equipment producing said excess sound pressure levels is hereby declared to be a public nuisance.

9376.1. SAME: DECIBEL MEASUREMENT CRITERIA. The sound pressure level permitted herein shall be measured at any point on the property line of the residential property affected and is sixty decibels, reference 0.002 microbar, read on the A scale of a sound level meter. Reading shall be taken in accordance with the instrument manufacturer's instructions, using the slowest meter response, and as follows:

A. PLACEMENT OF MEASURING MICROPHONE. Placement of the microphone can be at any point on the property line, but shall not be closer than three (3) feet from any wall and not less than three (3) feet above the ground where the above-listed maximum sound pressure level shall apply. At any point the measured level shall be the average of not less than three (3) readings, taken at two-minute intervals. To have valid readings, the levels must be five (5) decibels or more above the levels prevailing at the same point, excluding noise caused by the objectionable machinery.

B. SOUND LEVEL METER. Sound pressure levels shall be measured with a sound level meter manufactured according to U.S.A. Standard S1.4-1961, published by the United States of America Standards Institute, New York City, New York.

9376.2. SAME: LOCATION OF MECHANICAL EQUIPMENT. No such sound producing machinery, equipment, pumps, fans, air conditioners, air handling apparatus, or similar mechanical devices shall be installed, located, or maintained in any residential zone unless so installed, or maintained in the manner or fashion determined by the Director of Community Development, or his authorized representative, as to not unreasonably interfere with the enjoyment or use of life and property in the vicinity, and provided, further, that the following minimum regulations are complied with:

A. ROOF. No mechanical equipment, except wind turbines, shall be erected, constructed, placed or maintained on or upon the roof of any building or structure located in the R-1, R-A, or A zones, unless the roof structure is so designed as to provide for the inclusion of said equipment as an integral part of the structure, and said installation has been approved by the Development Review Board. (Amended by Ord. 77-5)

B. FRONT YARD. Such unit may be located between a front lot line or side lot line and the nearest building on the lot, if the unit is screened and soundproofed to protect the surrounding properties from excessive noise or unsightly appearance.

C. REAR YARD. Such unit may be located within that area designated as the rear yard provided that it is not placed in the rear yard area of a corner lot parallel to and within twenty (20) feet of any lot line common to the required side yard of an abutting residential lot.

D. "UNITS" as used herein shall include all appurtenances, including ducts.

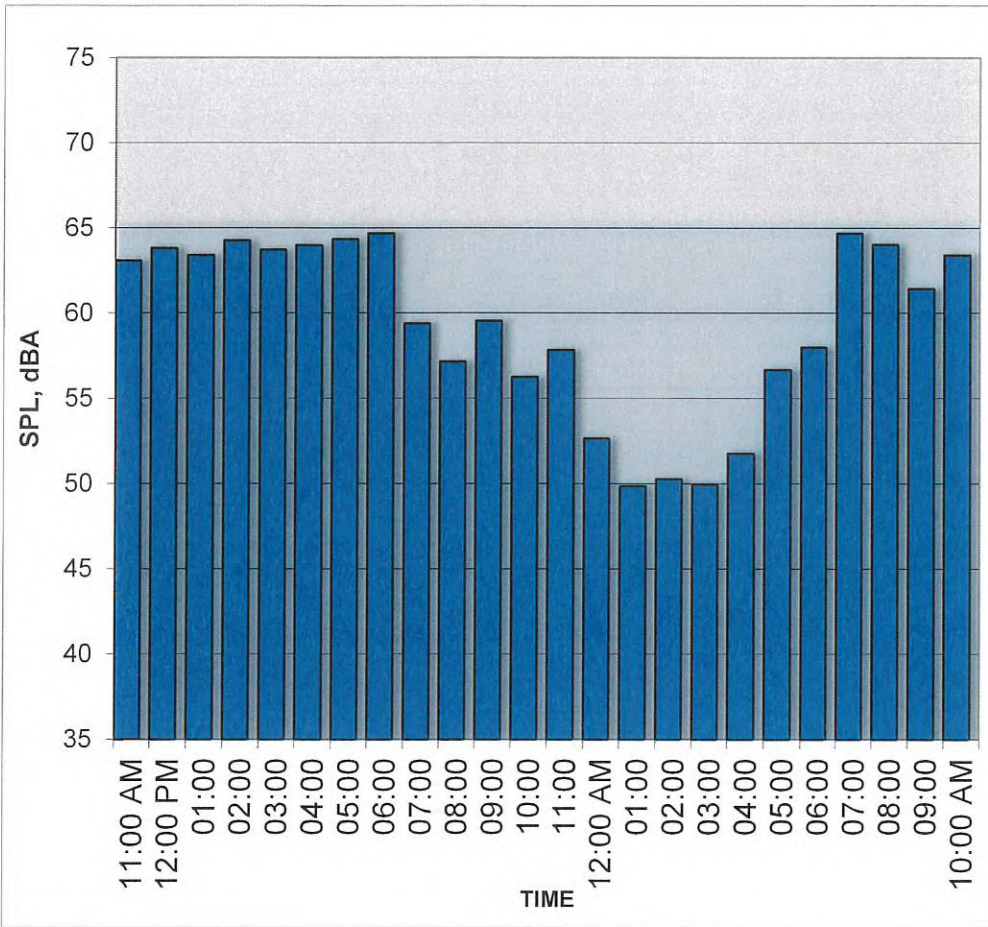


FIELD DATA

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Mobile Car Wash Expansion Project
 Address: 4311 South Street, Lakewood, CA
 Location: Light pole
 Noise Sources: Vehicular Traffic, Car Wash

Date: 11/29/2022
 - 11/30/2022
 Position: NM1



TIME	HNL, dB(A)
11:00 - 12:00 PM	63.1
12:00 - 01:00 PM	63.8
01:00 - 02:00 PM	63.4
02:00 - 03:00 PM	64.3
03:00 - 04:00 PM	63.7
04:00 - 05:00 PM	64.0
05:00 - 06:00 PM	64.4
06:00 - 07:00 PM	64.7
07:00 - 08:00 PM	59.4
08:00 - 09:00 PM	57.2
09:00 - 10:00 PM	59.6
10:00 - 11:00 PM	56.3
11:00 - 12:00 AM	57.8
12:00 - 01:00 AM	52.7
01:00 - 02:00 AM	49.9
02:00 - 03:00 AM	50.3
03:00 - 04:00 AM	50.0
04:00 - 05:00 AM	51.8
05:00 - 06:00 AM	56.7
06:00 - 07:00 AM	58.0
07:00 - 08:00 AM	64.7
08:00 - 09:00 AM	64.0
09:00 - 10:00 AM	61.4
10:00 - 11:00 AM	63.4
CNEL:	64.3

Notes:





Certificate of Calibration

17922 Sky Park Circle Suite "P"
Irvine, CA 92614
Phone:(949) 724-9474 Fax: (949) 724-9472

Customer:
Acoustics Group Inc.
2082 Business Center Dr
Irvine, CA 92612
Contact: Robert Woo
Phone#: (877) 595-9988

Service Record #: SR-CI048935
Issue Date: 03/10/2021
Technician: Samuel Brambila
Job No: J-AA50250
Customer PO #: Verbal Per Robert
Calibration Date: 03/10/2021
Next Cal Due: 03/10/2023

Device Under Test	Manufacturer: Bruel Kjaer	Model: 2250	Serial #: 3011736	
	Description: Sound Level Meter		ID #: None Visible	
Device Conditions	As Received: Out of Tolerance	As Returned: In Tolerance	Adjusted?: Yes	Limited Use?: No
Environmental Conditions	Field Calibration?: Yes		Temperature: 21°C	Relative Humidity: 41%
Comments: Changed Ch. 1 sensitivity from 52.72 to 44.52 mV/Pa.				
Facility:	Area:	Position:		
Tolerance: ± 0.5 dB				

Sample Data Points

Description	Nominal	As Found	As Left
Sound Level @ 1 kHz	94.0 dB	91.6 dB *	93.6 dB

* Denotes out of tolerance measurement data.

Standard Used

Manufacturer	Model	Description	Next Cal Due	Traceable #
Extech	407766	Sound Level Calibrator	08/31/2021	T-1387
Procedure Used:		G-0005 Sound Level Meters		

Test Calibration data, if applicable, is available upon request (fee required)

The standards and calibration program of usCalibration complies with the requirement of ANSI/NCSL Z540-1-1994 and ISO/IEC 17025:2005

Standards used in this calibration, described in the referenced calibration procedure with associated uncertainties or tolerances, are traceable to the

National Institute of Standards and Technology (N.I.S.T.).

No allowances have been made for the instability of the test device due to use, time, etc.; such allowances would be made by the customer as needed

The test uncertainty ratio (TUR) for this calibration is no less than 4:1, unless otherwise specified.

There are no special limitations of use imposed on the calibrated item, unless specified

This report applies only to the item described and shall not be reproduced except in full, without the written approval of usCalibration.

3/10/21

Samuel Brambila, Technician

Date





MODELING INPUT & OUTPUT

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: No Noise Control

Receiver		ID	Level Lr		Limit Value		Land Use		Height	Coordinates			
Name	M.		Day [dBA]	Night [dBA]	Day [dBA]	Night [dBA]	Type	Auto		Note	Type	X [m]	Y [m]
Exit			80	80	0	0	x		Total	1.5 r	274.75	297.69	1.5
Entrance			78.6	81.5	0	0	x		Total	1.5 r	308.3	297.78	1.5
West			45.6	45.6	0	0	x		Total	1.5 r	213.37	364.02	1.5
North			32.5	33	0	0	x		Total	1.5 r	305.45	355.53	1.5
East			53.8	55.4	0	0	x		Total	1.5 r	332.5	297.66	1.5
East			56.1	58.4	0	0	x		Total	1.5 r	332.32	299.67	1.5
East			57.1	59.2	0	0	x		Total	1.5 r	332.35	299.62	1.5

Point Source		ID	Result: P.W.L			Lw/Li	Value	norm. dB(A)	Correction			Sound Reduction		Attenuation		KD	Freq.	Direct	Height	Coordinates		
Name	M.		Day [dBA]	Evening [dBA]	Night [dBA]				Type	Day [dB(A)]	Evening [dB(A)]	Night [dB(A)]	R	Area [m²]	Day [min]					Special [min]	Night [min]	[dB]
Exit			97.8	97.8	97.8	Lw	Exit	0	0	0	0	0	0	0	0	0	(none)	3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance	-3	0	0	0	0	0	0	0	0	(none)	3 r	307.26	297.89	3	
Turbine			77.3	74.3	74.3	Lw	T	3	0	0	0	0	0	0	0	0	(none)	2 r	294.35	292.12	2	
V1			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.35	258.51	1.22	
V2			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.83	258.51	1.22	
V3			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.41	258.47	1.22	
V4			74.3	74.3	74.3	Lw	T	0	0	0	0	0	0	0	0	0	(none)	1.22 r	289.21	291.81	1.22	
V5			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	306.61	291.85	1.22	
V6			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.74	291.85	1.22	
V7			70.9	70.9	70.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V8			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	291.74	1.22	
V9			79.9	79.9	79.9	Lw	V1	0	0	0	0	0	0	0	0	0	(none)	1.22 r	319.37	291.81	1.22	

Buildings		ID	Absorption		Z-Fac.	Cantilever	Height	End
Name	M.		left	right				
					9.7	0	5.18 r	
					0.76		5.18 r	
					9.7	0	5.18 r	
					0.76		5.18 r	
							5.18 r	
							5.18 r	
							2.44 r	
							1.82 r	

Sound Level		ID	Type	Octave Spectrum (dB)										Source
Name	M.			Weight	31.5	63	125	250	500	1000	2000	4000	8000	
Machell Ex Exit		Lw		91	95	92	92	93	91	89	86	97.8	100.8	
Machell Ex Entrance		Lw		91	95	92	92	93	91	89	86	97.8	100.8	
Turbine T		Lw		55	55	57	70	72	69	68	62	74.3	75.3	
Vacuum V1		Lw		66.9	67.1	69.3	66.5	63.2	63.3	74.1	75.1	72.6	79.9	

Result Table		Land Use	Limiting Value		rel. Axis	Distance	Height	Lw/o Noise Control				Lw/w Noise Control		Exceeding		passive NC
Name	ID		Day [dB(A)]	Night [dB(A)]				Station [m]	Day [dB(A)]	Night [dB(A)]	Day [dB(A)]	Night [dB(A)]	Day [dB(A)]	Night [dB(A)]	Day [dB(A)]	
Exit			0	0				80	80	80	80	0	0	-	-	
Entrance			0	0				78.6	81.5	78.6	81.5	0	0	-	-	
West			0	0				45.6	45.6	45.6	45.6	0	0	-	-	
North			0	0				32.5	33	32.5	33	0	0	-	-	
East			0	0				53.8	55.4	53.8	55.4	0	0	-	-	
East			0	0				56.1	58.4	56.1	58.4	0	0	-	-	
East			0	0				57.2	59.2	57.2	59.2	0	0	-	-	

CadnaA Input Output
 Project: California Mobile Car Wash Lakewood
 Case: Noise Control

Receiver												
Name	M.	ID	Level	Limit	Land	Auto	Noise	Height	Coordinates			
			Day	Day	Type		Type	(m)	X	Y	Z	
			(dBA)	(dBA)					(m)	(m)	(m)	
Exit			80	0	0	x	Total	1.5 r	274.75	287.99	1.5	
Entrance			78.6	81.5	0	0	Total	1.5 r	308.3	297.78	1.5	
West			45.6	45.6	0	0	Total	1.5 r	213.27	364.62	1.5	
North			31.8	32.4	0	0	Total	1.5 r	305.45	355.53	1.5	
East			52.2	54.5	0	0	Total	1.5 r	332.5	290.67	1.5	
East			49	51.6	0	0	Total	1.5 r	332.32	290.67	1.5	
East			55.4	58.2	0	0	Total	1.5 r	332.35	293.82	1.5	

Point Sources																						
Name	M.	ID	Result	PWL	Lw / U	Correction	Sound Reduction	Attenuation	Operating Time	K0	Freq.	Direct	Height	Coordinates								
			Day	Evening	Night	Type	Value	norm.	Day	Evening	Night		Day	Special	Night	(dB)	(Hz)	(m)	X	Y	Z	
			(dBA)	(dBA)	(dBA)			dB(A)	dB(A)	dB(A)	dB(A)		(min)	(min)	(min)				(m)	(m)	(m)	
Exit			97.8	97.8	97.8	Lw	Exit		0	0	0	0	0	0	0	0	0	3.35 r	275.88	297.7	3.35	
Entrance			94.8	97.8	97.8	Lw	Entrance		-3	0	0	0	0	0	0	0	0	(none)	2 r	507.26	297.83	3
Turbine			72.5	74.3	74.3	Lw	T		3	0	0	0	0	0	0	0	0	(none)	2 r	294.55	296.12	2
V1			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.36	288.51	1.22
V2			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.83	288.51	1.22
V3			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	313.41	288.47	1.22
V4			74.3	74.3	74.3	Lw	T		0	0	0	0	0	0	0	0	0	(none)	1.22 r	289.21	291.81	1.22
V5			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	305.11	291.78	1.22
V6			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	308.82	281.85	1.22
V7			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	312.34	281.85	1.22
V8			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	315.94	281.74	1.22
V9			79.9	79.9	79.9	Lw	V1		0	0	0	0	0	0	0	0	0	(none)	1.22 r	319.37	281.81	1.22

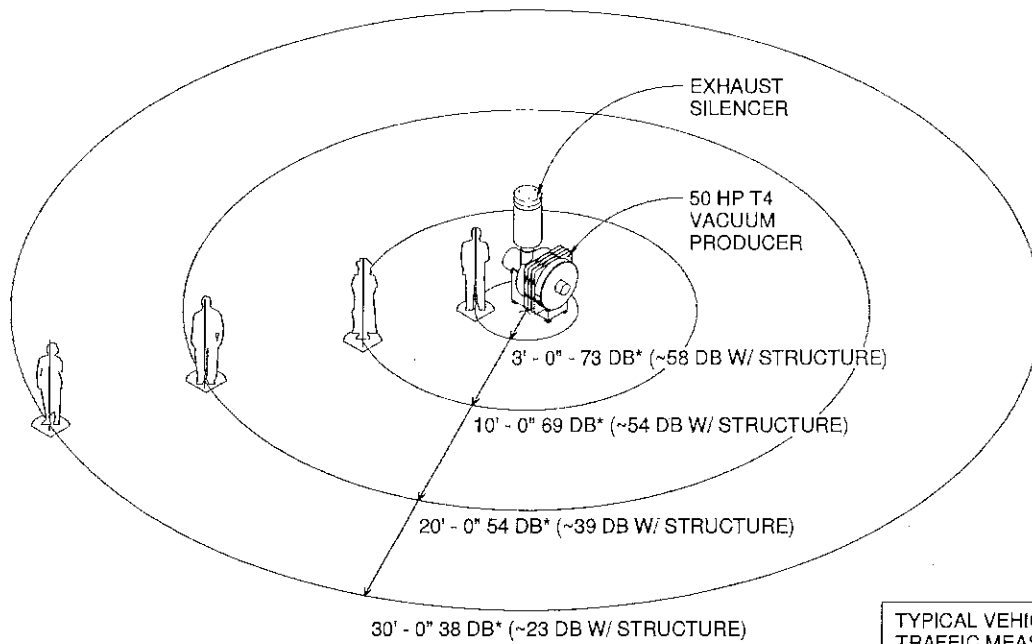
Buildings												
Name	M.	ID	Absorption	Z-Ext.	Can/lever	Height	Begin	End				
			left	right	(m)	h(m)	vert.	(m)				
						0 r						
					0.75	9.7	0	5.18 r				
								5.18 r				
					0.75	9.7	0	5.18 r				
								5.18 r				
								5.18 r				
								2.44 r				
								1.82 r				

Sound Level													
Name	ID	Type	Octave Spectrum (dB)										Source
			Weight.										
			31.5	63	125	250	500	1000	2000	4000	8000	A	lin
Machell Ex Exit	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Machell Er Entrance	Lw			91	95	92	92	93	91	89	86	97.8	100.8
Turbine T	Lw			51	55	57	70	72	69	68	61	74.3	76.3
Vacuum V1	Lw			66.9	67.4	69.3	66.5	63.2	68.3	74.1	72.6	79.9	80.4

Result Table												
Receiver	Land Use	Limiting Value	rel. Axis	Distance	Height	Lw/o	Noise Control	dL req.	Lw/o	Noise Control	Exceeding	passive NC
Name	ID	Day	Night	Station	m	Day	Night	Day	Night	Day	Night	dB(A)
		(dBA)	(dBA)	m	m	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)
Exit		0	0			80	80	85	80	0	-	-
Entrance		0	0			78.6	81.5	78.6	81.5	0	-	-
West		0	0			45.6	45.6	45.6	45.6	0	-	-
North		0	0			31.8	32.4	31.8	32.4	0	-	-
East		0	0			52.2	54.5	52.2	54.5	0	-	-
East		0	0			49	51.6	49	51.6	0	-	-
East		0	0			55.4	58.2	55.4	58.2	0	-	-



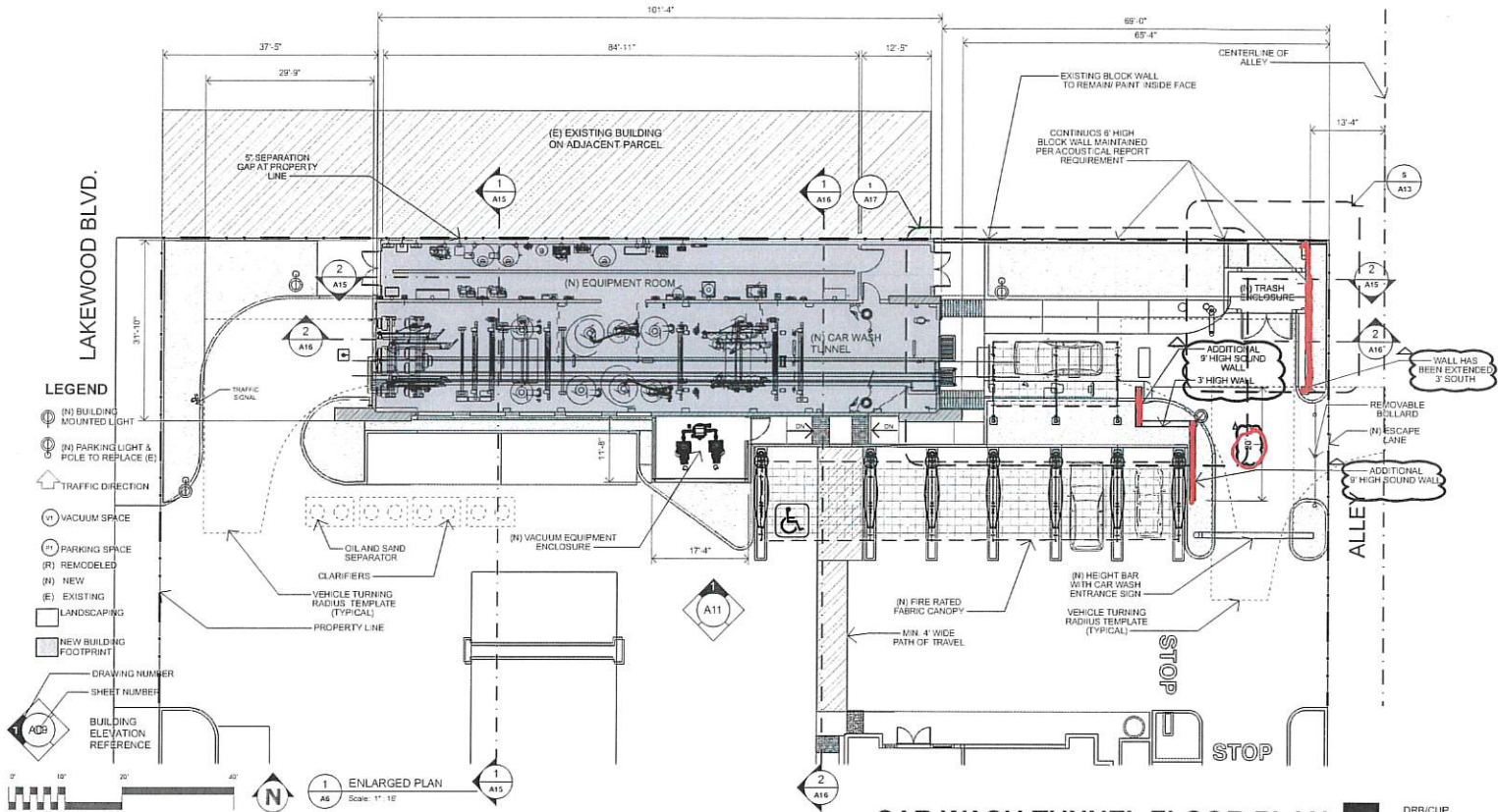
MANUFACTURER'S PRODUCT LITERATURE AND LAYOUT



TYPICAL VEHICULAR TRAFFIC MEASURES 60-75 DB ON MOST CITY STREETS

*BASED ON READINGS TAKEN OUTDOORS, UNOBSTRUCTED, ON A CONCRETE SURFACE

TURBINE SOUND INTENSITY - 50 HP



CAR WASH TUNNEL FLOOR PLAN

DRB/CUP
SUBMITTAL
JAN. 19TH, 2023
A06

BBA BEHR BROWERS ARCHITECTS INCORPORATED
 11101 N. CENTRAL EXP. SUITE 100
 DALLAS, TEXAS 75243
 TEL: 214.480.2000
 WWW.BBA-BEA.COM

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Mo's Xpress Gas+Wash
 4311 South Street, Lakewood, CA
 Owner: Mohamed Elbiali

A06

RESOLUTION NO. 11-82

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR AN EXISTING SERVICE STATION

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobil Oil Corporation, 612 South Flower Street, Los Angeles, California, requesting a Conditional Use Permit pursuant to the provisions of Section 9340.C, of the Lakewood Municipal Code for addition to and maintenance of an existing service station site, on that certain real property within the City of Lakewood described as Portion of Lot 12, Block O of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California

all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 3rd day of June, 1982, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified and by reason of the imposition of the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use, as amended by staff, is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses, buildings and structures has been considered and the use will not adversely affect or be materially detrimental to said adjacent uses, buildings or structures.

C. The site for the conditional use is adequate in size and shape to accommodate the yard, walls, fences, parking, and loading facilities, landscaping and other development features required by the zoning ordinance, or is required as a condition in order to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

E. That the request for Conditional Use Permit No. 279 is to add to the existing service station at 4311 South Street, a 168 square foot storage room.

F. That by imposing conditions for approval, the above required findings can be made.

G. That a previous Conditional Use Permit was denied after Mobil Oil asked to continue the hearing but then never responded to the imposed conditions.

H. That on the service station site are two additional uses, a liquor store and a food stand.

I. That the buildings of the other uses have not been maintained as well as the service station buildings.

J. That no trash enclosures exist for any of the three uses.

K. That no parking or circulation is indicated on the site.

L. That the service station conducts auto repair in two of its three bays at present because the third is used to store supplies.

M. That approximately 2% of the site is landscaped and no street trees are located adjacent to the site in the public right-of-way.

N. That the proposed project will conserve existing structures and facilities, adding and modifying where necessary.

O. That no other uses are proposed for the site other than the existing service station with auto repair, the liquor store, and the food stand.

P. That the proposed uses comply with all other limitations imposed by the Zoning Ordinance for the issuance of a Conditional Use Permit.

Q. That the Development Review Board will review the project upon approval of the Conditional Use Permit to comment on design and to insure all conditions and codes are complied with.

R. That the project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15103, Class 3, of the California Environmental Quality Act, as Amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, provided, however, the following conditions are observed and complied with at all times:

A. That approval of the service station addition be based upon Exhibits A and B.

B. That the inclusion of other uses, including trailers, trucks, or other equipment rental or parking, are not a permitted part of the Conditional Use Permit.

C. That a circulation system and required parking spaces be provided, as per Section 9490, et seq., Section 9340.C.2, and the Development Review Board.

D. That perimeter and interior landscaping be installed, pursuant to Section 9493 and the Development Review Board.

E. That street trees be installed in the adjacent public right-of-way, in accordance with City requirements.

F. That trash enclosures be installed per City specifications at each individual use.

G. That the attached shed to the liquor store be repaired, in accordance with Building and Zoning Codes.

H. That the free-standing sign in front of the food stand be repaired or removed in accordance with the Building and Zoning Codes.

I. That the mansard roof on the food stand be repaired in accordance with the Building and Zoning Codes.

J. That the applicant submit final drawings of landscaping, parking, circulations, signing, and building elevations, to the Development Review Board for review and approval prior to the issuance of any building, plumbing, electrical, or mechanical permits.

RESOLUTION NO. 1-84

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 1, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR A SERVICE STATION AND MINI-MARKET

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood, having had submitted to it the application of Mobile Oil Corporation, 3655 South Soto Street, Los Angeles, CA 90058, requesting a Conditional Use Permit, pursuant to the provisions of Section 9340C(2), of the Lakewood Municipal Code for the construction of a service station and mini-market on that certain real property within the City of Lakewood described as Lot 12, Block 0, Tract 13153, and more particularly described as 4311 South Street, Lakewood, CA 90712; all as shown in the attached Minutes and Report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 5th day of January, 1984, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The proposed conditional use is not in substantial conflict with the General Plan.

B. The nature, condition and development of adjacent uses buildings and structures has been considered and the use will not be detrimental to the adjacent uses, buildings, or structures, subject to conditions of this Conditional Use Permit.

C. The site for the conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping and other development

features required by the zoning ordinance, or as required as a condition to integrate said use with the uses in the neighborhood.

D. The site for the conditional use permit is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic which use would generate.

E. The request for CUP No. 279 is to replace the existing structures on the site with a 2,876 square foot service station and snack shop and three gas service islands with a combined area of 1,992 square feet.

F. The proposed project will demolish the existing service station, the liquor store and the Orange James food stand.

G. The proposed plans include a thirty (30) foot wide, unusable dirt strip between the planter and the block wall at the north end of the site.

H. The proposed wall on the north and east property lines will result in security and visibility problems to adjacent sites.

I. The proposed mini-market will sell beer and wine on-premise for off-premise consumption.

J. The proposed project is deficient in parking spaces, but has adequate room on the site to accommodate the required stalls.

K. The proposed project provides interior and perimeter landscaping.

L. A left turn from the station's south driveway onto South Street cannot be made without making a U-turn at Lakewood Boulevard. Thus, a driveway onto the alley at the east property line will serve to provide easterly access to South Street.

M. The Development Review Board has reviewed the proposed conditional use and made their recommendations for the project.

N. The project is categorically exempt from the preparation of an Environmental Impact Report, based on Section 15302, Class 2, of the California Environmental Quality Act, as amended.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determination, hereby granted the use as requested in Conditional Use Permit Case No. 279, Amendment No. 1, provided, however, the following conditions are observed and complied with at all times:

A. That the approval of the service station be based upon Exhibits A through D.

B. That gasoline sales, auto servicing in compliance with Section 9341J and a mini-market with beer and wine sales, for off premise consumption, shall be the only uses permitted.

C. That other uses, including trailers, trucks, or other equipment rental or parking, shall not be a permitted part of this Conditional Use Permit.

D. A minimum of nine (9) parking spaces shall be provided on the site, minimum of nine (9) feet by twenty (20) feet in size. Also, one (1) handicapped space shall be provided, minimum fourteen (14) feet by twenty (20) feet in size, designed and developed according to city requirements.

E. The landscaping shall be installed as per Development Review Board requirements.

F. That fifteen (15) gallon liquid amber trees shall be installed, per the City's Master Plan for street trees and per approval by the City for placement.

G. That a driveway shall be installed at the east property line onto the alley.

H. That the thirty (30) feet vacant space between the north planter and the north property line shall be eliminated by moving the planter to the north property line.

I. That the wall at the north and east property lines shall be eliminated.

J. That the sales of beer and wine at the mini-market shall be for off-premise consumption only.

K. That the applicant shall submit final drawings of landscaping, parking, circulation, signing and building elevations to be reviewed by the Community Development Department for compliance with the required conditions before the issuance of any building, plumbing, electrical or mechanical permits.

L. That the proper permits be obtained from the Building and Safety Division prior to the reconstruction of the service station.

M. That this Conditional Use Permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

N. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

O. That the proposed conditional use shall comply with the requirements of Section 9341.J of the Lakewood Municipal Code.

SECTION 4. A certified copy of the excerpts of the Minutes application to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 5th day of January, 1984, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Griffiths, Heckman, Minor, and Rodger
NOES: Commissioners: None
ABSENT: Commissioners: None

Burt J. Minor CHAIRMAN

ATTEST:

OK
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Amendment No. 1 to Conditional Use Permit No. 279, and Resolution No. 1-84, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

J. H. Huntberry

DATED 1-11-84

Received _____ (Community Development Department)

K. That the proper permits be obtained from the Building and Safety Division prior to the remodeling of the existing service station.

L. That this conditional use permit shall become null and void if not exercised within one year from the date of the resolution approving the same.

M. That the applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this conditional use permit, within twenty (20) days of the adoption of the resolution approving the same, or this approval shall become null and void.

N. That the "Liquor" roof sign shall be removed from over the public right-of-way.

ADOPTED AND APPROVED this 3rd day of June, 1982, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor and Rodgers
NOES: Commissioners: None
ABSENT: Commissioners: Kane and Shingleton

Christine Shingleton
CHAIRMAN

ATTEST:

James R. Butts
SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, and Resolution No. 11-82, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

DATED _____

Received _____ (Community Development Department)

EXHIBIT A

3

RESOLUTION NO. 22-89

A RESOLUTION OF THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT, CASE NO. 279, AMENDMENT NO. 2, 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA, FOR THE ADDITION OF A CAR WASH, A FUTURE PUMP ISLAND AND EXPANSION OF A MINI-MARKET TO AN EXISTING MOBIL OIL SERVICE STATION.

THE PLANNING ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning Environment Commission of the City of Lakewood having had submitted to it the application of Mobil Oil Corporation, 1255 Corporate Center Drive, Suite 201, Monterey Park, California 91754-7611, owner of an interest in the following described real property, requesting a Conditional Use Permit, pursuant to the provisions of Sections 9340.C.2, of the Lakewood Municipal Code for the addition of a car wash, a future pump island and expansion of an existing mini-market, on that certain real property within the City of Lakewood described as lot 12 of Tract No. 13153, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning Environment Commission does hereby find and determine as provided in this resolution.

Section 2: The Planning Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning Environment Commission in respect to said application on the 1st day of June, 1989, and the Planning Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified should be granted for the following reasons:

A. The request is for Amendment No. 2 to Conditional Use Permit No. 279 for the addition of a car wash, a future pump island and expansion of a mini-market to an existing Mobil service station at 4311 South Street.

B. The service station is subject to the conditions of approval of Conditional Use Permit No. 279, and Amendment No. 1 to the same.

C. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.

D. The subject site is served by Lakewood Boulevard and South Street which are arterial streets that are adequate in width to carry the kind and quantity of traffic the use generates.

E. The proposed project is consistent with the City's General Plan.

F. A mitigated Negative Declaration has been prepared, pursuant to Section 15070 of the California Environmental Quality Act Guidelines, as amended with mitigating measures to eliminate potential noise impacts created by the project.

G. Notification of the public hearing has been provided in accordance with Section 9422, et seq., of the Lakewood Municipal Code.

SECTION 3. The Planning Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit Case No. 279, Amendment No. 2, provided, however, the following conditions are observed and complied with at all times:

A. Said conditions are complied with within six (6) months from the date of the granting of this application and not thereafter violated or deviated from except where authorized by amendment to this resolution adopted in accordance with the provisions of this resolution and the Municipal Code. The granting of said conditional use permit and this resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of said conditional use permit subject to the conditions herein set

forth are binding on the heirs, assigns and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval of Amendment No. 2 to Conditional Use Permit No. 279 is based on Exhibits A through D.

C. A digital or token system shall be used for the car wash.

D. Brick veneer is to be used at those areas where the bays are proposed to be enclosed, rather than sheet metal.

E. All existing and proposed signs shall conform to the conditions of the Development Review Board and the minimum requirements of the Lakewood Sign Ordinance.

F. An eight (8) feet high masonry wall shall be constructed in the planter area on the northeast side of the property, west of the trash enclosure, and along the north property line, as shown on Exhibit A; and the car wash shall be operated with the entrance door (automatic) closed.

G. The hours of operation of the car wash shall be limited between 6:00 A.M. to 9:00 P.M., Monday through Friday; and 7:00 A.M. to 9:00 P.M., Saturday and Sunday.

H. In the event the use of said premises as a service station is vacated, abandoned, or suspended, all buildings and structures shall be removed from said premises within a period of sixty (60) days following the vacation, abandonment, or suspension of use of said premises for a continuous period of six (6) months.

I. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of adoption of the resolution approving the same, or this approval shall become null and void.

J. Proper permits shall be obtained for all work related to the project.

K. To monitor the mitigation impacts the following actions will be undertaken:

1. During the plan check of the project the location and height of the masonry wall required by condition "F" will be verified on the plans before building permits are issued.

2. Staff shall verify the location and height of the wall during the construction work and before a building final is granted.

3. After the car wash commences operation the hours of operation as specified in condition "G" shall be monitored by staff on a random basis at least four times per year. The results shall be recorded in the CUP case file.

L. Revised plans shall be reviewed by the Development Review Board for confirmation of adequate circulation through the car wash.

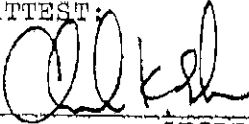
SECTION 4. A certified copy of the excerpts of the minutes applicable to this case and this resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 2nd day of July, 1987, by the Planning Environment Commission of the City of Lakewood voting as follows:

AYES: Commissioners: DuBois, Minor, Wade
NOES: Commissioners: None
ABSENT: Commissioners: LaTourette


CHAIRMAN

ATTEST:



SECRETARY

STATEMENT OF ACCEPTANCE

The foregoing Conditional Use Permit No. 279, Amendment No. 2, and Resolution No. 22-89, are hereby accepted and each and all conditions and provisions are accepted and each and all conditions and provisions are approved by and consented to by the undersigned Permittee, who expressly promises to perform and be bound by each of its terms.

Dated _____

Received _____ (Community Development Department)



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 25th, 2023

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to provide you with our concerns regarding **Conditional Use Permit 279, A-3**, and amendment for the tunnel expansion of "Mo's Xpress Gas & Wash", located on the property of 4311 South Street, an existing service station.

REVIEW OF CONDITIONAL USE PERMIT (CUP) 279, A-3 and Amendment
Review of the application for Conditional Use Permit and amendment at "Mo's Xpress Gas & Wash".

We have conducted a review of calls for service since March 25th, 2020, at the above location. We are pleased to report there have been no incidents that reflect negatively on the business. During that time, there were 54 calls for service, which is typical for an area adjacent to a busy intersection.

Should the city of Lakewood approve the conditional use permit and amendment, we would like to make the following recommendations:

- Increased security lighting (two staged) both front and rear.
- Increased number and quality of security cameras both front and rear.
- Maintain any existing alarm features.
- Landscape to be trimmed to avoid potential hiding places.
- This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

Should the city of Lakewood approve the conditional use permit and

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

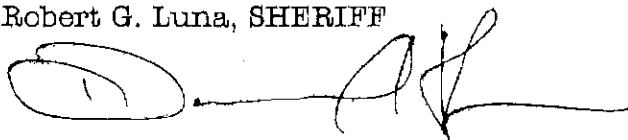
A Tradition of Service
— Since 1850 —

amendment, we recommend management from "Mo's Xpress Gas & Wash" have an ongoing liaison/ relationship with the Sheriff's Department and the City of Lakewood, to ensure a strong level of communication for crime prevention and problem-solving efforts.

If there are any further questions, you may contact Sergeant Theo K. Gekas at (562) 623-3657.

Sincerely,

Robert G. Luna, SHERIFF

A handwritten signature in black ink, appearing to read "R. Luna", with a long horizontal line extending to the right.

Daniel Holguin, Captain
Unit Commander, Lakewood Station

April 22, 2023

Mo Enterprises, LLC. (*MGE Oil, LLC.*)
Attn: Mohamad Elbiali
2749 E. Ocean Boulevard
Long Beach, CA 90803
E-mail: mgepetroleum1@gmail.com
Phone: (310) 926-8472

BBA Architecture
Attn: Francisco Behr, AIA/LEED AP BD&C
100 Thousand Oaks Boulevard, Suite #243
Thousand Oaks, CA 91360
E-mail: Franciso@bba-arch.com
Phone: 805.857.4777

DRB CASE NO. 9230 - Mo's Xpress Gas + Wash (*CUP No.279 Amendment No. 3*)
Site: 4311 South Street, Lakewood, CA 90712

The Development Review Board (DRB) after review and consideration **RECOMMENDS APPROVAL to the Planning and Environment Commission (PEC)**, of a Conditional Use Permit (CUP) No.279 Amendment No.3 to allow the requested reconstruction and equipment upgrade of an existing carwash facility to create a new express carwash format. This recommended action by unanimous remote vote of a quorum of the Development Review Board (DRB) was taken in consideration that all the required findings specified by the Lakewood Municipal Code (LMC) Section 9484.1 are being made in a positive manner supporting the development of the related project. This action is not appealable as it is an advisory recommendation only. The Development Review Board is recommending to the PEC the following conditions, which if adopted by the PEC shall be completed by the applicant to the satisfaction of the Community Development Department.

DRB recommends that this project be found exempt from the California Environmental Quality Act (CEQA), in accordance with the CEQA Guidelines Article 19 Section 15301, Existing Facilities, Class 1, as it includes renovation of an existing carwash, where the project is in an area where all public services are available, and the area is not environmentally sensitive. A Notice of Exemption (NOE) may be prepared and recorded based on this finding, if requested.

1. Project Description. The "Project" includes:
 - a) Demolition of a 648 SF existing carwash facility with 5 vacuum stations.
 - b) Construction of a 3, 227 SF express carwash with equipment and 9 vacuum stations.
 - c) Construction of a 202 SF vacuum equipment enclosure.
 - d) Repair and repaint three existing gas station canopies (2,836 SF), including roof.
 - e) Construction of a sound attenuation wall (13 linear feet and 9' 8" in height).
 - f) Construction of a new 120 SF trash enclosure to conform to city standards.
 - g) Remodel and add restrooms in an existing 2,284 SF convenience store with storage.
 - h) Preservation of a 16-pump gasoline station (*Mobil brand*)

The .96-acre project site is zoned (C-3) (Intermediate Commercial) the land uses and structures shall adhere to all the regulations and development standards of the Lakewood Municipal Code (LMC), including the C-3 zone (*LMC Section 9347 et seq.*)

2. Permits. Provided CUP No, 279 Amendment No.3 is approved by the PEC, the applicant shall submit plans, obtain permits, and construct the requested Project as described above and in accordance with the PEC approved plans, which are on file with the Community Development Department and obtain successful final inspections. *A signed final should be provided to the property owner, prior to final payment to the contract.*) These site improvements shall be constructed and operated in accordance with the following:
 - a) Los Angeles County Building and Safety. Comply with all California building, and construction codes as currently and most recently adopted by the City of Lakewood and the County of Los Angeles, including but not limited to building, structural, mechanical, electrical, plumbing, Title 24, and the Green codes.
 - b) Los Angeles County Fire and Public Health. Comply with any required County Fire and County Public Health plan reviews and inspections. These are independent from the Los Angeles County Building and Safety review and need to be submitted separately to each respective agency. Any food storage and/or preparation uses shall obtain approval from LA County Public Health.
 - c) Landscaping and Irrigation. Prior to issuance of any building permits or ground disturbing activities, -the final landscape and irrigation plans shall be approved by the DRB Landscape Expert detailing planting sizes, placement, and species.
 - d) Lakewood Public Works. All encroachment permits, the trash collection program, industrial waste permits, and any required Low Impact Development (LID) stormwater system shall be subject to review and approval by the Lakewood Public Works Department.
 - e) Noise Study Compliance. The project shall comply with any mitigation measures specified in the related noise study for this project.
3. Compliance. All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any non-complying structures shall either be removed or properly permitted, prior to final inspection of the requested improvements.
4. Materials. The applicant shall coordinate and/or match throughout all architectural elements, including the size, style and shape of roof overhangs, rafters, and fascia. All windows and doors shall match in terms of trim and style on each elevation. All roofing materials shall match, and all exterior materials, textures and colors shall blend. The applicant shall prepare, paint, and otherwise cover the exterior of the new structures in accordance with the materials specifications that are included in this approval.
5. Paint. The applicant shall repaint the existing structures. Any exterior portion of the commercial structure or any accessory structure that has cracked, faded, stained, or peeled paint shall be repainted, as necessary in the future.
6. Vehicle and Bicycle Parking. The approved plans have a total 34 proposed parking spaces (9 for vacuum stations and 25 open parking) that shall be doubled striped in parking lots prepared in accordance with approved plans and the City of Lakewood parking lot standards for striping, signage, and traffic circulation direction, including stop signs, stop limit striping, pedestrian crossings, and indicate left and right turns. Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility. A bike rack shall be provided (minimum 2 bikes.)

7. Los Angeles County Fire. Any required fire lane shall be maintained in a clear and unobstructive manner at all times around the perimeter of the entire building. There shall be no temporary or permanent storage in this area. In addition, there shall be no storage of combustible materials within eight (8) feet of any property line. The address number of the building shall be clearly visible from the street and a painted roof number is recommended.
8. Storage Containers. The retail store shall not place shipping containers on the site as a source of temporary secured storage for goods without a temporary use permit issued by the Community Development Department. Any containers allowed by such a permit shall be removed in accordance with the time limits imposed by the permit.
9. Waste Collection Procedures (Public Works). The construction debris and waste collection procedures program and trash enclosures shall comply with current City and State requirements and standards. Prior to final inspection, the property owner shall prepare and obtain approval from the City Public Works Department of a comprehensive solid waste collection and recycling procedures program. This shall be reviewed and be acceptable to both the City Public Works Department and EDCO, the City's franchised solid waste hauler. The waste collection and recycling procedures program shall include:
 - a) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
 - b) Sufficient capacity and storage areas for all required forms of collection, this includes normal solid waste, required recycling (*split bin is possible*) and required organic (*food and landscape*) waste storage, as required to comply with all related current state laws.
 - c) Methods to address compliance with SB 1383 (Lara -2016) regarding organic recycling and the required reduction of Short-Lived Climate Pollutants (SLCP), such as methane, hydrofluorocarbon gases, and anthropogenic black carbon.
 - d) The waste collection program shall address automotive waste (*including oil, tires, and batteries*), the use of a trash compactor and the external storage of many wood pallets and bales of compacted cardboard.
 - e) Any trash enclosure is required to be properly maintained by the property owner/operator/tenant with all trash inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed.
 - f) All trash bins shall either be located inside the building OR in an exterior fully secured, roofed, illuminated and lockable trash enclosure. There shall be no unscreened and unsecured exterior storage of waste materials.
 - g) Any trash enclosures on this site shall comply with the current city guidelines for a fully secured trash enclosure. Fully secured trash enclosures
 - h) shall be constructed with:
 - 1) Rainproof roof tall enough to accommodate fully opening the top of the bins,
 - 2) Welded wire mesh between the roof and wall with no gap greater than two inches,
 - 3) Lockable entry door with a spring or hydraulic door closer, and
 - 4) The trash enclosure area shall be illuminated during all hours of darkness to discourage unauthorized access, disposal, vandalism, or scavenging.
10. Litter and Solid Waste. Each parking lot shall be maintained daily and kept litter free. There shall be a minimum of two trash barrels (35-50 gallon) located proportionally throughout the lot (*e.g., one per aisle.*) The trash barrels shall be lined with heavy-duty plastic trash bags that are emptied daily to be deposited into an approved trash bin in an approved trash enclosure and subsequently collected and hauled away by an approved waste hauler. Where

possible, recyclables shall be separated and diverted from the solid waste stream into separate containers.

11. Sign/Façade Preparation. The background façade behind each proposed wall sign shall be properly patched and fully repainted one continuous color prior to installation of the sign(s). There shall be no visible shadowing or silhouette of previous signage. All signage is required to be reviewed and approved separately by the Community Development Department.
12. Hours of Operation: The service station and convenience store may operate 24 hours a day every day and the car wash may operate from 7 a.m. to 8 p.m. daily.
13. Store Operations. The store shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway or the view of the Point-of-Sale counter.
14. Site Lighting. The parking lot, trash enclosures and loading dock areas shall be maintained with sufficient lighting to illuminate the appearance and conduct of all persons in the parking areas and adjacent public sidewalks. There shall be sufficient lighting around the exterior perimeter of the premises to illuminate the areas sufficiently for security camera resolution. The lighting shall not exceed .5 foot-candles at the property line.
15. Public Safety and Security Plan. The property owner shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the Lakewood Public Safety Department (PSD) for each building. The PSSP shall be reviewed in coordination with the Los Angeles County Sheriff's Department. Building management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. This relationship shall include providing to the Sheriff Department and Lakewood PSD the applicant's written store security protocols. The security plans shall include:
 - a) Letter of Agency. The applicant shall sign a Letter of Agency with the County Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
 - b) Security System. A state-of-the-art security system shall be designed and installed that will combine motion detectors, contacts at doors, audio alarm and a closed-circuit television system to secure the premises. Data from security cameras shall be stored for a minimum of 30 days, and employees shall be trained to provide data to the Sheriff when requested. The security system shall be monitored by an offsite monitoring service and if possible, have backup data stored for 30 days in an offsite location. The video surveillance system shall be designed to assist the Los Angeles County Sheriff's Department personnel in criminal investigations.
 - c) Security Camera System. The security camera system shall have a minimum of 480 x 720 picture quality, capable of capturing video under 2 lux lighting conditions, and it shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition. A floor plan shall be prepared to illustrate the surveillance camera locations and area of coverage. The storage medium shall be secured in such a manner as to not facilitate the easy removal by unauthorized personnel or store employees under duress. This system shall include a) 24-hour, closed circuit video cameras with audio capabilities, b) Color monitors and c) Alarm systems equipped with both fixed and remote devices.

- d) Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed unless being used for the delivery of supplies.
 - e) Alarm/Panic System. The applicant shall install/maintain an alarm/panic system.
 - f) Parking Lot Signage. No Loitering signs shall be placed and remain clearly posted around the business, and any loitering should be strictly monitored and aggressively discouraged by management, including homeless encampments.
16. Landscaping and Irrigation Plans. Final Landscape Plans that meet commercial requirements shall be required to be submitted and approved by the Community Development Department in coordination with the DRB Landscape Expert, prior to issuance of building permits to include the following:
- a) Final Landscape Plans. These plans shall provide full details as to the number, size, placement, grouping, species, anticipated mature growth in terms of height and the spread width of coverage, and the estimated time each plant type will reach mature growth. Plans shall also indicate areas to be mulched and any stormwater detention/retention/infiltration facilities. Any missing or damaged plants or trees shall be replaced with a vibrant planting.
 - b) Plant Selection. The property owner should choose plant materials that are water conserving, require lower maintenance and are not aggressive with the capability of damaging hardscape or adjacent structures with root growth or tree limb breakage. Protection or restoration of native species and natural vegetation is encouraged, and the use of invasive/noxious plants is discouraged.
 - c) Water Conservation. The plans shall use plants and irrigation system components that are water conserving and that comply with the city's "Water Conservation in Landscape" ordinance. Hydrozones shall be created for plants with similar watering demands.
 - d) Mulch. Mulch shall be applied at the rate of four cubic yards per 1,000 SF of landscaped area with an average yield of a three-inch-deep layer of mulch on all uncovered soil areas.
 - e) Planters. The planters adjacent to turf shall have a concrete mow strip a minimum of 6 inches wide and 6 inches deep or be raised. The plans shall include a planter around any proposed freestanding sign. This planter shall be planted with regularly maintained annuals or select plant material that is eye appealing and distinctly different from adjacent plantings.
 - f) Trees shall be a minimum of 15 gallons in size with multiple branches and a main trunk diameter that is 1" or greater at three feet from soil level, including a staking plan.
 - g) Shrub plantings shall be a minimum of five gallons in size, planted in groups of three or more and on maximum five-foot centers.
 - h) Ground cover plantings shall be planted on a maximum of 12" on center and shall achieve 90% coverage within two years.
 - i) Utility box screening. Any utilities including transformers, gas meters, and backflow devices shall, when possible, be painted forest green and screened with landscaping. These shall be in such a manner that they are not readily visible to the public.
 - j) Parking Lot Landscaping. The parking lot shall be landscaped in accordance with Section 9492.P of the Lakewood Municipal Code.
17. Maintenance - Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner no longer than seven (7) days from discovery and notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area top to bottom and continuously blend with the adjacent surface. It shall not leave the appearance of a patchwork cover up.

18. General Maintenance. Commercial and Industrial property owners are required to maintain their Commercial/Industrial buildings and surrounding landscaping properly, always in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, walls/fences, ADA paths-of travel, parking lot surface and striping.
 - a) Any ADA markings that are adjacent to or cross asphalt driveways shall be outlined with a 3" white line on the outside of the blue ADA border stripe to increase visibility.
 - b) Any cracked, faded, stained, or peeling painted surface shall be repaired and repainted.
 - c) All exterior surfaces shall be repaired regularly to provide a new appearance.
 - d) There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant plants do require trimming.
19. Business License. All contractors, including sign installers, and tenants shall have properly issued city business licenses. This will be confirmed prior to each final inspection.

Advisory Notes. *The DRB advises that:*

- Construction Debris. *Any construction activities that involve hauling away demolition or construction debris needs to be coordinated with and approved by the City Department of Public Works. The city has an authorized hauler, which is currently EDCO.*
- Stormwater Protection. *Any construction or operational activities that could potentially result in any water leaving the site as drainage shall be coordinated with the Lakewood Department of Public Works to assure proper procedures have been implemented (e.g., installation of waddles and track-out devices.)*
- Temporary Banners (e.g., *Now Open, Grand Opening, Sale etc.*) *require a separate permit with a deposit and shall be removed before the allowed permit time expires.*
- Unauthorized Signs. *Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles, or trailers being used as portable signs, human sign twirlers and mechanical mannequins are **NOT ALLOWED.***

Should you have any further questions concerning this matter, please do not hesitate to contact the Assistant Director of Community Development, J. Patrick McGuckian, at (562) 866-9771, extension 2302.

Sincerely,

J. Patrick McGuckian, AICP
Assistant Director of Community Development
Copies to: Building and Safety, Public Works, and Public Safety

PLAN CHECK REVIEW AND BUILDING PERMIT ISSUANCE

City of Lakewood – Community Development Department
Contact the Assistant Director at (562) 866-9771, Ext. 2302 for any questions.

When you receive an Action Letter and a set of plans titled “**Planning Approval**” then complete the following to submit your construction drawings to the Los Angeles County Building and Safety Online Plan Check system (“BSOP”) for plan check review and issuance of building permits.

DO NOT SUBMIT TO THE BSOP until you have a set of plans titled “Planning Approval.”

APPLICANT WILL (Designer or Property Owner):

1. **Assemble** the following PDF files that are each less than 15MB. Do not submit individual plan sheets. Combine all plan sheets into a single plan file do not submit as separate documents to include:
 - a) PLANNING PLANS – Plans titled “**Planning Approval**” with approval stamps that start with an 8.5”x11” inspector’s copy of site plan with official zoning compliance description and followed by a full-scale site plan, floor plan, roof plan and elevations of each side of the project structure.
 - b) BUILDING PLANS” - All other plans required for building plan check (*e. g. framing, electrical*)
 - c) BUILDING CALCULATIONS - Title 24 documents and engineering calculations
2. **Establish** an account with the LA County Building and Safety Online Plan Check System (BSOP). <https://dpw.lacounty.gov/BSO/BSOP/> (City contracts with LA County for plan check & inspections)
3. **Upload** the Planning Plans, Building Plans and Building Calculations into your personal account on the BSOP system, only after planning approval. (*Do not use the EPIC system.*)
 - a. The Plan Check Engineer (Plan Checker) will review the submittal to assure that all necessary documents are included. The Plan Checker will either accept it for processing or reject it with a list of missing items. The applicant will be notified within their BSOP account.
 - b. The Building Clerk will then generate a plan check file and send a request for plan check fee payment and forward a copy of that to the Administrative Services Department (ASD).
4. **Pay** the plan check fees to the ASD. This may be done by mailing a check payable to “City of Lakewood” to ASD or by credit/debit card by calling ASD at (562) 866-9771, extension 2622. The plan check payment must be accompanied with a copy of the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are placed in a workload queue based on the date received.
 - b. The Plan Checker will identify any needed corrections in approximately 2-3 weeks and return their comments and corrections to the applicant through the BSOP system.
5. **Make** the requested plan corrections and resubmit the corrected plans through the BSOP (*1-2-week review period.*) Once a corrected set of plans is approved by the Plan Checker, planning staff will transfer the approval stamps and confirm plan consistency. The applicant will be notified.
6. **Submit** an application for building permits to myplans@lakewoodcity.org. The Building Clerk processes the permit application, calculates the building permit fees, and sends the applicant an email with the amount of permit fees due.
7. **Pay** the required permit fees combined with the required business license fees for all contractors working on this project to ASD (*see step 5*). Also pay the “Construction of Dwelling Unit Tax” and record any required “Notice of Condition.” The building permits can now be issued to a licensed contractor or to a homeowner (*only on their primary residence*). Owners of commercial, rental or second homes are required to use a licensed contractor who must have a city business license.
8. **Keep** on the project site:
 - a. The official job card that was mailed to you for inspection signatures, and
 - b. One full set of the approved construction plans and an approved site plan. (*Printed by applicant*)
 - c. Call for inspections at least one day before and have the job ready at the scheduled inspection time.
 - d. Confirm the final inspection is signed on the job card and property owner should retain a copy.

(APPROVAL)

RESOLUTION NO. -2023

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING AMENDMENT NO. 3 TO THE APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 279 FOR THE RECONSTRUCTION OF AN EXISTING AUTOMATED CAR WASH TUNNEL AT AN EXISTING SERVICE STATION AND TO CONSTRUCT THREE SHADE CANOPIES, NINE VACUUM STATIONS, AND AN EXCESS HEIGHT WALL IN CONJUNCTION WITH AN EXISTING SERVICE STATION AND AN EXCESS HEIGHT WALL ON A PROPERTY LOCATED AT 4311 SOUTH STREET, LAKEWOOD, CALIFORNIA

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Mr. Mohamad Elbiali is requesting an amendment to the existing Conditional Use Permit for the reconstruction of an existing automated car wash tunnel at an existing service station and to construct three shade canopies, nine vacuum stations, and an excess wall height in conjunction with an existing service station, pursuant to the provisions of Sections 9347.C.1, 9347.D.1, 9350.A, and 9384.C of the Lakewood Municipal Code on that certain real property within the City of Lakewood described as a portion of Lot 12 of Parcel Map No. 13153 as per map recorded in Book 256, Pages 1-5 of Parcel Map in the Office of the County Recorder of Los Angeles County, and more particularly described as 4311 South Street, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission finds that the proposed project, Conditional Use Permit No. 279 Amendment No. 3, is Categorically Exempt pursuant to Sections 15301, 15302.(b), and 15303.(e) of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to said application on the 4th day of May, 2023, and the Planning and Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of Conditional Use Permit No. 279 Amendment No. 3, for the reconstruction of a carwash tunnel and excess wall height at 4311 South Street, Lakewood, all as shown on Exhibits "A", "B", "C", "D", "E", "F", and "G".

B. The proposed conditional use is found not to be in conflict with the goals of the General Plan, nor does the proposed use conflict with the commercial land use designation of the General Plan.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and are in continual compliance.

D. Lakewood Boulevard, South Street, and the public alley are adequate in width and improved as necessary to serve the traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The project will include nine (9) off-street open parking spaces, which will provide sufficient parking to accommodate the proposed use.

F. The subject site is adequate in size and shape to accommodate the yards, walls, landscaping, and other development features required by the Code. The site will adequately accommodate the parking requirements of the proposed use.

G. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 279 Amendment No. 3 provided, however, the following conditions are observed and complied with at all times:

A. The conditions, unless otherwise specified herein, shall be complied with within one year from the date of the granting of this application, and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of said Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (Exhibits excluded) has been recorded in the Office of the Los Angeles County Recorder. The granting of said Amendment, subject to the conditions herein set forth, are binding on their heirs, assigns, and successors in interest of the applicant and their heirs, assigns, and successors in interest.

B. All conditions from the previous CUPs for this property, contained in PEC Resolutions 11-82, 1-84, and 22-89 shall remain in full force and effect, except where a condition in this Resolution conflicts with a condition in a prior Resolution, in which case the condition in this Resolution shall supersede the prior condition.

C. Approval for the proposed car wash tunnel is based on Exhibits "A," "B," "C," "D," "E," "F," "and "G".

D. The car wash and vacuums shall operate only between from 7 a.m. to 8 p.m. daily.

E. The business operator shall instruct the employees to notify law enforcement should they observe any criminal activity.

F. The use shall comply with the Recommended Guidelines contained in the LASD correspondence dated March 25, 2023.

G. The use shall comply with the Conditions of Approval contained in the DRB correspondence dated April 22, 2023 for DRB Case No. 9230.

H. Graffiti Protection. The applicant shall cover all perimeter walls with a wall-climbing perennial to discourage graffiti, (e.g. creeping fig or similar) and shall paint the perimeter walls with a graffiti-resistant paint or surfacing, where it is not possible to cover the wall with plant material. If there is exposed glass, the Development Review Board requires adding a graffiti-resistant vinyl covering.

I. Trash Enclosure. The trash enclosure shall be constructed to have a three-bin capacity to accommodate trash, organic waste, and recycling. The enclosure shall have a rainproof roof with wire mesh screen between the wall and roof to discourage unauthorized dumping. The drain from the enclosure shall be connected to the sanitary sewer system not the storm water system.

J. Proper permits shall be obtained from the Building and Safety Section for all interior and exterior work, prior to the commencement of such work, as necessary.

K. General Maintenance. The landscaping shall be properly maintained in an aesthetically pleasing manner. Any cracked, faded, stained or peeling painted surfaces throughout all sides of the facility shall be repainted as necessary. All exterior surfaces shall be maintained to provide a new or near-new appearance. Trash collection/enclosures shall comply with City requirements, including three bin capacity for trash, organic waste, and recycling installation of a rainproof roof and screening.

L. All contractors, including subcontractors, shall have properly issued city business licenses.

M. Mechanical noise producing equipment (e.g., compressors, pumps, and vacuums) shall be housed within mechanical equipment rooms/enclosures and shall not exceed 65 dB(A) at residential property lines.

N. The applicant shall sign a written statement stating that he has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of the adoption of the Resolution approving the same, or this approval shall become null and void.

O. This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission should they determine that the proposed uses or

conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

P. The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, or arising out of the operation of the business, save and except that caused by City's active negligence.

Q. By signing or orally accepting the terms and provisions of this permit, entered into the minutes of these proceedings, the Permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of said permits could subject Permittee to further hearings before the Planning and Environment Commission on the issue of revocation or modification.

SECTION 5. A certified copy of the excerpts of the minutes applicable to this case and this Resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 4th day of May, 2023, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

EXHIBIT B

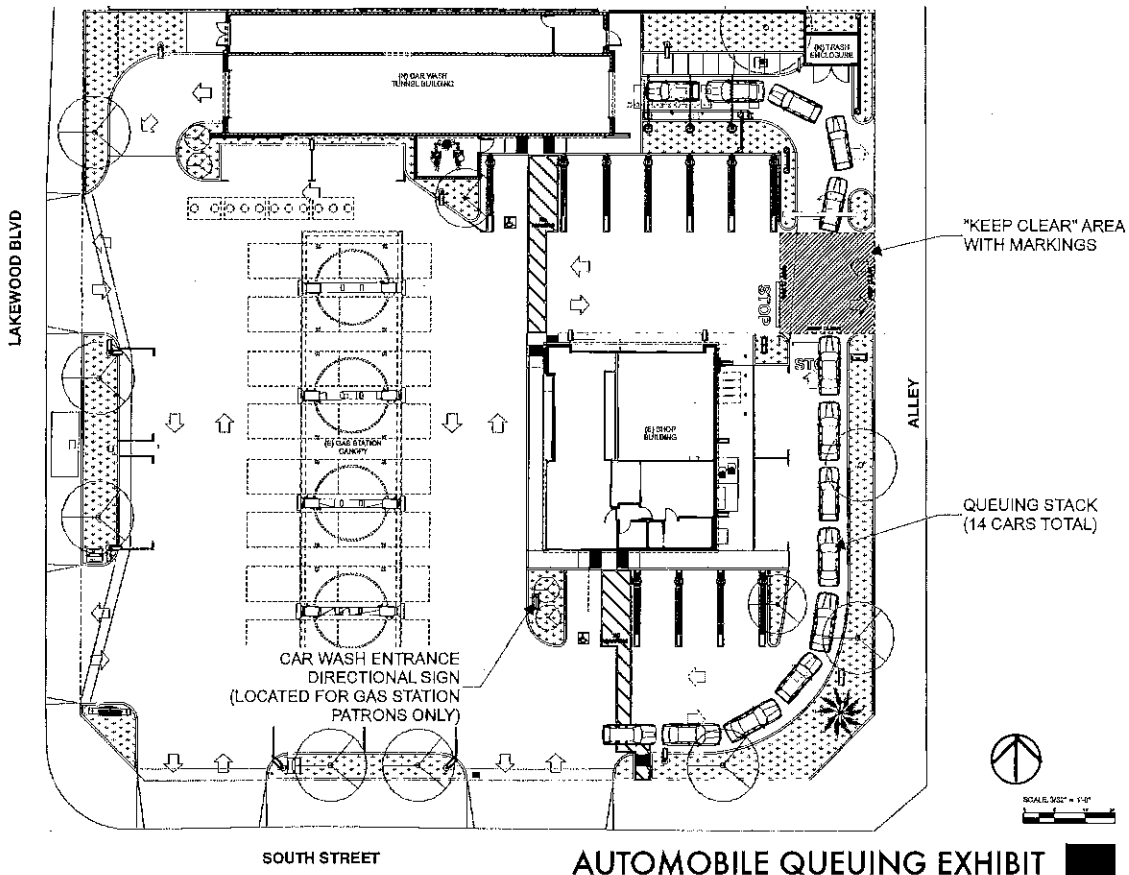


100' Express

Cleans up to 100 cars per hour

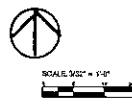
- RG-44- Conveyor
- RS-701 SuperFlex Wraparound Combo
- RS-1000 Top Brush
- Versa Arches
- Tech 21 Drying System
- Wheel & Tire Add-ons: Gloss Boss, Wheel Boss, Magnum Wheel Blaster-6 nozzle with following feature

EXHIBIT C



KEEP CLEAR AREA WITH MARKINGS

QUEUING STACK (14 CARS TOTAL)



SOUTH STREET

AUTOMOBILE QUEUING EXHIBIT

MO'S XPRESS GAS+WASH
 4311 SOUTH STREET, LAKEWOOD, CA.
 MOHAMED ELBIALI

QUEUING
 EX. 1

BBA BEHR • BROWERS ARCHITECTS INCORPORATED
 4311 South Street, Lakewood, CA 90712
 Phone: (562) 449-1111
 Fax: (562) 449-1112
 Website: www.bbaarchitects.com

EXHIBIT D

PROJECT DESCRIPTION:

REPLACEMENT OF AN EXISTING 56 LONG AUTOMATED CAR WASH TUNNEL BUILDING WITH A NEW STATE OF THE ART, 500' LONG AUTOMATED CAR WASH TUNNEL BUILDING.

REPLACEMENT OF EXISTING COIL VACUUM SPACES AND EQUIPMENT WITH 5 STATE OF THE ART COIL VACUUM SPACES AND EQUIPMENT.

REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH TUNNEL.

REPAIR AND REFINISHMENT OF EXISTING MAIN BUILDING EXTERIOR TO MATCH EXISTING MAIN TUNNEL BUILDING. PRIMARILY VIA PAINTING. REMOVAL OF AN IN PROHIBITED CANOPY AND REPAIR ALIASY WITH A NEW FABRIC CANOPY AND APPROXIMATE 10' NEW METAL CLADDING TO UPPER PART OF FACADE.

REPLACEMENT TRAFFIC LIGHTS AND APPROXIMATELY 10' TRAFFIC LIGHTS AT THE EXISTING ONE.

REPLACEMENT OF ALL EXISTING SIGNAGE OF THE EXISTING FACILITY AND NEW SIGNAGE. BRAND SIGNAGE TO BE PLACED TO BE SEPARATELY, BRAND SIGNAGE TO BE PLACED TO BE SEPARATELY, BRAND SIGNAGE TO BE PLACED TO BE SEPARATELY.

NEW DISABLED PARKING, DISABLED PATH OF TRAVEL, AND OTHER SITE ACCESSIBILITY IMPROVEMENTS.

IMPROVED SITE CIRCULATION, TRAFFIC MARKING AND NEW EXISTING SIGNAGE.

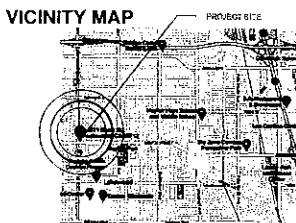
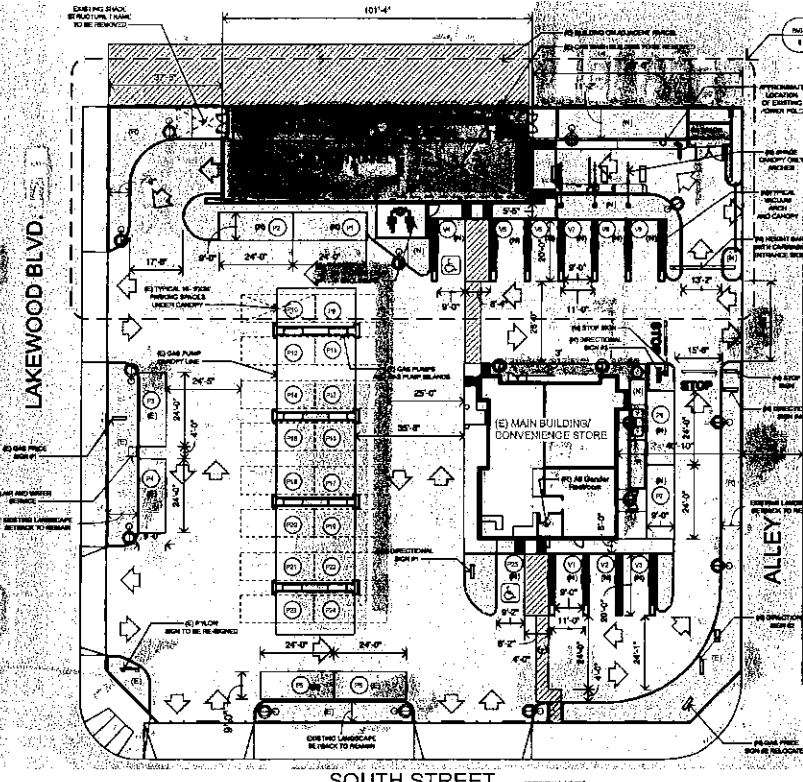
MODIFICATION OF DRIVEWAY ACCESS FROM THE ALLEY. ALL OTHER DRIVEWAYS FROM PUBLIC STREETS TO REMAIN AS IS.

NEW SITE LIGHTING IMPROVEMENTS, INCLUDING NEW PARKING LIGHTS AND NEW BUILDING LIGHTS.

LANDSCAPE AREA INCREASE AND PLANTING UPGRADE.

LEGEND

- (N) BUILDING MOUNTED LIGHT
- (NL) INDOOR LIGHT & POLE TO REPLACE (E)
- (TD) TRAFFIC DIRECTION
- (V) VACUUM SPACE
- (P) PARKING SPACE
- (I) IMPROVED
- (N) NEW
- (E) EXISTING
- (L) LANDSCAPING
- (B) NEW BUILDING FOOTPRINT



PROJECT SUMMARY

GUP #279 Amendment No 3- DR54 9230

EXISTING BUILDING AREA	PROPOSED BUILDING AREA	PROPOSED SITE AREAS	LOT COVERAGE RATIO	TRAFFIC SIGNAGE	TRUCKING SIGNAGE	LANDSCAPING	PAVING	CONCRETE	ASPHALT	GRASS	OTHER
5,394 SF	5,394 SF	41,700 SF	6.33 SF/100 SF	4 SPACES	1 SPACES	1 SPACES	26 SPACES	0 SPACES	1 SPACES	1 SPACES	1 SPACES

PROPERTY INFORMATION

OWNER: MOHAMED ELBALAL WISE OIL, LLC, 4311 South Street, Lakewood, CA 90712, PHONE: (310) 428-6472

ARCHITECT: BBA ARCHITECTURE, 3400 W 146th St, Richmond, CA 94804, PHONE: (415) 498-1211

PROJECT ADDRESS: 4311 SOUTH STREET, LAKEWOOD, CA 90712

APN # (AIN): 7156-00-010

ZONING: D-3

TYPE OF CONSTRUCTION: NEW CAR WASH TUNNEL BUILDING

TYPE OF OCCUPANCY: NEW CAR WASH TUNNEL BUILDING

LEGAL DESCRIPTION: TRACT # 3052 THAT PART OF A LINE PARALLEL WITH AND DISTANT 140.85 FT FROM N.E. COR. OF LOT 12 & 13 D

PROPOSED SITE PLAN

Mo's XPress Gas+Wash
4311 South Street, Lakewood, CA
Owner: Mohamed Elbalal



BBA BEHR BROWERS ARCHITECTS INCORPORATED

3000 146th Street, Richmond, CA 94804
Tel: (415) 498-1211
Fax: (415) 498-1212

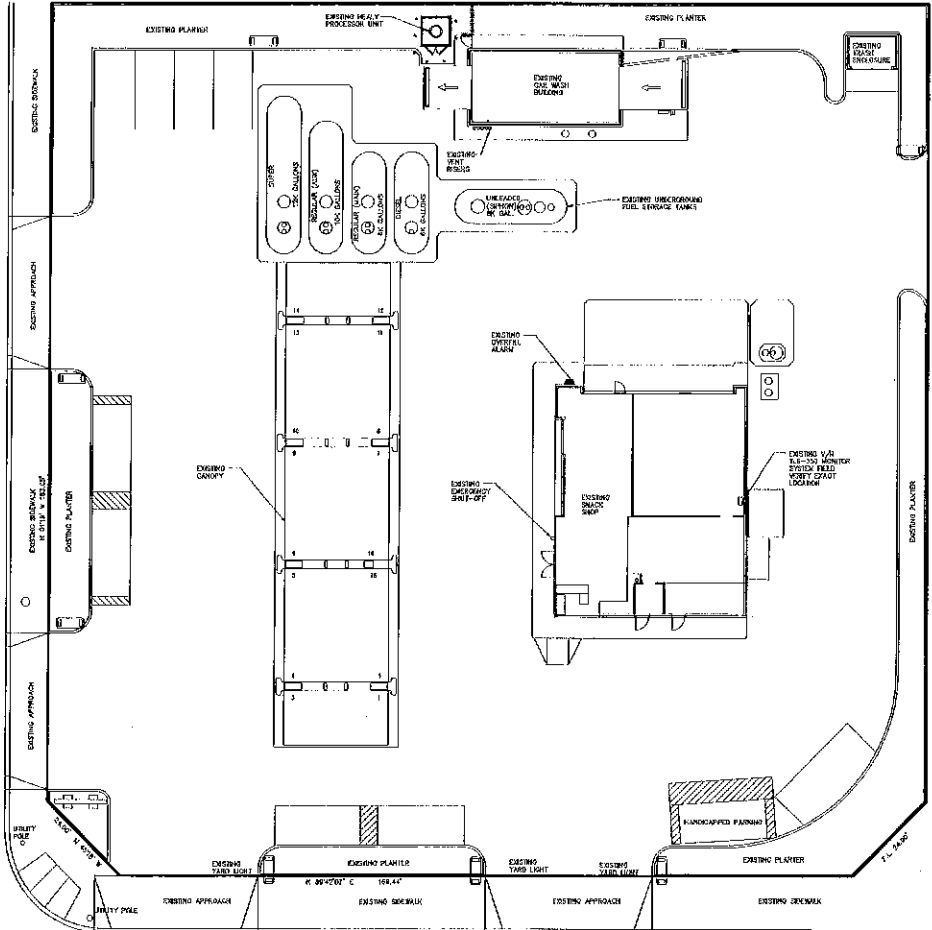
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DATE: 01/18/2023
DRAWN BY: A01

EXHIBIT E

LAKewood BOULEVARD



SOUTH STREET

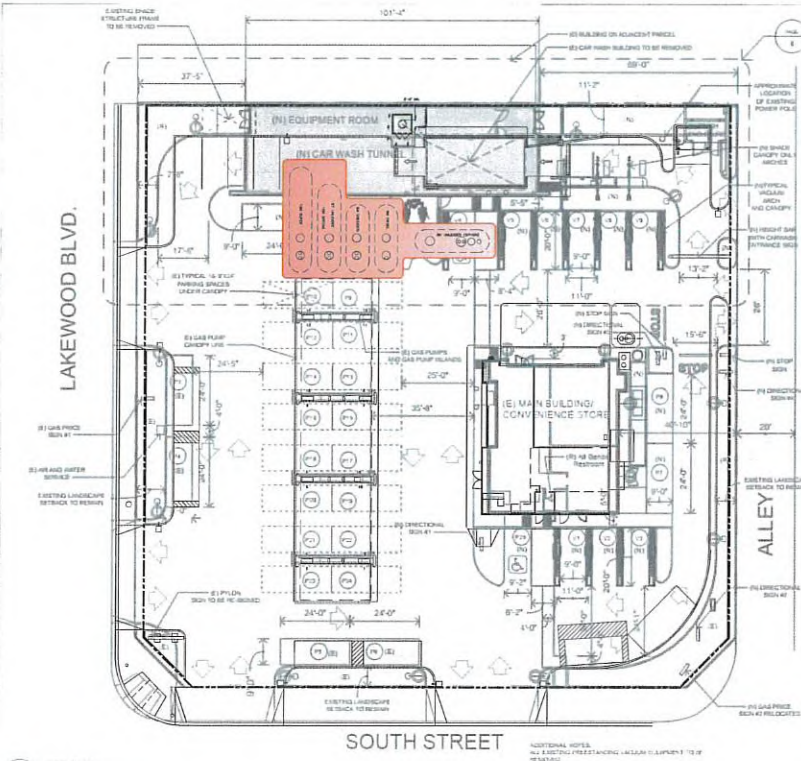
EXHIBIT "A"

PROJECT DESCRIPTION:

- REPLACEMENT OF AN EXISTING 10' x 10' CANOPY IN A MAIN BUILDING WITH A NEW 17' x 17' x 8' FT. CANOPY AND AUTOMATED CAR WASH MACHINE BUILDING.
- REPLACEMENT OF EXISTING SELF-AUTOMATIC SPRINKLER AND EQUIPMENT WITH STATE OF THE ART SELF-AUTOMATIC SPRINKLER AND EQUIPMENT.
- REPLACEMENT OF AN EXISTING AUTOMATED PAY SYSTEM WITH A NEW STATE OF THE ART AUTOMATED PAY SYSTEM FOR THE CAR WASH MACHINE.
- REPAIR AND REPLACEMENT OF EXISTING MAIN BUILDING EXTERIOR TO MATCH NEW CAR WASH MACHINE BUILDING MATERIALS AND FINISHES.
- REPAIR AND REPLACE EXISTING DRIVEWAY AND REPAIR/REPLACE WITH A NEW FABRIC FINISH AND INSTALLATION OF NEW METAL CLADDING TO UPPER PART OF FACADE.
- REPLACEMENT TRASH ENCLOSURE AT APPROXIMATELY THE SAME LOCATION AS THE EXISTING ONE.
- REPLACEMENT OF ALL EXISTING DRIVEWAYS OF THE EXISTING DRIVEWAY WITH NEW DRIVEWAY BRAND CONCRETE TO BE PERMITTED (DEPARTURE FROM THE EXISTING DRIVEWAY BRAND CONCRETE).
- NEW DRIVEWAY BRAND CONCRETE 4" x 4" x 12" IN PLACE AND OTHER SITE ACCESSIBILITY IMPROVEMENTS.
- IMPROVED SITE CIRCULATION, TRAFFIC MARKINGS AND NEW DIRECTIONAL SIGNAGE.
- RECONFIGURATION OF DRIVEWAY ACCESS FROM THE ALLEY TO OTHER DRIVEWAY FROM PUBLIC STREET TO REMAIN AS IS.
- NEW SITE LIGHTING IMPROVEMENTS INCLUDING NEW POLE LIGHTS AND CHAISELONGUE LIGHTS AND SCENE TREE LIGHTS AND PLANTING IMPROVEMENTS.

LEGEND

- (M) BUILDING MOUNTED LIGHT
- (P) IN PARKING LIGHT POLE TO REPLACE EXISTING
- (T) TRAFFIC DIRECTION
- (V) VACUUM SPACE
- (P) PARKING SPACE
- (R) REMOVED
- (N) NEW
- (E) EXISTING
- (L) LANDSCAPING
- (F) NEW BUILDING FOOTPRINT



VICINITY MAP



PROJECT SUMMARY

CLIP #279 Amendment No 3- DRB XXX

EXISTING BUILDING AREA	EXISTING AREA	EXISTING AREA
EXISTING CAR WASH MACHINE BUILDING	2,267 SF	
EXISTING MAIN BUILDING	1,643 SF	
EXISTING DRIVEWAY	2,932 SF	2,932 SF
PROPOSED BUILDING AREA		
NEW CAR WASH MACHINE BUILDING	2,932 SF	
NEW MAIN BUILDING	1,643 SF	
PROPOSED SITE AREAS		
TOTAL SITE AREA	47,752 SF	
TOTAL LANDSCAPING AREA	2,932 SF	
TOTAL EXISTING UNCOVERED AREA	7,932 SF	
TOTAL EXISTING COVERED AREA	6,932 SF	
LOT COVERAGE RATIOS		
EXISTING UNCOVERED AREA	16.4%	
EXISTING COVERED AREA	18.3%	
PROPOSED UNCOVERED AREA	16.4%	
PROPOSED COVERED AREA	18.3%	
PARKING SUMMARY		
REQUIRED FOR SERVICE STATION	4 SPACES	
REQUIRED FOR MAIN BUILDING	1 SPACE	
REQUIRED FOR CAR WASH	10 SPACES	
TOTAL REQUIRED	15 SPACES	
TOTAL PROVIDED	15 SPACES	
UNCOVERED SPACES	10 SPACES	
COVERED SPACES	5 SPACES	
ADDITIONAL SPACES	0 SPACES	
ADDITIONAL SPACE	0 SPACES	
TOTAL SPACES PROVIDED	15 SPACES	

PROPERTY INFORMATION

OWNER
 MOHAMED ELBIALI MOZE CO. LLC
 4311 SOUTH STREET, LAKWOOD, CA 90712
 PHONE: (510) 433-8472

ARCHITECT
 SBA ARCHITECTURE, 1000 WESTLAKE BLVD.
 SUITE 200, WESTLAKE VILLAGE, CA 91362
 (714) 835-0058 OR 714-771-8000

PROJECT ADDRESS
 4311 SOUTH STREET, LAKWOOD, CA 90712

SPIN # (A/N)
 279-001-013

ZONING
 C-3

TYPE OF CONSTRUCTION
 NEW CAR WASH TOTAL BUILDING

TYPE OF OCCUPANCY
 NEW CAR WASH TOTAL BUILDING

LEGAL DESCRIPTION
 TRACT # 15152 THAT PART 0.6 OF A PG. PARCEL, 1.476 AC. DIST. 0.17 AC. 148.85 FT. N. 100.0 FT. E. 100.0 FT. S. 100.0 FT. W. 12.0 FT. S. 100.0 FT. W.

PROPOSED SITE PLAN

DRB/CUP SUBMITTAL JAN 10TH 2023

CITY OF LAKEWOOD
Internal Cash Control Form

Received from Jackson D. McNeill

Address: 3977 Rose Avenue
Long Beach, CA 90807

For: Planning Commission Appeal Fee

CITY OF LAKEWOOD
PAID

Credit 1010-0012-46214 MAY 25 2023 \$ 300-

ADMINISTRATIVE
SERVICES

Ring
here

June 16, 2023

VIA ELECTRONIC MAIL ONLY

Mayor and Honorable City Councilmembers
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
Email: CityCouncil@lakewoodcity.org

Paul Kuykendall AICP, Senior Planner
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
Email: PKuykendall@lakewoodcity.org

Jo Mayberry, City Clerk
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
Email: CityClerk@lakewoodcity.org

Frankie Griffiths, Assistant Planner
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712
Email: FGriffiths@lakewoodcity.org

Re: Applicant and Appellant's joint request to hear the appeal of Conditional Use Permit No. 279, Amendment No. 3 *de novo* and to set a hearing on the merits for August 8, 2023.

Mayor and Honorable City Councilmembers:

Our firm represents appellant Shakouri Investment Group, LLC in the appeal of Conditional Use Permit No. 279, Amendment No. 3 concerning 4311 South Street in Lakewood, California ("**Appeal**"). Alston & Bird LLP represents applicant Mohamad Elbiali. Staff intends to agendize the Appeal for the City Council's June 27, 2023, meeting.

The Lakewood Municipal Code ("LMC") provides that "the City Council may, by majority action at any time during the course of the review of a decision of the Planning Commission ... determine that a new hearing should be heard for the purpose of taking new or additional evidence...." LMC § 9407.5. It continues: "In such an event, a new hearing shall be set by the City Council...." *Id.*

Pursuant to this section, applicant and appellant jointly request that the City Council open the public hearing on June 27, 2023, and immediately adopt a motion to hear the Appeal *de novo*

Lakewood City Council
June 16, 2023
Page 2

and continue the hearing to August 8, 2023.¹ Applicant and appellant make this request for the purposes of providing new and additional evidence and in order to serve the convenience of the parties.

Should you have any questions regarding this request, please do not hesitate to contact applicant or appellant's attorneys.

Very truly yours,

A handwritten signature in blue ink that reads "Jackson D. McNeill". The signature is fluid and cursive, with a large loop at the beginning.

JACKSON D. MCNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

JOINED ON BEHALF OF APPLICANT:

Very truly yours,

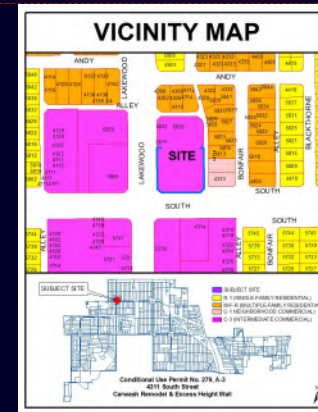
A handwritten signature in blue ink that reads "Jeffrey Carlin". The signature is cursive and somewhat stylized.

JEFFREY CARLIN
Alston & Bird LLP

cc: Ed Casey (ed.casey@alston.com)
Steve Skolnik (sskolniklaw@gmail.com)

¹ Per LMC section 9407.5, and based on conversations with counsel for the City of Lakewood, Steve Skolnik (copied here), we understand that, upon adopting a motion to hear the Appeal *de novo*, the Council cannot hear the Appeal immediately thereafter, but must set a new date to hear the Appeal on the merits.

**CONDITIONAL USE PERMIT NO. 279,
AMENDMENT NO.3**





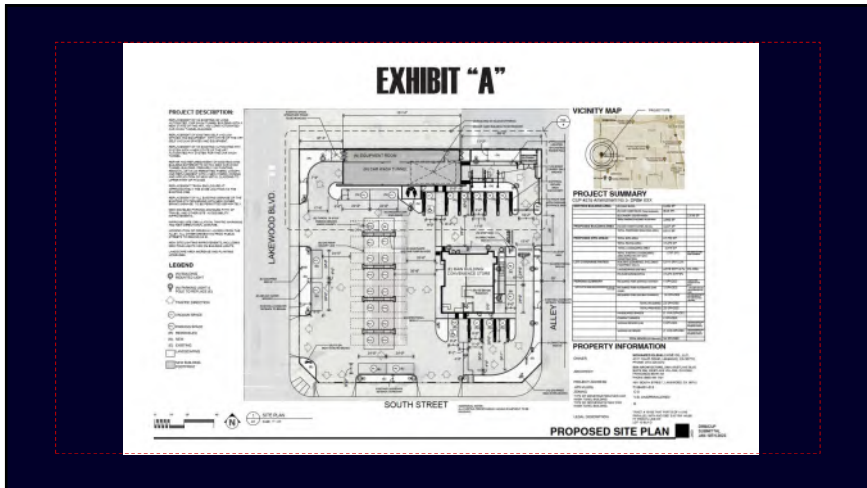
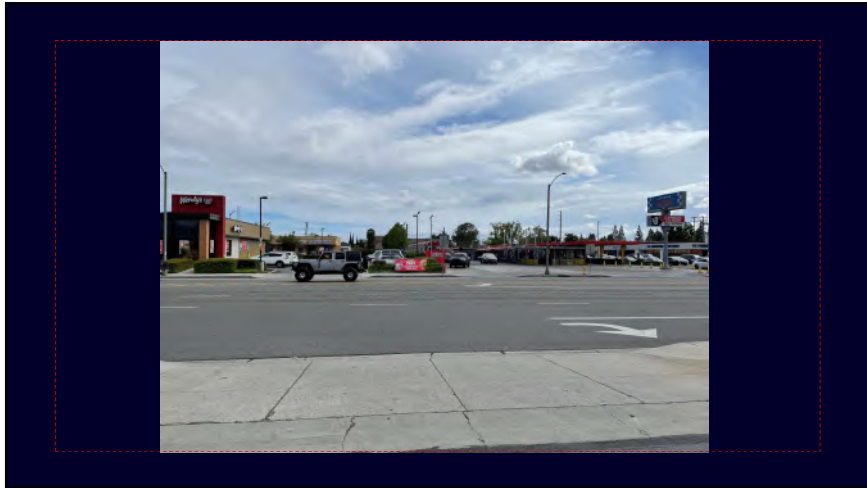
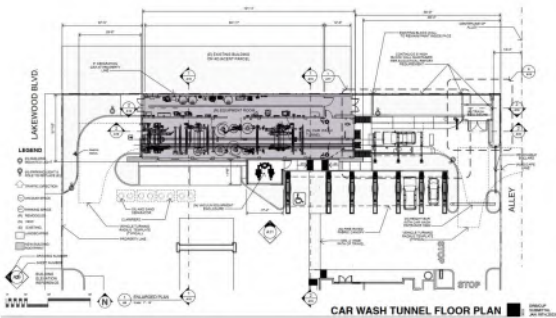


EXHIBIT "B"



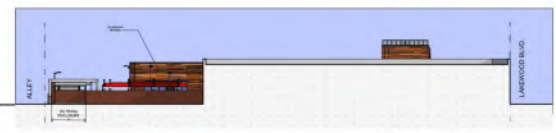
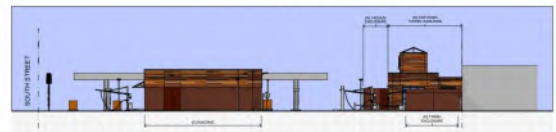
CAR WASH TUNNEL FLOOR PLAN

EXHIBIT "C"



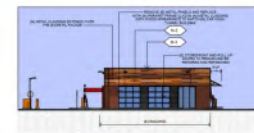
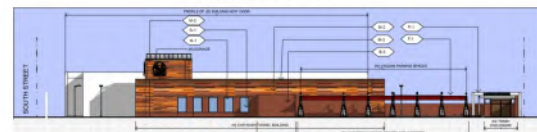
COLOR BUILDING ELEVATIONS

EXHIBIT "D"



COLOR BUILDING ELEVATIONS

EXHIBIT "E"



COLORED BUILDING ELEVATIONS

EXHIBIT "F"



COLOR TRASH ENCLOSURE ELEVATIONS

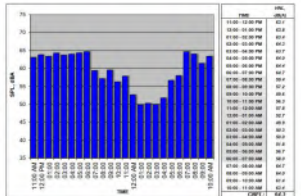
EXHIBIT "G"



ACTUAL CORNER VIEW FENCING, ACTUAL ALLEY VIEW FENCING, LAKWOOD BLVD FENCING, SOUTH STREET FENCING

MEASUREMENT DATA - HOURLY NOISE LEVELS

Project: California Medical Car Wash Construction Project
 Address: 6311 South Street, Lakewood, CA
 Location: 1307 13th
 Notes: WASHING THERC, Car Wash
 Date: 11/20/2022
 Scale: 1:10000000
 Author: NBT



Source: Alameda Group, Inc.

Table 7. Summary of Operations Noise Impact Assessment - with Noise Control

Noise Sensitive Location	Future Operations Peak Hour Leq, dBA	City of Lakewood Noise Standard, dBA	Assessment
R1 - Residential noise sensitive receptor to the West	45.4	60	Compliance
R2 - Residential noise sensitive receptor to the North	31.8	60	Compliance
R3/R4 - Residential noise sensitive receptor to the East	55.4	60	Compliance

Table 8. Comparison and Impact Assessment of Future Car Wash Noise Levels with Noise Control - with the Ambient Noise Level at R31/NM1

Hour Start	Future Car Wash Noise Level, Leq, dBA	Ambient Noise with Existing Car Wash, Leq, dBA	Ambient Noise without Car Wash, Leq, dBA	Assessment
12:00 AM	56.4	52.7	52.7	Compliance
1:00 AM	56.4	49.9	49.9	Compliance
2:00 AM	56.4	50.3	50.3	Compliance
3:00 AM	56.4	50.0	50.0	Compliance
4:00 AM	56.4	51.8	51.8	Compliance
5:00 AM	56.4	56.7	56.7	Compliance
6:00 AM	56.4	58.0	58.0	Compliance
7:00 AM	56.4	64.7	59.7	Compliance
8:00 AM	56.4	64.0	60.5	Compliance
9:00 AM	56.4	61.4	57.9	Compliance
10:00 AM	56.4	61.4	58.4	Compliance
11:00 AM	56.4	63.1	59.3	Compliance
12:00 PM	56.4	63.8	60.0	Compliance
1:00 PM	56.4	63.4	59.0	Compliance
2:00 PM	56.4	64.4	60.6	Compliance
3:00 PM	56.4	61.7	58.3	Compliance
4:00 PM	56.4	64.4	60.6	Compliance
5:00 PM	56.4	64.8	61.4	Compliance
6:00 PM	56.4	66.7	61.6	Compliance
7:00 PM	56.4	66.4	59.4	Compliance
8:00 PM	56.4	57.2	57.2	Compliance
9:00 PM	56.4	59.6	59.6	Compliance
10:00 PM	56.4	66.3	56.3	Compliance
11:00 PM	56.4	57.8	57.8	Compliance

Note: Car Wash Project proposes operations during the daytime hours of 7AM to 8PM

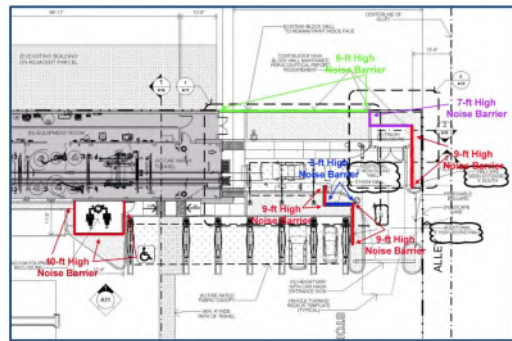
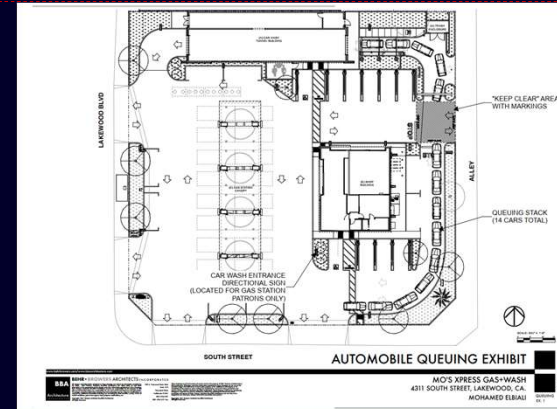


Figure 6. Location of the Recommended Car Wash Noise Barriers



Staff Recommendations

1. Adopt a resolution to UPHOLD the PEC decision to grant CUP No. 279, A-3 and DENY the appeal, including findings to justify the actions.
2. Adopt a resolution to UPHOLD the PEC decision to grant CUP No. 279, A-3 and DENY the appeal, but modify the conditions of approval, including findings to justify the actions.
3. Adopt a resolution to UPHOLD the appeal and DENY CUP No. 279, A-3, including findings to justify the actions.
4. CONTINUE the public hearing as requested by the applicant.

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Routine Items

Routine Item 1 – City Council Minutes
will be available prior to the meeting.

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COUNCIL AGENDA

August 08, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Report of Personnel Transactions

	<u>Name</u>	<u>Title</u>	<u>Schedule</u>	<u>Effective Date</u>
1. FULL-TIME EMPLOYEES				
A. Appointments	None			
B. Changes	Tawny Ruiz	Utility Billing Supervisor Water Administration Manager	24B to 29B	07/23/2023
C. Separations	None			
2. PART-TIME EMPLOYEES				
A. Appointments	Casey Burgess	Community Services Leader III	B	07/31/2023
	Andrea Larry	Paratransit Vehicle Operator	B	07/31/2023
	Ryan Phung	Community Services Officer I	B	07/10/2023
B. Changes	Raymond Reilly	Paratransit Vehicle Operator III Paratransit Vehicle Operator IV	B to B	07/18/2023
C. Separations	Xavier Hernandez	Maintenance Services Aide III	B	07/06/2023


Thaddeus McCormack
City Manager

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**CITY OF LAKEWOOD
FUND SUMMARY 6/22/2023**

In accordance with section 2521 of the Lakewood Municipal Code, presented herewith is a summary of obligations to be paid by the City of Lakewood. Each of the following demands has been audited by the Director of Finance and Administrative Services and approved by the City Manager.

1010	GENERAL FUND	1,978,699.23
1050	COMMUNITY FACILITY	4,201.18
1070	RETIREE BENEFITS	2,958.05
1336	STATE COPS GRANT	50,000.00
1623	LA CNTY MEASURE W	82.82
3015	ROAD MAINTC & REHAB ACCT	36,349.75
3060	PROPOSITION "A"	6,000.00
3070	PROPOSITION "C"	1,390.68
5020	CENTRAL STORES	4,216.33
5030	FLEET MAINTENANCE	9,721.13
7500	WATER UTILITY FUND	52,681.86
8020	LOCAL REHAB LOAN	104.00
8030	TRUST DEPOSIT	31,584.82
		2,177,989.85

Council Approval

_____ Date

_____ City Manager

Attest

_____ City Clerk

_____ Director of Finance and Administrative Services

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
06/22/2023	4IMPRINT	1,190.15
06/22/2023	SHAKER NERMINE	3,850.00
06/22/2023	ALL CITY MANAGEMENT SERVICES INC	11,649.61
06/22/2023	MNRO HOLDINGS LLC	706.00
06/22/2023	ALLEN. JOHNNY	375.05
06/22/2023	ALS GROUP USA CORP	1,275.62
06/22/2023	AMAZON CAPITAL SERVICES INC	21,527.79
06/22/2023	ANICETO. SANDRA	1,014.00
06/22/2023	B&M LAWN AND GARDEN INC	39.14
06/22/2023	B.R. BREWER SIGN & GRAPHICS	1,300.95
06/22/2023	BEAR COMMUNICATIONS INC	4,083.38
06/22/2023	BEGINNERS EDGE SPORTS TRAINING LLC	5,936.61
06/22/2023	BELL EVENT SERVICES INC	3,550.00
06/22/2023	BONILLA. GILBERT	2,250.00
06/22/2023	BROWN. BONNIE	226.20
06/22/2023	CALIF. STATE DISBURSEMENT UNIT	157.38
06/22/2023	CALIF STATE FRANCHISE TAX BOARD	86.75
06/22/2023	CENTRAL BASIN MUNICIPAL WATER	1,800.00
06/22/2023	CERRITOS. CITY OF	27,957.26
06/22/2023	CHICAGO TITLE CO	104.00
06/22/2023	CINTAS CORPORATION	4.55
06/22/2023	CINTAS CORPORATION	332.20
06/22/2023	CITY LIGHT & POWER LKWD INC	514.43
06/22/2023	CLAVERIE. COURTNEY DAY	32.50
06/22/2023	COCA COLA REFRESHMENTS USA INC	1,989.45
06/22/2023	COCHICO. WILFRED Z	179.99
06/22/2023	COPELAND. VERONICA	147.31
06/22/2023	COLOMRICAN INC	53.82
06/22/2023	EDCO WASTE SERVICES LLC	508,055.08
06/22/2023	INTERNATIONAL E-Z UP INC	105.84
06/22/2023	FERGUSON ENTERPRISES INC	1,724.75
06/22/2023	GOERTZ. TRAVIS W	2,250.00
06/22/2023	GOLDEN STATE WATER COMPANY	7,013.27
06/22/2023	HARA M LAWNMOWER CENTER	1,768.42
06/22/2023	HARPER & ASSOCIATES ENGINEERING INC	2,070.00
06/22/2023	HAWK. TRUDY (FAHTIEM)	286.65
06/22/2023	HEATON. KATHRYN	390.00
06/22/2023	HOME DEPOT	2,428.45
06/22/2023	JHM SUPPLY INC	180.78
06/22/2023	JONES RICHARD D. A PROF LAW CORP	17,252.50
06/22/2023	KICK IT UP KIDZ LLC	1,472.25
06/22/2023	KIM. YVONNE	288.00
06/22/2023	LAKEWOOD CHAMBER OF COMMERCE	1,833.33
06/22/2023	LAKEWOOD CHAMBER OF COMMERCE	500.00

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
06/22/2023	LAKESWOOD ROTARY CLUB	210.00
06/22/2023	LAKESWOOD. CITY WATER DEPT	49,952.19
06/22/2023	LOMBERA. RICKY	2,500.00
06/22/2023	LOS ANGELES CO SHERIFFS DEPT	1,078,411.68
06/22/2023	LA COUNTY DEPT OF PUBLIC WORKS	60,253.16
06/22/2023	LA COUNTY DEPT OF PUBLIC WORKS	9,767.16
06/22/2023	MELINDA MC COY'S FLOWERS	303.19
06/22/2023	MICHAEL BAKER INTERNATIONAL INC	9,520.00
06/22/2023	MIEIR-KING. RICHARD	426.40
06/22/2023	MITY-LITE	131.19
06/22/2023	MOSES-CALDERA. ISABEL	960.70
06/22/2023	MVP'S LLC	4,500.00
06/22/2023	O'REILLY AUTOMOTIVE STORES INC	571.06
06/22/2023	ODP BUSINESS SOLUTIONS LLC	215.96
06/22/2023	OPUS INSPECTION INC	2,811.38
06/22/2023	PHASE II SYSTEMS INC	2,958.05
06/22/2023	PAYMENTUS CORPORATION	9,417.53
06/22/2023	PE. ARIEL	65.30
06/22/2023	PIERSON. JEREMY L	234.00
06/22/2023	FORREST L STORY	1,500.00
06/22/2023	READWRITE EDUCATIONAL SOLUTIONS INC	754.00
06/22/2023	S & J SUPPLY CO	1,533.68
06/22/2023	SAFETY-KLEEN CORP	735.46
06/22/2023	WHENEVER COMMUNICATIONS LLC	1,232.00
06/22/2023	SECTRAN SECURITY INC	201.25
06/22/2023	SITEONE LANDSCAPE SUPPLY LLC	1,034.76
06/22/2023	SMART & FINAL INC	21.85
06/22/2023	SO CALIF SECURITY CENTERS INC	328.12
06/22/2023	SOLID SURFACE CARE INC	2,412.10
06/22/2023	SOUTH COAST AOMD	25.00
06/22/2023	SOUTHERN CALIFORNIA EDISON CO	14,145.94
06/22/2023	SOUTHERN CALIFORNIA GAS CO	438.66
06/22/2023	SOUTHWEST PATROL INC	16,892.00
06/22/2023	SPECIALTY TIRES LLC	141.26
06/22/2023	STANDARD INSURANCE CO UNIT 22	2,044.90
	VOID	
06/22/2023	STEIN. ANDREW T	7,807.14
06/22/2023	STEPHENS. ERIC	61.75
06/22/2023	STEVEN ENTERPRISES	1,026.70
06/22/2023	T2 SYSTEMS INC	214.50
06/22/2023	TUMBLE-N-KIDS INC	3,203.20
06/22/2023	TURF RENOVATION MACHINERY INC	20,941.99
06/22/2023	WAMBA. DIANE B	339.30
06/22/2023	WATERLINE TECHNOLOGIES INC	5,075.39

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
06/22/2023	WAXIE ENTERPRISES INC	3,578.61
06/22/2023	WEST COAST ARBORISTS INC	163,592.00
06/22/2023	WEST COAST SAND AND GRAVEL INC	869.24
06/22/2023	WESTERN EXTERMINATOR CO	729.45
06/22/2023	COMPREHENSIVE PRINT GROUP LLC	13,516.86
06/22/2023	WESTERN WATER WORKS SUPPLY CO	168.58
06/22/2023	WILLDAN ASSOCIATES	36,349.75
06/22/2023	WILLIAMS. MICHELLE	269.00
06/22/2023	YOUNG CHAMPIONS RECREATION PROGRAMS INC	1,508.00
06/22/2023	ARAGON. CAROL	250.00
06/22/2023	CRUZ. COURTNEY SANTA	20.00
06/22/2023	DANIEL AND AYLEEN LUBMAN TRUST	100.00
06/22/2023	ELIGON. HAYDEN	250.00
06/22/2023	FOOTDALE. JOSEPH AND MAUREEN	100.00
06/22/2023	PETRONE. GENE	100.00
06/22/2023	SUTTON. SAMANTHA	95.00
06/22/2023	TALALIMA. MONA LISA	250.00
06/22/2023	VALDEZ. ARIANA	250.00
06/22/2023	VOLZ. LISA	250.00
06/22/2023	WALKER. PAUL	370.00
06/22/2023	WELLS. GREGORY AND CHRISTINA	100.00
	Total:	2,177,989.85

**CITY OF LAKEWOOD
FUND SUMMARY 7/13/2023**

In accordance with section 2521 of the Lakewood Municipal Code, presented herewith is a summary of obligations to be paid by the City of Lakewood. Each of the following demands has been audited by the Director of Finance and Administrative Services and approved by the City Manager.

1010	GENERAL FUND	187,599.58
1025	AMERICAN RESCUE PLAN	1,213.60
1030	CDBG CURRENT YEAR	682.70
1050	COMMUNITY FACILITY	1,575.22
1070	RETIREE BENEFITS	253.50
1371	JAG GRANT	18,608.00
1622	LA CNTY MEASURE M	295,548.64
1623	LA CNTY MEASURE W	10,066.93
1630	USED OIL GRANT	332.50
3060	PROPOSITION "A"	14,718.00
5010	GRAPHICS AND COPY CENTER	1,403.99
5020	CENTRAL STORES	2,637.37
5030	FLEET MAINTENANCE	7,654.75
7500	WATER UTILITY FUND	28,863.55
8020	LOCAL REHAB LOAN	2,404.00
8030	TRUST DEPOSIT	200.00
		573,762.33

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/13/2023	4IMPRINT	7,789.33
07/13/2023	AIRE RITE A/C & REFRIGERATION INC	927.50
07/13/2023	MNRO HOLDINGS LLC	831.23
07/13/2023	ALLIED REFRIGERATION INC	987.25
07/13/2023	ALS GROUP USA CORP	1,034.79
07/13/2023	AMAZON CAPITAL SERVICES INC	1,311.81
07/13/2023	ARC DOCUMENT SOLUTIONS LLC	11,280.53
07/13/2023	N. HARRIS COMPUTER CORPORATION	7,000.00
07/13/2023	B&K ELECTRIC WHOLESALE	354.91
07/13/2023	B&M LAWN AND GARDEN INC	175.42
07/13/2023	TWO SHELLS ENTERPRISES INC	372.00
07/13/2023	CAL STATE AUTO PARTS INC	33.21
07/13/2023	CALIFORNIA ELECTRIC SUPPLY CO	387.33
07/13/2023	SEMA INC	1,009.18
07/13/2023	CHICAGO TITLE CO	200.00
07/13/2023	CINTAS CORPORATION	128.73
07/13/2023	CJ CONCRETE CONSTRUCTION INC	252,704.00
07/13/2023	CLEANCOR HOLDINGS LLC DBA CLEANCOR LNG I	1,860.00
07/13/2023	CREATE A PARTY INC	3,883.90
07/13/2023	DANGELO COMPANY	1,621.04
07/13/2023	DIRECTV INC	40.00
07/13/2023	DURHAM SCHOOL SERVICES LP	6,127.43
07/13/2023	FEDERAL EXPRESS CORP	102.95
07/13/2023	GANAHL LUMBER COMPANY	17.47
07/13/2023	GREENE BACKFLOW	798.00
07/13/2023	H & H NURSERY	103.09
07/13/2023	HARA M LAWNMOWER CENTER	49.62
07/13/2023	HOME DEPOT	695.00
07/13/2023	INFOSEND INC	8,277.21
07/13/2023	JJS PALOMO'S STEEL INC	354.90
07/13/2023	JOHNSTONE SUPPLY INC	753.41
07/13/2023	KENNY'S AUTO SERVICE	465.00
07/13/2023	LINCOLN EQUIPMENT INC	1,450.76
07/13/2023	LONG BEACH CITY GAS & WATER DEPT	202.62
07/13/2023	LONG BEACH. CITY OF	891.24
07/13/2023	LOS ANGELES CO SHERIFFS DEPT	25,000.00
07/13/2023	MC MASTER-CARR SUPPLY CO	36.78
07/13/2023	MIDWEST MOTOR SUPPLY CO INC	252.13
07/13/2023	MURRAY. KAREN L	255.00
07/13/2023	NICHOLLS CONSULTING INC	736.25
07/13/2023	O'REILLY AUTOMOTIVE STORES INC	325.59
07/13/2023	ODP BUSINESS SOLUTIONS LLC	84.89
07/13/2023	ORANGE CO CIRCUIT BREAKERS INC	785.11
07/13/2023	OSBORN. KAITLIN	93.28

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/13/2023	PACIFIC EH & S SERVICES INC	432.00
07/13/2023	PATHWAYS VOLUNTEER HOSPICE	708.37
07/13/2023	CHEN. PATRICIA PC	412.50
07/13/2023	WGJ ENTERPRISES INC	42,844.64
07/13/2023	US BANCORP ASSET MANAGEMENT INC	3,123.27
07/13/2023	PUN GROUP. THE LLP	22,500.00
07/13/2023	RAYVERN LIGHTING SUPPLY CO INC	978.72
07/13/2023	RELIABLE TRANSLATIONS INC	81.00
07/13/2023	SMART & FINAL INC	108.13
07/13/2023	SO CALIF SECURITY CENTERS INC	93.63
07/13/2023	MWB COPY PRODUCTS INC	115.76
07/13/2023	SOMERS ENTERPRISES INC	4,840.00
07/13/2023	SOUTHERN CALIFORNIA GAS CO	190.36
07/13/2023	SPREITZER. KIRSTEN	123.50
07/13/2023	STANDARD INSURANCE CO UNIT 22	10,086.92
07/13/2023	ARIZONA MACHINERY LLC	1,878.90
07/13/2023	SU CASA ENDING DOMESTIC VIOLENCE	416.63
07/13/2023	SUPERIOR COURT OF CALIFORNIA	7,792.50
07/13/2023	SUPERIOR COURT OF CALIFORNIA	10,447.50
07/13/2023	TETRA TECH INC	3,257.50
07/13/2023	TGIS CATERING SVCS INC	551.25
07/13/2023	TURF STAR	1,344.69
07/13/2023	U S BANK	2,250.00
07/13/2023	VARSITY BRANDS HOLDING CO INC	724.34
07/13/2023	CELLCO PARTNERSHIP	2,945.26
07/13/2023	WALTERS WHOLESALE ELECTRIC CO	661.78
07/13/2023	WATERLINE TECHNOLOGIES INC	1,538.00
07/13/2023	ADMIRAL PEST CONTROL	2,200.00
07/13/2023	NGUON. VATH	459.00
07/13/2023	HEALTH AND HUMAN RESOURCES CENTER INC	281.88
07/13/2023	ALLEN. JOHNNY	356.20
07/13/2023	AMAZON CAPITAL SERVICES INC	819.45
07/13/2023	BELTRAN. PAOLO	280.97
07/13/2023	WHERRY. HAROLD	2,750.00
07/13/2023	BRIZUELA XOCHITL	106.60
07/13/2023	CALIF. STATE DISBURSEMENT UNIT	157.38
07/13/2023	CALIF STATE FRANCHISE TAX BOARD	25.00
07/13/2023	CALIFORNIA CONTRACT CITIES ASN	6,100.00
07/13/2023	CHICAGO TITLE CO	4.00
07/13/2023	COLOR CARD ADMINISTRATOR CORP	78.30
07/13/2023	DE LAGE LANDEN FINANCIAL SERVICES	394.81
07/13/2023	EMPLOYMENT DEVELOPMENT DEPT	454.17
07/13/2023	FRONTIER CALIFORNIA INC	2,480.92
07/13/2023	GATEWAY CITIES COUNCIL OF GOV'TS	26,565.00

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/13/2023	GOGOV INC	27,480.00
07/13/2023	HERMAN. LINDA	225.00
07/13/2023	INTERNAL REVENUE SERVICE	253.50
07/13/2023	LAKEWOOD. CITY OF	100.00
07/13/2023	LEAGUE OF CALIFORNIA CITIES	1,412.25
07/13/2023	LOMBERA. RICKY	1,250.00
07/13/2023	LOS ANGELES CO	2,903.55
07/13/2023	MOSES-CALDERA. ISABEL	372.39
07/13/2023	MSDS ONLINE INC	4,651.61
07/13/2023	ODP BUSINESS SOLUTIONS LLC	874.00
07/13/2023	OSBORN. KAITLIN	33.80
07/13/2023	OUADIENT LEASING USA INC	1,839.33
07/13/2023	READWRITE EDUCATIONAL SOLUTIONS INC	585.00
07/13/2023	S C A G	9,805.00
07/13/2023	AUDIO MESSAGING SOLUTIONS LLC	342.87
07/13/2023	TYLER TECHNOLOGIES MUNIS DIVISION	8,721.33
07/13/2023	U S BANK	2,350.00
07/13/2023	UNDERGROUND VAULTS & STORAGE	200.00
07/13/2023	CELLCO PARTNERSHIP	3,675.23
07/13/2023	VOORHEES. RONDA	552.50
07/13/2023	WYNN. LAKYN	16.25
07/13/2023	AVILA. BLANCA	250.00
07/13/2023	COOMBER. RODNEY	100.00
07/13/2023	MCALLISTER. YOLANDA	18.00
	Total:	573,762.33

**CITY OF LAKEWOOD
FUND SUMMARY 7/20/2023**

In accordance with section 2521 of the Lakewood Municipal Code, presented herewith is a summary of obligations to be paid by the City of Lakewood. Each of the following demands has been audited by the Director of Finance and Administrative Services and approved by the City Manager.

1010	GENERAL FUND	2,064,515.77
1020	CABLE TV	700.00
1030	CDBG CURRENT YEAR	682.70
1050	COMMUNITY FACILITY	1,689.00
1070	RETIREE BENEFITS	2,958.05
1336	STATE COPS GRANT	16,667.00
1500	MISC-SPECIAL REVENUE FUND	91.51
1623	LA CNTY MEASURE W	6,230.00
1744	LA COUNTY REGIONAL OPEN SPACE	7,605.00
3000	AIR QUALITY IMPROVEMENT	10,000.00
3070	PROPOSITION "C"	194.15
5010	GRAPHICS AND COPY CENTER	1,014.31
5020	CENTRAL STORES	2,107.29
5030	FLEET MAINTENANCE	27,570.12
7500	WATER UTILITY FUND	143,149.39
8020	LOCAL REHAB LOAN	50.00
8030	TRUST DEPOSIT	38,183.55
		2,323,407.84

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/20/2023	AFFORDABLE GENERATOR SERVICES INC	3,275.00
07/20/2023	ALL CITY MANAGEMENT SERVICES INC	806.49
07/20/2023	ALLIED REFRIGERATION INC	1,820.55
07/20/2023	AMAZON CAPITAL SERVICES INC	500.23
07/20/2023	AMERICAN TRUCK & TOOL RENTAL INC	862.68
07/20/2023	BEAR COMMUNICATIONS INC	2,596.39
07/20/2023	BENNETT-BOWEN & LIGHTHOUSE INC	120.79
07/20/2023	BIG STUDIO INC	1,498.30
07/20/2023	CALIFORNIA STATE DEPT OF JUSTICE	330.00
07/20/2023	CENTRAL BASIN MUNICIPAL WATER	1,800.00
07/20/2023	COMMUNITY FAMILY GUIDANCE CTR	708.37
07/20/2023	D&J INTERNATIONAL INC	1,593.11
07/20/2023	EDCO WASTE SERVICES LLC	20,551.86
07/20/2023	FEDERAL EXPRESS CORP	18.83
07/20/2023	PLAYCORE WISCONSIN INC	11,060.00
07/20/2023	GOLDEN STATE WATER COMPANY	15,099.54
07/20/2023	HOME DEPOT	4,169.74
07/20/2023	INFOSEND INC	10,734.05
07/20/2023	LANDCARE HOLDINGS INC	4,157.50
07/20/2023	LOS ANGELES CO SHERIFFS DEPT	1,089,224.50
07/20/2023	LA COUNTY DEPT OF PUBLIC WORKS	137,317.86
07/20/2023	NADA BUS INC	1,353.00
07/20/2023	ODP BUSINESS SOLUTIONS LLC	297.62
07/20/2023	PHASE II SYSTEMS INC	2,958.05
07/20/2023	RON'S MAINTENANCE INC	6,230.00
07/20/2023	S.T.E.A.M.	42,055.87
07/20/2023	SOLID SURFACE CARE INC	1,689.00
07/20/2023	SOUTHWEST PATROL INC	14,760.00
07/20/2023	T2 SYSTEMS INC	95.00
07/20/2023	WALTERS WHOLESALE ELECTRIC CO	2,482.12
07/20/2023	WATER REPLENISHMENT DISTRICT OF	123,764.43
07/20/2023	WEST COAST ARBORISTS INC	117,841.00
07/20/2023	WESTERN WATER WORKS SUPPLY CO	263.87
07/20/2023	WILLDAN ASSOCIATES	45,779.00
07/20/2023	AREVALO AGUILAR. SAMUEL	40.00
07/20/2023	IPERMITS	20.08
07/20/2023	J & J ROOFING INC	1,857.60
07/20/2023	SUNPOWER CORPORATION	199.28
07/20/2023	WALMART INC	19,446.92
07/20/2023	HEALTH AND HUMAN RESOURCES CENTER INC	275.40
07/20/2023	ALLIANT INSURANCE SERVICES	6,201.00
07/20/2023	AMAZON CAPITAL SERVICES INC	19.88
07/20/2023	BAY AREA DRIVING SCHOOL INC	133.25
07/20/2023	BRIZUELA XOCHITL	536.25

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/20/2023	CHICAGO TITLE CO	50.00
07/20/2023	EDCO WASTE SERVICES LLC	525,672.29
07/20/2023	FERGUSON ENTERPRISES INC	957.03
07/20/2023	FONTELA. THAO	1,979.90
07/20/2023	FORD BRADLEY JAMES	2,200.00
07/20/2023	GATEWAY CITIES COUNCIL OF GOV'TS	20,000.00
07/20/2023	GRAINGER W W INC	330.88
07/20/2023	HOME DEPOT	278.57
07/20/2023	HOUSTON ENGINEERING INC	2,200.00
07/20/2023	JHM SUPPLY INC	185.09
07/20/2023	JONES RICHARD D. A PROF LAW CORP	17,252.50
07/20/2023	KICK IT UP KIDZ LLC	406.25
07/20/2023	LOMBERA. RICKY	1,250.00
07/20/2023	LOS ANGELES CO DEPT OF HEALTH SVCS	2,486.00
07/20/2023	LOPEZ VAN METER KARLA	1,105.00
07/20/2023	MARKLEY. ELIZABETH	312.00
07/20/2023	MC ENROE. BARBARA	468.00
07/20/2023	MC MASTER-CARR SUPPLY CO	140.34
07/20/2023	MERRIMAC PETROLEUM INC	24,295.12
07/20/2023	ODP BUSINESS SOLUTIONS LLC	58.41
07/20/2023	RAMIREZ. VERONICA	100.00
07/20/2023	READWRITE EDUCATIONAL SOLUTIONS INC	479.70
07/20/2023	SAL'S PLUMBING INC	135.00
07/20/2023	SCAN-NATOA INC	700.00
07/20/2023	SCHRUBBE. JACQUELINE	856.80
07/20/2023	WALTERS. KELLIE	487.50
07/20/2023	RANASINGHE MANURI	249.60
07/20/2023	SPICERS PAPER INC	1,014.31
07/20/2023	TENG. WHEA-FUN	140.80
07/20/2023	TGIS CATERING SVCS INC	9,488.75
07/20/2023	UNDERGROUND SERVICE ALERT	424.75
07/20/2023	CELLCO PARTNERSHIP	1,041.92
07/20/2023	WATERLINE TECHNOLOGIES INC	3,686.76
07/20/2023	WAXIE ENTERPRISES INC	514.18
07/20/2023	WECK ANALYTICAL ENVIRONMENTAL SERVICES I	140.00
07/20/2023	WYNN. LAKYN	347.75
07/20/2023	ANDRADE. MARISOL	250.00
07/20/2023	FARWEST CORROSION CONTROL CO	778.23
07/20/2023	THE LHS ALUMI ASSOCIATION	250.00
07/20/2023	TNT FIREWORKS	3,900.00
07/20/2023	TYLER. LISA	250.00
	Total:	2,323,407.84

**CITY OF LAKEWOOD
FUND SUMMARY 7/27/2023**

In accordance with section 2521 of the Lakewood Municipal Code, presented herewith is a summary of obligations to be paid by the City of Lakewood. Each of the following demands has been audited by the Director of Finance and Administrative Services and approved by the City Manager.

1010	GENERAL FUND	433,801.35
1020	CABLE TV	4,590.04
1025	AMERICAN RESCUE PLAN	424.25
1030	CDBG CURRENT YEAR	3,236.03
1050	COMMUNITY FACILITY	13,878.33
1621	LA CNTY MEASURE R	7,010.00
1623	LA CNTY MEASURE W	6,134.84
3001	CAPITAL IMPROV PROJECT FUND	4,054.92
3070	PROPOSITION "C"	1,366.87
5010	GRAPHICS AND COPY CENTER	1,734.81
5020	CENTRAL STORES	6,039.25
5030	FLEET MAINTENANCE	6,345.39
7500	WATER UTILITY FUND	480,650.40
8030	TRUST DEPOSIT	1,731.25
		970,997.73

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/27/2023	AARONM 2020 INC	68,225.87
07/27/2023	ADAMS-HILLERY SHARRON	6,424.16
07/27/2023	N. HARRIS COMPUTER CORPORATION	42,179.92
07/27/2023	BANNER BANK	8,767.11
07/27/2023	BREA. CITY OF	33,627.50
07/27/2023	BUCKNAM PETER JOSEPH	7,010.00
07/27/2023	CANNON CORPORATION	424.25
07/27/2023	CANYON SPRINGS ENTERPRISES	166,575.06
07/27/2023	CERRITOS. CITY OF	32,958.29
07/27/2023	CORELOGIC INC	74.25
07/27/2023	EEC ACOUISITION LLC	1,874.27
07/27/2023	GANAHL LUMBER COMPANY	672.08
07/27/2023	GLOBE GAS CORPORATION	168.94
07/27/2023	HARA M LAWNMOWER CENTER	2,568.40
07/27/2023	HUMAN SERVICES ASSOCIATION	750.00
07/27/2023	HUNTER. JOHN L & ASSOCIATES	7,225.00
07/27/2023	LIEBERT CASSIDY WHITMORE	1,411.00
07/27/2023	LA COUNTY DEPT OF PUBLIC WORKS	4,054.92
07/27/2023	LA COUNTY DEPT OF PUBLIC WORKS	72,147.01
07/27/2023	MICHAEL BAKER INTERNATIONAL INC	11,305.00
07/27/2023	O'REILLY AUTOMOTIVE STORES INC	33.08
07/27/2023	ODP BUSINESS SOLUTIONS LLC	144.17
07/27/2023	OPUS INSPECTION INC	1,405.69
07/27/2023	SOUTHERN CALIFORNIA EDISON CO	120,740.95
07/27/2023	SOUTHERN CALIFORNIA GAS CO	9,997.62
07/27/2023	SUNBELT RENTALS INC	3,541.16
07/27/2023	WALTERS WHOLESALE ELECTRIC CO	1,759.97
07/27/2023	WATERLINE TECHNOLOGIES INC	7,780.95
07/27/2023	WAXIE ENTERPRISES INC	254.94
07/27/2023	POLING. ERIC R	40.00
07/27/2023	SCHMIDT. VICTORIA	1,600.00
07/27/2023	AGRI-TURF DISTRIBUTING	516.30
07/27/2023	MNRO HOLDINGS LLC	435.42
07/27/2023	ALLIANT INSURANCE SERVICES	37,326.00
07/27/2023	ALLIED REFRIGERATION INC	263.12
07/27/2023	AMAZON CAPITAL SERVICES INC	356.26
07/27/2023	B & H FOTO & ELECTRONICS CORP	4,440.04
07/27/2023	BACKSTREET SURVEILLANCE INC	104,226.19
07/27/2023	BERG. APRIL	1,496.00
07/27/2023	BOWEN TIMOTHY	4,205.50
07/27/2023	BRIZUELA XOCHITL	429.00
07/27/2023	C.P.R.S.	3,750.00
07/27/2023	CAL STATE AUTO PARTS INC	1,786.72
07/27/2023	CALIF. STATE DISBURSEMENT UNIT	157.38

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

CHECK DATE	VENDOR NAME	CHECK AMOUNT
07/27/2023	CALIF STATE FRANCHISE TAX BOARD	25.00
07/27/2023	CAMERON WELDING SUPPLY	23.59
07/27/2023	SEMA INC	1,219.19
07/27/2023	CHALLENGER SPORTS CORP	962.00
07/27/2023	CINTAS CORPORATION	18.20
07/27/2023	CINTAS CORPORATION	498.30
07/27/2023	CAMERON WELDING SUPPLY	186.76
07/27/2023	BRAGG INVESTMENT COMPANY INC	315.40
07/27/2023	EMPLOYMENT DEVELOPMENT DEPT	350.15
07/27/2023	FERGUSON ENTERPRISES INC	56,650.00
07/27/2023	GLASBY MAINTENANCE SUPPLY CO	317.69
07/27/2023	GONSALVES JOE A & SON	4,526.00
07/27/2023	HAP'S AUTO PARTS	348.67
07/27/2023	HARA M LAWNMOWER CENTER	1,521.13
07/27/2023	HASS. BARBARA	975.00
07/27/2023	HOME DEPOT	2,916.82
07/27/2023	KICK IT UP KIDZ LLC	243.75
07/27/2023	LAKEWOOD CHAMBER OF COMMERCE	1,833.33
07/27/2023	LAKEWOOD CHAMBER OF COMMERCE	500.00
07/27/2023	LAKEWOOD. CITY OF	100.00
07/27/2023	LERN	445.00
07/27/2023	LOMBERA. RICKY	1,250.00
07/27/2023	LOS ANGELES CO CLERK	75.00
07/27/2023	MACAULAY. CHRISTINA	150.00
07/27/2023	MILLER DON & SONS	650.56
07/27/2023	O'REILLY AUTOMOTIVE STORES INC	787.84
07/27/2023	ODP BUSINESS SOLUTIONS LLC	950.12
07/27/2023	OWENS. TIM	4,000.00
07/27/2023	PAN. WILLIAM	352.66
07/27/2023	ORDWAY CORPORATION	72.27
07/27/2023	RAYVERN LIGHTING SUPPLY CO INC	16.17
07/27/2023	S C P L R C	350.00
07/27/2023	BARRY SANDLER ENTERPRISES	199.55
07/27/2023	SATTERFIELD BRIAN	1,500.00
07/27/2023	SECTRAN SECURITY INC	200.43
07/27/2023	SMART & FINAL INC	2,152.67
07/27/2023	SOUTHERN CALIFORNIA EDISON CO	72,574.79
07/27/2023	SOUTHWEST PATROL INC	16,236.00
07/27/2023	SPICERS PAPER INC	443.35
07/27/2023	STEPHENS. ERIC	149.50
07/27/2023	THE RINKS-LAKEWOOD ICE	341.25
07/27/2023	THURSTON ELEVATOR CONCEPTS INC	146.00
07/27/2023	WATANABE. BRYCE	1,311.05
07/27/2023	WATER EDUCATION FOR LATINO LEADERS	2,500.00

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

<u>CHECK DATE</u>	<u>VENDOR NAME</u>	<u>CHECK AMOUNT</u>
07/27/2023	WATER SYSTEM SERVICES LLC	195.00
07/27/2023	WAXIE ENTERPRISES INC	2,153.01
07/27/2023	WESTERN WATER WORKS SUPPLY CO	12,359.04
07/27/2023	WYNN. LAKYN	26.00
07/27/2023	DAYRIT. ALEXA	250.00
07/27/2023	DU CREAY. PLUSHETTE	250.00
07/27/2023	JACKSON. BRITTNAE	250.00
	Total:	970,997.73

**CITY OF LAKEWOOD
SUMMARY ACH/WIRE REGISTER JULY 2023**

ACH date	Amount	Recipient	Purpose	Period
7/7/23	\$13,347.67	The Technology Depot	Communications Services 1 of 2	July 2023
7/7/23	\$2,625.00	LB Meals on Wheels	Monthly Contribution	Mar-May 2023
7/12/23	\$678,042.92	Various	Employee Payroll	Jun 25-July 8, 2023
7/13/23	\$117,840.34	IRS via F&M	Payroll - Federal Taxes	Jun 25-July 8, 2023
7/13/23	\$32,798.37	EDD	Payroll - State Taxes	Jun 25-July 8, 2023
7/14/23	\$8,361.97	MidAmerica	Retiree Medical Benefit	Jun 25-July 8, 2023
7/14/23	\$27,787.20	VOYA	Payroll -Deferred Compensation	Jun 25-July 8, 2023
7/14/23	\$31,471.70	VOYA	Payroll - Deferred Compensation	Jun 25-July 8, 2023
7/14/23	\$3,425.00	PARS via U.S. Bank	Payroll - Retirement Plan 1 of 2	Jun 25-July 8, 2023
7/14/23	\$4,617.08	PARS via U.S. Bank	Payroll - Retirement Plan 2 of 2	Jun 25-July 8, 2023
7/14/23	\$1,218,069.00	CA Joint Powers	Liability and Workers Comp Ins.	July 2023
7/14/23	\$455,608.00	CA Joint Powers	Property, Earthquake, Fire Ins.	July 2023
7/18/23	\$25,222.58	MidAmerica	Retiree Medical Benefit	July 2023
7/20/23	\$149,869.34	CalPERS	Payroll - Retirement Plan	Jun 25-July 8, 2023
7/20/23	\$111,202.32	CalPERS	Payroll - Retirement Plan	Jun 11-24, 2023
7/21/23	\$1,809.89	The Technology Depot	Communications Services 2 of 2	July 2023
7/26/23	\$117,661.44	IRS via F&M	Payroll - Federal Taxes	Jul 9-22, 2023
7/26/23	\$683,038.44	Various	Employee Payroll	Jul 9-22, 2023
7/27/23	\$32,354.00	EDD	Payroll - State Taxes	Jul 9-22, 2023
7/27/23	\$254,074.00	CalPERS	Retirmnt-Unfunded Accrued Liab	July 2023
7/28/23	\$8,893.77	MidAmerica	Retiree Medical Benefit	Jul 9-22, 2023
7/28/23	\$15,648.39	VOYA	Payroll -Deferred Compensation	Jul 9-22, 2023
7/28/23	\$7,975.79	PARS via U.S. Bank	Payroll - Retirement Plan 1 of 1	Jul 9-22, 2023
7/28/23	\$31,656.70	VOYA	Payroll - Deferred Compensation	Jul 9-22, 2023
7/28/23	\$68,015.54	U.S. Bank	City Credit Card Charges	June 2023
7/28/23	\$2,500.00	LCEA	Employee Paid Dues	July 2023

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance & Administrative Services

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Report of City Council Committees' Activities

INTRODUCTION

A brief update is provided for City Council review on the activities of the following standing committees: Audit and Public Safety Committees.

STATEMENT OF FACT

On July 10, 2023 the Audit Committee met and discussed:

As part of the city's independent audit procedures and "direct communication with the government board" best practices, Mr. Kenneth Pun (Engagement Partner with The Pun Group) led a presentation to the Audit Committee. He detailed the audit firm's comprehensive scope of work for the city's annual audit. He noted that in addition to the audit, the firm's work includes the preparation of multiple state and federal reports. Mr. Pun also described the various tasks that are carried out in accordance with professional audit standards. Ms. Sophia Kuo, Audit Director with The Pun Group, discussed their six-step audit approach and timeline along with the interim and final visit audit procedures. Director Gomez briefly described the purpose of confirmation letters provided to Councilmembers and outside entities as part of the independent validation of city records.

On July 11, 2023 the Public Safety Committee met and discussed:

Illegal Firework Enforcement Operation After-Action Report

Two nights of dedicated suppression efforts from Community Safety Officers, Deputies and private security patrols provided high visibility and resulted in 54 citations. Social media showcased efforts throughout both nights. No known injuries were reported. Resident feedback was mixed, but mostly positive. Surrounding cities had a great deal of illegal firework activity.

Crime Trends and Statistics

Overall, crimes continue to decrease citywide and at Lakewood Center Mall. Auto thefts have increased in surrounding cities while remaining low in Lakewood.

Abatement Deputy Update

Updates were provided on several locations. Outreach services were offered in coordination with the Homeless Services Liaison. The Bell Shelter contract started with various referrals to the site.

Council Committees' Activities

August 8, 2023

Page 2

Community Prosecutor Program Update

Updates were provided on several nuisance properties. Community Prosecutor has been active in court regarding cases stemming from incidents in Lakewood.

Public Safety Department Update

Staff have been busy engaging with the community through many programs and at various events. Community Safety Officers (CSOs) assisted deputies with Fourth of July Illegal Firework suppression efforts. Staff said farewell to Program Coordinator Jennifer Schmid while two new CSOs joined the team. Kaitlin Osborn completed the FEMA certification class for CERT Program Manager while attending the National CERT Association Conference.

Public Outreach

Final illegal firework suppression effort details were shared with residents. Staff will publicize Public Safety happenings as well.

Follow-Up Items

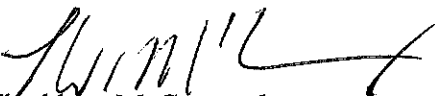
An ordinance regarding a ban on short term rentals was recently passed. Compliance letters were sent to delinquent properties. Updates were provided to the committee.

Miscellaneous

Council reorganization will happen at the next Council meeting and possible new committee assignments may be made at a future Council meeting.

RECOMMENDATION

It is recommended that the City Council receive and file this report.


Thaddeus McCormack
City Manager

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council**SUBJECT:** Monthly Report of Investment Transactions – June 2023**INTRODUCTION**

In accordance with California Government Code Section 53607, the City Council has delegated to the City Treasurer the responsibility to invest or to reinvest funds, or to sell or exchange securities so purchased. The California Government Code Section 53607 requires that, if such responsibility has been delegated, then the Treasurer “shall make a monthly report of those transactions to the legislative body.” In compliance with this requirement, the Monthly Report of Investment Transactions is being rendered to be received and filed.

STATEMENT OF MONTHLY ACTIVITY

Date	Amount at Cost	Investment	Transaction	Rate*
01-Jun-23	\$346,302.93	CAMP	Interest	5.240%
01-Jun-23	392.00	FNMA	Interest	0.560%
01-Jun-23	4,208.75	CORP	Interest	4.550%
01-Jun-23	2,163.00	CORP	Interest	0.824%
01-Jun-23	1,811.25	CORP	Interest	3.150%
01-Jun-23	1,181.25	CORP	Interest	1.350%
02-Jun-23	382,693.31	ABS	Purchase	5.000%
02-Jun-23	797,470.97	TREAS	Purchase	3.625%
02-Jun-23	527,202.52	TREAS	Sell	2.500%
02-Jun-23	636,203.73	TREAS	Sell	2.125%
03-Jun-23	780.00	CORP	Interest	0.800%
04-Jun-23	337.50	FNMA	Interest	0.250%
05-Jun-23	2,000,000.00	CAMP	Purchase	5.240%
06-Jun-23	94,820.42	CORP	Purchase	4.450%
06-Jun-23	298,527.33	CORP	Sell	3.250%
07-Jun-23	225.00	CORP	Interest	0.450%
08-Jun-23	60,240.00	CORP	Maturity	0.800%
12-Jun-23	366,990.31	TREAS	Sell	0.250%
13-Jun-23	388,525.90	FNMA	Purchase	3.243%
13-Jun-23	263,517.98	FNMA	Sell	0.250%
14-Jun-23	109,990.24	ABS	Purchase	4.870%

Monthly Investment Transactions

August 8, 2023

Page 2

Date	Amount at Cost	Investment	Transaction	Rate*
15-Jun-23	16.40	ABS	Interest	0.380%
15-Jun-23	99.65	ABS	Interest	0.550%
15-Jun-23	387.50	ABS	Interest	4.650%
15-Jun-23	\$862.00	ABS	Interest	4.310%
15-Jun-23	1,583.33	ABS	Interest	5.000%
15-Jun-23	106.33	ABS	Interest	0.580%
15-Jun-23	366.00	ABS	Interest	3.660%
15-Jun-23	38.47	ABS	Interest	0.520%
15-Jun-23	359.67	ABS	Interest	3.320%
15-Jun-23	9.07	ABS	Interest	0.340%
15-Jun-23	247.00	ABS	Interest	1.040%
15-Jun-23	833.38	ABS	Interest	3.390%
15-Jun-23	876.71	ABS	Interest	3.970%
15-Jun-23	375.83	ABS	Interest	4.510%
15-Jun-23	8.20	ABS	Interest	0.440%
15-Jun-23	17.85	ABS	Interest	0.500%
15-Jun-23	1.35	ABS	Interest	0.550%
15-Jun-23	5,484.03	ABS	Paydowns	0.440%
15-Jun-23	4,431.08	ABS	Paydowns	0.380%
15-Jun-23	2,469.22	ABS	Paydowns	0.550%
15-Jun-23	11,648.63	ABS	Paydowns	0.550%
15-Jun-23	2,499.15	ABS	Paydowns	0.340%
15-Jun-23	4,167.50	ABS	Paydowns	0.500%
15-Jun-23	6,118.23	ABS	Paydowns	0.520%
16-Jun-23	129,970.57	ABS	Purchase	4.790%
17-Jun-23	2,012.50	FNMA	Interest	0.500%
18-Jun-23	13.81	ABS	Interest	0.370%
18-Jun-23	186.50	ABS	Interest	3.730%
18-Jun-23	6,650.06	ABS	Paydowns	0.370%
20-Jun-23	18.75	ABS	Interest	0.500%
20-Jun-23	15.37	ABS	Interest	0.470%
20-Jun-23	13.18	ABS	Interest	0.340%
20-Jun-23	11,684.90	ABS	Paydowns	0.470%
20-Jun-23	23,193.92	ABS	Paydowns	0.340%
22-Jun-23	90,000.00	FNMA	Purchase	4.506%
23-Jun-23	1,500,000.00	CAMP	Sell	5.240%

Monthly Investment Transactions

August 8, 2023

Page 3

Date	Amount at Cost	Investment	Transaction	Rate*
25-Jun-23	514.69	FNMA	Interest	2.745%
25-Jun-23	767.02	FNMA	Interest	3.347%
25-Jun-23	862.23	FNMA	Interest	2.653%
25-Jun-23	1,171.92	FNMA	Interest	3.430%
25-Jun-23	2.71	ABS	Interest	0.480%
25-Jun-23	\$2,683.29	ABS	Paydowns	0.480%
26-Jun-23	114,998.45	ABS	Purchase	5.230%
30-Jun-23	2,000,000.00	CAMP	Purchase	5.240%
30-Jun-23	918.75	TREAS	Interest	0.875%
30-Jun-23	787.50	TREAS	Interest	0.375%
30-Jun-23	2,712.50	TREAS	Interest	1.750%
30-Jun-23	10,656.25	TREAS	Interest	3.875%

* Rates shown for MMF, LAIF, and CAMP are distribution yields. All others are coupon rates.

INVESTMENT GLOSSARY

ABS (Asset-Backed Securities)

A mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond.

AGENCY (U.S. Government Agency Issues)

Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. There are no portfolio percentage limits for U. S. Government Agency issues.

BOND (Municipal Bonds or Note)

Registered treasury notes or bonds issued by states or municipalities, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.

CAMP (California Asset Management Program)

A Joint Powers Authority established in 1989 by the treasurers and finance directors of several California public agencies to provide an investment pool at a reasonable cost. Participation is limited to California public agencies.

CD (Certificate of Deposit)

Negotiable CDs are issued by large banks and are freely traded in secondary markets as short term (2 to 52 weeks), large denomination (\$100,000 minimum) CDs, that are either issued at a discount on its par value, or at a fixed interest rate payable at maturity.

COM (Commercial Paper)

Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization.

CORP (Corporate Notes)

Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States, or any state and operating within the United States.

FNMA (Federal National Mortgage Association)

A government-sponsored, privately owned corporation established to create a secondary market for Federal Housing Administration mortgages.

LAIF (Local Agency Investment Fund, State of California)

The Treasurer of the State of California administers this investment pool, providing a high-level of liquidity and strong safety through diversification of investments.

MMF (Money Market Fund)

This is a money market interest-bearing checking account that is fully insured and collateralized.

SUPRA (Supra-National Agency Bonds or Notes)

Supranational bonds and notes are debt of international or multi-lateral financial agencies. The debt is used to finance economic/infrastructure development, environmental protection, poverty reduction and renewable energy around the globe, rated AAA, highly liquid and issued in a range of maturities.

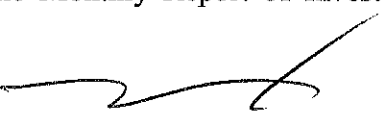
TREAS (U.S. Treasury Notes)

A Treasury obligation of the U.S. Government to provide for the cash flow needs of the Federal Government.

RECOMMENDATION

It is recommended that the City Council receive and file the Monthly Report of Investment Transactions rendered for the month of June 2023.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Quarterly Schedule of Investments – as of June 30, 2023

INTRODUCTION

The City invests idle funds in compliance with the California Government Code (CGC) and the City's investment policy, which the City Council last reviewed and approved in January 2023. The portfolio is highly-rated and well-diversified. While the portfolio is subject to the ebb and flow of market yield fluctuations, it is largely protected from the stock market volatility as the CGC and the City's investment policy narrowly define the authorized types of investments available. Additionally, City staff works closely with PFM Asset Management, LLC (PFM), the City's investment advisor, to seek out quality investments in proven sectors and keep investment allocations to any one issuer low as a percentage.

The City's investments summarized in this report are allocated to a variety of funds such as the General Fund, Water Utility Fund, Redevelopment Successor Agency Funds, Restricted Special Revenue Funds, and Fiduciary Funds.

The City's investment objectives, in order of priority, are safety, liquidity and yield. To meet these objectives, the City utilizes the following types of investments:

U.S. Treasury Notes

Treasury Obligations of the U.S. Government to provide for the cash flow needs of the Federal Government.

Federal Agency Bonds or Notes:

Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. This includes Collateralized Mortgage Obligations (CMOs).

- **FHLB (Federal Home Loan Bank Bonds)**
Bonds and discount notes issued by the Federal Home Loan Bank to provide funding to member institutions and make available money to the residential mortgage market.
- **FHLMC (Federal Home Loan Mortgage Corp)**
A publicly chartered agency that buys qualifying residential mortgages from lenders, packages them into new securities backed by those pooled mortgages, provides certain guarantees and then re-sells the securities on the open market.
- **FNMA (Federal National Mortgage Association)**
A government-sponsored, privately owned corporation established to create a secondary market for Federal Housing Administration mortgages.

- **FFCB (Federal Farm Credit Bank)**

The Federal Farm Credit Bank is an independent agency of the U.S. Government that issues bonds and discount notes to provide short- and long-term credit and credit-related services to farmers, ranchers, rural homeowners, producers and harvesters.

Supra-National Agency Bonds or Notes

Supranational bonds and notes are debt of international or multi-lateral financial agencies. The debt is used to finance economic/infrastructure development, environmental protection, poverty reduction and renewable energy around the globe, rated AAA, highly liquid and issued in a range of maturities.

Negotiable Certificates of Deposit (CDs)

Negotiable CDs are issued by large banks and are freely traded in secondary markets as short term (2 to 52 weeks), large denomination (\$100,000 minimum) CDs, that are either issued at a discount on its par value, or at a fixed interest rate payable at maturity.

Municipal Bonds or Notes:

Registered treasury notes or bonds issued by states or municipalities, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.

Corporate Notes:

Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States, or any state and operating within the United States. Medium-term corporate notes shall be rated in a rating category of "A" or its equivalent or better.

Commercial Paper:

Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization.

Agency CMBS

Agency CMBS are commercial mortgage-backed securities collateralized by pools of real estate loans secured by multi-family or health care properties. They are issued by a U.S. government agency or federally chartered corporation, such as Fannie Mae or Freddie Mac.

Pooled Funds:

- **LAIF (Local Agency Investment Fund, State of California)**
The Treasurer of the State of California administers this investment pool, providing a high-level of liquidity and strong safety through diversification of investments.
- **CAMP (California Asset Management Program)**

Quarterly Schedule of Investments

August 8, 2023

Page 3

A Joint Powers Authority established in 1989 by the treasurers and finance directors of several California public agencies to provide professional investment services at a reasonable cost. Participation is limited to California public agencies.

- Los Angeles County Pool
This pool is very similar to LAIF. It is well-diversified, very liquid, and offers competitive yields.

Summary – Schedule of Investments as of June 30, 2023

MANAGED PORTFOLIO

Security Type	Market Value	% of Portfolio	% Change vs. 3/31/23	Permitted by Policy	In Compliance
U.S. Treasury Notes	\$ 17,153,776	45.5%	-6.1%	100%	√
Federal Agency	2,717,664	7.2%	-0.8%	100%	√
Agency CMBS	1,620,986	4.3%	4.3%	100%	√
Municipal Bonds	1,444,612	3.8%	0.2%	100%	√
Supranationals	912,288	2.4%	0.0%	30%	√
Negotiable CDs	378,550	1.0%	0.0%	30%	√
Corporate Notes	10,216,890	27.1%	-0.1%	30%	√
Asset-Backed Security	3,269,987	8.7%	2.5%	20%	√
Securities Sub-Total	\$37,714,753	100%			
Cash	234,259				
Total Managed Portfolio	\$37,949,012				

POOLED INVESTMENT ACCOUNTS

		Market Value
LAIF	State of CA	\$ 5,419,488.00
CAMP	US Bank	81,800,072.10
		\$87,219,560.10

BANK ACCOUNTS

		Balance
City – Checking*	F&M	\$3,040,418.56
City Payroll	F&M	\$94,459.16
Successor Housing - Checking	F&M	2,326,566.14
		\$5,461,443.86

Funds held in reserve as required by debt issuance or non-agency funds - not available for City expenditures:

Successor Agency – Checking F&M	\$569,072.16
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Total Portfolio	\$131,199,088.12
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* The balance includes a significant amount in uncashed (recently-issued) checks.

Attached is a more detailed report of the managed portfolio provided by PFM

STAFF RECOMMENDATION

It is recommended that the City Council receive and file this report.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager



City of Lakewood

Investment Performance Review For the Quarter Ended June 30, 2023

Client Management Team

Sarah Meacham, Managing Director
Robert Cheddar, CFA, Managing Director
Richard Babbe, CCM, Senior Managing Consultant

PFM Asset Management LLC

633 W 5th St., 25th Floor
Los Angeles, CA 90071
213-415-1699

213 Market Street
Harrisburg, PA 17101-2141
717-232-2723

NOT FDIC INSURED : NO BANK GUARANTEE : MAY LOSE VALUE

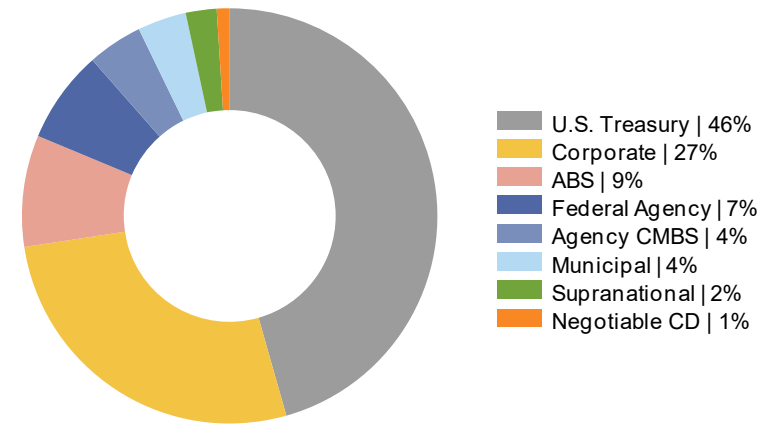
For Institutional Investor or Investment Professional Use Only - This material is not for inspection by, distribution to, or quotation to the general public

Portfolio Snapshot¹

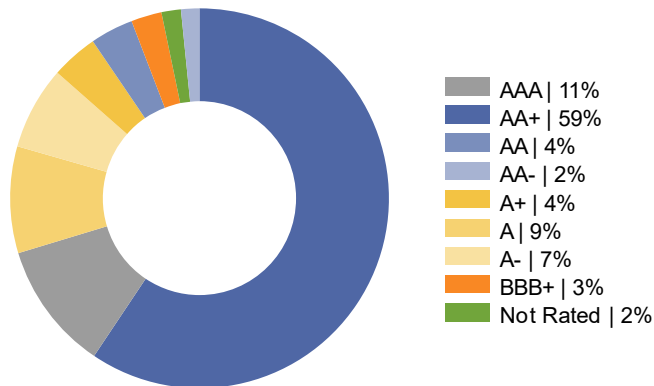
Portfolio Statistics

Total Market Value	\$37,949,011.65
<i>Securities Sub-Total</i>	\$37,530,763.27
<i>Accrued Interest</i>	\$183,988.60
<i>Cash</i>	\$234,259.78
Portfolio Effective Duration	2.51 years
Benchmark Effective Duration	2.50 years
Yield At Cost	2.23%
Yield At Market	4.70%
Portfolio Credit Quality	AA

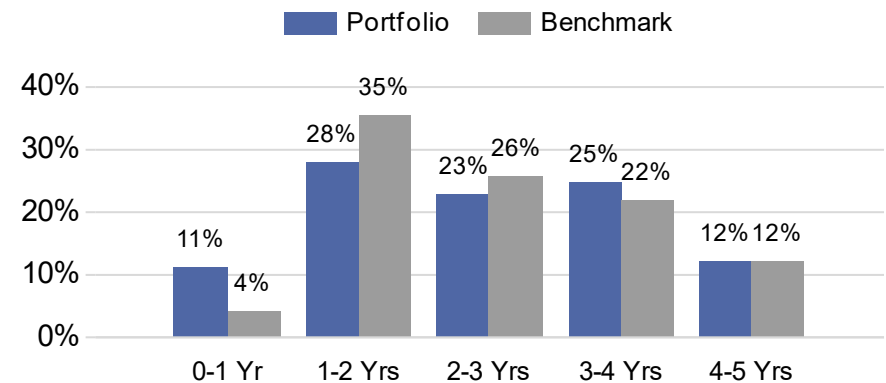
Sector Allocation



Credit Quality - S&P

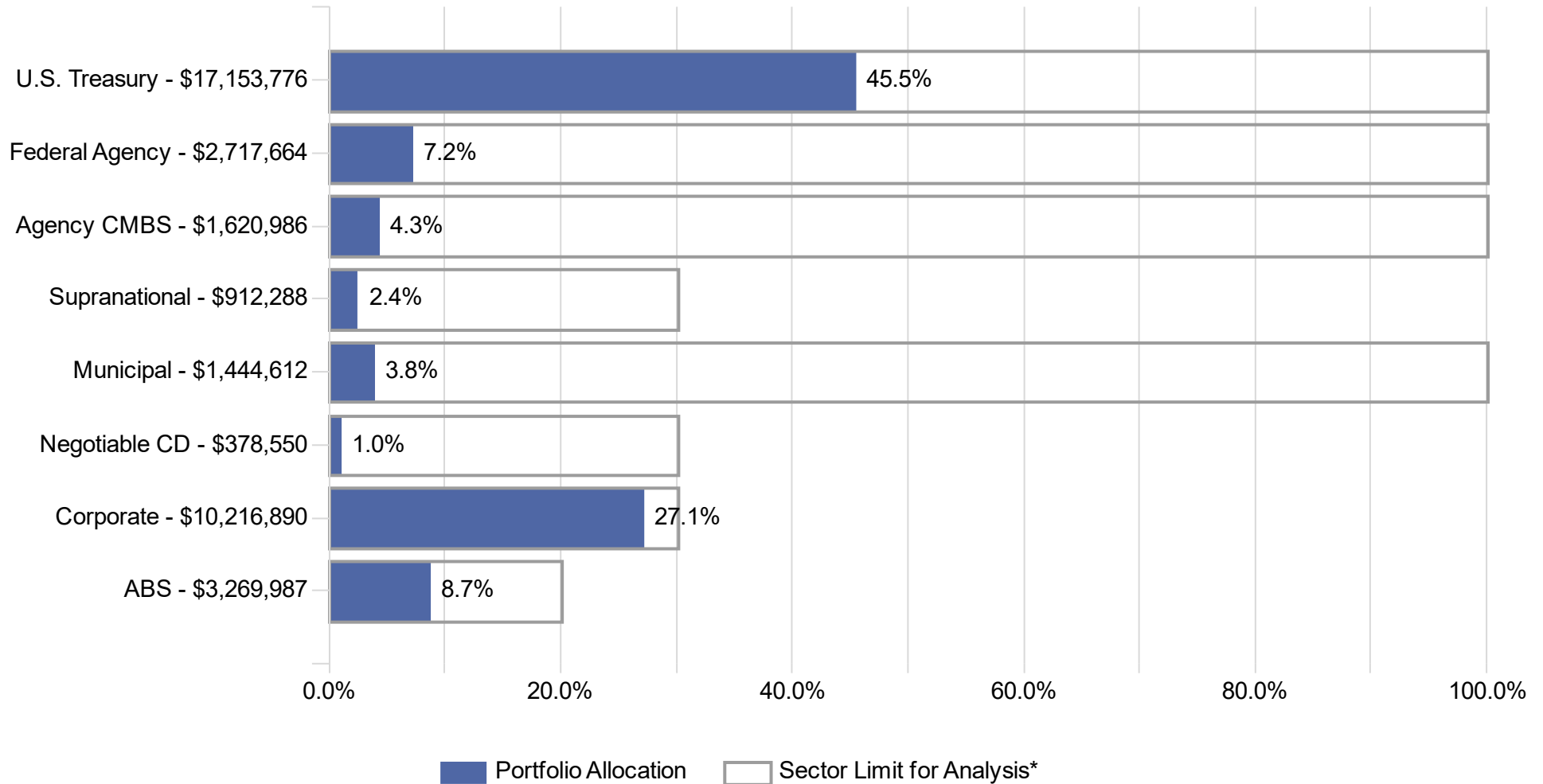


Duration Distribution



1. Yield and duration calculations exclude cash and cash equivalents. Sector allocation includes market values and accrued interest. The portfolio's benchmark is currently the ICE BofA 1-5 Year U.S Treasury Index. Prior to 3/31/19 it was the ICE BofA 1-3 Year U.S Treasury Index. Source: Bloomberg. An average of each security's credit rating was assigned a numeric value and adjusted for its relative weighting in the portfolio.

Sector Allocation Analytics



For informational/analytical purposes only and is not provided for compliance assurance. Includes accrued interest.

**Sector Limit for Analysis is as derived from our interpretation of your most recent Investment Policy as provided.*

Certificate of Compliance

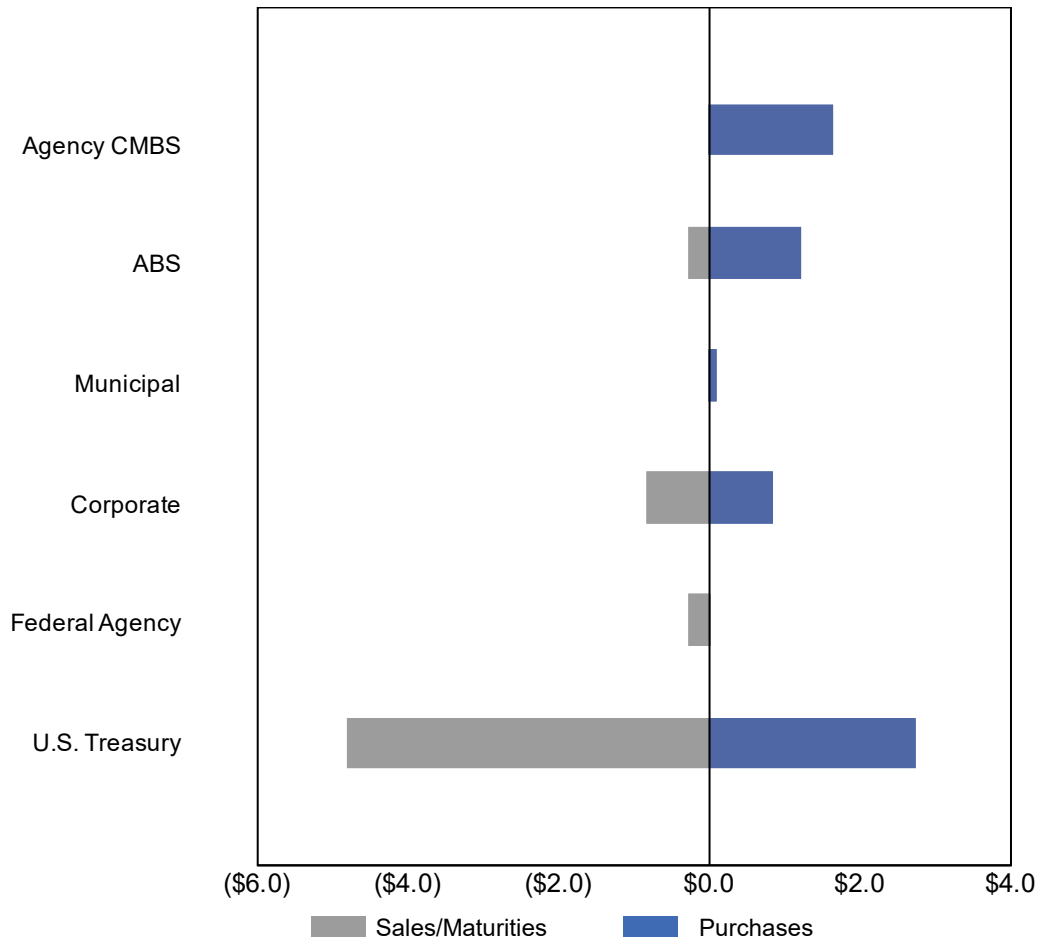
During the reporting period for the quarter ended June 30, 2023, the account(s) managed by PFM Asset Management ("PFMAM") were in compliance with the applicable investment policy and guidelines as furnished to PFMAM.

Acknowledged : *PFM Asset Management LLC*

Note: Pre- and post-trade compliance for the account(s) managed by PFM Asset Management is provided via Bloomberg Asset and Investment Management ("AIM").

Portfolio Activity

Net Activity by Sector
(\$ millions)

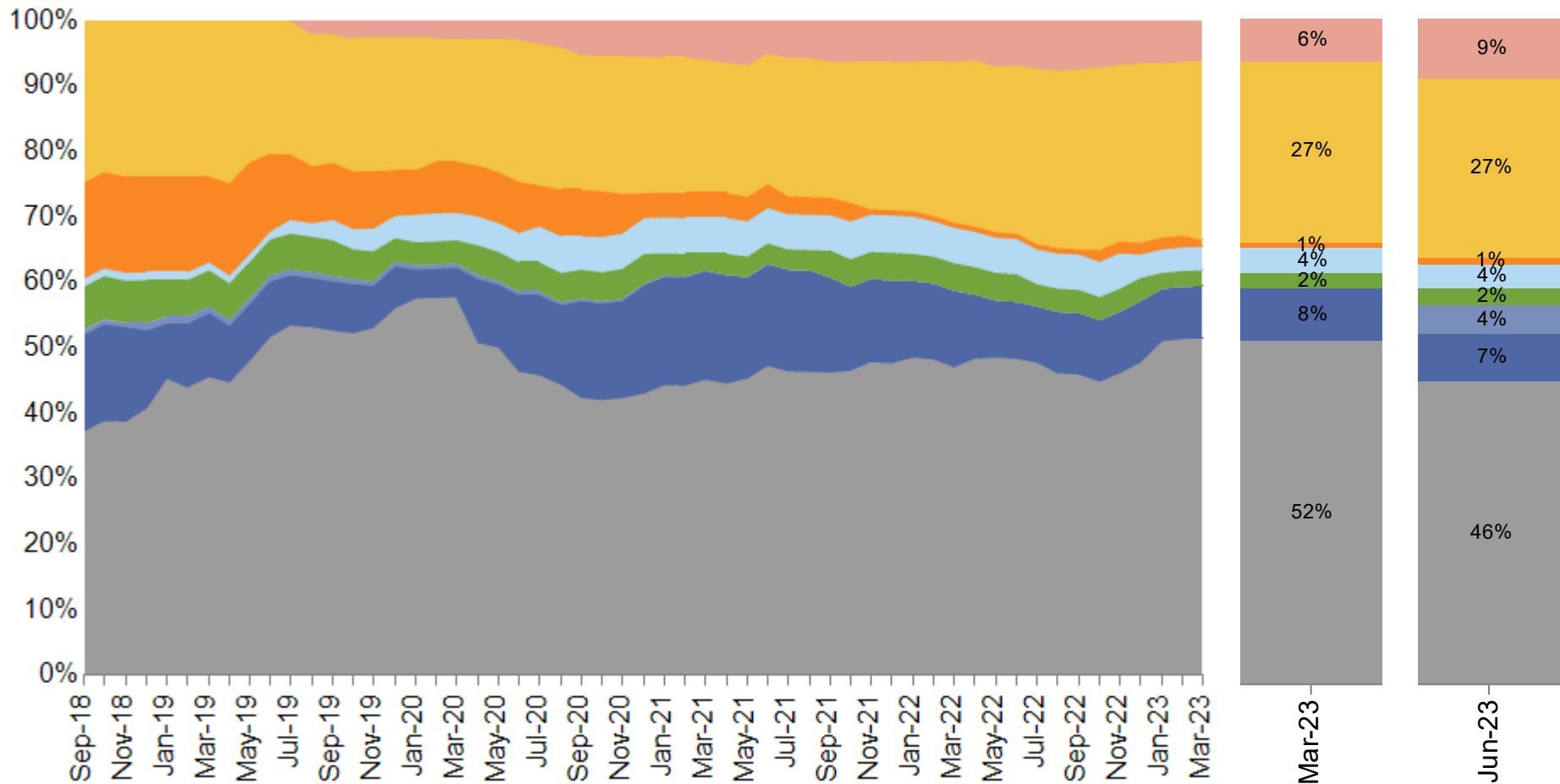


Sector	Net Activity
Agency CMBS	\$1,644,457
ABS	\$965,371
Municipal	\$90,000
Corporate	(\$6,937)
Federal Agency	(\$263,518)
U.S. Treasury	(\$2,051,706)
Total Net Activity	\$377,667

Based on total proceeds (principal and accrued interest) of buys, sells, maturities, and principal paydowns. Detail may not add to total due to rounding.

Historical Sector Allocation

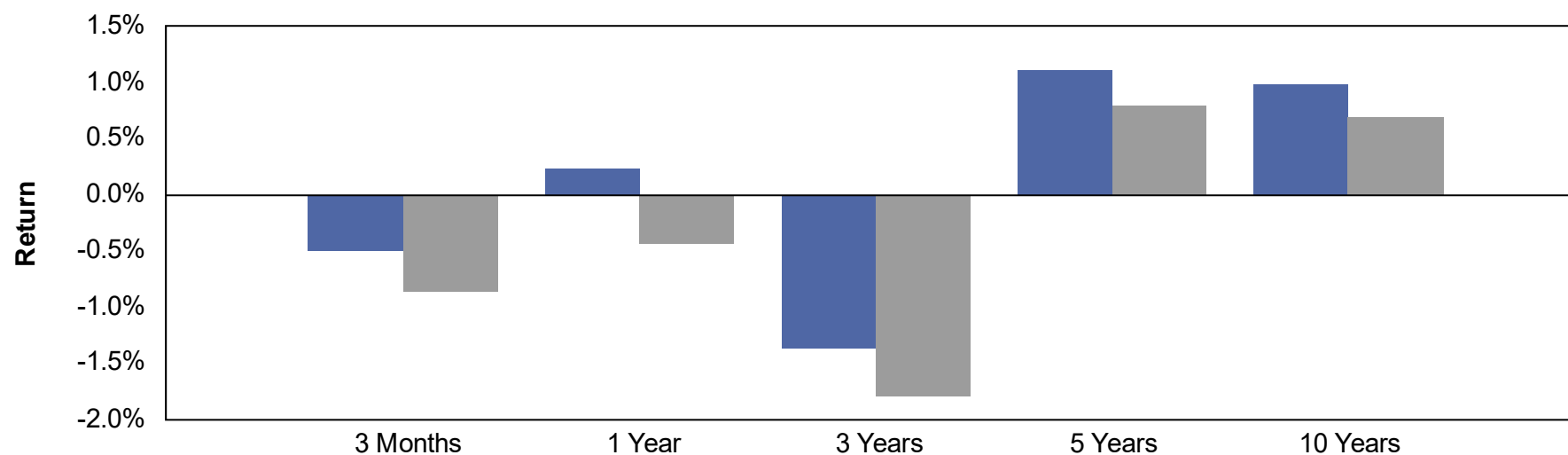
U.S. Treasury
 Agency CMBS
 Agency CMO
 Supranational
 Municipal
 Negotiable CD
 Corporate
 ABS
 Federal Agency



Only includes fixed-income securities held within the separately managed account(s) and LGIPs managed by PFMAM.

Portfolio Performance

■ Portfolio ■ Benchmark



Market Value Basis Earnings	3 Months	1 Year	3 Years	5 Years	10 Years ¹
Interest Earned ²	\$197,406	\$684,201	\$1,843,493	\$3,432,858	\$5,668,271
Change in Market Value	(\$385,271)	(\$595,105)	(\$3,438,493)	(\$1,394,906)	(\$2,080,312)
Total Dollar Return	(\$187,865)	\$89,096	(\$1,595,000)	\$2,037,952	\$3,587,959
Total Return³					
Portfolio	-0.49%	0.24%	-1.36%	1.11%	0.98%
Benchmark ⁴	-0.86%	-0.43%	-1.79%	0.80%	0.69%
Difference	0.37%	0.66%	0.43%	0.31%	0.30%

1. The lesser of 10 years or since inception is shown. Since inception returns for periods one year or less are not shown. Performance inception date is December 31, 2007.

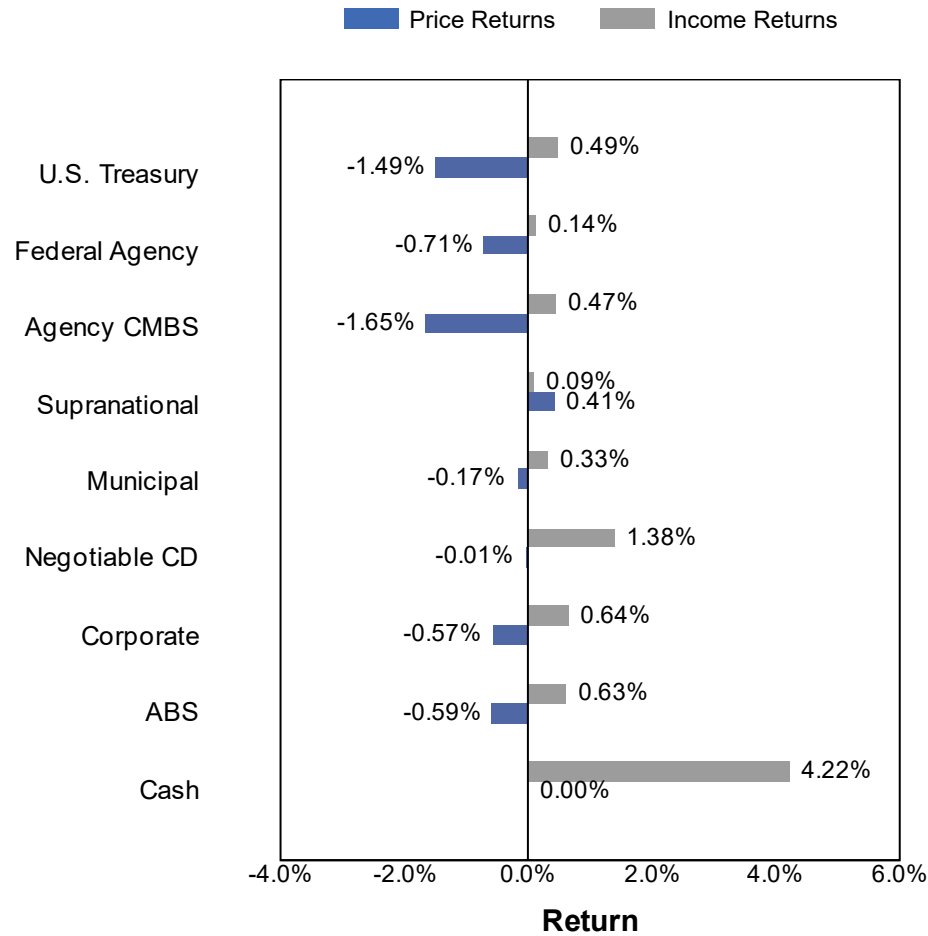
2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.

3. Returns for periods one year or less are presented on a periodic basis. Returns for periods greater than one year are presented on an annualized basis.

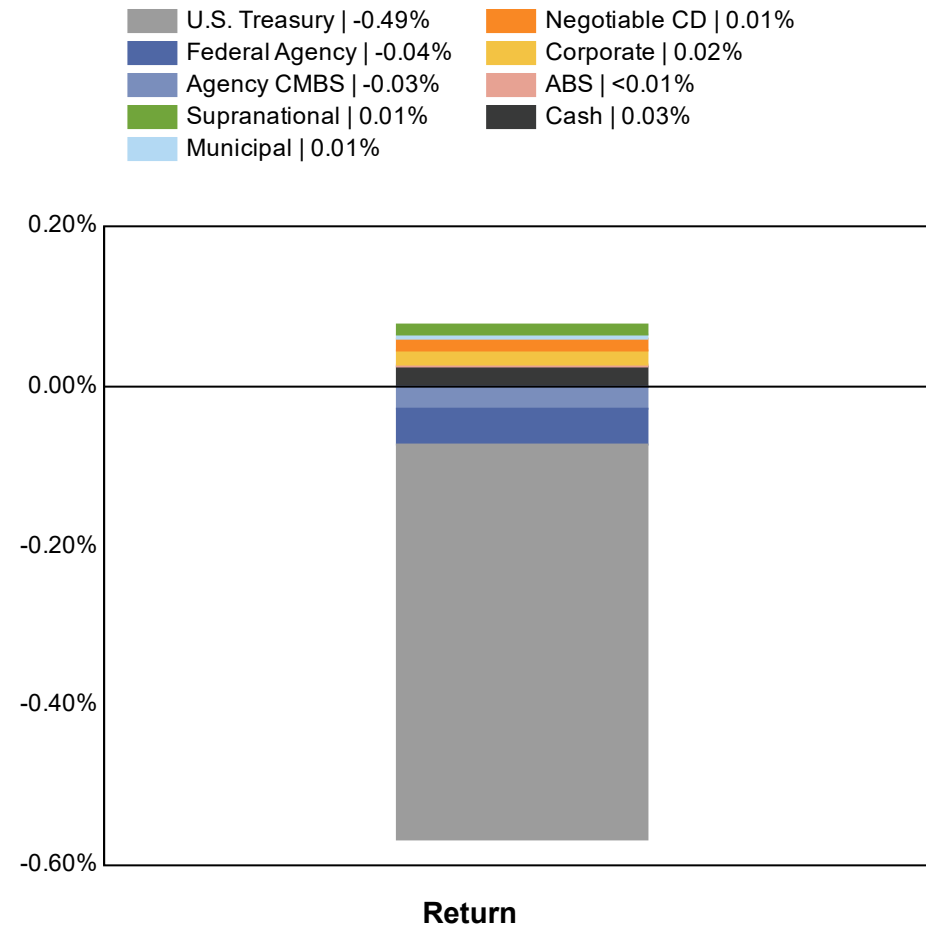
4. The portfolio's benchmark is currently the ICE BofA 1-5 Year U.S. Treasury Index. Prior to 3/31/19 it was the ICE BofA 1-3 Year U.S. Treasury Index. Source: Bloomberg.

Quarterly Sector Performance

Total Return by Sector

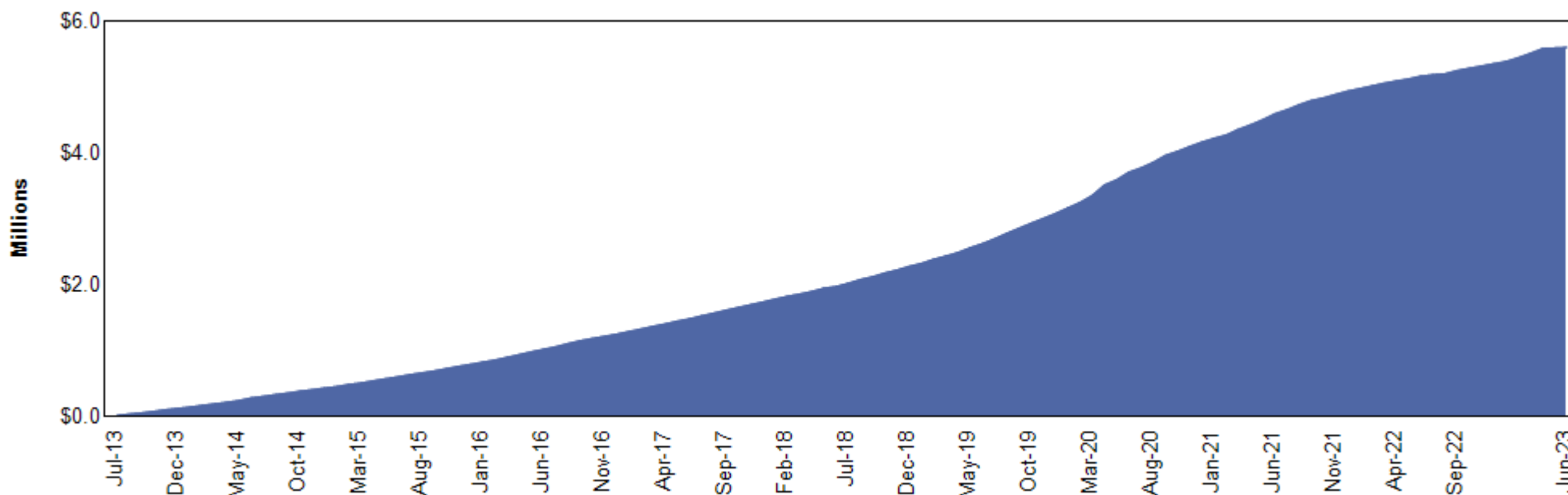


Contribution to Total Return



1. Performance on trade-date basis, gross (i.e., before fees), in accordance with the CFA Institute's Global Investment Performance Standards (GIPS).
2. Income returns calculated as interest earned on investments during the period.
3. Price returns calculated as the change in market value of each security for the period.
4. Returns are presented on a periodic basis.

Accrual Basis Earnings



Accrual Basis Earnings	3 Months	1 Year	3 Years	5 Year	10 Year ¹
Interest Earned ²	\$197,406	\$684,201	\$1,843,493	\$3,432,858	\$5,668,271
Realized Gains / (Losses) ³	(\$110,893)	(\$245,151)	\$93,840	\$145,991	\$220,930
Change in Amortized Cost	\$3,425	(\$4,265)	(\$44,107)	\$45,727	(\$286,295)
Total Earnings	\$89,938	\$434,785	\$1,893,226	\$3,624,575	\$5,602,905

1. The lesser of 10 years or since inception is shown. Performance inception date is December 31, 2007.
 2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.
 3. Realized gains / (losses) are shown on an amortized cost basis.

Fixed-Income Sector Outlook – 3Q 2023

Sector	Our Investment Preferences
COMMERCIAL PAPER / CD	
TREASURIES	
T-Bill	
T-Note	
FEDERAL AGENCIES	
Bullets	
Callables	
SUPRANATIONALS	
CORPORATES	
Financials	
Industrials	
SECURITIZED	
Asset-Backed	
Agency Mortgage-Backed	
Agency CMBS	
MUNICIPALS	



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RESOLUTION NO. 2023-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendations of the City Clerk and approval of the City Attorney and Administration Department Head, the City Clerk is hereby authorized to destroy the following public records:

Report of Lobbyist Employer Dated Through December 2020

State Legislation Faxes and Correspondence; Service Request Correspondence
Dated Prior to June 30, 2021

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as public records.

SECTION 3. The City Clerk is directed to cause said record to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Paolo Beltran, do hereby certify that I am the duly appointed Deputy City Manager and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Deputy City Manager

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and Department Head, the Director of Administrative Services is hereby authorized to destroy the following public records:

	through June 30
Notices of vehicles towed	2020
Closed Law suits / small claims	2021
Closed Subpoenas	2021
Closed Transmittals to the hearing officer/court	2021
Citations	2018
Dismissals	2018
Parking control – data	2018
Superseded Bail Schedule	2017
Utility billing - data and reports	2016
Utility rates	2016
Meter reading report	2016
Utility rebate report	2016
Utility service orders	2016
Connection/disconnects/registers/service	2016
Solid waste collection/disposal reports	2016
Closed liens / collections / small claims	2016
Utility customer records	2016
Building maintenance / leases	2016
Administrative Citations	2015
Bingo license	2015
Secondhand dealer license (pawn broker)	2015
Special event and other permits	2015
General billing records	2015
DUI billings	2015
Damage to city property	2015

Inactive business licenses	2016
TOT exemption certificates	2015
1099 forms	2015
Checks	2015
Canceled checks	2015
Invoices	2015
Cash Disbursement Reports	2015
Contracts	2015
Purchase orders	2016
Stores / inventory documentation	2016
Terminated contracts & agreements (no capital)	2016
Time cards	2015
W2s	2016
Salary records	2015
PERS reports	2015
Deferred comp reports	2015
Federal & state tax	2015
Payroll register	2015
General Ledger	2013
Bank registers	2015
Bank statements	2015
Daily cash receipts	2015
Bank reconciliations	2015
Audit work papers	2020
Audit hearing or review	2020
Grants - non-governmental	2015
Grants - federal, state and other governmental	2015
Surplus property auction or other disposal	2018

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as a public record.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Jose Gomez, do hereby certify that I am the duly appointed Department Director of the Finance and Administrative Services Department and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Department Director

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD AUTHORIZING THE DESTRUCTION OF
CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF CITY
CLERK MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE
AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and Department Head, the City Clerk is hereby authorized to destroy the following public records:

- Audio Recordings of Meetings of the City Council Dated Prior to June 30, 2021
- Claims for Damages Filed Against the City of Lakewood Closed Prior to June 30, 2018
- Litigation Files Closed Prior to June 30, 2018
- Statements of Economic Interest of City Officers and Employees
Filing Period Dated Prior to January 1, 2016
- Notices of Adjournment and Affidavits of Posting for Meetings of the City Council
Dated Prior to December 31, 2013
- Applicant Forms and Petitions for Street Closures Approved Prior to June 30, 2021
- Unsuccessful Bids for Public Works Projects Completed Prior to June 30, 2021
- Unsuccessful Bids for Purchasing Bids Awarded Prior to June 30, 2021
- Unsuccessful Bids for Requests for Proposals Submitted Prior to June 30, 2021
- Public Records Acts Requests Dated Prior to June 30, 2021
- Original Campaign Disclosure Forms of Unsuccessful Candidates for
City Council Elections Prior to June 30, 2013
- Delinquent Garbage, Waste and Refuse Collection Hearing Notices and Reports
Dated Through June 30, 2021
- Undeliverable Public Hearing Notices Dated Through June 30, 2020
- Parade Applications Approved Prior to June 30, 2010
- Subpoenas for Records dated Prior to June 30, 2020

SECTION 2. The City Council hereby finds and determines that the aforementioned public

records are more than two years old and no longer required to be kept and maintained as a public record.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY CITY CLERK

I, Jo Mayberry, do hereby certify that I am the duly appointed City Clerk and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

City Clerk

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and the Department Head, the City Clerk is hereby authorized to destroy the following public records:

Closed Paid Back Loan Files Dated Prior to July 1, 2018

Closed/Cancelled Applications for Loans or Grants Dated Prior to July 1, 2018

Community Development Block Grant Program Files Closed Prior to July 1, 2018

Audio Recordings of Meetings of the Planning and Environment Commission
Dated Prior to July 1, 2021

SECTION 2. The City Council hereby finds and determines that the aforementioned public records have been retained more than three (3) years from the date the loan has been paid back and the file closed, and the same are no longer required to be kept and maintained as public records.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California and the Code of Federal Regulations, Title 24 Section 570.490 Housing and Urban Development record retention.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Abel Avalos, do hereby certify that I am the Director of the Community Development Department and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Department Director

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD AUTHORIZING THE DESTRUCTION OF
CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF
PERSONNEL MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE
AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and Department Head, the City Clerk is hereby authorized to destroy the following public records:

Personnel Files of Terminated Seasonal & Part-time Employees Dated Prior to June 30, 2018

Eligibility and Hiring Lists for Positions Filled Prior to June 30, 2021

Overtime and Leave Request Forms* Dated Prior to July 1, 2016

*excepting injury/illness related forms

Industrial Accident Reports Dated Prior to 1990

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as a public record.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Thaddeus McCormack, do hereby certify that I am the duly appointed City Manager and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

City Manager

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF PUBLIC SAFETY MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and Department Head, the City Clerk is hereby authorized to destroy the following public records:

Sheriff's Department Crime Summary Reports; Sky Knight Observer Summary Reports;
and General Correspondence Dated Prior to June 30, 2021

Sky Knight Flight Hours Reports, Monthly Reports for Participating Cities and Operating
Procedures Dated Prior to June 30, 2021

Los Angeles Regional Crime Information System (PARCIS) Grant Materials Audited Prior to
June 30, 2020

Live Scan Applications Dated Prior to July 2021

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as a public record.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Joshua Yordt, do hereby certify that I am the duly appointed Department Director of the Public Safety Department and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Department Director

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF RECREATION AND COMMUNITY SERVICES MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendation of the City Clerk and approval of the City Attorney and Department Head, the City Clerk is hereby authorized to destroy the following public records:

Application and Agreement for Use of Recreation Facilities Dated Through December 31, 2020

Picnic Shelter Reservation Applications and Supplemental Questionnaires
Dated Through June 30, 2021

Facility Schedule Book (Red Book) Dated Through December 31, 2020

Application and Agreement for Use of Craft or Display Booth Dated Through June 30, 2021

CDBG Participant Audit Sheets Dated Through June 30, 2020

Accident Reports Occurring Prior to December 31, 2020
(adults and minors who have reached the age of 19)

Incident and Injury Reports (Special Occurrence Reports) Occurring Prior to December 31, 2020
(adults and minors who have reached the age of 19)

DASH Passenger Logs Dated Through June 30, 2021

Sports Officials Schedules Dated Through June 30, 2021

Contract Class Registrations Dated Through June 30, 2021
(adults and minors who have reached the age of 19)

Personal Service Agreements and Exhibits for Contract Class Instructors
Dated Through June 30, 2018

Permission Slips, Registrations and Rosters for All Parks and Community Centers
Dated Through June 30, 2021
(adults and minors who have reached the age of 19)

Volunteer Registrations, Rosters and Fingerprint Cards Dated Through June 30, 2021

Recreation and Community Services Commission Agenda Packets Dated Through June 30, 2021

Notices of Adjournment and Affidavits of Posting for Meetings of the Recreation and
Community Services Commission Dated Prior to December 31, 2013

Pool Rescue Reports Occurring Prior to June 30, 2021
(adults and minors who have reached the age of 19)

Opening/Closing Checklists Dated Through June 30, 2021

Closed Playground Safety Inspection Reports Dated Through June 30, 2021
(Related work orders, repairs, etc. must be closed)

CDBG Invoices and Stats dated through June 30, 2017

Project Shepherd Assistance Records dated through June 30, 2017

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as a public record.

SECTION 3. The City Clerk is directed to cause said records to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Valarie Frost, do hereby certify that I am the Department Director of the Recreation and Community Services Department and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Department Director

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

RESOLUTION NO. 2023-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD AUTHORIZING THE DESTRUCTION OF
CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF
WATER RESOURCES MORE THAN TWO YEARS OLD

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY FIND,
DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the recommendations of the City Clerk and approval of the City Attorney and Water Resources Department Head, the City Clerk is hereby authorized to destroy the following public records:

Continuing Education Class Modules Quizzes and Attendance Rosters
dated through December 2018

Confined Space Entry Logs dated through June 30, 2021

Golden State Water Company Advice Letters dated through December 2019

Central Basin Water Association Financial Statements, Surveys, Proposals, General
Correspondence and Memoranda dated through December 2020

Underground Service Alerts
dated January to December 2020

Service Orders and Standby Service Orders dated through June 30, 2021

General Correspondence dated through 2020

Bacteriological Water Sampling Laboratory Reports
dated through June 30, 2018

SECTION 2. The City Council hereby finds and determines that the aforementioned public records are more than two years old and no longer required to be kept and maintained as public records.

SECTION 3. The City Clerk is directed to cause said record to be destroyed in accordance with the terms and provisions of Section 34090 of the Government Code of the State of California.

ADOPTED AND APPROVED THIS 8TH DAY OF AUGUST, 2023.

Mayor

Resolution No. 2023-60
Page 2

ATTEST:

City Clerk

APPROVED BY DEPARTMENT HEAD

I, Derek Nguyen, do hereby certify that I am the Department Director of the Water Resources Department and that the aforementioned records of the City of Lakewood are more than two years of age, and the further maintenance of the same is no longer necessary or required. I recommend that said records be destroyed.

DATED this _____ day of _____, 2023.

Department Director

APPROVAL BY CITY ATTORNEY

I do hereby certify that I am the duly appointed City Attorney of the City of Lakewood and that the aforementioned records are not required to be kept by statute or law and may be destroyed if more than two years of age, provided destruction thereof has been approved by the Department Head and the City Council.

DATED this _____ day of _____, 2023.

City Attorney

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COUNCIL AGENDA

August 8, 2023

TO: Honorable Mayor and City Council

SUBJECT: Agreement Between the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA) and the City of Lakewood for Cost Sharing for the Installation of Monitoring Equipment and Monitoring Pursuant to the Harbor Toxic Pollutants Total Maximum Daily Load (TMDL)

BACKGROUND

In 2012, the Harbor Toxics TMDL, incorporated into the Municipal Separate Storm Sewer System (MS4) Permit. This TMDL establishes numerical discharge limits for a wide variety of pollutants including metals such as copper, lead, and zinc. Cities impacted by this TMDL are draining to the Dominguez Channel; directly into the Greater Harbor, which includes the Los Cerritos Channel watershed, Palos Verdes Peninsula watershed and Los Angeles River Estuary; and draining to the Los Angeles and San Gabriel Rivers, which includes Lakewood.

In 2018, Lakewood entered into a cost sharing agreement with the GWMA as the fiduciary agent for the installation of monitoring equipment and monitoring the Harbor Toxics TMDL, and that expired on June 30, 2023. This new agreement will expire on June 30, 2026.

FISCAL IMPACT

A cost share matrix is included in Exhibit A to the Agreement. This cost share estimate based on a 50% equal share and 50% by area in addition to a 5% administrative GWMA member fee to administer the Agreement. Non-members pay an 10% administrative fee. The City's annual cost is \$3,337.92 for FY 2023-24 and in the future cost may change slightly dependent on the number of participants.

RECOMMENDATION

Staff recommends that City Council:

1. Authorize the Mayor to enter into a five (5) year agreement between the City and GWMA for administration and cost sharing for the installation of monitoring equipment and ongoing monitoring for the Harbor Toxic Pollutant Total Maximum Daily Load.

Kelli Pickler
Director of Public Works


Thaddeus McCormack
City Manager

AGREEMENT
BETWEEN THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL
WATER MANAGEMENT JOINT POWERS AUTHORITY
AND THE
CITY OF LAKEWOOD

FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT
AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TMDL

This Agreement is made and entered into as of June 8, 2023, by and between the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (“GWMA”), a California Joint Powers Authority, and the City of Lakewood, (the “Permittee”). The Permittee and the GWMA are collectively referred to as the “Parties”;

RECITALS

WHEREAS, the mission of the GWMA includes the equitable protection and management of water resources within its area;

WHEREAS, for the purposes of this Agreement, the term “MS4 Permittees” shall mean those public agencies that are co-permittees to a National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit Order (“MS4 Permit”) issued by the Los Angeles Regional Water Quality Control Board;

WHEREAS, the United States Environmental Protection Agency established the Total Maximum Daily Loads (“TMDL”) for Toxic Pollutants on March 23, 2012, with the intent of protecting and improving water quality in the Dominguez Channel and the Greater Los Angeles and Long Beach Harbor Waters (“Harbor Toxic Pollutants TMDL”);

WHEREAS, the Harbor Toxic Pollutants TMDL regulates certain discharges from National Pollutant Discharge Elimination System (“NPDES”) permit holders, requiring organization and cooperation among the MS4 Permittees;

WHEREAS, the Permittee manages, drains or conveys storm water into at least a portion of the Los Angeles River including its estuary or Coyote Creek or the San Gabriel River including their estuaries;

WHEREAS, various MS4 Permittees desire to achieve the objectives of the Harbor Toxic Pollutants TMDL by continuing to maintain the monitoring station in the Los Angeles River at Wardlow Road, monitoring station in the San Gabriel River near Spring Street, and monitoring station in the Coyote Creek, also near Spring Street and conducting monitoring at said monitoring stations (collectively “Monitoring Stations”) to ensure consistency with other regional monitoring programs and usability with other TMDL related studies;

WHEREAS, continuing maintenance of the Monitoring Stations and future monitoring requires administrative coordination for the various MS4 Permittees that the GWMA can and is willing to provide;

WHEREAS, the Lower Los Angeles River Watershed Management Group and the Lower San Gabriel River Watershed Management Group have been formed pursuant to the MS4 Permit and oversee and manage the monitoring program for the Harbor Toxic Pollutants TMDL within their respective watersheds;

WHEREAS, the members of the GWMA are the Cities of Artesia, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Compton, Cudahy, Downey, Hawaiian Gardens, Huntington Park, La Mirada, Lakewood, Long Beach, Lynwood, Maywood, Montebello, Norwalk, Paramount, Pico Rivera, Santa Fe Springs, Signal Hill, South Gate, Vernon, Whittier, Water Replenishment District, Central Basin Municipal Water District, Port of Long Beach, and the Long Beach Water Department (“GWMA Members”);

WHEREAS, because of the financial savings and benefits resulting from this cost-sharing arrangement, other MS4 Permittees that are not GWMA Members may request to participate in the cost sharing of the Monitoring Costs for the maintenance of the Monitoring Stations and the costs of monitoring conducted at the Monitoring Stations (collectively “Monitoring Costs”);

WHEREAS, the GWMA Board of Directors authorized the GWMA to enter into individual separate agreements with such individual MS4 Permittees (which shall not have voting rights in the GWMA) for purposes of only cost sharing in the Monitoring Costs;

WHEREAS, because GWMA Members already pay annual membership fees that pay for GWMA administrative costs, GWMA Members that participate in the cost share for the Monitoring Costs shall pay an administrative fee that is less than that the administrative fee charged to MS4 Permittees that are not GWMA Members;

WHEREAS, certain private NPDES permit holders that are subject to the Harbor Toxic Pollutants TMDL have also expressed interest in participating in the cost share for the Monitoring Costs and procuring the monitoring data generated pursuant to this Agreement in order to satisfy their own permit obligations;

WHEREAS, the current agreements that cover the cost share arrangements for the Monitoring Costs through fiscal year 2022-2023 will expire on June 30, 2023.

WHEREAS, it is currently unknown how many MS4 Permittees and private NPDES permit holders will ultimately participate in the cost sharing of the Monitoring Costs for fiscal years 2023-2024 through 2025-2026;

WHEREAS, depending on how many MS4 Permittees and private NPDES permit holders ultimately participate in the cost sharing for the Monitoring Costs, each participating Permittee’s annual cost share amount will be adjusted and the GWMA will notify each participating Permittee of its adjusted annual cost share amount in writing;

WHEREAS, the Permittee desires to share in the Monitoring Costs;

WHEREAS, the Parties have determined that authorizing GWMA to hire consultants as necessary to maintain the Monitoring Stations and conduct the monitoring required by the Harbor Toxic Pollutants TMDL will be beneficial to the Parties;

WHEREAS, the Permittee agrees to pay: (a) its proportional share of the Monitoring Costs to be incurred by the GWMA in accordance with the Cost Sharing Formula reflected in Exhibit "A"; and (b) applicable administrative fees to cover administrative costs; and

WHEREAS, the role of the GWMA is to: (1) invoice and collect funds from the Permittee to cover its portion of the Monitoring Costs; and (2) hire and retain consultants to maintain Monitoring Stations and conduct monitoring at the Monitoring Stations.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties do hereby agree as follows:

Section 1. Purpose. The purpose of this Agreement is for the Permittee to cost share in the Monitoring Costs.

Section 2. Cooperation. The Parties shall fully cooperate with one another to achieve the purposes of this Agreement.

Section 3. Voluntary Nature. The Parties voluntarily enter into this Agreement.

Section 4. Binding Effect. This Agreement shall become binding on GWMA and the Permittee.

Section 5. Term. This Agreement shall commence on July 1, 2023 and shall expire on June 30, 2026, unless terminated earlier pursuant to this Agreement.

Section 6. Role of the GWMA.

(a) The GWMA shall invoice and collect funds from the Permittee to cover the Monitoring Costs.

(b) The GWMA shall administer the consultants' contracts for the Monitoring Costs. Provided the Permittee has paid all outstanding invoices to the GWMA to cover the Monitoring Costs and administrative costs, the GWMA will provide the Permittee with the monitoring data collected from the Monitoring Stations and any associated reports.

(c) The GWMA is authorized and may negotiate, enter into agreements with, and collect funds from general and individual NPDES permit holders, that are not MS4 Permittees, for cost-sharing the Monitoring Costs in order to reduce the total costs incurred by the MS4 Permittees.

Section 7. Financial Terms.

(a) Annual Payment Amount. The Permittee shall pay no more than the following amounts for each of the three fiscal years (June 30-July 1) listed below (“Annual Payment Amount”):

Fiscal Year 2023-2024: Three Thousand, One Hundred Seventy-Eight Dollars and Ninety-Seven Cents (\$3,178.97)

Fiscal Year 2024-2025: Three Thousand, One Hundred Ninety-Two Dollars and Seventy-Two Cents (\$3,192.72)

Fiscal Year 2025-2026: Three Thousand, Two Hundred Sixty-Seven Dollars and Sixty-Seven Cents (\$3,267.67)

Each Annual Payment Amount includes the Permittee’s Cost Share Amount identified in Exhibit “A”, attached hereto and incorporated herein.

(b) Administrative Costs. In addition to the Annual Payment Amount, the Permittee shall also pay its proportional share of the GWMA’s staff time for hiring the consultants, managing the consultants’ contracts, and invoicing the Permittee and legal fees incurred by the GWMA in the performance of its duties under this Agreement (“Direct Costs”), and audit expenses and other overhead costs (“Indirect Costs”), referred to collectively herein as the “Administrative Costs Payment Amount”. The Administrative Costs Payment Amount will be added to the Permittee’s annual invoice to cover the Permittee’s share of the administrative costs.

i. GWMA Members. If the Permittee is a GWMA Member, then the Administrative Costs Payment Amount does not include the GWMA’s Indirect Costs, which GWMA Members absorb as part of their annual membership dues. The rate charged to GWMA Members in order to recover the Direct Costs portion of the Administrative Costs Payment Amount will range between zero percent (0%) and five percent (5%) of the of the Permittee’s Cost Share Amount identified in Exhibit “A.” On an annual basis the GWMA will evaluate the percentage rate charged to GWMA Members to ensure it adequately recovers the GWMA’s cost of performing its duties under this Agreement. Based on this review, the GWMA Board will establish the rate charged to recover its Direct Costs for the next fiscal year. The GWMA will provide the Permittee, through the respective Chairs of the Lower San Gabriel River and Lower Los Angeles River Watershed Management Groups, fifteen (15) days’ written notice prior to July 1st of the fiscal year in which a new rate will take effect.

ii. Non-GWMA Members. If the Permittee is not a GWMA Member, then the Administrative Costs Payment Amount will include the GWMA’s Indirect Costs. The rate charged to Non-GWMA Members in order to recover Direct Costs will range between five percent (5%) and ten percent (10%) of the Permittee’s Cost Share Amount identified in Exhibit “A.” The rate charged to Non-GWMA Members in order to recover Indirect Costs will range between two percent (2%) and five percent (5%) of the

Permittee's Cost Share Amount identified in Exhibit "A." On an annual basis the GWMA will evaluate the percentage rates for both Direct and Indirect Costs charged to Non-GWMA Members to ensure they adequately recover the GWMA's cost of performing its duties under this MOU. Based on this review, the GWMA Board may increase or decrease the rates charged to recover its Direct and Indirect Costs for the next fiscal year. The GWMA will provide the Permittee, through the respective Chairs of the Lower San Gabriel River and Lower Los Angeles River Watershed Management Groups, fifteen (15) days' written notice prior to July 1st of the fiscal year in which a new rate will take effect.

(c) Adjustment of Cost Share Based on Number of Participants. The Annual Payment Amount and the Administrative Costs Payment Amount identified in this Section 7 ("Financial Terms") represent the maximum dollar amounts that the Permittee is required to submit to the GWMA, but may be reduced based on the final number of MS4 Permittees that participate in the cost sharing for the Monitoring Costs.

(d) Reserve Credits. If the actual cost share amount plus administrative costs collected by GWMA from all participating permittees in the Harbor Toxic Pollutants TMDL program are less than the Annual Payment Amount, plus the Administrative Costs Payment Amount, paid by all permittees in a particular year, then the GWMA will notify the Chairs of the Lower San Gabriel River and Lower Los Angeles River Watershed Management Groups. The Chairs will direct GWMA on how to apply the excess balance, which may include carrying the balance over to cover permittee costs in one or more subsequent years. , GWMA reserves the right to transfer funds from the excess balance to maintain a minimum balance of \$10,000 in its account dedicated to the Harbor Toxic Pollutants TMDL program at all times, per GWMA's Administrative Budget Policy. Notwithstanding the forgoing, the Administrative Costs Payment Amount charged to non-GWMA Members for Indirect Costs will be retained by GWMA and is not subject to a credit.

(e) Funds remaining in the possession of the GWMA at the expiration or earlier termination of this MOU shall be promptly returned to the Permittee in proportion to the Cost Share Amount identified in Exhibit "A" or rolled over into the subsequent MOU for the Harbor Toxic Pollutants TMDL if requested by the Permittee.

(f) The Permittee's Annual Payment Amount and Administrative Costs Payment Amount for the 2023-2024 fiscal year are due upon execution of this Agreement, but in no event later than September 30, 2023. For each subsequent fiscal year, commencing with the 2024-2025 fiscal year, the GWMA shall submit annual invoices to the Permittee for the Annual Payment Amount and Administrative Costs Payment Amount. Upon receiving an invoice from GWMA, each Permittee shall pay the Annual Payment Amount and Administrative Costs Payment Amount set forth in the invoice to the GWMA within forty-five (45) days of receipt.

(g) The Permittee shall be delinquent if its invoiced payment is not received by the GWMA within forty-five (45) days after the invoice's date. If the Permittee is delinquent, the GWMA will: 1) verbally contact the representative of the Permittee; and

2) submit a formal letter from the GWMA Executive Officer to the Permittee at the address listed in Section 11 of this Agreement. If payment is not received within sixty (60) days of the original invoice date, the GWMA may terminate this Agreement. However, no such termination may be ordered unless the GWMA first provides the Permittee with thirty (30) days written notice of its intent to terminate the Agreement. The terminated Permittee shall remain obligated to GWMA for its delinquent payments and any other obligations incurred prior to the date of termination. If the GWMA terminates this Agreement because the Permittee is delinquent in its payment, the Permittee shall no longer be entitled to the monitoring data collected from the Monitoring Stations.

(h) Any delinquent payments by the Permittee shall accrue compound interest at the average rate of interest paid by the Local Agency Investment Fund during the time that the payment is delinquent.

Section 8. Independent Contractor.

(a) The GWMA is, and shall at all times remain, a wholly independent contractor for performance of the obligations described in this Agreement. The GWMA's officers, officials, employees and agents shall at all times during the term of this Agreement be under the exclusive control of the GWMA. The Permittee cannot control the conduct of the GWMA or any of its officers, officials, employees or agents. The GWMA and its officers, officials, employees, and agents shall not be deemed to be employees of the Permittee.

(b) The GWMA is solely responsible for the payment of salaries, wages, other compensation, employment taxes, workers' compensation, or similar taxes for its employees and consultants performing services hereunder.

Section 9. Indemnification and Warranty.

(a) The Permittee shall defend, indemnify and hold harmless the GWMA and its officers, employees, and other representatives and agents from and against any and all liabilities, actions, suits proceedings, claims, demands, losses, costs, and expenses, including legal costs and attorney's fees, for injury to or death of person(s), for damage to property (including property owned by the GWMA) for negligent or intentional acts, errors and omissions committed by the Permittee or its officers, employees, and agents, arising out of or related to that Permittee's performance under this Agreement, except for such loss as may be caused by GWMA's negligence or that of its officers, employees, or other representatives and agents, excluding the consultant.

(b) GWMA makes no guarantee or warranty that any monitoring data prepared by the consultants shall be approved by the relevant governmental authorities. GWMA shall have no liability to the Permittee for the negligent or intentional acts or omissions of GWMA's consultants.

Termination.

(a) The Permittee may terminate this Agreement for any reason, or no reason, by giving the GWMA prior written notice thereof, but the Permittee shall remain responsible for its entire Annual Payment Amount through the end of the current fiscal year during which Permittee terminates the Agreement and shall not be entitled any refund of any portion of said Annual Payment Amount. Moreover, unless the Permittee provides written notice of termination to the GWMA by February 15th immediately prior to a new fiscal year, the Permittee shall also be responsible for its Annual Payment Amount through the end of such new fiscal year (e.g., If the Permittee terminates on March 1st, 2024, the Permittee is responsible for the Annual Payment Amounts for both fiscal years 2023-2024 and 2024-2025. If the Permittee terminates on February 10, 2024, the Permittee is responsible for its Annual Payment Amount only for Fiscal year 2023-2024, not for fiscal year 2024-2025). If the Permittee terminates the Agreement, the Permittee shall remain liable for any loss, debt, or liability otherwise incurred through the end of the new fiscal year.

(b) The GWMA may, with a vote of the GWMA Board, terminate this Agreement upon not less than thirty (30) days written notice to the Permittee. Any remaining funds not due and payable or otherwise legally committed to Consultant shall be returned to the Permittee.

Section 10. Miscellaneous.

(a) Other NPDES Permit Holders. Individual or general NPDES permit holders who are not MS4 Permittees that receive Harbor Toxic Pollutants TMDL monitoring requirements in their NPDES permits may wish to participate in this cost share for the Monitoring Costs in order to receive the monitoring data collected from the Monitoring Stations. Upon receipt of a written request from an NPDES permit holder to participate in this cost share, the GWMA will either reject or accept the NPDES permit holder's participation in the cost share arrangement. If accepted, the NPDES permit holder will enter into a separate cost share agreement with the GWMA that will require the NPDES permit holder to pay annually at least twelve thousand three hundred dollars (\$12,300) ("Private Monitoring Fee") for the Monitoring Costs. Failure to pay the Private Monitoring Fee by the date set forth in the cost share agreement will result in termination of the NPDES permit holder's participant status. An NPDES permit holder accepted as a participant will only be entitled to receive the monitoring data collected from the Monitoring Stations for any fiscal year in which the participant has paid its Private Monitoring Fee. The Private Monitoring Fee will be applied as a credit toward the Permittee's Annual Payment Amount in proportion to the Permittee's Cost Share Amount identified in Exhibit "A."

(b) Notices. All Notices which the Parties require or desire to give hereunder shall be in writing and shall be deemed given when delivered personally or three (3) days after mailing by registered or certified mail (return receipt requested) to the following address or as such other addresses as the Parties may from time to time designate by written notice in the aforesaid manner:

To GWMA:

Ms. Grace Kast
Executive Officer
16401 Paramount Boulevard
Paramount, CA 90723

To the Permittee:

Ms. Kelli Pickler
Director of Public Works
5050 Clark Avenue
Lakewood, CA 90712

(c) Amendment. The terms and provisions of this Agreement may not be amended, modified or waived, except by a written instrument signed by all Parties.

(d) Waiver. Waiver by either the GWMA or the Permittee of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver, by the GWMA or the Permittee, to any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach of any provision of this Agreement.

(e) Law to Govern: Venue. This Agreement shall be interpreted, construed, and governed according to the laws of the State of California. In the event of litigation between the Parties, venue shall lie exclusively in the County of Los Angeles.

(f) No Presumption in Drafting. The Parties to this Agreement agree that the general rule that an agreement is to be interpreted against the Party drafting it, or causing it to be prepared, shall not apply.

(g) Severability. If any term, provision, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and this Agreement shall be read and construed without the invalid, void, or unenforceable provisions(s).

(h) Entire Agreement. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements, whether written or oral, with respect thereto.

(i) Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to all Parties to this Agreement.

(j) Legal Representation. All Parties have been represented by counsel in the preparation and negotiation of this Agreement. Accordingly, this Agreement shall be construed according to its fair language.

(k) Authority to Execute this Agreement. The person or persons executing this Agreement on behalf of Permittee warrants and represents that he or she has the authority to execute this Agreement on behalf of the Permittee and has the authority to bind Permittee.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on their behalf, respectively, as follows:

DATE: _____

LOS ANGELES GATEWAY REGION
INTEGRATED REGIONAL WATER
MANAGEMENT JOINT POWERS
AUTHORITY

Adriana Figueroa
GWMA Chair

DATE: _____

PERMITTEE
City of Lakewood

Signature

Print Name

Print Title

EXHIBIT "A"
COST SHARE MATRIX
ATTACHED

**Harbor Toxic Upstream
FY 2023-2024 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Alhambra	no	\$ 769.90			\$ 769.90	10%	\$ 76.99	5.00%	\$ 38.51	\$ 885.39
City of Arcadia	no	\$ 883.29	\$ 647.82		\$ 1,531.11	10%	\$ 153.11	5.00%	\$ 76.56	\$ 1,760.77
City of Artesia	yes		\$ 670.42	\$ 1,999.78	\$ 2,670.20	5%	\$ 133.51	0.00%	\$ -	\$ 2,803.71
City of Azusa	no		\$ 1,406.84		\$ 1,406.84	10%	\$ 140.68	5.00%	\$ 70.33	\$ 1,617.87
City of Baldwin Park	no		\$ 1,195.60		\$ 1,195.60	10%	\$ 119.56	5.00%	\$ 59.78	\$ 1,374.93
City of Bell	yes	\$ 594.86			\$ 594.86	5%	\$ 29.74	0.00%	\$ -	\$ 624.61
City of Bell Gardens	yes	\$ 589.46			\$ 589.46	5%	\$ 29.46	0.00%	\$ -	\$ 618.93
City of Bellflower	yes		\$ 788.13		\$ 788.13	5%	\$ 39.41	0.00%	\$ -	\$ 827.53
City of Bradbury	no	\$ 530.64	\$ 722.94		\$ 1,253.58	10%	\$ 125.36	5.00%	\$ 62.68	\$ 1,441.62
City of Burbank	no	\$ 1,108.80			\$ 1,108.80	10%	\$ 110.88	5.00%	\$ 55.44	\$ 1,275.12
City of Calabasas	no	\$ 722.00			\$ 722.00	10%	\$ 72.20	5.00%	\$ 36.10	\$ 830.30
City of Cerritos	yes		\$ 874.61	\$ 3,356.65	\$ 4,231.26	5%	\$ 211.56	0.00%	\$ -	\$ 4,442.83
City of Claremont	no		\$ 1,755.26		\$ 1,755.26	10%	\$ 175.53	5.00%	\$ 87.76	\$ 2,018.55
City of Commerce	yes	\$ 732.31			\$ 732.31	5%	\$ 36.63	0.00%	\$ -	\$ 768.93
City of Compton	yes	\$ 857.25			\$ 857.25	5%	\$ 42.86	0.00%	\$ -	\$ 900.11
City of Covina	no		\$ 1,214.67		\$ 1,214.67	10%	\$ 121.47	5.00%	\$ 60.74	\$ 1,396.87
City of Cudahy	yes	\$ 546.30			\$ 546.30	5%	\$ 27.33	0.00%	\$ -	\$ 573.62
City of Diamond Bar	no		\$ 1,225.38	\$ 3,704.23	\$ 4,929.61	10%	\$ 492.96	5.00%	\$ 246.48	\$ 5,669.05
City of Downey	yes	\$ 696.90	\$ 1,182.79		\$ 1,879.69	5%	\$ 93.98	0.00%	\$ -	\$ 1,973.68
City of Duarte	no	\$ 549.90	\$ 818.96		\$ 1,368.86	10%	\$ 136.89	5.00%	\$ 68.44	\$ 1,574.19
City of El Monte	no	\$ 747.97	\$ 835.94		\$ 1,583.91	10%	\$ 158.39	5.00%	\$ 79.20	\$ 1,821.50
City of Glendale	no	\$ 1,572.21			\$ 1,572.21	10%	\$ 157.22	5.00%	\$ 78.62	\$ 1,808.05
City of Glendora	no		\$ 1,845.14		\$ 1,845.14	10%	\$ 184.51	5.00%	\$ 92.26	\$ 2,121.91
City of Hawaiian Gardens	yes			\$ 1,951.65	\$ 1,951.65	5%	\$ 97.58	0.00%	\$ -	\$ 2,049.23
City of Hidden Hills	no	\$ 555.85			\$ 555.85	10%	\$ 55.59	5.00%	\$ 27.79	\$ 639.23
City of Huntington Park	yes	\$ 608.72			\$ 608.72	5%	\$ 30.44	0.00%	\$ -	\$ 639.16
City of Industry	no		\$ 1,628.28		\$ 1,628.28	10%	\$ 162.83	5.00%	\$ 81.42	\$ 1,872.52
City of Irwindale	no	\$ 559.29	\$ 1,299.19		\$ 1,858.48	10%	\$ 185.85	5.00%	\$ 92.93	\$ 2,137.25
City of La Canada Flintridge	no	\$ 805.37			\$ 805.37	10%	\$ 80.54	5.00%	\$ 40.27	\$ 926.18
City of La Habra Heights	no		\$ 719.54	\$ 2,995.71	\$ 3,715.25	10%	\$ 371.52	5.00%	\$ 185.77	\$ 4,272.54
City of La Mirada	yes			\$ 3,914.11	\$ 3,914.11	5%	\$ 195.71	0.00%	\$ -	\$ 4,109.81
City of La Puente	no		\$ 917.59		\$ 917.59	10%	\$ 91.76	5.00%	\$ 45.87	\$ 1,055.23
City of La Verne	no		\$ 1,341.78		\$ 1,341.78	10%	\$ 134.18	5.00%	\$ 67.09	\$ 1,543.05
City of Lakewood	yes	\$ 506.20	\$ 716.67	\$ 1,956.11	\$ 3,178.97	5%	\$ 158.95	0.00%	\$ -	\$ 3,337.92
City of Long Beach	yes	\$ 933.38	\$ 710.26	\$ 2,354.48	\$ 3,998.12	5%	\$ 199.91	0.00%	\$ -	\$ 4,198.03
City of Los Angeles	no	\$ 10,395.22			\$ 10,395.22	10%	\$ 1,039.52	5.00%	\$ 519.76	\$ 11,954.50
City of Lynwood	yes	\$ 672.45			\$ 672.45	5%	\$ 33.62	0.00%	\$ -	\$ 706.08
City of Maywood	yes	\$ 544.56			\$ 544.56	5%	\$ 27.22	0.00%	\$ -	\$ 571.78
City of Monrovia	no	\$ 776.51	\$ 635.93		\$ 1,412.44	10%	\$ 141.24	5.00%	\$ 70.62	\$ 1,624.30
City of Montebello	yes	\$ 795.66			\$ 795.66	5%	\$ 39.77	0.00%	\$ -	\$ 835.44
City of Monterey Park	no	\$ 773.62			\$ 773.62	10%	\$ 77.36	5.00%	\$ 38.68	\$ 889.66
City of Norwalk	yes		\$ 993.49	\$ 3,218.96	\$ 4,212.45	5%	\$ 210.62	0.00%	\$ -	\$ 4,423.08

**Harbor Toxic Upstream
FY 2023-2024 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Paramount	yes	\$ 612.38			\$ 612.38	5%	\$ 30.62	0.00%	\$ -	\$ 643.00
City of Pasadena	no	\$ 1,311.23			\$ 1,311.23	10%	\$ 131.12	5.00%	\$ 65.57	\$ 1,507.92
City of Pico Rivera	yes	\$ 585.81	\$ 1,142.56		\$ 1,728.36	5%	\$ 86.42	0.00%	\$ -	\$ 1,814.78
City of Pomona	no		\$ 2,549.82		\$ 2,549.82	10%	\$ 254.98	5.00%	\$ 127.49	\$ 2,932.29
City of Rosemead	no	\$ 684.08			\$ 684.08	10%	\$ 68.41	5.00%	\$ 34.20	\$ 786.69
City of San Dimas	no		\$ 1,918.04		\$ 1,918.04	10%	\$ 191.80	5.00%	\$ 95.90	\$ 2,205.74
City of San Fernando	no	\$ 586.24			\$ 586.24	10%	\$ 58.62	5.00%	\$ 29.30	\$ 674.18
City of San Gabriel	no	\$ 647.74			\$ 647.74	10%	\$ 64.77	5.00%	\$ 32.39	\$ 744.90
City of San Marino	no	\$ 634.91			\$ 634.91	10%	\$ 63.49	5.00%	\$ 31.75	\$ 730.15
City of Santa Fe Springs	yes		\$ 878.14	\$ 3,361.55	\$ 4,239.69	5%	\$ 211.98	0.00%	\$ -	\$ 4,451.68
City of Sierra Madre	no	\$ 601.19			\$ 601.19	10%	\$ 60.12	5.00%	\$ 30.05	\$ 691.37
City of Signal Hill	yes	\$ 509.09			\$ 509.09	5%	\$ 25.45	0.00%	\$ -	\$ 534.54
City of South El Monte	no	\$ 589.00	\$ 659.45		\$ 1,248.45	10%	\$ 124.84	5.00%	\$ 62.42	\$ 1,435.72
City of South Gate	yes	\$ 760.08			\$ 760.08	5%	\$ 38.00	0.00%	\$ -	\$ 798.09
City of South Pasadena	no	\$ 622.69			\$ 622.69	10%	\$ 62.27	5.00%	\$ 31.13	\$ 716.09
City of Temple City	no	\$ 644.03			\$ 644.03	10%	\$ 64.40	5.00%	\$ 32.20	\$ 740.63
LA County Unincorporated	no	\$ 2,829.92	\$ 4,772.41	\$ 6,335.54	\$ 13,937.86	10%	\$ 1,393.79	5.00%	\$ 696.89	\$ 16,028.54
City of Vernon	yes	\$ 683.37			\$ 683.37	5%	\$ 34.17	0.00%	\$ -	\$ 717.53
City of Walnut	no		\$ 1,381.37		\$ 1,381.37	10%	\$ 138.14	5.00%	\$ 69.07	\$ 1,588.57
City of West Covina	no		\$ 1,979.57		\$ 1,979.57	10%	\$ 197.96	5.00%	\$ 98.98	\$ 2,276.51
City of Whittier	yes		\$ 844.56	\$ 5,124.38	\$ 5,968.94	5%	\$ 298.45	0.00%	\$ -	\$ 6,267.39
LACFCD	no	\$ 2,119.64	\$ 2,119.64	\$ 2,119.64	\$ 6,358.92	10%	\$ 635.89	5.00%	\$ 317.96	\$ 7,312.75
Total		\$43,250.02	\$ 42,392.78	\$ 42,392.78	\$ 128,035.57		\$ 10,440.14		\$ 4,038.39	\$ 142,514.10

NOTES:
The GWMA administration cost is as follows:
Direct admin fee is 0-5% for GWMA members and 5-10% for non-members.
Indirect admin fee is 2-5% for non-members.

The rates applied above assume the following :

GWMA Members Admin Fee =	5%
GWMA Non-Members Admin Fee =	10%
GWMA Indirect Fee =	5%

**Harbor Toxic Upstream
FY 2024-2025 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Alhambra	no	\$ 773.24			\$ 773.24	10%	\$ 77.32	5.00%	\$ 38.67	\$ 889.22
City of Arcadia	no	\$ 887.11	\$ 650.62		\$ 1,537.73	10%	\$ 153.77	5.00%	\$ 76.89	\$ 1,768.39
City of Artesia	yes		\$ 673.32	\$ 2,008.43	\$ 2,681.75	5%	\$ 134.09	0.00%	\$ -	\$ 2,815.83
City of Azusa	no		\$ 1,412.93		\$ 1,412.93	10%	\$ 141.29	5.00%	\$ 70.64	\$ 1,624.87
City of Baldwin Park	no		\$ 1,200.77		\$ 1,200.77	10%	\$ 120.08	5.00%	\$ 60.04	\$ 1,380.88
City of Bell	yes	\$ 597.44			\$ 597.44	5%	\$ 29.87	0.00%	\$ -	\$ 627.31
City of Bell Gardens	yes	\$ 592.01			\$ 592.01	5%	\$ 29.59	0.00%	\$ -	\$ 621.61
City of Bellflower	yes		\$ 791.54		\$ 791.54	5%	\$ 39.58	0.00%	\$ -	\$ 831.11
City of Bradbury	no	\$ 532.94	\$ 726.06		\$ 1,259.00	10%	\$ 125.90	5.00%	\$ 62.95	\$ 1,447.85
City of Burbank	no	\$ 1,113.60			\$ 1,113.60	10%	\$ 111.36	5.00%	\$ 55.68	\$ 1,280.64
City of Calabasas	no	\$ 725.12			\$ 725.12	10%	\$ 72.51	5.00%	\$ 36.26	\$ 833.89
City of Cerritos	yes		\$ 878.39	\$ 3,371.17	\$ 4,249.57	5%	\$ 212.48	0.00%	\$ -	\$ 4,462.05
City of Claremont	no		\$ 1,762.85		\$ 1,762.85	10%	\$ 176.29	5.00%	\$ 88.14	\$ 2,027.28
City of Commerce	yes	\$ 735.48			\$ 735.48	5%	\$ 36.78	0.00%	\$ -	\$ 772.25
City of Compton	yes	\$ 860.96			\$ 860.96	5%	\$ 43.05	0.00%	\$ -	\$ 904.01
City of Covina	no		\$ 1,219.92		\$ 1,219.92	10%	\$ 121.99	5.00%	\$ 61.01	\$ 1,402.91
City of Cudahy	yes	\$ 548.66			\$ 548.66	5%	\$ 27.44	0.00%	\$ -	\$ 576.10
City of Diamond Bar	no		\$ 1,230.68	\$ 3,720.25	\$ 4,950.93	10%	\$ 495.09	5.00%	\$ 247.55	\$ 5,693.57
City of Downey	yes	\$ 699.91	\$ 1,187.91		\$ 1,887.82	5%	\$ 94.39	0.00%	\$ -	\$ 1,982.21
City of Duarte	no	\$ 552.28	\$ 822.50		\$ 1,374.78	10%	\$ 137.48	5.00%	\$ 68.74	\$ 1,581.00
City of El Monte	no	\$ 751.21	\$ 839.56		\$ 1,590.76	10%	\$ 159.08	5.00%	\$ 79.54	\$ 1,829.38
City of Glendale	no	\$ 1,579.02			\$ 1,579.02	10%	\$ 157.90	5.00%	\$ 78.96	\$ 1,815.87
City of Glendora	no		\$ 1,853.12		\$ 1,853.12	10%	\$ 185.31	5.00%	\$ 92.66	\$ 2,131.09
City of Hawaiian Gardens	yes			\$ 1,960.09	\$ 1,960.09	5%	\$ 98.00	0.00%	\$ -	\$ 2,058.10
City of Hidden Hills	no	\$ 558.25			\$ 558.25	10%	\$ 55.83	5.00%	\$ 27.91	\$ 641.99
City of Huntington Park	yes	\$ 611.36			\$ 611.36	5%	\$ 30.57	0.00%	\$ -	\$ 641.92
City of Industry	no		\$ 1,635.32		\$ 1,635.32	10%	\$ 163.53	5.00%	\$ 81.78	\$ 1,880.62
City of Irwindale	no	\$ 561.71	\$ 1,304.81		\$ 1,866.52	10%	\$ 186.65	5.00%	\$ 93.34	\$ 2,146.50
City of La Canada Flintridge	no	\$ 808.86			\$ 808.86	10%	\$ 80.89	5.00%	\$ 40.44	\$ 930.18
City of La Habra Heights	no		\$ 722.65	\$ 3,008.67	\$ 3,731.32	10%	\$ 373.13	5.00%	\$ 186.58	\$ 4,291.02
City of La Mirada	yes			\$ 3,931.04	\$ 3,931.04	5%	\$ 196.55	0.00%	\$ -	\$ 4,127.59
City of La Puente	no		\$ 921.56		\$ 921.56	10%	\$ 92.16	5.00%	\$ 46.07	\$ 1,059.80
City of La Verne	no		\$ 1,347.59		\$ 1,347.59	10%	\$ 134.76	5.00%	\$ 67.38	\$ 1,549.73
City of Lakewood	yes	\$ 508.39	\$ 719.77	\$ 1,964.57	\$ 3,192.72	5%	\$ 159.64	0.00%	\$ -	\$ 3,352.36
City of Long Beach	yes	\$ 937.42	\$ 713.34	\$ 2,364.67	\$ 4,015.42	5%	\$ 200.77	0.00%	\$ -	\$ 4,216.19
City of Los Angeles	no	\$ 10,440.19			\$ 10,440.19	10%	\$ 1,044.02	5.00%	\$ 522.01	\$ 12,006.22
City of Lynwood	yes	\$ 675.36			\$ 675.36	5%	\$ 33.77	0.00%	\$ -	\$ 709.13
City of Maywood	yes	\$ 546.91			\$ 546.91	5%	\$ 27.34	0.00%	\$ -	\$ 574.26
City of Monrovia	no	\$ 779.87	\$ 638.68		\$ 1,418.55	10%	\$ 141.85	5.00%	\$ 70.93	\$ 1,631.33
City of Montebello	yes	\$ 799.10			\$ 799.10	5%	\$ 39.95	0.00%	\$ -	\$ 839.06
City of Monterey Park	no	\$ 776.96			\$ 776.96	10%	\$ 77.70	5.00%	\$ 38.85	\$ 893.51
City of Norwalk	yes		\$ 997.79	\$ 3,232.88	\$ 4,230.68	5%	\$ 211.53	0.00%	\$ -	\$ 4,442.21

**Harbor Toxic Upstream
FY 2024-2025 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Paramount	yes	\$ 615.03			\$ 615.03	5%	\$ 30.75	0.00%	\$ -	\$ 645.78
City of Pasadena	no	\$ 1,316.91			\$ 1,316.91	10%	\$ 131.69	5.00%	\$ 65.86	\$ 1,514.44
City of Pico Rivera	yes	\$ 588.34	\$ 1,147.50		\$ 1,735.84	5%	\$ 86.79	0.00%	\$ -	\$ 1,822.63
City of Pomona	no		\$ 2,560.85		\$ 2,560.85	10%	\$ 256.08	5.00%	\$ 128.04	\$ 2,944.98
City of Rosemead	no	\$ 687.04			\$ 687.04	10%	\$ 68.70	5.00%	\$ 34.35	\$ 790.09
City of San Dimas	no		\$ 1,926.34		\$ 1,926.34	10%	\$ 192.63	5.00%	\$ 96.32	\$ 2,215.29
City of San Fernando	no	\$ 588.78			\$ 588.78	10%	\$ 58.88	5.00%	\$ 29.43	\$ 677.10
City of San Gabriel	no	\$ 650.54			\$ 650.54	10%	\$ 65.05	5.00%	\$ 32.53	\$ 748.12
City of San Marino	no	\$ 637.66			\$ 637.66	10%	\$ 63.77	5.00%	\$ 31.88	\$ 733.31
City of Santa Fe Springs	yes		\$ 881.94	\$ 3,376.10	\$ 4,258.03	5%	\$ 212.90	0.00%	\$ -	\$ 4,470.94
City of Sierra Madre	no	\$ 603.79			\$ 603.79	10%	\$ 60.38	5.00%	\$ 30.18	\$ 694.36
City of Signal Hill	yes	\$ 511.29			\$ 511.29	5%	\$ 25.56	0.00%	\$ -	\$ 536.86
City of South El Monte	no	\$ 591.55	\$ 662.30		\$ 1,253.85	10%	\$ 125.38	5.00%	\$ 62.69	\$ 1,441.93
City of South Gate	yes	\$ 763.37			\$ 763.37	5%	\$ 38.17	0.00%	\$ -	\$ 801.54
City of South Pasadena	no	\$ 625.39			\$ 625.39	10%	\$ 62.54	5.00%	\$ 31.27	\$ 719.19
City of Temple City	no	\$ 646.81			\$ 646.81	10%	\$ 64.68	5.00%	\$ 32.34	\$ 743.83
LA County Unincorporated	no	\$ 2,842.16	\$ 4,793.05	\$ 6,362.95	\$ 13,998.16	10%	\$ 1,399.82	5.00%	\$ 699.91	\$ 16,097.89
City of Vernon	yes	\$ 686.32			\$ 686.32	5%	\$ 34.32	0.00%	\$ -	\$ 720.64
City of Walnut	no		\$ 1,387.34		\$ 1,387.34	10%	\$ 138.73	5.00%	\$ 69.37	\$ 1,595.44
City of West Covina	no		\$ 1,988.13		\$ 1,988.13	10%	\$ 198.81	5.00%	\$ 99.41	\$ 2,286.35
City of Whittier	yes		\$ 848.22	\$ 5,146.55	\$ 5,994.76	5%	\$ 299.74	0.00%	\$ -	\$ 6,294.50
LACFCD	no	\$ 2,128.81	\$ 2,128.81	\$ 2,128.81	\$ 6,386.43	10%	\$ 638.64	5.00%	\$ 319.33	\$ 7,344.39
Total		\$43,437.13	\$ 42,576.18	\$ 42,576.18	\$ 128,589.48		\$ 10,485.31		\$ 4,055.86	\$ 143,130.64

NOTES:
The GWMA administration cost is as follows:
Direct admin fee is 0-5% for GWMA members and 5-10% for non-members.
Indirect admin fee is 2-5% for non-members.

The rates applied above assume the following :

GWMA Members Admin Fee =	5%
GWMA Non-Members Admin Fee =	10%
GWMA Indirect Fee =	5%

**Harbor Toxic Upstream
FY 2025-2026 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Alhambra	no	\$ 791.39			\$ 791.39	10%	\$ 79.14	5.00%	\$ 39.58	\$ 910.09
City of Arcadia	no	\$ 907.93	\$ 665.89		\$ 1,573.83	10%	\$ 157.38	5.00%	\$ 78.69	\$ 1,809.90
City of Artesia	yes		\$ 689.12	\$ 2,055.57	\$ 2,744.70	5%	\$ 137.23	0.00%	\$ -	\$ 2,881.93
City of Azusa	no		\$ 1,446.09		\$ 1,446.09	10%	\$ 144.61	5.00%	\$ 72.29	\$ 1,663.01
City of Baldwin Park	no		\$ 1,228.95		\$ 1,228.95	10%	\$ 122.90	5.00%	\$ 61.45	\$ 1,413.30
City of Bell	yes	\$ 611.46			\$ 611.46	5%	\$ 30.57	0.00%	\$ -	\$ 642.03
City of Bell Gardens	yes	\$ 605.91			\$ 605.91	5%	\$ 30.29	0.00%	\$ -	\$ 636.20
City of Bellflower	yes		\$ 810.12		\$ 810.12	5%	\$ 40.51	0.00%	\$ -	\$ 850.62
City of Bradbury	no	\$ 545.45	\$ 743.11		\$ 1,288.55	10%	\$ 128.86	5.00%	\$ 64.43	\$ 1,481.84
City of Burbank	no	\$ 1,139.74			\$ 1,139.74	10%	\$ 113.97	5.00%	\$ 56.99	\$ 1,310.70
City of Calabasas	no	\$ 742.14			\$ 742.14	10%	\$ 74.21	5.00%	\$ 37.11	\$ 853.46
City of Cerritos	yes		\$ 899.01	\$ 3,450.31	\$ 4,349.32	5%	\$ 217.47	0.00%	\$ -	\$ 4,566.78
City of Claremont	no		\$ 1,804.23		\$ 1,804.23	10%	\$ 180.42	5.00%	\$ 90.21	\$ 2,074.87
City of Commerce	yes	\$ 752.74			\$ 752.74	5%	\$ 37.65	0.00%	\$ -	\$ 790.38
City of Compton	yes	\$ 881.17			\$ 881.17	5%	\$ 44.06	0.00%	\$ -	\$ 925.23
City of Covina	no		\$ 1,248.56		\$ 1,248.56	10%	\$ 124.86	5.00%	\$ 62.44	\$ 1,435.84
City of Cudahy	yes	\$ 561.54			\$ 561.54	5%	\$ 28.09	0.00%	\$ -	\$ 589.62
City of Diamond Bar	no		\$ 1,259.57	\$ 3,807.58	\$ 5,067.15	10%	\$ 506.71	5.00%	\$ 253.36	\$ 5,827.22
City of Downey	yes	\$ 716.34	\$ 1,215.79		\$ 1,932.14	5%	\$ 96.61	0.00%	\$ -	\$ 2,028.74
City of Duarte	no	\$ 565.25	\$ 841.81		\$ 1,407.05	10%	\$ 140.71	5.00%	\$ 70.35	\$ 1,618.11
City of El Monte	no	\$ 768.84	\$ 859.26		\$ 1,628.10	10%	\$ 162.81	5.00%	\$ 81.41	\$ 1,872.32
City of Glendale	no	\$ 1,616.08			\$ 1,616.08	10%	\$ 161.61	5.00%	\$ 80.81	\$ 1,858.49
City of Glendora	no		\$ 1,896.62		\$ 1,896.62	10%	\$ 189.66	5.00%	\$ 94.83	\$ 2,181.12
City of Hawaiian Gardens	yes			\$ 2,006.10	\$ 2,006.10	5%	\$ 100.31	0.00%	\$ -	\$ 2,106.41
City of Hidden Hills	no	\$ 571.36			\$ 571.36	10%	\$ 57.14	5.00%	\$ 28.57	\$ 657.06
City of Huntington Park	yes	\$ 625.71			\$ 625.71	5%	\$ 31.29	0.00%	\$ -	\$ 656.99
City of Industry	no		\$ 1,673.71		\$ 1,673.71	10%	\$ 167.37	5.00%	\$ 83.70	\$ 1,924.76
City of Irwindale	no	\$ 574.89	\$ 1,335.44		\$ 1,910.33	10%	\$ 191.03	5.00%	\$ 95.53	\$ 2,196.88
City of La Canada Flintridge	no	\$ 827.84			\$ 827.84	10%	\$ 82.78	5.00%	\$ 41.39	\$ 952.02
City of La Habra Heights	no		\$ 739.62	\$ 3,079.29	\$ 3,818.91	10%	\$ 381.89	5.00%	\$ 190.96	\$ 4,391.74
City of La Mirada	yes			\$ 4,023.31	\$ 4,023.31	5%	\$ 201.17	0.00%	\$ -	\$ 4,224.48
City of La Puente	no		\$ 943.19		\$ 943.19	10%	\$ 94.32	5.00%	\$ 47.15	\$ 1,084.67
City of La Verne	no		\$ 1,379.22		\$ 1,379.22	10%	\$ 137.92	5.00%	\$ 68.96	\$ 1,586.10
City of Lakewood	yes	\$ 520.32	\$ 736.66	\$ 2,010.68	\$ 3,267.67	5%	\$ 163.38	0.00%	\$ -	\$ 3,431.05
City of Long Beach	yes	\$ 959.42	\$ 730.08	\$ 2,420.17	\$ 4,109.67	5%	\$ 205.48	0.00%	\$ -	\$ 4,315.16
City of Los Angeles	no	\$ 10,685.26			\$ 10,685.26	10%	\$ 1,068.53	5.00%	\$ 534.26	\$ 12,288.05
City of Lynwood	yes	\$ 691.22			\$ 691.22	5%	\$ 34.56	0.00%	\$ -	\$ 725.78
City of Maywood	yes	\$ 559.75			\$ 559.75	5%	\$ 27.98	0.00%	\$ -	\$ 587.74
City of Monrovia	no	\$ 798.17	\$ 653.67		\$ 1,451.85	10%	\$ 145.18	5.00%	\$ 72.59	\$ 1,669.62
City of Montebello	yes	\$ 817.86			\$ 817.86	5%	\$ 40.88	0.00%	\$ -	\$ 858.75
City of Monterey Park	no	\$ 795.20			\$ 795.20	10%	\$ 79.52	5.00%	\$ 39.76	\$ 914.48
City of Norwalk	yes		\$ 1,021.21	\$ 3,308.77	\$ 4,329.98	5%	\$ 216.50	0.00%	\$ -	\$ 4,546.48

**Harbor Toxic Upstream
FY 2025-2026 Cost Share**

Agency	GWMA Member?	LAR S10	SGR GR1	SGR-CC S13	Subtotal	Direct Admin Fee %	GWMA Direct Admin Fee	Indirect Admin Fee %	GWMA Indirect Admin Fee	Total Fee
City of Paramount	yes	\$ 629.46			\$ 629.46	5%	\$ 31.47	0.00%	\$ -	\$ 660.94
City of Pasadena	no	\$ 1,347.82			\$ 1,347.82	10%	\$ 134.78	5.00%	\$ 67.40	\$ 1,549.99
City of Pico Rivera	yes	\$ 602.15	\$ 1,174.43		\$ 1,776.58	5%	\$ 88.83	0.00%	\$ -	\$ 1,865.41
City of Pomona	no		\$ 2,620.96		\$ 2,620.96	10%	\$ 262.10	5.00%	\$ 131.05	\$ 3,014.10
City of Rosemead	no	\$ 703.16			\$ 703.16	10%	\$ 70.32	5.00%	\$ 35.16	\$ 808.64
City of San Dimas	no		\$ 1,971.55		\$ 1,971.55	10%	\$ 197.16	5.00%	\$ 98.58	\$ 2,267.29
City of San Fernando	no	\$ 602.60			\$ 602.60	10%	\$ 60.26	5.00%	\$ 30.12	\$ 692.99
City of San Gabriel	no	\$ 665.81			\$ 665.81	10%	\$ 66.58	5.00%	\$ 33.29	\$ 765.68
City of San Marino	no	\$ 652.63			\$ 652.63	10%	\$ 65.26	5.00%	\$ 32.63	\$ 750.52
City of Santa Fe Springs	yes		\$ 902.64	\$ 3,455.34	\$ 4,357.98	5%	\$ 217.90	0.00%	\$ -	\$ 4,575.88
City of Sierra Madre	no	\$ 617.97			\$ 617.97	10%	\$ 61.80	5.00%	\$ 30.89	\$ 710.66
City of Signal Hill	yes	\$ 523.29			\$ 523.29	5%	\$ 26.16	0.00%	\$ -	\$ 549.46
City of South El Monte	no	\$ 605.44	\$ 677.84		\$ 1,283.28	10%	\$ 128.33	5.00%	\$ 64.16	\$ 1,475.77
City of South Gate	yes	\$ 781.29			\$ 781.29	5%	\$ 39.06	0.00%	\$ -	\$ 820.36
City of South Pasadena	no	\$ 640.06			\$ 640.06	10%	\$ 64.01	5.00%	\$ 32.00	\$ 736.07
City of Temple City	no	\$ 661.99			\$ 661.99	10%	\$ 66.20	5.00%	\$ 33.10	\$ 761.29
LA County Unincorporated	no	\$ 2,908.87	\$ 4,905.56	\$ 6,512.31	\$ 14,326.74	10%	\$ 1,432.67	5.00%	\$ 716.34	\$ 16,475.75
City of Vernon	yes	\$ 702.43			\$ 702.43	5%	\$ 35.12	0.00%	\$ -	\$ 737.55
City of Walnut	no		\$ 1,419.91		\$ 1,419.91	10%	\$ 141.99	5.00%	\$ 71.00	\$ 1,632.89
City of West Covina	no		\$ 2,034.80		\$ 2,034.80	10%	\$ 203.48	5.00%	\$ 101.74	\$ 2,340.02
City of Whittier	yes		\$ 868.13	\$ 5,267.35	\$ 6,135.48	5%	\$ 306.77	0.00%	\$ -	\$ 6,442.25
LACFCD	no	\$ 2,178.78	\$ 2,178.78	\$ 2,178.78	\$ 6,536.34	10%	\$ 653.63	5.00%	\$ 326.83	\$ 7,516.79
Total		\$44,456.74	\$ 43,575.57	\$ 43,575.57	\$ 131,607.88		\$ 10,731.43		\$ 4,151.06	\$ 146,490.37

NOTES:
The GWMA administration cost is as follows:
Direct admin fee is 0-5% for GWMA members and 5-10% for non-members.
Indirect admin fee is 2-5% for non-members.

The rates applied above assume the following :
GWMA Members Admin Fee = 5%
GWMA Non-Members Admin Fee = 10%
GWMA Indirect Fee = 5%

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COUNCIL AGENDA

August 8, 2023

TO: Honorable Mayor and City Council

SUBJECT: Justice Assistance Grant Program Funding for Contracted Drone Services

INTRODUCTION

Each year the City is eligible to receive an allocation of funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) program. The purpose of the program is to fund crime prevention and criminal justice programs and projects.

STATEMENT OF FACTS

The City has been notified that we may claim an entitlement grant of \$20,043 from the Justice Assistance Program and that contracting with a drone services provider to provide on-demand drone flight services and related staff training is an eligible expense. Contracting with a drone service provider will allow the city to identify and evaluate the pros and cons of drone services to supplement existing public safety and crime prevention efforts, assess feasibility of contract versus in-house services, and determine whether a drone program is of an overall benefit to Lakewood.

It should be noted that the purchase of a drones (or Unmanned Aerial Vehicle/UAV) and related accessory equipment are not eligible uses of JAG funds.

The JAG program requires the City Council to review the proposed project during a regularly scheduled meeting of the Council and allow an opportunity for the public to provide comment.

RECOMMENDATION

Staff recommends the City Council:

- 1) Approve the proposed JAG Program funding project to contract with a drone service provider for on-demand drone services
- 2) Authorize the Mayor to sign the Certifications and Assurances by the Chief Executive of the Applicant Government
- 3) Authorize the City Manager to sign the appropriate award acceptance documents
- 4) Direct the Director of Finance & Administrative Services to appropriate \$20,043 of JAG funds in the FY2023-2024 budget upon award and acceptance of grants funds

Joshua Yordt
Director of Public Safety

Thaddeus McCormack
City Manager

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Agreement for Fest-Of-All Family Entertainment and Amusements

INTRODUCTION:

The City of Lakewood will host the Fest-Of-All multicultural food and music festival on Saturday, October 14, 2023 from 2:00 to 8:00 p.m. at Lakewood Center. Inflatable attractions will be open from 2:00 to 8:00 p.m., with tickets sales concluding at 7:15 p.m.

STATEMENT OF FACT

The Fest-Of-All represents a wide variety of cultures and celebrates the diversity of the Lakewood Community. Event elements will include entertainment, multicultural food court, family fun zone, craft village, children's cultural booth and community vendor booths.

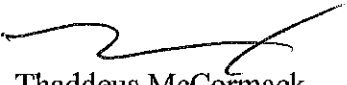
Elite Special Events will provide nine inflatable attractions for the event. Tickets will be sold on site at the event. Wristbands providing unlimited use of the attractions will be sold for \$35, a family pack of 25 tickets for \$20, and individual tickets for \$2 each. Attractions take 2-5 tickets, depending on the attraction.

Staff have worked closely with Elite Special Events to provide attractions and games at past special events. The contractor has proven to be trusted, reliable, and provides safe attractions for this and other events in Los Angeles and Orange counties.

RECOMMENDATION

Staff recommends that the City Council authorize the mayor and city clerk to approve the Agreement for the 2023 Fest-Of-All with Elite Special Events subject to approval as to legal form by the City Attorney.

Valarie Frost, Director 
Recreation and Community Services


Thaddeus McCormack
City Manager

**CITY OF LAKEWOOD
AGREEMENT FOR
FEST-OF-ALL FAMILY ENTERTAINMENT AND AMUSEMENTS**

This Agreement made and entered into this 8th day of August 2023 by and between CITY OF LAKEWOOD, a municipal corporation (“City”), and ELITE SPECIAL EVENTS (“Contractor”).

W I T N E S S E T H

WHEREAS, City has approved and scheduled the Fest-Of-All community special event at Lakewood Center, 500 Lakewood Center Mall, Lakewood, California; and

WHEREAS, City desires to provide family entertainment and amusements as part of the Fest-Of-All community special event; and

WHEREAS, Contractor represents that it has the equipment, supplies and technical personnel to provide said family entertainment and amusements; and

WHEREAS, Contractor is desirous of providing said family entertainment and amusements;

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants and Agreements of each of the parties as hereinafter set forth, the parties hereto do mutually agree as follows:

1. **SCOPE OF SERVICES.** Contractor agrees to provide at its own cost and expense:
 - A. Family entertainment and amusements as listed in Exhibit A with the understanding that Contractor may at its request substitute amusements not listed, provided City approval in writing is received for said substitution.
 - B. All necessary personnel, equipment and supplies including, but not limited to three (3) management staff, set-up crew, various entertainment attractions, generators, and cleanup crew.
 - C. Appropriate and clean uniforms for all Contractor’s employees.

2. **PERFORMANCE.** Contractor shall at all times faithfully, competently and to the best of their ability, experience, and talent, perform all tasks described herein. Contractor shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing similar services in meeting its obligations under this Agreement. Generally, accepted standards shall include, but are not limited to, American Society for Testing and Materials (ASTM) F2374-10, Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices

3. **TIME OF PERFORMANCE.** Contractor agrees to provide said family entertainment and amusements to the public on Saturday, October 14, 2023 from 2:00 p.m. – 8:00 p.m. Contractor is to have attractions set-up and ready for inspection by 12 p.m. on Saturday, October 14, 2023. City reserves the right to change the time, place and manner of said event

in any respect at any time prior to thirty (30) days before October 14, 2023.

4. **SET-UP/BREAKDOWN TIME.** City agrees to allow Contractor a period of three hours prior to the event for set-up. City agrees to allow Contractor a period of three hours for breakdown at the conclusion of the event.
5. **COMPENSATION FOR SERVICES.** City shall incur no out of pocket expenses for services rendered by Contractor. Contractor shall pay City a percent of Contractor's gross sales as tabled below.

Contractor's Gross Sales	Percent of Gross Sales Due to City
\$0-\$4,999	0%
\$5,000- \$7,999	10%
\$8,000 - \$9,999	15%
\$10,000 and above	20%

6. **SUSPENSION OR TERMINATION OF AGREEMENT WITHOUT CAUSE.** City may at any time, for any reason, with or without cause, suspend or terminate this Agreement, or any portion hereof, by serving upon Contractor at least thirty (30) days prior written notice or should it be event date.
7. **INDEPENDENT CONTRACTOR.** Contractor is and shall at all times remain as to City a wholly independent Contractor. The personnel performing the services under this Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Contractor shall not at any time or in any manner represent that it or any of its officers, employees, or agents are in any manner or capacity officers, employees, or agents of City. Contractor shall not incur or have the power to incur any debt, obligation, or liability whatever against City, or bind City in any manner. No employee benefits shall be available to Contractor in connection with the performance of this Agreement. City shall not pay salaries, wages, or other compensation to Contractor for performing services hereunder for City. City shall not be liable for compensation or indemnification to Contractor for injury or sickness arising out of performing services hereunder.
8. **NON-DISCRIMINATION IN EMPLOYMENT PRACTICES.** Contractor shall not discriminate in the employment of persons in connection with the performance of services as provided for in this Agreement on the basis of race, color, creed, national origin, sex, ancestry, religion, age or handicaps.
9. **LIABILITIES AND INDEMNIFICATION.** Contractor shall indemnify, defend, and hold harmless City, and its officers employees, and agents ("City indemnitees"), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable attorneys' fees and costs of litigation ("claims"), arising from Contractor's activities in the performance of the services under this Agreement, excepting only those actions, claims, liabilities, obligations, judgments, or damages arising out of the sole negligence of City indemnitees. In the event City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding alleging negligent or wrongful conduct on the part of

Contractor:

- A. Contractor shall provide a defense to City indemnitees or at City's option reimburse City indemnitees their costs of defense, including reasonable attorneys' fees, incurred in defense of such claims; and
- B. Contractor shall promptly pay any final judgment or portion thereof rendered against City indemnitees.

10. **INSURANCE.** Prior to the beginning of and throughout the duration of the placement of any inflatable devices or other equipment, Contractor will maintain insurance in conformance with the requirements set forth below. Contractor will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, Contractor agrees to amend, supplement or endorse the existing coverage to do so. Contractor acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to Contractor in excess of the minimum limits and coverage set forth in this Agreement and which is applicable to a given loss or claim shall be deemed by this Agreement to be applicable to City.

Contractor shall provide the following types and amounts of insurance:

- A. **General liability insurance.** Contractor shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.
- B. **Automobile liability insurance.** Contractor shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of Contractor arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident. If Contractor owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Contractor or Contractor's employees will use personal autos in any way on this project, Contractor shall provide evidence of personal auto liability coverage for each such person and an endorsement from their carrier for business use.
- C. **Workers' compensation insurance.** Contractor shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000).

Contractor shall submit to City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of City, its officers, agents, employees and volunteers.

11. ADDITIONAL INSURANCE PROVISIONS AND REQUIREMENTS

- A. **Proof of insurance.** Contractor shall provide certificates of insurance to City as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by City's Risk Manager prior to commencement of performance. Current certification of insurance shall be kept on file with City at all times during the term of this contract. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

- B. **Duration of coverage.** Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by Contractor, his/her agents, representatives, employees or sub consultants.

- C. **Primary/Noncontributing.** Coverage provided by Contractor shall be primary and any insurance or self-insurance procured or maintained by City shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City before City's own insurance or self-insurance shall be called upon to protect it as a named insured.

- D. **City's Non-compliance.** City's non-compliance with any requirement imposes no additional obligations on City nor does it waive any rights hereunder.

- E. **Requirements not limiting.** Requirements of specific coverage features or limits contained in this section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If Contractor maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

- F. **Notice of cancellation.** Contractor agrees to oblige its insurance agent or broker and insurers to provide to City with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

- G. **Additional insured status.** General liability policies shall provide or be endorsed to provide that City and its officers, officials, employees, and agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to

any excess/umbrella liability policies.

- H. **Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.
- I. **Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- J. **Pass through clause.** Contractor agrees to ensure that its sub consultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by Contractor, provide the same minimum insurance coverage and endorsements required of Contractor. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Contractor agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to City for review.
- K. **City's right to revise specifications.** City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving Contractor ninety (90) days advance written notice of such change. If such change results in substantial additional cost to Contractor, City and Contractor may renegotiate Contractor's compensation.
- L. **Agency's rights of enforcement.** In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Contractor or City will withhold amounts sufficient to pay premium from Contractor payments. In the alternative, City may cancel this Agreement.
- M. **Acceptable insurers.** All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policy holders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by City's Risk Manager.
- N. **Waiver of subrogation.** All insurance coverage maintained or procured pursuant to this Agreement shall be endorsed to waive subrogation against City, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically

allow Contractor or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Contractor hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its sub consultants.

- O. **Enforcement of contract provisions (non-estoppel).** Contractor acknowledges and agrees that any actual or alleged failure on the part of City to inform Contractor of non-compliance with any requirement imposes no additional obligations on City nor does it waive any rights hereunder.
 - P. **Self-insured retentions.** Any self-insured retentions must be declared to and approved by City. City reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by City.
 - Q. **Timely notice of claims.** Contractor shall give City prompt and timely notice of claims made or suits instituted that arise out of or result from Contractor's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
 - R. **Additional insurance.** Contractor shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the work.
12. **SUBCONTRACTING.** Contractor shall not assign the performance of this Agreement, nor any part thereof, without prior written consent of City. Because of the personal nature of the services to be rendered pursuant to this Agreement, only Contractor shall perform the services described in this Agreement.
13. **GENERAL RESPONSIBILITIES.** Contractor agrees that the development, presentation and maintenance of the Fest-Of-All family entertainment and amusements shall be its sole responsibility. It is further agreed and understood, however, that the time, place and manner of said presentation, any fees or charges for said presentation, and the overall format of said presentation shall be subject to the approval of City, and City reserves the right to terminate said presentation at any time, or to change the time, place and manner of said presentation in any respect at any time, without further notice in the reasonable discretion of the responsible City officer serving as representative of City when that officer has determined such termination is necessary for the public health, safety, convenience or welfare.
14. **UNDUE INFLUENCE.** Contractor declares and warrants that no undue influence or pressure is used against or in concert with any officer or employee of City in connection with the award, terms or implementation of this Agreement, including any method of coercion, confidential financial arrangement, or financial inducement. No officer or employee of City will receive compensation, directly or indirectly, from Contractor, or from any officer, employee or agent of Contractor, in connection with the award of this Agreement or any

work to be conducted as a result of this Agreement. Violation of this Section shall be a material breach of this Agreement entitling City to any and all remedies at law or in equity.

15. **ASSUMPTION OF RISK.** Contractor does hereby assume all risk to itself, its personnel, subcontractors, and agents and employees thereof, of personal injury or death, and all risk of property damage or loss to any property, wares, or materials of the foregoing from whatever source, and said Contractor further releases City, City Council, and all officers and employees thereof, from any liability therefor, or for contribution as a joint tortfeasor therefor.
16. **WASTE.** Contractor shall not utilize any of the grounds, buildings or premises of City/or Lakewood Center so as to commit waste, and where damaged by it shall restore the same to the same condition it was in prior to the commencement of this Agreement, reasonable wear and tear excepted.
17. **LEGAL RESPONSIBILITIES.** Contractor shall keep itself informed of State and Federal laws and regulations, which in any manner affect those employed by it or in any way, affect the performance of its service pursuant to this Agreement. Contractor shall at all times observe and comply with all such laws and regulations. City, and its officers and employees, shall not be liable at law or in equity occasioned by failure of Contractor to comply with this section.
18. **LAWS, ORDINANCE, LICENSES AND PERMITS.** Contractor shall comply with all applicable laws, ordinances and codes of the State, County, and City and Contractor shall obtain, at Contractor's cost, all necessary licenses, permits and approvals for said attractions. Contractor is to obtain a City business license for the Fest-Of-All Community Special Event. At all times during the term of this Agreement, Contractor shall have in full force and effect, all licenses required of it by law for the performance of the services described in this Agreement.
19. **GOVERNING LAW.** City and Contractor understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with jurisdiction over City.
20. **ENTIRE AGREEMENT.** This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.
21. **AUTHORITY TO EXECUTE THIS AGREEMENT.** The person or persons executing this Agreement on behalf of Contractor warrants and represents that he/she has the authority

**EXHIBIT A
AMUSEMENTS TO BE PROVIDED
FOR LAKEWOOD'S FEST-OF-ALL EVENT**

Under the terms of this Agreement, Contractor's services will be retained by City. This Agreement is authorization for the Contractor to place inflatable amusement devices at specified locations in, on or about City owned park or other facility authorized for use by City.

LIST OF AMUSEMENTS FOR LAKEWOOD'S FEST-OF-ALL EVENT

1	Vertical Rush Giant Slide
2	Wrecking Ball War
3	Big Baller Wipeout
4	Mechanical Bull
5	Rocky Mountain climbing wall
6	Extreme Obstacle Course
7	Farm animal kids obstacle
8	Frozen Bouncer
9	Tropical Bouncer
10	4 generators
11	10 attendants

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Authorize Temporary Increase in City Manager Signature Authority for California Uniform Public Construction Cost Accounting Act (CUPCCAA) Projects to Award Centre Painting and Centre Carpet Installation

INTRODUCTION

Staff is preparing to go out to informal bid for the Centre Painting and Centre Carpet improvements, both small CUPCCAA (California Uniform Public Construction Cost Accounting Act) projects. The Act allows for simplified bidding policies and procedures which will save the City time and money on smaller projects. Due to the second council meeting in August going dark, staff recommends the City Council temporarily increase the City Manager's contracting authority on capital improvement projects to the upper limits of CUPCCAA, or \$200,000.

STATEMENT OF FACT

On December 14, 2021, City Council adopted a resolution and an ordinance that adopted CUPCCAA bidding procedures in order to streamline the procurement process and leverage the functions of the Public Works department to complete smaller projects. The Act allows for a sped up award process; expedited project delivery; reduced time, effort and expense associated with bidding projects under \$200,000; and simplified administration for those projects. In addition, City Council authorized that the dollar threshold of the City Manager's contracting authority on public projects be increased to \$60,000, or as modified by the Act in the future.

The Weingart ballroom at the Centre is blocked out from July 31, 2023 until October 2, 2023 for varied improvements, including lighting, ceiling and carpet improvements. The Centre lighting and ceiling improvements are in construction. Staff is finalizing plans and specs with City Architect Randy Meyer for Centre lobby painting improvements and Centre Weingart ballroom carpet installation. Painting of the lobby is expected to be a CUPCCAA project, and staff hopes to complete this work while the ballroom is blocked out for construction. The painting improvements would get charged to the annual painting CIP project. Staff has ordered the replacement Weingart ballroom carpet, and it is expected to ship out to the City at the end of August. The carpet replacement will be another CUPCCAA project, and this work is expected to take place near the end of September.

Staff intends to informally bid out the installation of the carpet and paint improvements in August, once the plans and specs have been finalized. Due to the second council meeting in August going dark, staff recommends temporarily increasing the City Manager's contracting authority between August 8th and September 12th to the upper limit of CUPCCAA, which is \$200,000, in order to award the painting and carpeting installation and meet the schedule for when the ballroom is


Authorize Temporary Increase in City Manager Signature Authority for California Uniform Public Construction Cost Accounting Act (CUPCCAA) Projects
August 8, 2023
Page 2


closed. At the meeting of the CIP Committee on July 31, 2023, staff briefed the committee members on the proposed recommendation, and they concurred with the staff recommendation.

RECOMMENDATION

It is recommended that the City Council:

- (1) Temporarily increase the City Manager's contracting authority from August 8th to September 12th on public projects to \$200,000, specifically to award the Centre carpet installation and painting at portions of the Centre.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Additional Architectural Services Authorization – Dahlin Group – Palms
Community Center Improvements

INTRODUCTION

Previously, City on-call architect Dahlin Group was tasked with the architectural design services for the Palms Community Center Improvements project. Dahlin is currently finishing up the design development stage before they will move into the construction document phase of the project. Staff asked for a proposal to include furniture specifications and gymnasium wall art into the project.

STATEMENT OF FACT

Staff received a proposal from Dahlin for the additional architectural services to add an interior graphic signage package in the gymnasium, as well as to add furniture design and specifications to the project. The scope of work for this proposal includes:


1. Interior Graphic Signage – The consultant will provide design concepts and a graphic package for acrylic silhouette cut outs along the south interior elevation of the gymnasium.
2. Interior Design – Furniture Design and Specifications – Based on the owner approved budget, direction and space plan, Dahlin will provide furniture specifications including furniture specifications and layout, fabric specifications, and a finalized space plan.


The total cost of the proposal is \$22,000. At the meeting of the CIP Committee held on July 31, 2023, staff briefed the committee members on the design proposal; they concurred with the staff recommendation to bring it to Council for authorization. There are sufficient funds in the project budget account 17409922-58800-70118.

RECOMMENDATION

Staff and the CIP Committee recommend that the City Council:

- (1) Authorize additional design work for the Palms Community Center Improvements per the Dahlin Group proposal dated June 20, 2023, in an amount not-to-exceed \$22,000, and authorize the Mayor to sign the proposal.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

REQUESTED ADDITIONAL SERVICES (“RAS”) #02

PROJECT NAME: PALMS PARK COMMUNITY CENTER	RAS DATE: JUNE 20, 2023
DAHLIN PROJECT ID: 1533-006	ORIGINAL AGREEMENT DATE: SEPTEMBER 13, 2023
ARCHITECT: DAHLIN GROUP, INC.	OWNER: CITY OF LAKEWOOD
OFFICE ADDRESS: 505 Technology Drive, Suite 200 Irvine, CA 92618	ADDRESS: 505 N. Clark Avenue Lakewood, CA 90712
BILLING ADDRESS: 5865 Owens Drive Pleasanton, CA 94588	REPRESENTATIVE: Kelli Pickler Director of Public Works
REPRESENTATIVE: Daniel Berghauser, AIA Project Manager Stephanie Fujimura, AIA LEED AP Principal / Sr. Architect	PHONE: 562-866-9771
PHONE: 949-250-4680	EMAIL: kpickler@lakewoodcity.org
EMAIL: daniel.berghauser@dahlingroup.com stephanie.fujimura@dahlingroup.com	

I. ADDITIONAL SERVICES

- A. In relation to the above Agreement, DAHLIN requests authorization to perform the following Additional Services,
1. **Signage** - Interior Graphic Signage – Graphic Package, Specifications, and Construction Administration based on the attached signage intent illustrated in the Interior Design presentation dated 06/13/2023, attached as Exhibit A.
 2. **Interior Design** - Furniture Design and Specifications based on the attached furniture intent illustrated in the Interior Design presentation dated 06/13/2023 (See Exhibit A).

II. SCOPE OF SERVICES

A. SIGNAGE – INTERIOR GRAPHIC SIGNAGE

1. DAHLIN and DAHLIN’s Consultant will provide design concepts and graphic package for acrylic silhouette cut outs along the south interior elevation of the gymnasium. Design characteristics:
 - a. Design a variety of cut acrylic art pieces varying in sizes.
 - b. Scope to include five (5) initial design options for OWNER review, includes two (2) rounds of revisions of the OWNER’s preferred option.
 - c. DAHLIN and DAHLIN’s Consultants will provide material specifications and a signage design package to be included in the PROJECT manual for Bid.
 - d. Graphic package to include attachment detail (non-structural)
 - e. New interior signage is not anticipated to be illuminated nor do we anticipate the addition of lighting to the building interior to light new signage, per discussion with OWNER at presentation on 06/13/23.
 - f. DAHLIN and DAHLIN’s Consultants will provide Construction Administration Services for the additional scope.
 - g. Shop Drawings and Construction Documents are not included in this Graphic design concept proposal.

REQUESTED ADDITIONAL SERVICES #02

B. INTERIOR DESIGN - FURNITURE DESIGN & SPECIFICATIONS

1. Based on the OWNER-approved furniture budget, direction, and space plan, DAHLIN Interiors will provide furniture specifications including:
 - a. Furniture specifications and layout.
 - b. Fabric specifications.
 - c. Finalized Space Plan.
2. DAHLIN Interiors will prepare one (1) round of revisions, for this Scope of Work. DAHLIN's fee is based on an assumption of minor modifications to the Basis of Design. Substantial revisions will require Additional Services.
3. Meetings and presentations during furniture specifications are referenced below. DAHLIN's fee estimate includes:
 - a. Up to one (1) in person and two (2) virtual meetings with OWNER and/or consultants.
 - b. Except as noted above, all time (including travel time) associated with PROJECT meetings and presentations attended by DAHLIN or DAHLIN's consultants at the request of OWNER will be Additional Services.
4. DAHLIN Interiors can provide the following Procurement Purchasing services under a separate Purchasing Agreement upon OWNER's written request. Items are not included in this proposal.
 - a. Cost of Goods;
 - b. Purchasing of Goods;
 - c. Receiving;
 - d. Storage;
 - e. Delivery;
 - f. Installation.
5. DAHLIN Interiors can provide Construction Administration services upon OWNER's request as an additional service.

III. COMPENSATION

A. FEE SUMMARY

SCOPE OF SERVICES	FIXED FEE
II.A. PH 90.2.0 – SIGNAGE – INTERIOR GRAPHIC SIGNAGE	\$3,000
II.B. PH 90.2.1 – INTERIOR DESIGN – FURNITURE DESIGN & SPECIFICATIONS	\$19,000
TOTAL FEES:	\$22,000

Thank you,

Daniel Berghauser

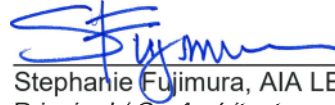
REQUESTED ADDITIONAL SERVICES #02

Approved this date: _____
(Filled in by OWNER)

CITY OF LAKEWOOD

DAHLIN GROUP, INC.

MAYOR



Stephanie Fujimura, AIA LEED AP
Principal / Sr. Architect
License #C36523 and Exp. 03/21/2025

This Agreement can be accepted by either signing where indicated or providing a written notice to proceed. A written notice to proceed by electronic mail or other means signifies an acceptance of all terms and conditions contained within this Agreement.

END OF RAS 02



EXHIBIT A



LAKEWOOD PALMS PARK COMMUNITY CENTER



PROPOSED EXTERIOR



PROPOSED EXTERIOR



ASSEMBLY ROOM PATIO



TRESPA



FIBER CEMENT

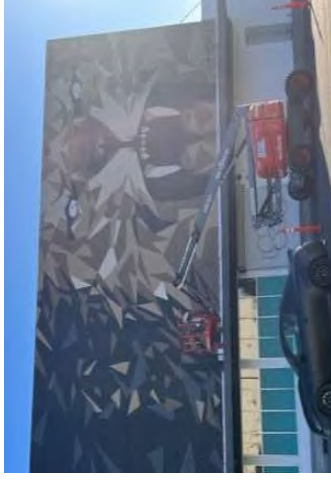


LANDSCAPE

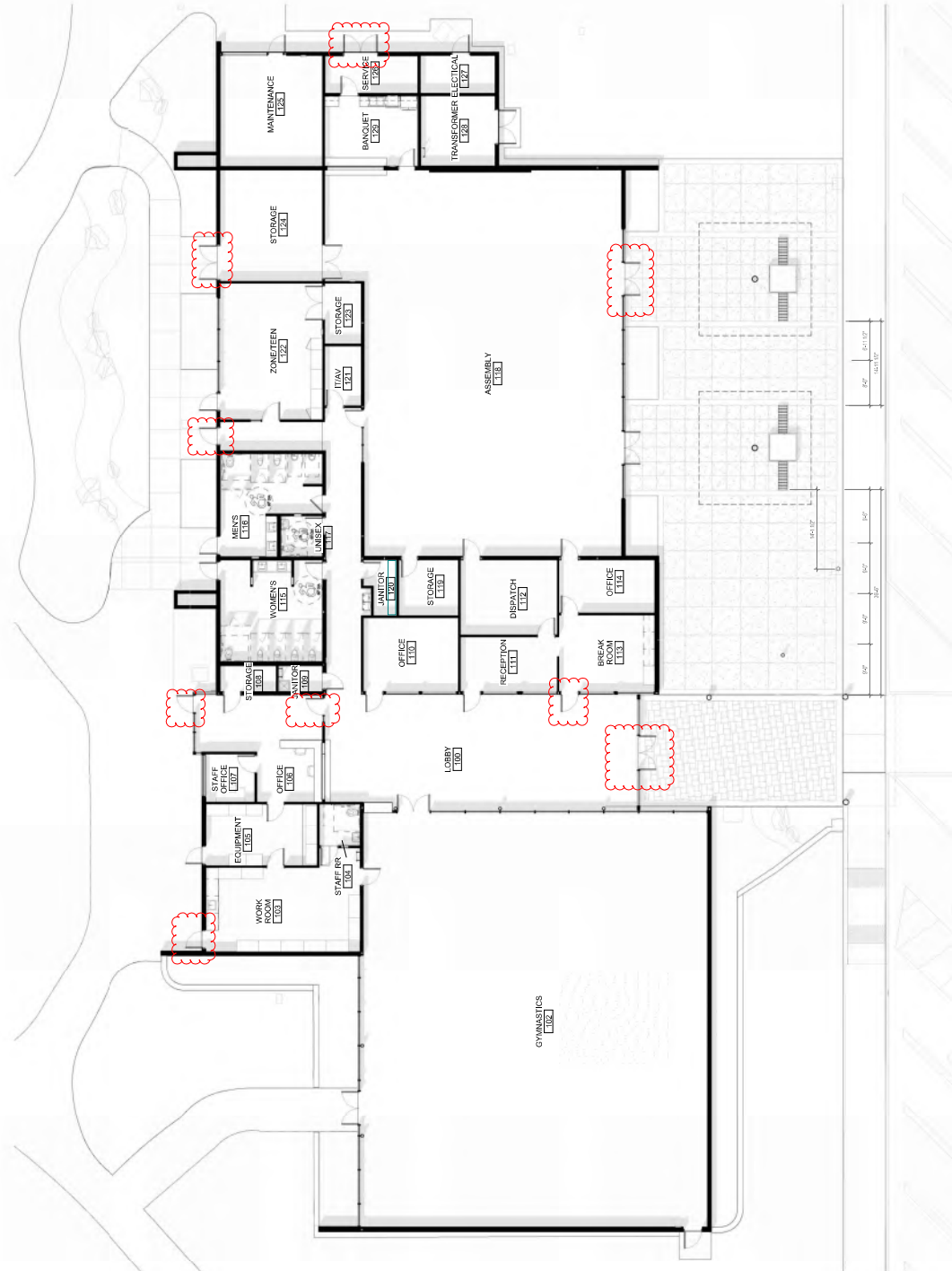
DURABLE & SUSTAINABLE
CLADDING AND LANDSCAPING



LOCAL MURAL ART



EV CHARGING



1 PRESENTATION FLOOR PLAN
1/8" = 1'-0"

FLOOR PLAN
 PALMS PARK COMMUNITY CENTER
 12305 207TH ST., LAKEWOOD, CA 90715



DAHLIN
 ARCHITECTS

JOB NO. 1533.006
 DATE 05.24.23
 505 Technology Dr Suite 200
 Lakewood, CA 90718
 848.295.4800

P-002

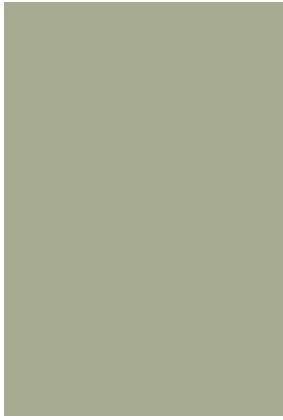
LOBBY



Ceiling – Wood Plank



Field Paint



Accent Paint



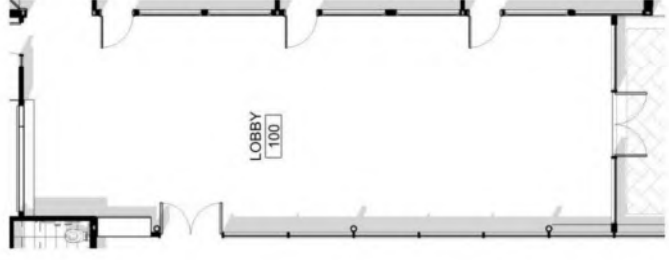
Flooring - LVT



Casework



Lighting



LOBBY



Ceiling – Wood Plank



Field Paint



Accent Paint



Casework



Lighting



LOBBY



Flooring – LVT



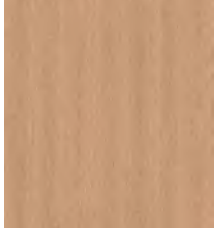
Ceiling – Wood Plank



Field Paint



Accent Paint



Casework



Lighting



LOBBY



Flooring – LVT

DAHLIN GROUP ARCHITECTURE | PLANNING



Ceiling – Wood Plank



Field Paint



Accent Paint



Casework



Lighting



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PASSION FOR PLACE

LOBBY



Flooring – LVT



Ceiling – Wood Plank



Field Paint



Accent Paint



Casework

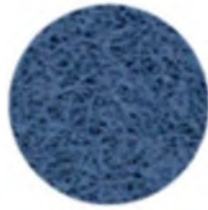


Lighting



GYMNASIUM

Ceiling - Tectum



Rainstorm



Basalt



Polar

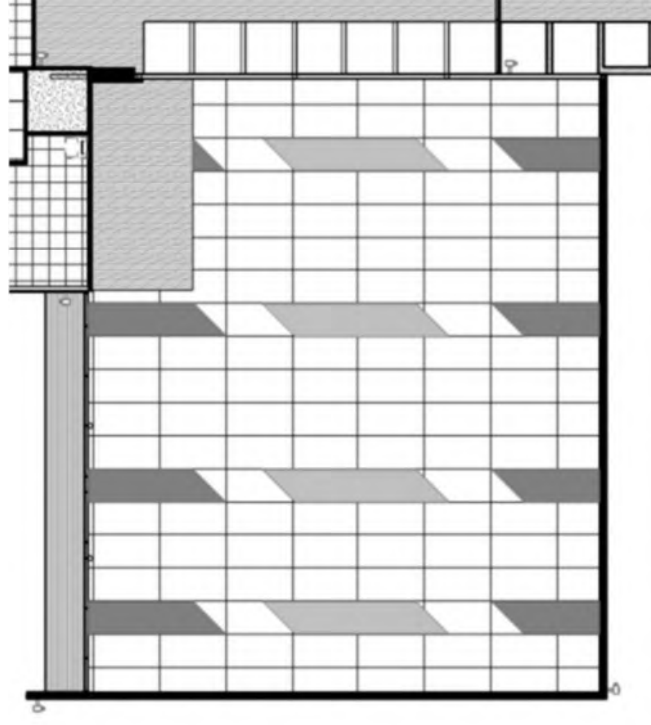
Wall - Tectum



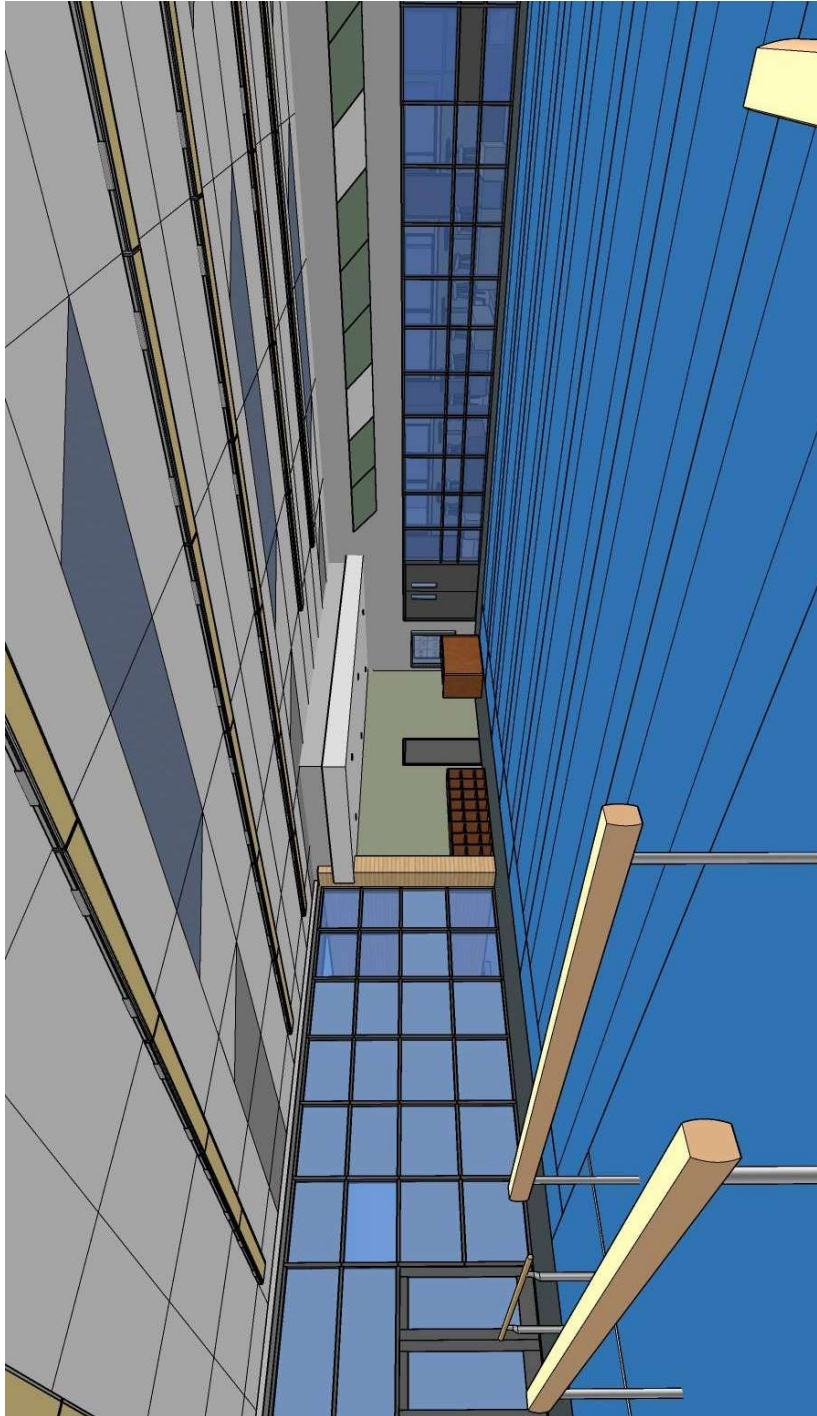
Limestone



Fern



GYMNASIUM



Ceiling -Tectum



Rainsstorm



Basalt



Polar

Wall -Tectum



Limestone



Fern



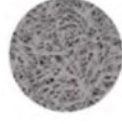
GYMNASIUM



Ceiling -Tectum



Rainsform



Basalt



Polar

Wall -Tectum



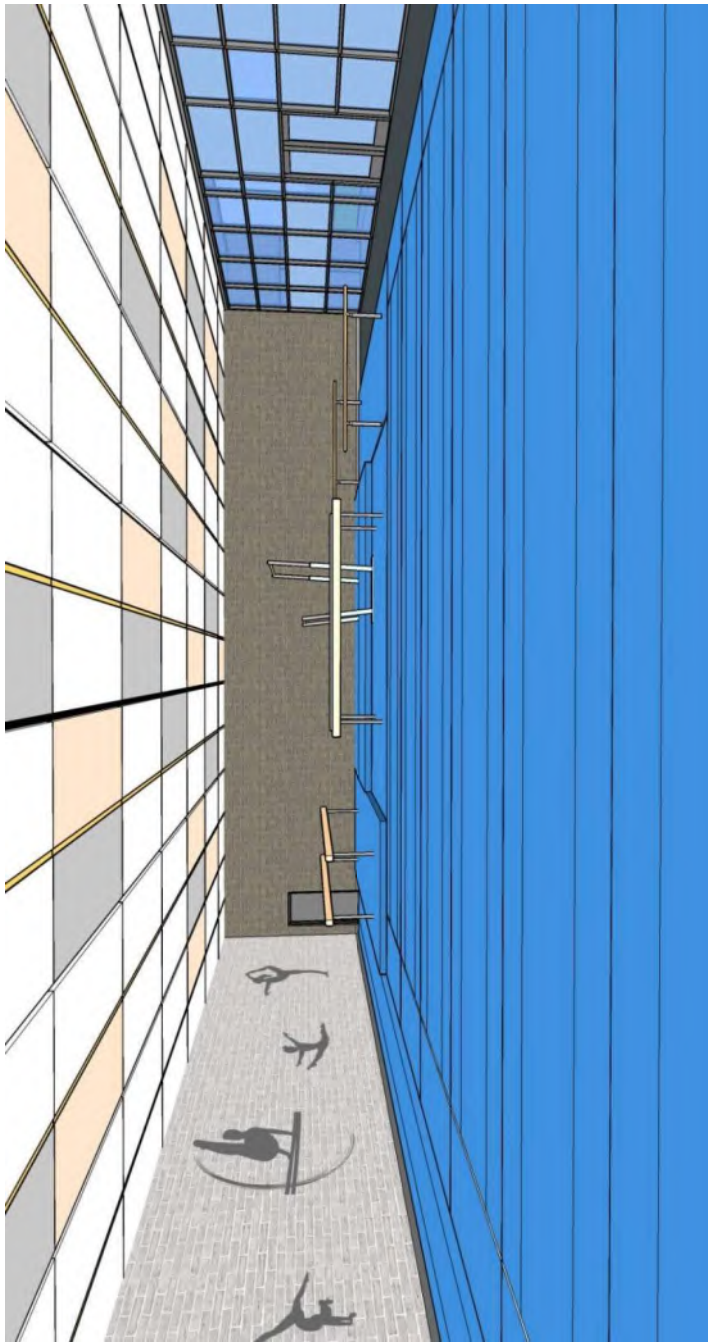
Limestone



Fern



GYMNASIUM – CEILING OPTION 1



LINEAR FOCUS

FELTWORKS



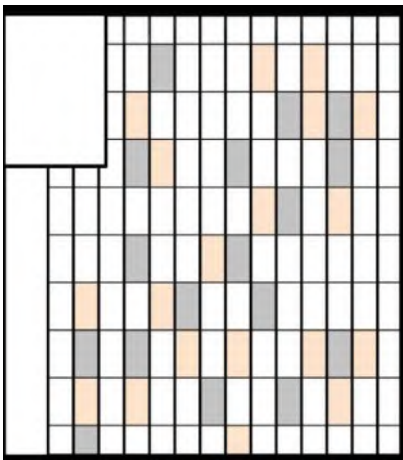
White (FWH)



Beige (FBG)



Light Grey (FLC)



GYMNASIUM – CEILING OPTION 1



FELTWORKS



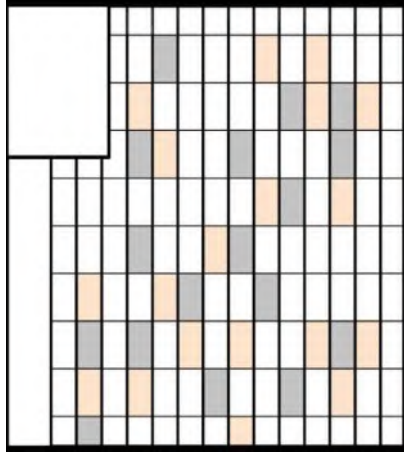
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(FWH)



Beige
(FBG)



Light Grey
(FLC)



LINEAR FOCUS

ASSEMBLY

Ceiling - Tectum



Fern



Polar



Limestone

Lighting – Finelite HP 2



Walls



Field Paint



Accent Paint



Koroseal - Remembrance



Tectum - White

Flooring – LVT



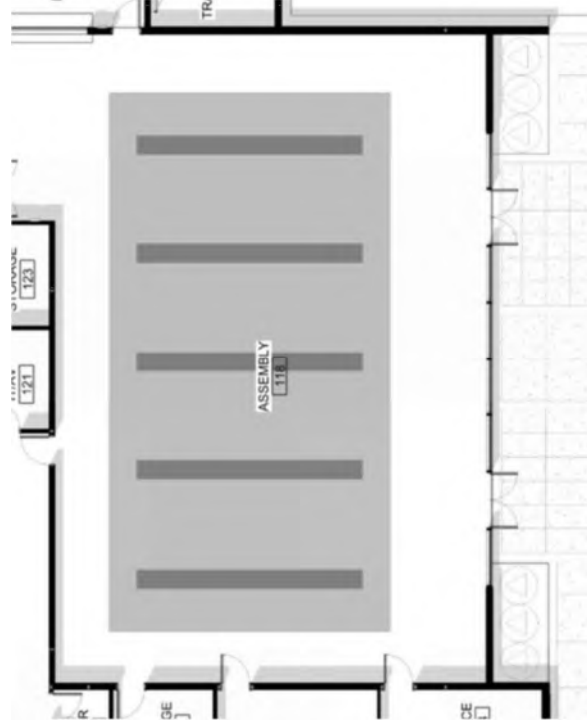
ADIG4 HONEY



ADIG5 PRIMAFTN



ADIG11 MOUSSE



ASSEMBLY



Flooring – LVT



A01014 HONEY



A01009 PINEGRAFFIN



A01011 MOUSSE

DAHLIN GROUP ARCHITECTURE | PLANNING

Ceiling - Tectum



Fern



Polar



Limestone

Lighting – Finelite HP 2



Walls



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PASSION FOR PLACE

ASSEMBLY



Flooring – LVT



A01014 HONEY



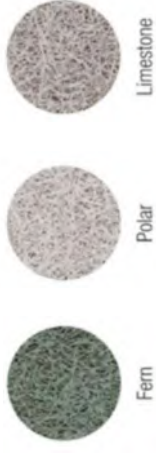
A01009 FINEGRAFFEN



A01011 MOUSSE

DAHLIN GROUP ARCHITECTURE | PLANNING

Ceiling - Tectum



Fern

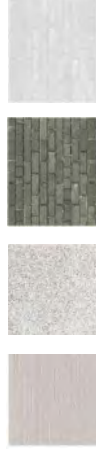
Polar

Limestone

Lighting – Finelite HP 2



Walls



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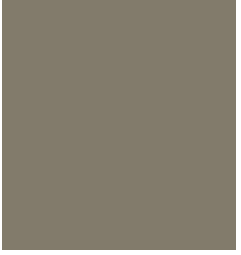
PASSION FOR PLACE

OFFICE

Walls



Koroseal - Remembrance

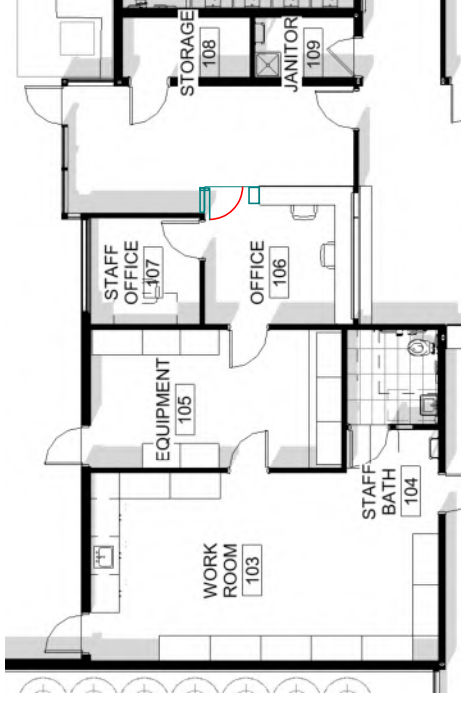
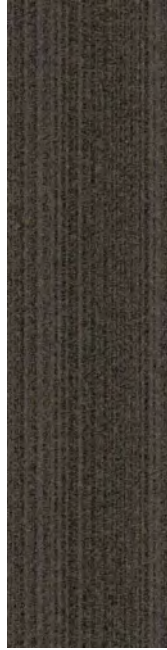


Accent Paint

Casework



Flooring – Carpet



OFFICE



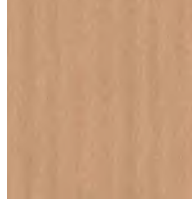
Flooring – Carpet



Walls



Casework



OFFICE



Flooring – Carpet



Walls



Casework



YOUTH CENTER

Walls

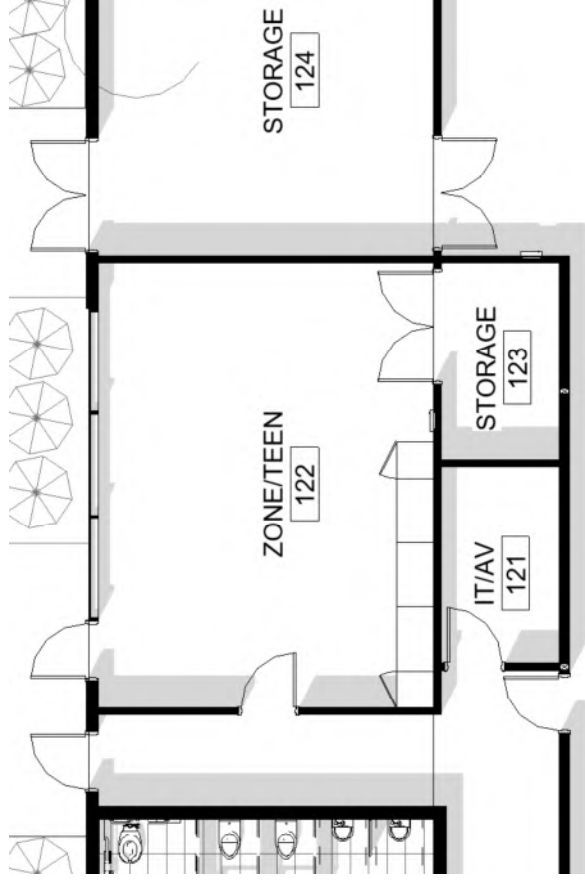


Accent Paint

Casework



Flooring – LVT



YOUTH CENTER



Walls



Accent Paint



Casework



Flooring – LVT



YOUTH CENTER



Walls



Accent Paint



Casework

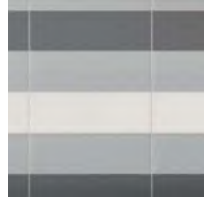


Flooring – LVT



RESTROOMS

Wall Tile



DAL TILE
LINEAR



DESERT GRAY
Field Color

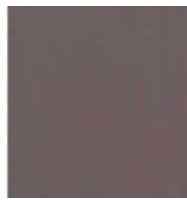


SEA BREEZE
Accent Color



SUEDE GRAY
Accent Color

Casework



Countertop



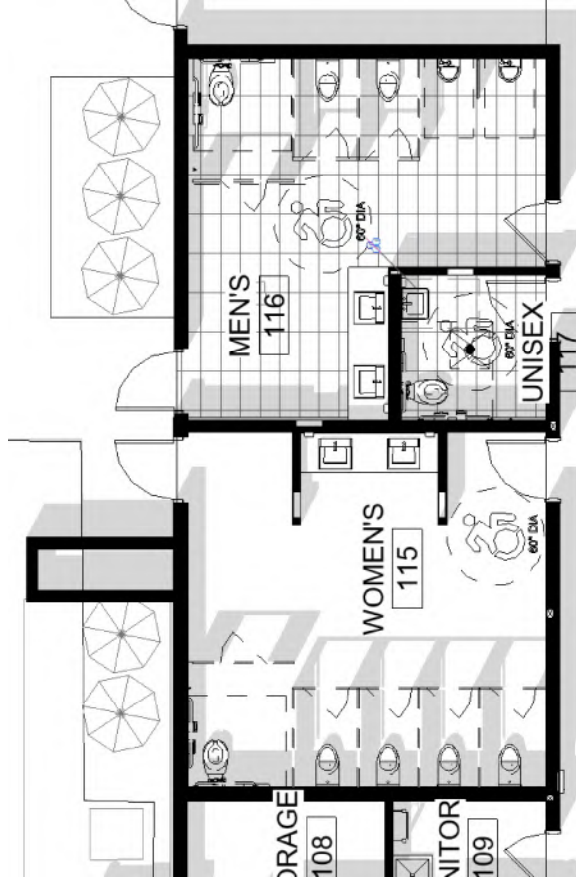
Floor Tile



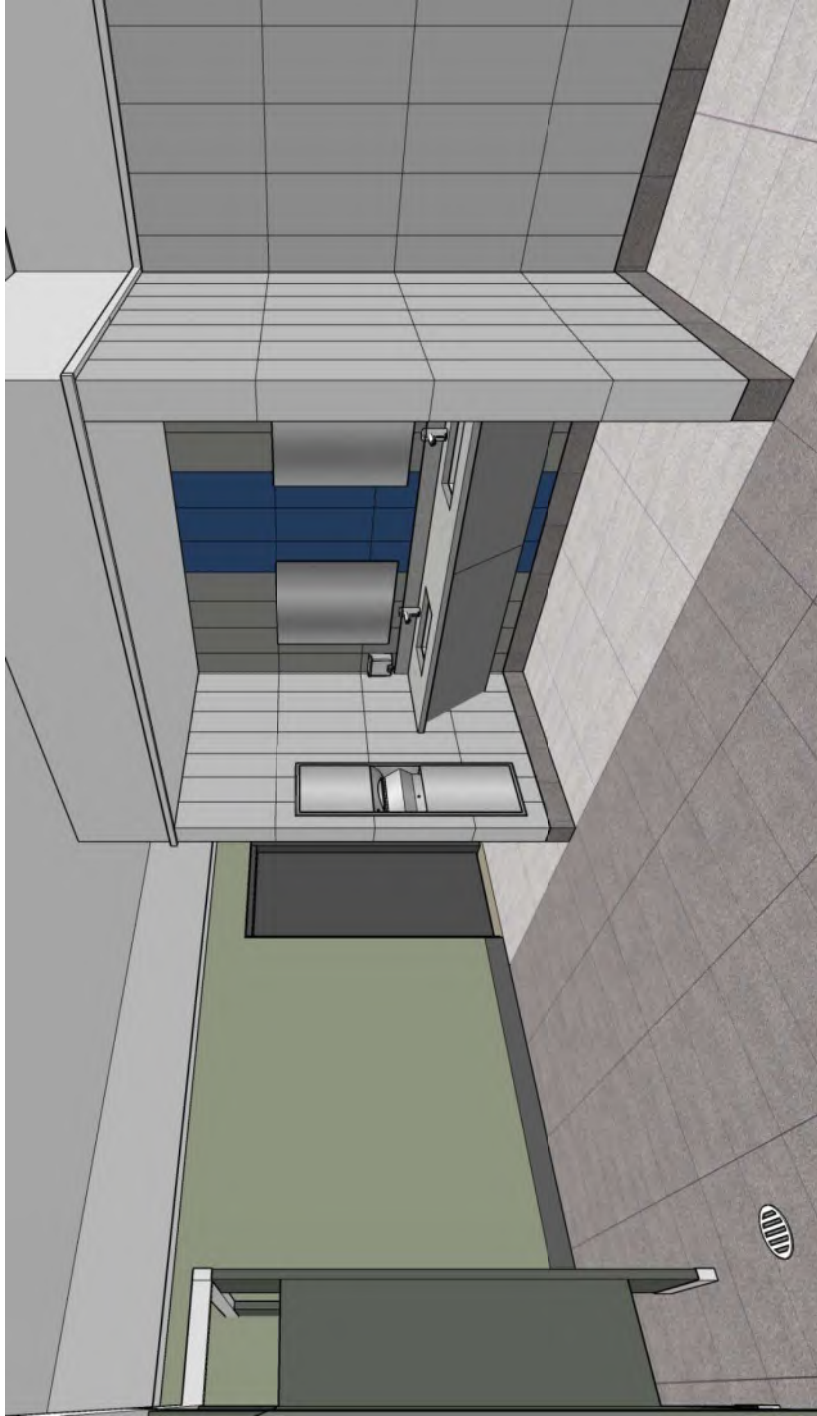
DOVE GREY PF04
Field Color



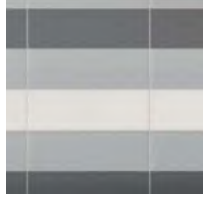
ASH GREY PF05
Accent Color



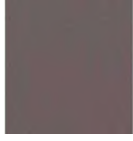
RESTROOMS - WOMENS



Wall Tile



Casework



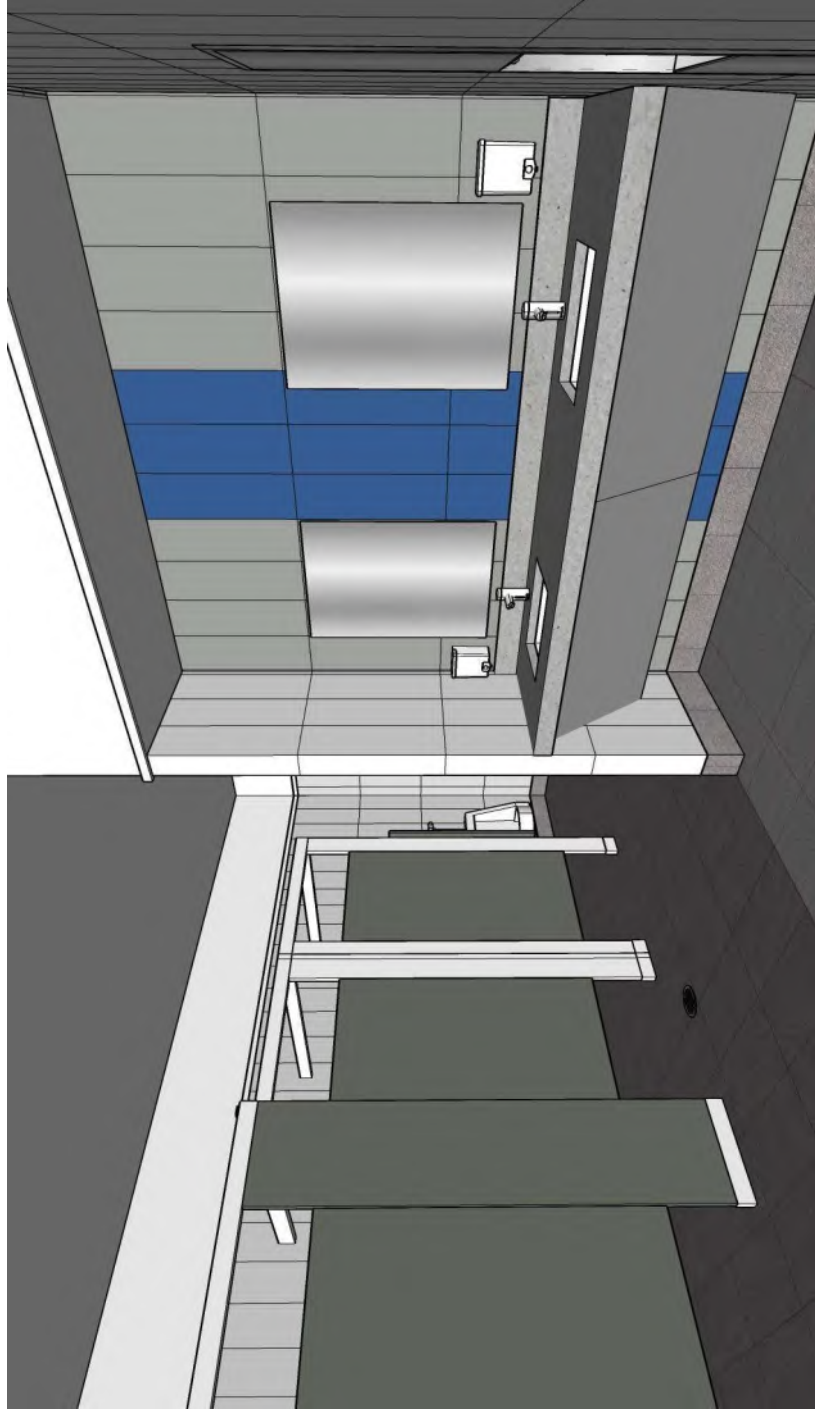
Countertop



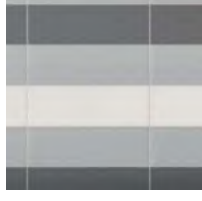
Floor Tile



RESTROOMS - MENS



Wall Tile

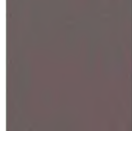


DESERT GRAY

SEA BREEZE

SUEDE GRAY

Casework



Countertop



Floor Tile



DOVE GREY PFG4

SEA GREY PFG3



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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Additional Consulting Services for Mayfair Water Capture Project by Tetra Tech, Incorporated (Amendment #11)

INTRODUCTION

Tetra Tech Inc. is the design firm for the Mayfair Water Capture Project. As we approach the completion of the project, staff requested a proposal from Tetra Tech to support the six month water harvesting demonstration phase required by LA County Department of Public Health.

STATEMENT OF FACT

The collection of stormwater runoff for on-site and off-site distribution requires minimum water quality standards to meet the Los Angeles County Department of Public Health (LACDPH) requirements. The scope of work for this phase is a six month demonstration of water harvesting at the plant following plant start up. On the Bolivar Water Capture Project, this scope of work was completed by Lakewood's Department of Water Resources. However, due to current staffing constraints, Lakewood's Department of Water Resources has requested assistance with the six month sampling phase of the project to meet these requirements. Staff requested a proposal from Tetra Tech to assist with the sampling/water harvesting, and Tetra Tech has submitted a proposal for this work, which is not-to-exceed \$49,413.

On October 11, 2016, the City Council approved Tetra Tech to prepare the design for this project. When the construction contract was awarded in February 2018, Tetra Tech was granted another amendment for design support services during construction. They have received several amendments for additional design work during construction, including a study and design of the expansion of the filtration system to expand the capacity of the plant and provide greater operational flexibility, as well as added design support during construction. On June 13, 2023 council approved Amendment #10, which extended the contract with Tetra Tech through the next fiscal year so that they can continue to assist with the commissioning of the plant as well as a 30% contingency added to the \$70,012 amount that was authorized in Amendment No. 9 issued in January 2021 to assist with the close out of the project. The proposed amount in Amendment No. 9 and the 30% contingency approved in Amendment No. 10 was not inclusive of this scope of work.


As part of this phase of work, Tetra Tech would notify the City of any exceedance results so the City can implement the "shut down" protocol required per the sampling plan and stop day time irrigation activities. They would provide a testing schedule, provide an O&M (operations and maintenance) manual for the water harvesting system requirements, perform sampling and testing during the 6 month demonstration phase, and prepare a report summarizing the testing results and findings to submit to Department of Public Health. Tetra Tech anticipates a draft report will be


submitted within three weeks of receiving final water quality sampling testing results at the end of the six month demonstration period. On July 31st, 2023 the CIP Committee concurred with staff's recommendation to approve the proposal and bring the item to the Council for approval. The project is fully funded by Caltrans in an amount of \$15,000,000 and sufficient funds are available for this work by Tetra tech in the project account 30019908-58800-60058.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Amendment No. 11 to provide additional support services for the Mayfair Park Water Capture Project in an amount of \$49,413, and authorize the Mayor to sign the Amendment in a form approved by the City Attorney.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

AMENDMENT NO. 11

**AGREEMENT FOR ENGINEERING SERVICES
Lakewood Water Capture and Infiltration Project**

THE AGREEMENT FOR ENGINEERING SERVICES, made and entered into on January 26, 2021, by and between the CITY OF LAKEWOOD, a municipal corporation, the "City," and **Tetra Tech, Inc.**, the "Engineer" shall be amended as follows:

1. Section 4 Payment. The following paragraph shall be added in Section 4 PAYMENT: "For and in consideration of the services set forth in the proposal for 'Lakewood Stormwater and Runoff Capture Project at Mayfair Park Proposal to Support the 6-month Water Harvesting Demonstration Phase' dated July 13, 2023 and performed by the Engineer, the City agrees to pay to the Engineer a sum not to exceed \$49,413 as shown in the attached proposal dated July 13, 2023, for services actually rendered."

All other terms and conditions of the agreement shall remain in effect. Dated the 8th day of August, 2023.

TetraTech, Inc.

CITY OF LAKEWOOD

Principle

Mayor

Approved as to form:

ATTEST:

City Attorney

City Clerk



TETRA TECH

July 13, 2023

Kelli Pickler, Director
Public Works Department
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

**Reference: Lakewood Stormwater and Runoff Capture Project at Mayfair Park
Proposal to Support the 6-month Water Harvesting Demonstration Phase**

Dear Ms. Pickler,

Tetra Tech is pleased to submit a proposal to support the 6-month demonstration phase of the water harvesting system at the City of Lakewood's (City) Mayfair Park. The collection of stormwater runoff for on-site and off-site distribution requires minimum water quality standards to meet the Los Angeles County Department of Public Health (DPH) requirements. Water harvesting sampling will be performed per the sampling plan prepared by Tetra Tech titled, "Proposed Sampling Plan for Treated Stormwater at Mayfair Park" dated August 13, 2019 submitted to DPH and incorporated as part of Plan Check Number SR0124462.

SCOPE OF WORK

Tetra Tech will perform the following scope of work for the water harvesting sampling associated with the 6-month demonstration phase:

1. Coordination with the City and DPH. Tetra Tech will perform the following coordination activities:
 - a. Attend a kick-off meeting with the City and DPH. At the kick-off meeting, Tetra Tech will review the previously submitted sampling plan with DPH.
 - b. Tetra Tech will notify the City of any exceedance results so the City can implement the "shut-down" protocol at the park per the sampling plan and stop day time irrigation activities.
 - c. Tetra Tech will prepare a testing schedule for coordination with the City.
 - d. Provide a bound on-site copy of the complete Operation and Maintenance Manual prepared by Wahaso for the water harvesting system per the requirements of DPH containing the following:
 - i. Diagrams of the entire system and location of system components.
 - ii. Instructions on operating and maintaining the system.
 - iii. Details on startup, shutdown, and deactivation for the system for maintenance, repair, or other purpose.
 - iv. Applicable testing, inspection, and maintenance frequencies in accordance with Section 1601.5 of the CA UPC.
 - v. Method of contacting the installer and manufacturer.
 - vi. Directions to the Owner that the manual shall remain with the building throughout the life of the harvesting system.

2. Perform sampling and testing during the 6-month demonstration phase. The sampling frequency will occur per the sampling plan.
 - a. Samples
 - i. Tetra Tech staff will coordinate with the City and visit the site to obtain the necessary water samples for testing per the testing schedule. Tetra Tech will utilize the lab provided sampling bottles and deliver the samples to the testing laboratory in accordance with the testing requirements. A total of 26 visits has been assumed for sampling.
 - b. Testing
 - i. Tetra Tech intends to utilize ALS Laboratory in Irvine, CA to perform the testing. Tetra Tech will perform sampling per the Attached Table 1.
3. Prepare a report summarizing the testing results and findings for submittal to DPH. Tetra Tech will prepare and submit a draft report for the City review. Tetra Tech will incorporate comments from the City and submit a final signed report for submittal to DPH. Tetra Tech will respond to DPH questions/comments and incorporate them into the report. We have assumed one review cycle by DPH. Tetra Tech will then publish a final signed report to the City and DPH. All submittals will be done via electronic PDF.

ASSUMPTIONS

1. The City will operate the water harvesting system and irrigation system. The samples will be collected at a mutually agreeable time, preferably during normal daytime working hours 8 am to 5 pm for collection of the samples.
2. The City will provide Tetra Tech access to the sampling ports located within the building at Mayfair Park.
3. The sampling and testing is only for the demonstration phase and for the tests listed in Table 1 of sampling plan dated August 13, 2019. If constituents of concern change by either the City or DPH, Tetra Tech will prepare a proposal to perform this additional testing. Required annual testing of constituents of concern will be performed by the City.
4. The City will pay all DPH review and permit fees.

PROJECT SCHEDULE

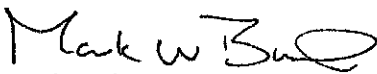
Tetra Tech anticipates a draft report will be submitted within three weeks of receiving the final water quality sampling testing results at the end of the 6-month demonstration period.

LABOR AND FEE ESTIMATE

Our detailed fee summary is attached along with an hourly rate schedule marked Exhibit "A". We propose to perform this work for **\$49,413**.

Thank you for considering our proposal, should you have any questions please feel free to contact us.

Sincerely,



Mark Bush, PE
Vice President

Attachments

M:\Marketing\Proposals\FY 2023\Lakewood-CA_Mayfair-Park-Wtr-Harvesting-Sampling

Table 1. Proposed Sampling Frequencies

Contaminant	Sample Type	Sample Frequency				After Demonstration Phase	Water Quality Criteria	
		6 Month Demonstration Phase			Average Sample Maximum		Single Sample Maximum	
		Month 1	Month 2 and 3	Month 4, 5, and 6				
CBOD5 (mg/L)	Grab	3x per Week	Weekly	2x per Month	Monthly	25	10	
TSS (mg/L)	Grab	3x per Week	Weekly	2x per Month	Monthly	30	10	
Turbidity (NTU)	Grab	3x per Week	Weekly	2x per Month	Monthly	8	4	
<i>E. coli</i> (MPN/100 mL)	Grab	3x per Week	Weekly	2x per Month	2x per Month	200	2.2 ¹	
pH	Grab	3x per Week	Weekly	2x per Month	Monthly	6.0 – 9.0	6.0 – 9.0	
Color ²	Grab	Weekly	Weekly	2x per Month	Semi-Annual	Measured and Reported	Measured and Reported	
Odor ³	Grab	Weekly	Weekly	2x per Month	Semi-Annual	Non-offensive	Non-offensive	
Oily Film and Foam ⁴	Grab	Weekly	Weekly	2x per Month	Semi-Annual	Non-detectable	Non-detectable	
Lead (µg/L)	Grab	3x per Week	Weekly	2x per Month	Monthly	40	15	
Total Nitrate/Nitrite (mg/L as N)	Grab	3x per Week	Weekly	2x per Month	Monthly	25	10	

1. Calculated as the geometric mean of all *E. coli* samples
2. The apparent color of the effluent samples shall be determined with the visual comparison method described in Method 2120 B of Standard Methods.
3. Sampled in accordance with Method 2150 B of Standard Methods.
4. Effluent sample aliquots shall be visually evaluated for the presence of an oily film or foaming.

TE Price Proposal

MAYFAIR PARK STORMWATER AND URBAN RUNOFF

6-Month Water Harvesting Demonstration Phase
Submitted to: City of Lakewood (Attn: Kelli Pickler)

Contract Type: T&M

Price Summary / Totals																		
Task Pricing Totals					49,413													
Specify Add'l Fees on Setup Technology Use Fee					0													
Total Price					49,413													
Pricing by Resource																		
Project Phases / Tasks	Schedule		Work Days	Off	Work Days	Total Labor Hrs	Labor Plan					Task Pricing Totals						
	From	Thru					Months	Principal in Charge	Project Manager 1	Project Manager 2	Engineer 1		Sr Project Administrator	Labor Rate Esc.	Labor	Subs	Travel	Mat'l's & Equip
1. Coordination with City and DPH						234	4	26	54	142	8	0.00%	36,330	10,083	-	-	3,000	49,413
2. Sampling and Testing						14	-	2	4	2	-	0.00%	2,870	10,083	-	-	3,000	28,813
a. Sampling						124	-	2	12	110	-	0.00%	15,730	10,083	-	-	3,000	28,813
b. Testing						10	2	8	8	110	-	0.00%	14,850	10,083	-	-	1,500	26,350
3. Report						4	4	4	4	4	4	0.00%	880	10,083	-	-	1,500	12,463
a. Draft Report to City						50	4	16	38	30	8	0.00%	17,730	10,083	-	-	-	17,730
b. Initial Report to DPH						27	1	4	20	16	4	0.00%	9,200	-	-	-	-	9,200
c. Final Signed Report to DPH						19	1	4	12	8	2	0.00%	5,040	-	-	-	-	5,040
							1	4	6	6	2	0.00%	3,490	-	-	-	-	3,490
Totals						234	4	26	54	142	8	0.00%	36,330	10,083	-	-	3,000	49,413



2023

HOURLY CHARGE RATE AND EXPENSE REIMBURSEMENT SCHEDULE

Project Management

Project Manager 1	\$220.00
Project Manager 2	\$250.00
Sr Project Manager	\$305.00
Program Manager	\$340.00
Principal in Charge	\$340.00

Engineers

Engineering Technician	\$37.00
Engineer 1	\$115.00
Engineer 2	\$125.00
Engineer 3	\$135.00
Project Engineer 1	\$150.00
Project Coordinator	\$165.00
Project Engineer 2	\$180.00
Sr Engineer 1	\$175.00
Sr Engineer 2	\$185.00
Sr Engineer 3	\$210.00
Principal Engineer	\$300.00

Planners

Planner 1	\$95.00
Planner 2	\$115.00
Sr Planner 1	\$135.00
Sr Planner 2	\$150.00
Sr Planner 3	\$195.00

Designers & Technicians

CAD Technician 1	\$65.00
CAD Technician 2	\$75.00
CAD Technician 3	\$90.00
CAD Designer	\$105.00
Sr CAD Designer 1	\$125.00
Sr CAD Designer 2	\$150.00
CAD Director	\$155.00
Survey Tech 1	\$50.00

Health & Safety

H&S Administrator	\$95.00
Sr H&S Administrator	\$115.00
H&S Manager	\$145.00

Construction

Construction Project Rep 1	\$80.00
Construction Project Rep 2	\$90.00
Sr Constr Project Rep 1	\$105.00
Sr Constr Project Rep 2	\$120.00
Construction Manager 1	\$170.00
Construction Manager 2	\$190.00
Construction Director	\$235.00

General & Administrative

Project Assistant 1	\$67.00
Project Assistant 2	\$75.00
Project Administrator	\$95.00
Sr Project Administrator	\$130.00
Sr Graphic Artist	\$130.00
Technical Writer 1	\$97.00
Technical Writer 2	\$124.00
Sr Technical Writer	\$155.00

Information Technology

Systems Analyst / Programmer 1	\$77.00
Systems Analyst / Programmer 2	\$115.00
Sr Sys Analyst / Programmer 1	\$130.00
Sr Systems Analyst / Programmer 2	\$196.00

Project Accounting

Project Analyst 1	\$90.00
Project Analyst 2	\$114.00
Sr Project Analyst	\$155.00

Reimbursable In-House Costs:

Photo Copies (B&W 8.5"x11")	\$ 0.15/Each
Photo Copies (B&W 11"x17")	\$ 0.40/Each
Color Copies (up to 8.5"x11")	\$ 2.00/Each
Color Copies (to 11"x17")	\$ 3.00/Each
Compact Discs	\$10/each
Large format copies	\$0.40 S.F.

Mileage-Company Vehicle	\$0.80/mile
Mileage-POV	\$0.55/mile*

*current GSA POV mileage rate subject to change

All other direct costs, such as production, special photography, postage, delivery services, overnight mail, printing and any other services performed by subconsultant will be billed at cost plus 15%.

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Ratify Purchase of F-550 Vehicle

INTRODUCTION

In 2022, the City of Lakewood was placed on a Ford Motor Company waitlist for one F-550 truck to replace a water-service truck with no timeline or estimated delivery date. As of April of 2023, the City remained on the waitlist, with no update regarding an estimated delivery date. However, staff was able to locate a similar F-550 at Aaron Ford of Poway and receive the vehicle in April of 2023. In mid-July, the City was contacted by Ford Motor Company with news that the waitlisted F-550 was available to purchase immediately, and due to the long lead times in the industry, staff took the opportunity to replace an aging vehicle in the Public Works Tree Department. Staff is requesting to ratify the purchase of the waitlisted gasoline-powered F-550 vehicle.

STATEMENT OF FACT

In September 2022 the City Council authorized the expedited purchase of vehicles and equipment included in the City's two-year budget by modifying the City's purchasing procedures. The action was the result of ongoing supply chain issues that limited available stock. The scarcity of resources often led to increased pricing which sometimes resulted in cancellations by other agencies. As a result, Lakewood's purchasing staff were often able to capitalize on the market volatility but the acquisition required prompt purchasing decisions that are difficult when formal Council action is required. Specifically, the Council action taken last year authorized the City Manager to approve budgeted purchases after procurement protocols were completed. The action resulted in a streamlined approach that increased the City's ability to purchase and receive vehicles in a timely manner.

The City's purchasing policy allows the Council to waive or alter purchasing procedures when "unforeseen circumstances arise that justify an exception to following the provisions of this policy and is in the best interest of the City." Last fiscal year, staff was looking to replace a gasoline-powered water service truck F-550. The purchasing officer contacted multiple dealers and found the vehicle was not available. The City was placed on a Ford Motor Company waitlist for a new F-550 truck. Last fiscal year, the fleet manager was able to purchase a water service truck at Aaron Ford that met the specifications of the Water Department. Meanwhile, Ford still showed the City of Lakewood on its waitlist. Staff was notified by Ford Motor Company on July 13, 2023, that the waitlisted F-550 had been built and was ready to be shipped, should the City elect to purchase the vehicle.


Coincidentally, the tree chipper truck had significant maintenance repair issues, the latest of which would require a significant investment of capital to repair. The vehicle is around 18 years old and has approximately 130,000 miles. The waitlisted F-550 meets the specifications to replace the tree chipper truck (unit #558). The lead times for gasoline-powered commercial vehicles have increased to approximately two years. In order to avoid the long-lead time, staff met with the Finance Director and City Manager to review the opportunity to purchase the available F-550 due to the scarcity of this needed vehicle, and issued a purchase order for \$61,216.31. The waitlisted vehicle is a cab and chassis only and will need to be outfitted with a chipper dump body at an additional cost of approximately \$50,000 to meet the specifications of the Tree Department.


Staff needs authorization to ratify the purchase of the F-550 from Knight Sunrise Hollywood LLC, a Ford Motor Company, in the amount of \$61,216.31. In addition, staff needs authorization to appropriate funds to cover the cost of the purchase of the vehicle and the approximate cost of the installation of the chipper body on the cab and chassis of the vehicle for a total cost of approximately \$110,000.

RECOMMENDATION

It is recommended that the City Council:

1. Appropriate \$110,000 in account 10106300-58200-02155 for the purchase of the F-550 vehicle and associated costs for the installation of the chipper body;
2. Ratify the purchase of the F-550 vehicle from Knight Sunrise Hollywood LLC, in the amount of \$61,216.31.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

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AMENDMENT NO. 3 TO
AGREEMENT FOR EMPLOYMENT
OF CITY MANAGER

THIS AMENDMENT TO AGREEMENT is made and entered into this 8th day of August, 2023, amending that certain "AGREEMENT FOR EMPLOYMENT OF CITY MANAGER" by and between the City of Lakewood, a California general law municipal corporation of the State of California ("Employer"), and Thaddeus J. McCormack ("Employee"), dated August 8, 2017, as previously amended in 2020 and 2021 (the "Agreement").

Recitals

- A. The current Term of the Agreement expires on September 5, 2023.
- B. Both parties wish to extend the Term for another 3-year period.
- C. The City Council will conduct its annual evaluation of the City Manager in September of 2023.

Based on the Recitals set forth above, the parties hereby agree to amend the Agreement as follows:

- 1. The Term shall be extended through September 8, 2026.
- 2. In all other respects the Agreement shall remain in full force and effect. Intending to be legally bound, the parties have executed this Agreement, below, as of the date first written above.

CITY OF LAKEWOOD

Mayor

Thaddeus J. McCormack

Attest:

City Clerk

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Ratify Purchase of Replacement variable frequency drive motor controllers for Mayfair Pool

INTRODUCTION

In mid-July, the variable frequency drive motor controllers (VFDs) and the motors for the pool equipment at Mayfair Pool had an electrical short due to a ground fault, and the pool was closed until repairs could be completed. In order to expedite the reopening of the pool, after receiving concurrence from individual members of the CIP Committee, staff issued purchase orders for the replacement pool equipment. Staff is requesting to ratify the purchase and installation of the replacement VFDs.

STATEMENT OF FACT

The City's purchasing policy allows the Council to waive or alter purchasing procedures when "unforeseen circumstances arise that justify an exception to following the provisions of this policy and is in the best interest of the City." The ground fault that shorted the pool equipment caused the unexpected closure of Mayfair pool. Due to the lead times of the replacement VFDs, and in order to reopen the pool in an expeditious manner to return the service to the public, staff issued a purchase order to California Commercial Pools for the replacement VFDs. This work is essential maintenance and is not subject to Public Contract Code bidding procedures. The VFDs are expected to arrive and be installed the week of August 7th.


Staff needs authorization to ratify the purchase and installation of the VFDs from California Commercial Pools, in the amount of \$91,900. In addition, staff needs the authorization to appropriate funds to cover the full cost of the repairs to reopen the pool, inclusive of the cost of the replacement motors (\$4,600.90 purchased via Cal Card from Dealers Industrial Equipment Inc.), the cost of the installation of the replacement motors, (\$17,773 purchased from Evans Hydro Inc.), the cost of the replacement starter for one of the pumps (\$1,648.24 purchased from Mag-Trol), and the cost of the purchase and installation of the replacement VFDs (\$91,900 purchased from California Commercial Pools). Staff is also asking for a 10% contingency for the installation of the VFDS in the amount of \$9,000. The total appropriation of funds to cover the costs is approximately \$125,000.

RECOMMENDATION

It is recommended that the City Council:

1. Appropriate \$125,000 in account 10106470-58200 for the replacement of failed pool equipment, contingency, and associated miscellaneous supplies required for the maintenance work.
2. Ratify the purchase and installation of the replacement VFDs from California Commercial Pools in the amount of \$91,900.
3. Authorize staff to approve a cumulative total of change orders, as necessary not-to-exceed \$9,000, to California Commercial Pools, during the installation of the replacement variable frequency drive motor controllers.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

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Public Hearings

COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Delinquent Fees and Charges for Garbage, Waste and Refuse (**UPDATED**)

INTRODUCTION

The City Council reaffirmed the policy relative to unpaid charges for garbage, waste and refuse accounts at their regular meeting of July 11, 2023. The City Council adopted Resolution 2023-48 directing the Director of Finance and Administrative Services to prepare a Report of Delinquent Fees as of May 31, 2023, and setting a public hearing date.

STATEMENT OF FACT

A notice of public hearing has been mailed to all property owners owing at least two months of service or more (minimum of \$52.00) as of May 31, 2023. Staff mailed 565 notices, representing \$106,925.29 in delinquent charges. As a result of these notices, payments have been made reducing the revised delinquent charges to \$52,498.03 (as of the time of this writing).

A comparison of this year with the preceding three years is shown below:

	<u>2023 Lien</u> <u>2022-23</u>	<u>2022 Lien</u> <u>2021-22</u>	<u>2021 Lien</u> <u>2020-21</u>	<u>2020 Lien</u> <u>2019-20</u>
Notices Mailed:	565	426	432	410
Delinquent Accounts as of Public Hearing:	230	259	210	253
Liens Recorded at County:	TBD	181	198	195
	\$52,498.03	\$46,170.28	\$42,486.94	\$41,502.37

While the majority of the proposed lien amounts are less than \$312.00 (approximately one year's worth of basic service charges for most accounts), accounts with a greater lien amount largely include other unpaid fees/charges (i.e. service initiation fee, bounced checks, etc.). Lastly, it is important to note that those parcels which have been transferred/conveyed to bona fide purchasers will be removed from the list.

STAFF RECOMMENDATION

It is recommended that the City Council conduct a public hearing and adopt the Resolution confirming the Report of Delinquent Fees.

Jose Gomez 
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager

RESOLUTION NO. 2023-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD CONFIRMING THE REPORT OF DELINQUENT FEES AND CHARGES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL WITHIN THE CITY OF LAKEWOOD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, MAY 31, 2023

WHEREAS, the City Council of the City of Lakewood, in accordance with the provisions of Chapter 3 of Article V of the Lakewood Municipal Code, commencing with Section 5300, did on and prior to May 31, 2023, provide to and remove from the parcels of land described on the Report, attached hereto and made a part hereof, the collection of garbage, waste, and refuse, and for which a fee was charged pursuant to the terms and provisions of the Lakewood Municipal Code; and

WHEREAS, said fees and charges for said services so provided by the City of Lakewood, and as hereinafter set forth, have remained unpaid for a period of sixty (60) or more days after the date upon which they were billed; and

WHEREAS, the City of Lakewood on July 11, 2023, by Resolution Number 2023-48 directed the Director of Finance and Administrative Services to prepare a Report of Delinquent Fees as of May 31, 2023, of at least two months of service or more, and to report upon the same at the time of the public hearing thereon set for August 8, 2023 at 7:30 p.m., in the City Council Chambers of the City of Lakewood, 5000 Clark Avenue, Lakewood, California; and

WHEREAS, pursuant to said direction of the City Council of the City of Lakewood the Director of Finance and Administrative Services has prepared such a Report, and caused the same to be filed in her office, and the City Clerk has, in accordance with Section 25831 of the Government Code of the State of California, and the direction of the City Council, given notice in writing by mail to the landowners listed on the Report not less than ten days prior to the date of said hearing; and

WHEREAS, the City Council did hear any objection or protest of landowners liable to be assessed for said delinquent fees at a regular meeting of the City Council meeting and a said hearing held for that purpose on August 8, 2023; and

WHEREAS, said Report, as prepared by the Director of Finance and Administrative Services with such revisions or corrections to the Report made by the City Council as it deems just at said hearing, should be confirmed as hereinafter set forth, and a certified copy of the confirmed Report filed with the Los Angeles County Auditor-Controller and the amount thereof collected at the same time and in the same manner as ad valorem taxes are collected, and shall be subject to the same penalties and the same procedures and sale;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEWOOD THAT:

SECTION 1. The Report of the Director of Finance and Administrative Services of Delinquent Garbage, Waste, Refuse and Disposal Fees within the City of Lakewood, California, of at least two months of service or more existing on May 31, 2023, as amended and revised and attached hereto, is hereby confirmed and approved. The delinquent fees therein set forth are confirmed and shall constitute a special assessment against the respective parcels of land as therein stated, and are a lien of said respective parcels of land in the amount of such delinquent fees. The City Clerk is directed to file a certified copy of said Confirmed Report attached hereto with the County Auditor-Controller for the amount of the respective assessments against the respective parcels of land, as they appear on the current assessment rolls. The City Clerk is further directed to forward a copy of this resolution with said Confirmed Report attached thereto to the County Auditor-Controller so that the same may be collected at the same time and in the same manner as ordinary ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale, in case of delinquency, as provided for such taxes. All laws applicable to the levy, collection and enforcement of ad valorem taxes shall be applicable to such assessments, and further subject to the terms and provisions of Section 25831 of the Government Code of the State of California.

SECTION 2. Said assessment shall constitute a lien against the property if not paid prior to the delivery of such Report to the County Auditor-Controller. Any assessment paid on or before the delivery of such Report to the County Auditor-Controller may be deleted by the City Clerk prior to delivery of such Report.

SECTION 3. If any real property to which such lien would be attached has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attached thereto, prior to the date on which the first installment of such taxes will become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property, and the delinquent fees, as confirmed, relating to such property shall be transferred to the unsecured rolls for collection.

SECTION 4. The City Clerk is hereby authorized to certify to said Report, and cause a copy of this Resolution and said Report to be filed with the County Auditor-Controller on or after the 1st day of August, 2023. In any case, where said lien cannot be collected on the tax rolls, the City Clerk is directed to file a Notice of Lien of said assessment in the Office of the County Auditor-Controller and the lien thereby created attached upon recordation of said Notice.

ADOPTED AND APPROVED THIS 8th DAY OF AUGUST 2023.

Mayor

ATTEST:

City Clerk

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COUNCIL AGENDA
August 8, 2023

TO: Honorable Mayor and City Council

SUBJECT: 2023 LMC Update Ordinance

INTRODUCTION.

Periodically the City needs to review existing regulations to amend the Lakewood Municipal Code (LMC) to remove outdated provisions, correct errors, and recognize current procedures, including state law changes. The last clean up and update ordinance was prepared and adopted in 2021. This ordinance addresses issues and concerns identified and recommended by staff and others during the last two years. It is timely and necessary to incorporate the following proposed changes.

STATEMENT OF FACTS.

The City Council has conducted an Ad Hoc Committee meeting and two study sessions on this ordinance, providing staff direction on 3/1/23, 5/23/2023 and 8/8/2023. The Planning and Environment Commission (PEC) reviewed the proposed ordinance on July 16, 2023, and adopted PEC Resolution 5-2023. This resolution recommended that the City Council adopt the proposed ordinance with one modification that increased the application of child safety visual corridor radius distance from one-quarter mile to one-half mile radius from any school, park, or library.

This PEC resolution further recommended to the City Council, in consideration of testimony received at the PEC hearing on July 6, 2023, to consider allowing controlled beekeeping for honeybees within specified areas of the city and under specified conditions. The PEC recommend that the City Council instruct the Community Development Director to conduct a study, review adjacent jurisdiction regulations, and then prepare an ordinance for consideration to allow such backyard beekeeping opportunities in Lakewood and to exclude such from definition as a nuisance.

The intent of this Ordinance is to update various provisions of the Articles IV, V, VI and IX of the Lakewood Municipal Code (LMC) to recognize procedural changes, state law modifications, and to clarify and simplify development review procedures for certain land uses. The following changes have been proposed in this clean up and update ordinance:

- Clarify property nuisance definitions and regulations for: Bees, wasps, hornets, and yellow jackets; bird feeding; public and private property tree/plant maintenance; graffiti removal and vandalism damage cost recovery;
- Expand waste hauler enforcement and lien provisions to include business license revocation;
- Implement waste hauler enforcement provisions for Public Works, including business licenses;
- Redefine yard and yard setback area definitions and make modifications to the regulations relating to projections, stormwater retention and acceptance, and wall/fence/hedge reviews;
- Create front yard safety standards for driveway visibility, child safety corridor, sidewalk safety,

- noise attenuation windows, street tree protection, drainage, and utility line protection;
- Conform residential rental period to state law mandate to a minimum of 31 days;
- Require swimming pool access and accessibility provisions for lots with multiple units;
- Allow residential disabled parking additional paving for increase accessibility and to increase allowed front yard setback area parking by one space on all residential lots; and
- Standardize appeal and notice delivery timelines for several procedures to 10 business days.

CEQA

This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). This Ordinance has no impact on the physical environment as it will only modify administrative procedures./

PUBLIC NOTICE


Pursuant to Section 9422 of the Lakewood Municipal Code and State Law, notice of the public hearing for this amendment was posted on the City's webpage on July 24, 2023, posted in three public places on July 24, 2023, and published in the Press Telegram newspaper on July 24, 2023, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

RECOMMENDATION

It is the recommendation of the Planning and Environment Commission as stated in PEC Resolution 5-2023, that the City Council introduce the proposed 2023 LMC Update ordinance and approve the associated CEQA exemption.

Furthermore, it is the recommendation of the Planning and Environment Commission that the City Council instruct the Community Development Director to conduct a study on backyard beekeeping of honeybees, review adjacent jurisdiction regulations regarding such, and then prepare an ordinance to allow backyard beekeeping as an allowed land use in Lakewood and to exclude honeybees from the list of public nuisances.


Abel Avalos
Director of Community Development


Thaddeus McCormack
City Manager

Attachments:

- 2023 LMC Update Ordinance
- PEC Resolution 5-2023

ORDINANCE NO. 2023–6

AN ORDINANCE AMENDING THE CITY OF LAKEWOOD MUNICIPAL CODE TO UPDATE AND ADD VARIOUS REGULATIONS INCLUDING THOSE REGARDING PUBLIC NUISANCES OF BEES/WASPS AND BIRD FEEDING, WASTE HAULER ENFORCEMENT, FRONT YARD SAFETY AND PARKING STANDARDS, WALL/FENCE/HEDGE HEIGHT REVIEW PROCEDURES, APPEAL TIMELINES AND OTHERS.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. PURPOSE. Periodically, the City needs to review and modify existing local regulations to conform to new state laws, remove outdated provisions, correct errors, recognize current procedures, clarify, and make needed modifications to existing regulations. The last update ordinance was prepared in 2021. This ordinance includes changes identified and recommended by staff and others during the last two years. Local regulation should respond to changes in state laws. It is timely and necessary to incorporate the following into the Lakewood Municipal Code.

SECTION 2. INTENT. The intent of this Ordinance is to update various provisions of Articles IV, V, VI, and IX of the Lakewood Municipal Code (LMC) to recognize procedural changes, state law modifications, and to clarify and simplify development review procedures for certain land uses, including the following:

Code Enforcement Revisions:

1. Property Nuisance Bees – Repeal LMC Section 4282.
2. Property Nuisance – Bees, Wasps, Hornets, and Yellow Jackets - Add LMC Section 4323.P.
3. Public and Private Property Tree/Plant Maintenance – Amend LMC Sections 4325, 4325.1.
4. Bird Feeding is a Nuisance – Amend LMC Section 4328.
5. Graffiti Removal – Amend LMC Section 4328.2.
6. Vandalism Damage Cost Recovery – Amend LMC Section 4328.4.
7. Lien Hearing Procedures– Amend LMC Sections 4908.2., .3, and .4.
8. Waste Hauler Enforcement – Amend LMC Subsection 5359. A. and add 5359. C. vi.
9. Business License Unlawful Business and Enforcement – Amend Sections 6201 and 6202.

Residential Revisions:

10. ADU/JADU Rental minimum 31 days to conform to state law – Amend LMC Subsections 9302.21a. E.2., 9302.21b. D.1., and 9320.F.
11. Clarify Planning Commission definition - Amend LMC Section 9302.36.
12. Redefine lot lines, lot width, yards, and yard setback areas – Amend LMC Sections 9302.31, .49, .51, .52, .53, and add 9302.54 for side street side yard and 9302.55 for building area.
13. Front Yard Safety Standards (driveway visibility, child safety corridor, sidewalk safety, noise attenuation, street tree protection, and utility line protection) - Add LMC Subsection 9320. K.

14. Swimming Pool Access and Accessibility - Amend LMC Subsection 9320. H.
15. Off Street Parking and Disabled Access - Amend LMC Section 9321.
16. Residential Development Standards - Amend LMC Sections 9322, and .1, .2, .2a, .3, .4, .5, .6 and 9322.7. C., Accessory Buildings.
17. Driveway Width - Amend LMC Subsection 9322.10.B.2.
18. Projections (eaves, porches, staircases) – Amend LMC Sections 9383 & .1, .2 and .3.
19. Wall/Fence/Hedge Standards – Amend LMC Section 9384.
20. Lot Area Reduction and Dwelling Unit Location – Amend LMC Sections 9385 and 9385.1.
21. Accessory Building - Amend LMC Section 9386.
22. Drainage Acceptance – Amend LMC Section 9387.

PEC Hearing and Appeal Procedures:

23. PEC Findings, Notice of Action, and Appeals – Amend LMC Sections 9403, 9403.2, and 9407.
24. PEC Hearing Timelines – Amend LMC Section 9421.

SECTION 3. Section 4282 of the Lakewood Municipal Code, regarding Bees is hereby repealed.

SECTION 4. Subsection 4323. P. of the Lakewood Municipal Code, regarding Property Nuisances - Bees, Wasps, Hornets, and Yellow Jackets is hereby added to read as follows:

4323. Property Nuisances. No person who owns, leases, occupies, or is otherwise in charge of any property within the City of Lakewood shall maintain such property to allow any of the following conditions on the property. The following property conditions are public nuisances per se that require the protection and redress of community interests and that can be abated in accord with this Code and can be prosecuted as misdemeanors in accord with Section 1200 of the Lakewood Municipal Code. The following are prohibited:

...

P. BEES, WASPS, HORNETS, AND YELLOW JACKETS.

It is unlawful for any property owner to have, allow to remain or maintain on their lot zoned for any residential, commercial, or industrial land use purposes, developed or vacant, any hive, comb, nest, swarm, colony, breeding ground or a group of twenty (20) or more flying insects commonly known as bees, wasps, hornets, or yellow jackets for two or more consecutive days within any thirty (30) day period is hereby declared to be a public nuisance. Furthermore, it is unlawful to maintain or fail to maintain such property in such a manner that it allows and encourages such insects to remain and thrive on the property in any life stage and/or to return to the property once removed or eliminated, except as allowed for a collection and extraction procedure by a professional bee control service.

1. Regulated Species. Specifically regulated are those flying insects that are within the biological order of Hymenoptera and suborder *Apocrita* (bees, wasps, and ants). but shall not include any ant species and shall include the following and any similar types of insects, as determined appropriate by the Community Development Director:

a) **Bees.** All *Apoidea* super family species including, but not limited to, *Apis mellifera* (Honeybees.)

b) **Wasps, Hornets, and Yellow Jackets.** All *Vespula* family species, including but not limited to, *Vespula pensylvanica* (Western Yellowjacket) and *V. Mischocyttaru flavitarsus* (Common Paper Wasps.)

2. Prohibited Actions. This prohibition includes:

a) The intentional possession and maintenance of such insects in any life stage in any comb, hive, colony, or any structure or device containing therein a group of such insects in any life stage and any material deposited by such insects.

b) The unintentional possession of such insects inside a building, other device or vegetation on the property and the failure to remove any such nest, hive, or swarm within ten (10) days of notification of such in writing by the City.

c) Removal and relocation of honeybees to an approved location is allowed to be done by a professional beekeeper.

SECTION 5. Section 4325 of the Lakewood Municipal Code, regarding public property tree/plant maintenance procedures is hereby amended to read as follows:

4325. PUBLIC PROPERTY TREE/PLANT MAINTENANCE. The Director of Public Works shall have full power and authority over the planting, removal and maintenance of trees, shrubs, and ground covers in or upon any public street, parkway or other public ground and shall have the right and power to establish rules and regulations relating to such trees, shrubs, and ground covers. The Director of Public Works or designee shall have the power to cause the trimming or removal of any tree, shrub, or ground cover in or upon any public street parkway, or public ground which is diseased, or which endangers, or which may endanger the security or peaceful usefulness by the public of any public street or sidewalk.

SECTION 6. Section 4325.1 of the Lakewood Municipal Code, regarding private property tree/plant maintenance procedures is hereby amended to read as follows:

4325.1. PRIVATE PROPERTY TREE/PLANT MAINTENANCE. Each property owner shall maintain the trees, shrubs, and groundcovers on their property in a safe and properly trimmed manner and in conformance with any landscaping requirements of this Code including those regarding residential front yard landscaping standards, commercial landscaping standards, parking lot landscaping standards and other required lot surfacing requirements. The trees and other plantings shall be maintained with proper trimming in a visually attractive manner that does not impact the public safety of any public street, sidewalk, parkway, alleyway, or the usefulness of any public property. Private landscaping shall not overhang or project into or onto any public property or right-of-way. Any non-compliant landscaping is hereby declared to be a public nuisance per se presenting a danger to public safety and subject to the abatement procedures established by this code.

The Director of Community Development or a delegate representative shall have full power and authority to enforce and abate such landscaping maintenance standards on private property, including the planting, removal and maintenance of trees, shrubs, and ground covers in

a compliant manner. This includes the removal of dead or diseased trees or other plants or any such which endangers, or which may endanger the security or peaceful usefulness by the public of any public street, parkway or sidewalk through overgrowth or unsafe projections of such nuisance plantings.

SECTION 7. Section 4328 of the Lakewood Municipal Code, regarding bird feeding is hereby amended to read as follows:

4328. BIRD FEEDING NUISANCE. No person or property owner within a residential zone shall place or maintain any food or substance upon which birds, including pigeons, may feed or which will attract birds, unless the birds are owned and maintained by the person or property owner and fed within the walls of a building, or within the confines of a cage, pen, bird house, or loft located outside of a building. Such bird feeding is hereby determined to be an unlawful public nuisance per se and an unauthorized activity at any time it is observed and documented by a city enforcement officer on any two or more days within any a thirty-day period. The City Council hereby declares any such activity to be a public nuisance, which shall be abated as provided in this Code. The City Council further finds and determines that pursuant to the provisions of Section 38771 of the Government Code of the State of California, the violation of the provisions of this Section is a public nuisance which may be abated as provided in the Civil Code or the code of Civil Procedure.

SECTION 8. Section 4328.2 of the Lakewood Municipal Code, regarding graffiti removal procedures is hereby amended to read as follows:

4328.2 GRAFFITI REMOVAL. The City Manager is hereby authorized to use public funds and facilities for the removal of any of the aforementioned described graffiti as provided for and subject to the provisions of Section 53069.3 of the Government Code of the State of California. Property owners shall remove graffiti within ten (10) calendar days following delivery of written notification from the city.

SECTION 9. Section 4328.4 of the Lakewood Municipal Code, regarding vandalism damages is hereby amended to read as follows:

4328.4 VANDALISM DAMAGE COST RECOVERY. The City Manager is authorized to notify any court that finds a person guilty of the act of vandalism as defined in Section 594 of the California Penal Code that the city has an ordinance wherein the City Council has authorized the City Manager or his agent to clean up, remove graffiti, and repair the property damaged by the act of vandalism. Furthermore, the City Manager or designee shall request that the total cost to the City of doing such clean up and repair and the total cost to collect these expenses be ordered by the court to be paid by the person convicted of the vandalism pursuant to Section 594 of the California Penal Code.

SECTION 10. Section 5359.A. of the Lakewood Municipal Code, regarding Waste Regulation Enforcement procedures is hereby amended to read as follows:

A. In response to violations of this Code, the City may avail itself of any legal remedy, including Administrative Citation (Sections 4900, et seq.), infraction or misdemeanor prosecution, or civil action. Regardless of the remedy utilized, the amounts of the fines or assessments for such violations shall be the greater of 1) the maximum amounts allowed by applicable State law and regulations for such specific violations and as such amounts are increased by state law from time to time, or 2) the maximum amounts allowed by State law for infractions; with such amounts to include enhancements for multiple violations within the same calendar year.

Penalties shall increase for multiple violations within a one-year period and additional enforcement actions may be imposed, including revocation of building permits and business licenses. Such rates are based on Government Code Sections 53069.4, 25132 and 36900, and the rates shall be automatically adjusted to the maximum allowed in each category as the Government Code is modified from time to time in the future. However, in no event shall the fines be less than the following within any twelve (12) month period:

- **First violation:** Fine shall be *\$100 per violation*.
In addition, the Public Works Director or designee shall ban the contractor and any subcontractor associated with the violation from ever again being authorized to self-haul. This ban shall include any other legal business entities that are currently or may be created in the future by the same contractor and/or subcontractor that are violators and who are the owner or partial owner of such an entity.
- **Second violation:** Fine shall be *\$200 per violation*.
In addition to the above, the contractor and/or subcontractor involved in the original violation shall be banned from being issued building permits within the city for a period of six months.
- **Third or subsequent violation:** Fine shall be *\$500 per violation*.
In addition to all the above, any such contractor and/or subcontractor that participated in the original violation shall have their current business license revoked, and they shall not be allowed to renew their business license for a period of one year.

The Notice of Violation (“Notice”) shall be delivered by at least one of the following methods: in person, by depositing the notice into U.S. Postal Service mail system, or by transmitting the Notice by electronic mail sent by city staff to the contractor or subcontractor identified as violating the required hauling procedures. The date such a notice is deposited into the mail or is transmitted electronically by email or is posted on the site shall constitute the date of delivery.

In the event that the violations as described in this subsection are committed by multiple contractor businesses, who operate in whole or in part with the same individual holding the applicable State contractor’s license under which each such business operates, then all such violations shall count in determining the number of violations for purposes of enhanced fines and penalties, irrespective of the business name or business license holder. Any fines, permit or license revocations or suspensions applicable to one of such contractors shall be applicable to all such contractor businesses.

The Public Works Director or designee shall be responsible for establishing operational procedures and maintaining a list of such violations and violators in order to properly implement the enforcement of the penalties established herein.

SECTION 11. Section 5359.C.vi. of the Lakewood Municipal Code, regarding waste regulation enforcement is hereby amended to read as follows:

vi. In the instance of a construction project contractor who has elected to either self-haul or subcontract for the hauling of construction and demolition debris from a construction site in lieu of utilizing the authorized city franchised hauler, then both the primary contractor and any subcontractor are both responsible to document the hauling procedure in an approved manner by the Public Works Director and as described by this chapter and as elsewhere regulated within this code, including Section 5357 regarding procedures for self-haulers. The ability to self-haul construction debris shall be considered on a case-by-case basis as approved by the Public Works Director or designee and such waste and debris shall be disposed of only at a facility preapproved by the Public Works Director.

Failure to follow these procedures shall result in enforcement actions and penalties as specified in this chapter and Code. Penalties may also include revocation of related building permits, revocation, or suspension of business licenses for both the contractor and the subcontractor for a minimum one-year period and other penalties as determined appropriate by the Public Works Director, including fines in accordance with Section 5359.

SECTION 12. Section 6201 of the Lakewood Municipal Code, regarding business license unlawful business procedure is hereby amended to read as follows:

6201. UNLAWFUL BUSINESS. No certificate or permit issued under the provisions of the Business License Law shall be construed as to authorizing anyone to conduct or carry on any illegal or unlawful activity or business or to operate any business or activity in a manner that does not comply with the standards and procedures of this Code or other local ordinances or any state law for which the City has enforcement compliance responsibility.

SECTION 13. Section 6202 of the Lakewood Municipal Code, regarding business license enforcement procedures is hereby amended to read as follows:

6202. ENFORCEMENT. It shall be the duty of the Director of Administrative Services and Finance (“Director of Finance”), or designee as hereinafter specified, to enforce each and all of the provisions of the Business License Law, including the collection of business taxes and penalties. The Director of Finance shall be responsible for the issuance of all permits, licenses and certificates required by the Business License Law and for the proper processing of all applications and registrants for permits, licenses, or certificates. The City Attorney shall advise the Director of Finance, or his authorized representative, on the legal effects and application of any provision of the Business License Law, and shall assist in the collection of any fee, license, tax, penalty or fine, including revocation and/or suspension of any related permit, building permit, license, or certificate.

SECTION 14. Section 9302.21a.E.2. of the Lakewood Municipal Code, regarding ADU minimum rental period is hereby amended to read as follows:

2. An ADU shall only be rented or leased for terms that are thirty-one (31) days or more.

SECTION 15. Section 9302.21b.D.1. of the Lakewood Municipal Code, regarding JADU minimum rental period is hereby amended to read as follows:

1. A JADU shall only be rented or leased for terms that are thirty-one (31) days or more.

SECTION 16. Section 9302.31 of the Lakewood Municipal Code, regarding the lot line definitions is hereby amended to read as follows:

9302.31. LOT LINES. The boundary lines of lots are:

A. FRONT LOT LINE: The property line which abuts a public street, private street, or an access easement and to which the lot is assigned an address. On a corner lot only one (1) street facing property line shall be considered as a front lot line, and such front lot line shall be determined by and addressed by the Community Development Director.

B. REAR LOT LINE: The property line opposite and not tangent to the front lot line.

C. SIDE LOT LINE: Any property lot lines that are not the front lot line or the rear lot line and that extends between the front lot line and the rear lot line

D. SIDE STREET LOT LINE. On a corner lot, the property line facing the street that is not determined to be the front property line by the Community Development Director.

SECTION 17. Section 9302.36 of the Lakewood Municipal Code, regarding the Planning and Environment Commission definition is hereby amended to read as follows:

9302.36. PLANNING COMMISSION. The Planning and Environment Commission (“PEC”) of the City of Lakewood, California. (Amended by Ord. 80-17)

SECTION 18. Section 9302.49 of the Lakewood Municipal Code, regarding lot width definition is hereby amended to read as follows:

9302.49. WIDTH, LOT. Lot width means the average (mean) horizontal distance between the side lot property lines. Average lot width may be calculated by dividing the overall lot area by the greatest depth of the lot.

SECTION 19. Section 9302.51 of the Lakewood Municipal Code, regarding front yard and front yard setback area definitions is hereby amended to read as follows:

9302.51. YARD, FRONT. A yard extending across the full width of the lot between the internal edge of the side yard setback area and measured between the front lot line and the nearest line of any enclosed structure or covered porch or garage attached thereto. “Front yard” also includes any area adjacent to the front yard which is not within the required side yard setback areas.

A. Front Yard Setback Area. The front yard setback area shall be a regulated area measured in feet from and at right angles to the front property line, establishing a minimum setback line for structures parallel to the front property line and which extends between the internal edge of the side yard setback areas. The side yard setback areas extend from the rear yard setback area to the front lot property lines. The width of such a setback area is defined by the zone district in which the lot is located. Only specified projections are allowed to be constructed in such an area, except as otherwise authorized by another ordinance or state law.

SECTION 20 Section 9302.52 of the Lakewood Municipal Code, regarding rear yard and rear yard setback area definitions is hereby amended to read as follows:

9302.52. YARD, REAR. A yard extending across the full width of the lot between the side lot property lines and measured between the rear lot line and the nearest rear line of the main building or the nearest rear line of any enclosed or covered porch or patio. Where a rear yard abuts a street, it shall meet the front yard setback requirements of the zone in which the lot is located.

A. Rear Yard Setback Area. The rear yard setback area shall be a regulated area measured in feet from and at right angles to the rear property line, establishing a minimum structure setback line parallel to the rear property line, which extends between the side lot property lines. The width of such a setback area is defined by the zone district in which the lot is located. Only specified projections are allowed to be constructed in such an area, except as otherwise authorized by another ordinance or state law.

SECTION 21. Section 9302.53 of the Lakewood Municipal Code, regarding side yard and side yard setback area definitions is hereby amended to read as follows:

9302.53. YARD, SIDE. A side yard is an area extending from the front property line to the internal edge of the rear yard setback area and between the side property line and the nearest line of the main building or of any accessory building attached thereto.

A. Side Yard Setback Area. A side yard setback area shall be a regulated area extending from the front property line to the internal edge of the rear yard setback area and shall be measured in feet from and at right angles to each side property line, establishing a minimum structure setback line parallel to the side property lines. The width of such a setback area is defined by the zone district in which the lot is located. Only specified projections are allowed to be constructed in such an area, except as otherwise authorized by another ordinance or state law.

SECTION 22. Section 9302.54 of the Lakewood Municipal Code, regarding side street yard and side street side yard setback area is hereby added to read as follows:

9302.54. YARD, SIDE STREET. On a corner lot, a side street yard is an area extending from the side street property line between the internal edge of the rear lot setback area and the front property line between the side property line and the nearest line of the main building or of any accessory building attached thereto.

A. Side Street Side Yard Setback Area. A side street side yard setback area is an area extending from the front property line to the internal edge of the rear lot setback area and the width of such area is defined by the zone district in which the lot is located. Only specified projections are allowed to be constructed in such an area, except as otherwise authorized by another ordinance or state law.

SECTION 23. Section 9302.55 of the Lakewood Municipal Code, regarding building area definition is hereby added to read as follows:

9302.55. YARD, BUILDING AREA. The yard area of the lot that remains after removing all required yard setback areas and upon which allowed structures may be constructed in accordance with the development standards of the zone district in which the lot is located, unless otherwise regulated by this code or state law.

SECTION 24. Subsection 9320. F. of the Lakewood Municipal Code, regarding R-1 Zone Residential Rentals is hereby amended to read as follows:

F. Residential Rentals.

1. Long Term Rental (31 days or more).

- a. Whole Home Rental. An entire primary dwelling unit may only be rented for periods of time that are thirty-one (31) days or more. This includes second primary dwelling units (i.e., per SB9.)
- b. Accessory Dwelling Unit (ADU) Rental. An Accessory Dwelling Unit may only be rented for periods of time that are thirty-one (31) days or more.
- c. Junior Accessory Dwelling Unit (JADU) Rental. A Junior Accessory Dwelling Unit may only be rented for periods of time that are thirty-one (31) days or more and either the primary dwelling unit or the ADU shall be occupied by the property owner.
- d. Home-Share Rental (long-term). The renting of not more than two rooms to not more than two roomers, and/or the providing of table board to not more than two boarders or both, in a single-family residence may only be rented for periods of time that are thirty-one (31) days or more.

2. Short-term Rentals (less than thirty-one (31) days) are not allowed.

SECTION 25. Subsection 9320. K. of the Lakewood Municipal Code, regarding R-1 Zone residential front yard safety standards is hereby added to read as follows:

K. Front Yard Safety Standards. The City Council hereby finds that the following development standards are necessary to protect residents, especially children, from potential harm that may be caused by the location of any structures in the front yards of residential lots. These standards are each individually necessary to protect the public health, safety, and welfare of the residents of the City of Lakewood from potential safety hazards and other unsafe conditions. These standards shall apply to all areas within the front yard setback area and within any adjacent side

yard setback area that is the same distance from the front property line as the front yard setback area. The Community Development Director is authorized to make determinations and regulatory interpretations of these provisions in order to reasonably implement the stated objectives regarding the application or waiver of the following front yard standards, especially as it applies to any existing or proposed vegetation and/or structures (*e.g., a tree or a flagpole.*)

1. Driveway Visibility Triangle. In order to preserve a safe view of the sidewalk and street from any vehicle backing out of a driveway either on-site or on an adjacent lot, there shall be an unobstructed view of the sidewalk from each side of the driveway. A safe view from the driveway shall be achieved by having no structures or vegetation that exceeds forty-two inches in height and two feet in width within an area that is defined as a right-angle triangle that has one side fifteen feet (15') parallel with the sidewalk and the other side fifteen feet (15') parallel with the driveway and along both sides of the driveway. This shall apply to both sides of a lot and shall include any area within the side yard setback area, adjacent to the front yard. This is also recommended for any driveway within the side street yard setback area of a corner lot, subject to review and approval by the Community Development Director or designee.

2. Child Safety Visual Corridor. In order to preserve and promote safe passageways for children walking to and from schools, libraries, and public parks along city sidewalks, no structure over 42" in height shall be constructed within ten (10) feet of a public sidewalk that is within one-half of a mile from a school, library, or public park.

3. Sidewalk Safety Setback. There shall be a minimum four-foot (4') safety setback area from the front property line for any structure over forty-two inches (42") in height to assure adequate protection and to allow adequate space to maintain the public right-of-way. This setback is required to inhibit any unauthorized encroachments into the public right-of-way from both above ground and underground improvements (*e.g., foundations.*) Any dispute regarding the location of the front property line shall be resolved through a property line survey prepared for the property owner and at the property owner's expense.

4. Noise Attenuation Windows. Any habitable structure within ten (10) feet of any public right-of-way, including a sidewalk or street shall be required to install triple pane tempered glass windows that meet with a Sound Transmission Class rating of 24 or less, as specified by the California Building Code requirements for sound attenuation.

5. Street Tree Protection. No habitable structure shall be located within the dripline of any tree planted within the city right-of-way, or within fourteen feet (14') of the trunk of such a tree. The property owner is hereby notified that any structure constructed in the front yard is done at their risk and may be damaged by tree roots and/or branch fall. The property owner shall be fully responsible for the installation of any required root barriers and for the maintenance and repair of any building damage caused by tree root intrusion or tree debris fall. The city seeks to preserve existing street trees and minimize any potential structural damage and any resultant liability caused thereby. Each property owner has a responsibility to protect and properly maintain their on-site structures from potential dangers and a responsibility to notify the city of any unsafe conditions when observed.

6. Utility Line Protection. No habitable structure in the front yard shall be constructed or proposed to be constructed over any underground utility line. Any conflicting utility line (e.g., gas, water, sewer, electrical, low voltage cable, or fiber optic cable) shall be relocated at the property owner's expense, so that it is outside of the footprint of any proposed front yard habitable structure. This reduces conflicts with any future land division that places separate detached units on individual lots, as allowed by state law to assure that each unit has their utility connections on the resultant lot.

SECTION 26. Subsection 9320. L. of the Lakewood Municipal Code, regarding R-1 Zone residential pool/spa safety standards is hereby added to read as follows:

L. Residential Swimming Pool/Spa Safety Standards. When a lot in the R-1 or R-A zone has a swimming pool and/or spa and has more than one dwelling unit on the lot, then such swimming pool and/or spa shall be accessible to all residents on that lot equally without restriction. Any such pool serving more than one family shall be considered to be a public pool and shall be subject to the requirements and inspections for such public pools as regulated by the Los Angeles County Public Health Department ("Public Health.") This includes all required signage, as specified by Public Health. In addition, the pool shall be maintained by a certified pool technician, professionally trained, and certified by the Los Angeles County Public Health Department. If any resident requires accessible accommodations for the disabled, the property owner shall install the appropriate equipment and any other necessary improvements to the satisfaction of the Community Development Department.

SECTION 27. Section 9321 of the Lakewood Municipal Code, regarding off-street parking standards is hereby amended to read as follows:

9321. OFF-STREET PARKING, SINGLE FAMILY RESIDENTIAL. A private garage or carport providing not less than two (2) automobile covered parking spaces shall be maintained for the first dwelling unit on a lot and at least one (1) additional paved parking space shall be provided for each additional dwelling unit on a lot, except as waived or modified by state law. Such a garage or carport shall not be within the front yard, however, the paved driveway area in the front yard may be used for required parking spaces. Tandem parking is allowed on the paved driveway. The internal edge of the existing legally conforming driveway width (*as it existed on August 8, 2023*) may be expanded by no more than ten (10) feet to allow one additional paved parking space in the front yard, except in the instance, where a circular drive exists or is allowed to be installed. In addition, any area paved between the external edge of the driveway and the nearest side property line may be used for parking. If a property owner has a vehicle with a valid unexpired placard or license plate for the disabled, then an additional five (5) feet wide walkway may be paved towards the interior of the lot to accommodate a walkway access for the disabled. This disable access walkway is in lieu of and replaces the otherwise allowed two (2) wide foot passenger walkway. In no instance shall any additional paving allowed by this section exceed the maximum allowed front yard hardscape area as specified by Section 9322.10. C of this Code. All required parking spaces shall be kept clear of storage, furniture, appliances, equipment, plants, or accumulations of trash, rubbish, or debris, and shall remain accessible for the parking of vehicles.

Notwithstanding the foregoing, a private garage or carport providing one (1) automobile storage space shall be maintained for each single-family residence validly erected and conforming on February 27, 1958, provided, however, one (1) additional paved automobile parking space is provided on the lot.

SECTION 28. Section 9322 of the Lakewood Municipal Code, regarding R-1 zone lot area is standard is hereby amended to read as follows:

9322. LOT AREA. The minimum required area of a lot or parcel in the R-1 zone shall be set forth in Section 9210, unless otherwise waived or modified by state law. In the event that a larger required area is designated for a particular area in the R-1 zone, it shall be indicated by a number expressing the required square footage following the zoning symbol. In no instance shall the minimum lot area of the subdivision of an existing lot in the R-1 zone result in a lot to be less than 1,200 square feet, as allowed by state law.

SECTION 29. Section 9322.1 of the Lakewood Municipal Code, regarding R-1 zone lot area per dwelling standard is hereby amended to read as follows:

9322.1. LOT AREA PER DWELLING. The lot area per dwelling unit shall not be less than the minimum area required for a lot or parcel, unless otherwise waived or modified by state law to allow additional dwelling units.

SECTION 30. Section 9322.2 of the Lakewood Municipal Code, regarding R-1 Zone lot coverage standards is hereby amended to read as follows:

9322.2. LOT COVERAGE. The total first floor area of the main building and all enclosed accessory structures shall not exceed forty-five percent (45%) of the lot area, unless otherwise waived or modified by state law.

SECTION 31. Section 9322.2a. of the Lakewood Municipal Code, regarding R-1 zone floor area ratio standards is hereby amended to read as follows:

9322.2a. FLOOR AREA RATIO. The total floor area of the main building used for living purposes shall not exceed sixty percent (60%) of the lot area, unless otherwise waived or modified by state law.

SECTION 32. Section 9322.3 of the Lakewood Municipal Code, regarding R-1 building height standards is hereby amended to read as follows:

9322.3. BUILDING HEIGHT. In the R-1 zone no building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, whichever is the lesser, except that no structure allowed in the front yard area shall exceed eighteen (18) feet in height, if detached from all other structures and shall not exceed twenty-five (25) feet in height if attached to another structure that is not in

the front yard, except that an additional two (2) feet maybe added to match the adjoining roof pitch.

SECTION 33. Section 9322.4 of the Lakewood Municipal Code, regarding front yard setback area standards is hereby amended to read as follows:

9322.4. FRONT YARD SETBACK AREA. Every lot and every parcel in the R-1 zone shall have a front yard setback area of not less than twenty (20) feet from the front property line except as listed below, or not less than ten (10) feet from the front property line, where the lot or parcel is located on a cul-de-sac street or on a knuckle intersection, unless otherwise waived or modified by state law.

Every lot in the R-1 zone located within Tract No. 11600 and Tract No. 12673 (more commonly known as Lakewood Gardens) shall have a front yard setback area of not less than fourteen (14) feet from the front property line, unless otherwise waived or modified by state law.

SECTION 34. Section 9322.5 of the Lakewood Municipal Code, regarding side yard setback area standards is hereby amended to read as follows:

9322.5. SIDE YARD SETBACK AREA. (Nonconforming Buildings - See Section 9396)

A. For interior lots, the side yard setback area shall be four (4) feet in width from the side property line, unless otherwise waived or modified by state law.

B. For corner lots, the side yard setback area abutting a side street shall be four (4) feet in width from the side property line, unless otherwise waived or modified by state law.

SECTION 35. Section 9322.6 of the Lakewood Municipal Code, regarding rear yard setback area standards is hereby amended/added to read as follows:

9322.6. REAR YARD SETBACK AREA. The rear yard setback area shall be four (4) feet from the rear lot line, unless otherwise waived or modified by state law.

SECTION 36. Subsection 9322.7. C of the Lakewood Municipal Code, regarding R-1 Zone accessory building standards is hereby amended to read as follows:

9322.7. ACCESSORY BUILDINGS.

...

C. Any accessory building used or designed for human habitation, including an ADU, shall be located no less than four (4) feet from any rear and/or side lot lines, unless otherwise waived or modified by state law.

SECTION 37. Subsection 9322.10.B.2 of the Lakewood Municipal Code, regarding driveway width standards is hereby amended to read as follows:

2. Driveway Width. The driveway width shall be no wider than ten (10) feet for each off-street parking space to which it leads (e.g., 20 feet wide driveway for a two-car garage or carport.) Every single-family dwelling unit shall provide off-street parking in compliance with Section 9490 and

Subsection 9490.T. of this code and shall have a minimum of two off-street parking spaces for either one or two dwelling units on a single-family residential lot, except and as specified by Section 9321, unless otherwise waived or modified by state law.

- a) The driveway may be expanded with concrete pavement or other hardscape material to fill in the area between the driveway and the nearest side property line. The driveway fill-in provision shall apply to only one property line.
- b) A driveway leading to parking spaces behind the residence shall not exceed the width between the residence and the side property line.
- c) Vehicles may park on all portions of an allowed driveway to satisfy parking requirements of the lot, including tandem parking, and are allowed on any paved driveway portion thereof in the required front yard or side yard setback area.
- d) The internal edge of the existing legally conforming driveway width (*as it existed on August 8, 2023*) may be expanded by no more than ten (10) feet to allow one additional paved parking space in the front yard, except in the instance, where a circular drive exists or is allowed to be installed.

SECTION 38. Subsection 9332. C of the Lakewood Municipal Code, regarding the MFR zoning district development standards – yard requirements is hereby amended to read as follows:

C. YARD REQUIREMENTS.

1. **Front Yard Setback Area.** Every lot shall have a front yard setback area of not less than twenty (20) feet in depth measured from the front property line. All primary multifamily structures shall maintain a minimum twenty (20) foot setback for the first story and a minimum twenty-five (25) foot setback for any story above the first story, except as allowed for ADU projections into the front yard.

2. **Side Yard Setback Area.**

a) On interior lots, the side yard setback area shall not be less than four (4) feet in width, unless otherwise waived or modified by state law.

b) On the corner lots, the side yard setback area abutting a street shall not be less than four (4) feet in width, unless otherwise waived or modified by state law.

3. **Rear Yard.** The rear yard shall not be less than four (4) feet.

4. **Accessory Building Setbacks.** Accessory buildings may be located on the rear lot line, if there are no openings in the wall abutting the rear lot line or alley, and the wall is constructed of one-hour fire resistant materials. Provisions shall be made for all roof drainage to remain on the subject property. Each garage fronting on any street or alley providing access thereto shall be located no closer than twenty (20) feet from the street or alley right of way line except as follows:

a) Any garage constructed with an automatic mechanical garage door opener and having access onto an alley, may be located closer than twenty feet from the property lines, provided that a twenty-four (24) foot back out turning radius is maintained from the automatic garage door to the opposite side of the alley.

(b) Any garage constructed pursuant to a building permit issued prior to March 26, 1974, and finalized before March 26, 1975, pursuant to a subdivision map tentatively approved by the City Council prior to March 26, 1975, may be located closer than

twenty (20) feet from said street or alley right-of-way line, as authorized by any ordinance in effect on March 26, 1974.

c) Canopies may be located only in the rear yard and may not be located in any driveway area used for automobile parking. Such structures shall be located not less than 3 feet from the side and rear property lines and shall be subject to all standards applicable to accessory structures. (Amended by Ord. 74-2 and Ord. 2004-5)

5. **Accessory Structures.** No accessory structure, such as, but not limited to garages, workshops, sheds, or greenhouses, shall be used as living quarters or recreational areas, except as allowed for as a conversion to an ADU as defined in Section 9302.21a., a JADU as defined in Section 9302.21b and/or as a second primary dwelling unit or as otherwise waived or modified by state law.

SECTION 39. Subsection 9332. D. 7. of the Lakewood Municipal Code, regarding the MFR zoning district development standards – building separation standard is hereby amended to read as follows:

D. DISTANCE BETWEEN BUILDINGS.

There shall be provided and maintained on each lot the following open or unobstructed space between buildings:

...

7. The minimum distance between all buildings shall be at least four (4) feet between the eaves of each building.

SECTION 40. Section 9383 of the Lakewood Municipal Code, regarding cornice and eave projections is hereby amended to read as follows:

9383. CORNICE AND EAVE PROJECTIONS. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features may extend into a side yard setback area provided a minimum clearance of thirty (30) inches is maintained between said eaves and the side yard property line. The foregoing may extend or project into a front or rear yard setback area not more than thirty (30) inches.

SECTION 41. Section 9383.1 of the Lakewood Municipal Code, regarding projections of stairways is hereby amended to read as follows:

9383.1. PROJECTIONS – STAIRWAYS/BALCONIES. A covered unenclosed stairway or balcony may extend or project into a required front yard setback area not more than forty-eight (48”) inches and shall be at least thirty (30”) inches away from either a rear or side property line.

SECTION 42. Section 9383.2 of the Lakewood Municipal Code, regarding projection of porches is hereby amended to read as follows:

9383.2. PROJECTION OF PORCHES /PLATFORMS. An uncovered or covered unenclosed porch, platform or landing place which does not extend above the grade of the first floor level of the building may extend or project into any required front yard setback area not more than six (6) feet, or into a required rear or side yard setback area without limitation as to area, provided such structure in a side yard or rear yard setback area shall not reduce to less than three (3) feet the width of an unobstructed pedestrian way or sidewalk on ground level. However, no porch, platform, or landing place, whether covered or uncovered, shall project into the required front yard of any lot or parcel in the R-1 or R-A zone located within Tract No. 11600 and Tract No. 12673, unless otherwise waived or modified by state law.

SECTION 43. Section 9383.3 of the Lakewood Municipal Code, regarding miscellaneous projections is hereby amended to read as follows:

9383.3. PROJECTIONS – MISCELLANEOUS. The following projections, intrusions, and obstructions may be constructed or maintained within any required yard setback area:

- A. Planting boxes or masonry planters;
- B. Guard railings for safety protection around ramps;
- C. Trees, plants, bushes, shrubs, and fencing otherwise meeting the requirements of this Code. Hedges used for the purpose of perimeter fencing shall be classified as fences.
- D. Swimming pools and swimming pool appurtenances may be located, constructed, and maintained in any required side and/or rear yard setback areas in residential zones and in accordance with the building code. Appurtenances shall consist of diving board, slides, filters, and heaters. If such appurtenances are enclosed, the structure shall not exceed six feet in height. Heater vents shall terminate in accordance with the Plumbing Code. If heater and/or filter and any such enclosures are located in the side yard, or within three (3) feet of the rear property line, the side and rear perimeter walls shall be of one-hour fire resistive construction or more.
- E. Water heaters, chimneys and other similar devices are permitted to project into the required side and rear yard setback areas provided a minimum clearance of thirty inches (30") is maintained at all times.
- F. Carports located in the rear fifty percent (50%) of the lot are permitted to project into the required side and rear yard setback areas up to the property line, provided the structure meets the requirements of the Building Code and Fire Code for material, type and setbacks, and provided the supports for the carport do not encroach into the adjacent property or the required driveway turning radius necessary for access to the carport.
- G. Porte-cochere structures may be erected, constructed, or placed in the side yard setback area over an existing driveway to provide shelter for persons getting out of a vehicle subject to the following regulations:
 - 1. A porte-cochere may project into the side yard setback area provided, the porte-cochere structure shall maintain a minimum clearance of thirty (30) inches between the porte-cochere and the side property line.

2. The roof line of a port-cochere structure shall conform to the existing roof design of the structure to which it is attached.

H. Front Yard ADU. An attached or detached ADU may project into the front yard in accordance with state law and subsection 9320. K. of this code and provided 1) it maintains a minimum (4) foot side yard and a minimum (4) foot front yard setback and 2) provided the roof line of the ADU, if attached, shall conform to the existing roof design of the structure to which it is attached and not exceed twenty-five (25) feet in height, unless increased no more than an additional two (2) feet to align the roof pitch to the existing primary residence. In the instance of a detached ADU, the roof shall not exceed eighteen (18) feet in height. Such an ADU is allowed notwithstanding the provisions of Sections 9383 et. seq., relating to other limitations on projections that may conflict with such a front yard ADU.

SECTION 44. Subsection 9384 of the Lakewood Municipal Code, regarding wall, fence or hedge requirements is hereby amended to read as follows:

9384. WALL, FENCE, OR HEDGE. A wall, fence, or a hedge used as and in lieu of fencing, may be maintained within the required yard setback areas, subject to the following:

A. Rear and Side Yard Setback Areas. In any residential zone, any wall, fence, or hedge shall not be more than seven feet six inches (7' 6") in height, unless otherwise approved by the Development Review Board (DRB) and when located within the required rear yard setback area or that portion of any side yard setback area that is not adjacent to any portion of the required front yard setback area.

B. Front Yard and Side Yard Setback Areas Adjacent to Front Yards. In any residential zone, a wall, fence, or hedge when located within the required front yard setback area or within any side yard setback area adjacent to any portion of the front yard setback area, shall not exceed an overall height of forty-two inches (42"), unless otherwise approved by the DRB.

C. Measurement. The height of fences, walls and hedges shall be measured from the finished grade, on either side thereof, at each point along the base of such a fence, wall, or hedge. The finished grade may be raised by a retaining wall or berm and then such a fence, wall or hedge may be placed on the top of such a modified finished grade and set back a minimum of six inches from the transitional edge of such a raised finished grade.

D. Wall/Fence Extension. A "wall/fence extension" is installed on top of an existing fence or block wall and that is constructed of a different material than the original fence or wall. A wall/fence extension shall be compatible with the color, style, and usage of the abutting properties and may be approved by the Community Development Director or designee based on a determination of an acceptable compatibility.

E. DRB – All Zones. Fences, walls, and hedges of a height in excess of the foregoing may be authorized pursuant to review by the DRB and subject to a finding that there is a need for increased lot safety, protection for light, air, open space, street view, aesthetics and not detrimental to surrounding properties or neighborhood.

F. Commercial and Industrial. Walls, fences, or hedges in commercial and manufacturing zones are allowed to be eight feet (8') in height except that heights in excess thereof may be

authorized by the DRB provided findings are made that determine that the public safety, public, convenience, and necessity require a height in excess of the foregoing. Chain link fencing is not an acceptable material for perimeter fencing on any developed commercial project area adjacent to a public street. Chain link fencing may be used on lots zoned for industrial uses and to secure vacant commercial lots or those under construction, as well as to secure the rear and side perimeter areas of commercial lots not visible to the public from a public street. The use of tubular steel fencing or other materials determined acceptable by the Community Development Director or designee are to be used for street viewable perimeter fencing.

G. Exceptions. The foregoing provisions shall not apply to walls, fences, or hedges used to enclose or fence schools, public buildings, grounds, parks, and recreation areas, except that no such wall, fence, or hedge shall exceed eight feet (8') in height, unless authorized by the DRB and provided findings are made that determine that the public safety, public, convenience, and necessity require a height in excess of the foregoing.

H. Hedges. Hedges in lieu of fencing shall mean one or more plants or bushes or trees planted or growing or maintained for fencing purposes within all or a part of a required yard setback area. The setback area that is occupied by such "hedges in lieu of fencing" shall be occupied by 50% or more of foliage, in a manner such that 50% or more of the air, light or view that otherwise would have been available, if not so planted, growing, or maintained, is obstructed. Foliage used for such hedges includes all trunks, stems, branches, and leaves.

I. Open Space Exception. Notwithstanding the foregoing, said walls, fences, or hedges placed on the rear property line abutting the West San Gabriel River Open Space Area may be maintained without review by the Development Review Board to a height of eight feet (8') above the grade level of the land on either side thereof provided that any wall or fence complies with the standards on file in the office of the Director of Community Development pertaining to colors, material, and construction. This subsection applies to properties abutting the West San Gabriel River Open Space Area between Shadeway Road on the north and by Carson Street on the south, all as set forth on a map on file in the office of the Director of Community Development.

J. Driveway Width Protection. Fences, walls, or hedges shall not be constructed, installed, or maintained so as to reduce the width of a driveway to be less than eight (8) feet six (6) inches or reduce the driveway width of an adjacent property to be less than eight (8) feet six (6) inches, unless authorized by a Conditional Use Permit.

K. Director Referral. The Community Development Director may upon review and his/her discretion refer any proposed wall, fence or hedge project for review and determination at a public hearing before either the Development Review Board and/or the Planning and Environment Commission to resolve any policy or neighborhood compatibility concerns.

SECTION 45. Section 9385 of the Lakewood Municipal Code, regarding lot area reduction standard is hereby amended to read as follows:

9385. LOT AREA REDUCTION. No lot area shall be so reduced or diminished that the lot area, average width, yards, or other open spaces shall be smaller than prescribed by this Code, except as otherwise allowed or waived by state law.

SECTION 46. Section 9385.1 of the Lakewood Municipal Code, regarding dwelling location standard is hereby amended to read as follows:

9385.1. DWELLING LOCATION - POTENTIAL LOT DIVISION. Where more than one dwelling unit is constructed on one lot or parcel of land, the buildings shall be so located on that lot or parcel of land so that it can be divided into smaller parcels or lots, each of which will contain not less than the minimum required area, and on each of which, when considered as a separate lot or parcel, the number and location of buildings will comply with the minimum required area requirements of this Code, unless otherwise waived or modified by state law, which allows a onetime division of any single family residential lot, existing on January 1, 2022 to no less than 1,200 square feet. The underground utilities to each such dwelling unit shall be located and/or relocated in such a manner that the underground utilities for one dwelling unit are not under or obstructed by another dwelling unit and so that they are located fully on a potential lot of such a lot division.

SECTION 47. Section 9386 of the Lakewood Municipal Code, regarding accessory building standards is hereby amended to read as follows:

9386. ACCESSORY BUILDINGS. Accessory buildings shall be constructed and maintained in conformance with the yard setback areas of the zone districts in which they are located, unless otherwise allowed by this code or by state law. No accessory structure, such as, but not limited to garages, workshops, sheds, or greenhouses, shall be used as living quarters, except as allowed for as a conversion to an ADU as defined in Section 9302.21a., a JADU as defined in Section 9302.21b and/or as a second primary dwelling unit.

SECTION 48. Section 9387 of the Lakewood Municipal Code, regarding drainage standards is hereby amended to read as follows:

9387. DRAINAGE. No person shall alter any grade of any property in such a manner, so as to cause the diversion of water runoff or drainage onto any abutting property. The point of entry, quantity, and manner of such lot drainage into the public storm water system shall be determined by and shall require the approval of the Public Works Director or designee. The use of pervious materials and any on-site retention and detention systems for storm water are encouraged.

SECTION 49. Section 9403 of the Lakewood Municipal Code, regarding PEC findings and decisions is hereby amended to read as follows:

9403. PEC FINDINGS AND DECISION. The Planning and Environment Commission (“PEC”) shall make its decision to approve or not approve each project, based on the findings specified in Section 9401 or elsewhere in the Code and if approved shall impose any necessary conditions of approval on the project construction and/or limitations regarding the ongoing operation of the approved land use to protect the public health, safety, and welfare. The formal notice of action shall be in the form of an adopted resolution and shall be delivered as specified in Sections 9403.2.

SECTION 50. Section 9403.2 of the Lakewood Municipal Code, regarding notice of a PEC decision is hereby amended to read as follows:

9403.2. NOTICE OF PEC DECISION. No later than ten (10) city business days, (*Days that City Hall is open for business*) city staff shall deliver the formal PEC action decision on any matter to the respective property owner, the applicant, if other than the property owner, the City Clerk, City Manager, each member of the City Council, and any other interested party that has requested such notification in writing either at the hearing or otherwise and that has provided their name, address and/or electronic mail (email) address for such notification.

The notice of the PEC decision shall be delivered by at least one of the following options: in person, by depositing the notice of the PEC decision into the U.S. Postal Service mail system, and/ or by transmitting the notice by e-mail from the city staff to those required to have or requesting such notice. The date such a notice is deposited into the mail or is transmitted electronically shall constitute the date of delivery.

SECTION 51. Section 9407 of the Lakewood Municipal Code, regarding a PEC decision appeal is hereby amended to read as follows:

9407. APPEAL OF A PEC DECISION. Actions by the Planning and Environment Commission (“PEC”) shall be by majority vote and shall be final, conclusive, and effective ten (10) calendar days after delivery of the notice of the PEC action to the property owner, applicant and others as required, along with any conditions of approval or other documents related to acceptance of the action and conditions by the property owner and/or applicant. Delivery shall be as provided in Section 9403.2. The PEC action shall be final unless prior to the effective date of the PEC decision a properly prepared appeal in writing is filed, including required filing fees with the City Clerk by the applicant or by any other person.

The appeal statement shall detail the requested remedy and why in the opinion of the appellant the PEC decision failed to act appropriately or condition properly the project being appealed in order to protect the overall public health, safety, or welfare of the City of Lakewood. The appeal shall be limited to the matters discussed orally or considered by the PEC in written or displayed materials presented for consideration as part of the PEC hearing.

In addition, any member of the City Council may, prior to the effective date of the PEC decision and by direction to the City Clerk, bring before the Council for the purpose of reviewing any decision made by the Planning and Environment Commission. The filing of such an appeal or the request for City Council review of such a decision prior to the effective date of the PEC

action shall stay the effective date of the PEC action until the City Council has acted on the appeal or review.

SECTION 52. Section 9421 of the Lakewood Municipal Code, regarding PEC hearings is hereby amended to read as follows:

9421. PEC HEARING TIMELINES. All proposals for amending zone boundaries or classifications of property uses within such zones as are defined by this Code, or proposals for the granting of conditional use permits or variances; or proposals for the revocation or modification of conditional use permits, variances, and/or nonconforming uses, as provided in this Code, shall be set by the secretary of the Planning and Environment Commission (“PEC”) for public hearing when such hearing is to be held before the PEC, and by the Clerk of the City Council for any such hearing to be held before the City Council.

The date of the hearing shall beset for not less than ten (10) calendar days and no more than one hundred twenty (120) calendar days from the time of filing of any such proposal, except:

- 1) as otherwise set by an approved motion of the PEC or City Council or,
- 2) in the instance of a hearing regarding the revocation or requiring the modification of a variance, conditional use permit or non-conforming use, the hearing shall be set no less than forty (40) calendar days, following notification of the intent to conduct such a hearing to either revoke or modify a previous approval.

Where an application is made for the granting of a conditional use permit or variance any required PEC hearing shall be concluded by its decision granting or denying the application within one hundred twenty (120) calendar days from the date the application was deemed complete and accepted for processing unless the maximum processing time is waived upon a request by the applicant.

Where by reason of a written appeal or otherwise by the terms and provisions of this Chapter a hearing is required before the City Council on an application pertaining to a conditional use permit or a variance, such hearing shall be concluded by the granting or denial by the City Council of the application or the appeal within one hundred twenty (120) calendar days from the time of the filing with the City Clerk of the written appeal or application for relief by the City Council, unless the time limit is waived by the applicant.

Notwithstanding the foregoing, in any case where an environmental analysis or study is required under the terms and provisions of the California Environmental Quality Act (CEQA), the aforementioned time limit for concluding any such proceeding shall be extended by the time necessary to determine whether the project is to be: 1) Exempt from CEQA review, by a time not exceeding thirty (30) days, or 2) Prepare/process a Negative Declaration by a time not exceeding one hundred (100) days, or 3) Prepare/process an Environmental Impact Report by a time not exceeding eleven (11) months, unless the time limit extension is waived by the applicant.

SECTION 53. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b) (3). This Ordinance has no

impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 54. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent authority, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 55 CONTINUITY. To the extent the provisions of the Lakewood Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 56. CERTIFICATION. The City Clerk shall certify the adoption of this Ordinance and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause the ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

SECTION 57. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2023, by the following roll call vote:

	AYES	NAYS	ABSENT
Mayor Pe	_____	_____	_____
Council Member Chase	_____	_____	_____
Council Member Croft	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Wood	_____	_____	_____

ATTEST:

Mayor

City Clerk

RESOLUTION NO. 5-2023

A RESOLUTION OF THE LAKEWOOD PLANNING AND ENVIRONMENT COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A PROPOSED ORDINANCE AMENDING THE LAKEWOOD MUNICIPAL CODE TO UPDATE AND ADD VARIOUS REGULATIONS INCLUDING THOSE REGARDING PUBLIC NUISANCES OF BEES/WASPS AND BIRD FEEDING, WASTE HAULER ENFORCEMENT, FRONT YARD SAFETY STANDARDS, WALL/FENCE/HEDGE HEIGHT REVIEW PROCEDURES, APPEAL TIMELINES AND OTHERS.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES FIND, RESOLVE, AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission ("Commission") conducted on the 6th day of July 2023, a public hearing in the City Council Chambers, 5000 Clark Avenue, Lakewood, California, following proper notice of the hearing as to the time and manner as required by law. The public hearing considered an ordinance proposing to amend the Lakewood Municipal Code (LMC) to update, modify and simplify regulations, standards, and procedures.

The Commission finds that the city needs to review and modify existing local regulations from time to time to conform to new state laws, remove outdated provisions, correct errors, recognize current procedures, clarify, and make modifications to existing regulations. The Commission finds and recommends that the proposed modifications are necessary to update various provisions of Articles IV, V, VI and IX of the Lakewood Municipal Code in order to recognize procedural changes, state law modifications, and to clarify and simplify development review procedures for certain specified land uses. Among the topics addressed in this ordinance are:

- Clarify property nuisance definitions and regulations for: Bees, wasps, hornets, and yellow jackets; bird feeding; public and private property tree/plant maintenance; graffiti removal and vandalism damage cost recovery;
- Expand waste hauler enforcement and lien provisions to include business license revocation;
- Implement waste hauler enforcement provisions for Public Works, including business licenses;
- Redefine yard and yard setback area definitions and make modifications to the regulations relating to projections, stormwater retention and acceptance, and wall/fence/hedge standards;
- Create front yard safety standards for driveway visibility, child safety corridor, sidewalk safety, noise attenuation windows, street tree protection, drainage, and utility line protection;
- Conform residential rental period to state law mandate of a minimum 31 days;
- Allow residential disabled parking additional paving for increase accessibility;
- Require swimming pool access and accessibility provisions for lots with multiple units; and
- Standardize appeal and notice delivery timelines for several procedures to 10 days.

The Commission hereby submits its report, findings, and recommendation to the City Council regarding this ordinance. A summary of the hearing is set forth in the attached Minutes of the Commission and is hereby made a part hereof. The Secretary of the Commission is directed to attach the Minutes of the hearing to the Resolution, when prepared, and forward those to the City Council for review and consideration, whether or not first approved by the Commission.

SECTION 2. The Commission further recommends to the City Council in consideration of testimony received from members of the Long Beach Beekeepers at the PEC hearing on July 6, 2023, to consider allowing controlled backyard beekeeping within specified areas and under specified conditions within the City of Lakewood. Furthermore, the Commission request the City Council to instruct the Community Development Director to conduct a study to consider allowing such backyard beekeeping in the City, removing domesticated honeybees from the list of public nuisances, review the regulations of the surrounding jurisdictions regarding beekeeping and prepare an ordinance for consideration to allow backyard beekeeping.

SECTION 3. This ordinance is not subject to CEQA review pursuant to CEQA Guidelines Section 15061(b) (3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. This Ordinance has no impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 4. Based on the aforementioned findings, the Planning and Environment Commission recommends to the City Council that the City Council adopt the attached ordinance, after holding a public hearing.

ADOPTED AND APPROVED this 6th day of July 2023, by the members of the Planning and Environment Commission voting as follows:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:



Bill Baca, Chairperson

ATTEST:



Abel Avalos, Secretary

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Collection of 90-Day Delinquent Administrative Citation Fines

INTRODUCTION

The Lakewood Municipal Code (“LMC”) Section 4900 et seq. provides that unpaid fines related to administrative citations for code violations may be collected by placement of a lien on the property on which the violations occurred, provided the fine owed by the cited party has been delinquent 90 days or more (§ 4908.1).

STATEMENT OF FACT

Between July 1, 2022, and June 30, 2023, the Neighborhood Preservation Division issued 83 administrative citations related to the abatement of a nuisance as allowed by the LMC (§4900.A). Of those, 53 are still outstanding and 8 are carryovers from April to June 2022. The total accumulated delinquent fines total \$32,400.00 (Attachment A).

Pursuant to LMC §4908.3, the City Council may conduct a lien hearing to consider the delinquent fines and then make a finding that the outstanding fine amounts, including any related collection costs are due to the City as a cost of the nuisance abatement. Those costs become a lien on the property, that is then included in the annual property tax assessment for each subject property.

Per LMC Section 4908.2, the attached notice of public hearing has been mailed to all property owners with delinquent fines as of July 10, 2023 (Attachment B). The final lien amount may be lower as property owners are allowed to make additional payments through August 8, 2023, which is the last day before liens are placed on the annual property tax roll. Staff will continue to update Exhibit A through this date.

STAFF RECOMMENDATION

It is recommended that the City Council:

- 1) Conduct a lien hearing pursuant to LMC Section 4908.3 and consider all competent evidence presented related to any outstanding delinquent fine amounts, late fees and related costs from fiscal year 2022-2023;
- 2) Adopt the attached resolution finding that the final list of delinquent 2023 fines and related costs are due to the City as cost of nuisance abatement;

- 3) Order the outstanding delinquent fines to be paid; and
- 4) Direct staff to forward a final list of the unpaid fines to the County Tax Assessor for collection as a lien on the related property, as part of the annual property tax assessment.



Abel Avalos
Community Development Director



Thaddeus McCormack
City Manager

RESOLUTION NO. 2023-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD CONFIRMING THE REPORT OF 90-DAY DELINQUENT ADMINISTRATIVE CITATION FEES WITHIN THE CITY OF LAKEWOOD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUGUST 8, 2023

WHEREAS, the City Council of the City of Lakewood, in accordance with the provisions of Chapter 9 of Article IV of the Lakewood Municipal Code, commencing with Section 4900, did lawfully issue administrative citations to the property owners of the properties described in Exhibit 'A' attached to and incorporated in this resolution;

WHEREAS, the administrative citation fees, and as hereinafter set forth, have remained unpaid for a period of ninety (90) or more days after the date upon which they were issued; and

WHEREAS, the Director of Finance and Administrative Services or his designee has given written notice to each cited party of a hearing before the City Council regarding the delinquent fine amount and related costs, and to report upon the same at the time of the public hearing thereon set for August 8, 2023, at 7:30 p.m., at the Lakewood City Hall, 5050 Clark Avenue; and

WHEREAS, pursuant to the direction of the City Council of the City of Lakewood the Director of Finance and Administrative Services, in coordination with the Director of Community Development, has prepared such a Report, and caused the same to be filed with the City Clerk, who has, in accordance with Section 25831 of the Government Code of the State of California, and the direction of the City Council, given notice in writing by mail to the landowners listed on the Report not less than ten days prior to the date of the hearing; and

WHEREAS, the City Council did hear any objection or protest of landowners liable to be assessed for the delinquent fees at the hearing held for that purpose on August 8, 2023; and

WHEREAS, the Report, as prepared by the Director of Community Development with such revisions or corrections to the Report made by the City Council as it deems just at the lien hearing, should be confirmed as hereinafter set forth, and a certified copy of the confirmed Report filed with the Los Angeles County Auditor-Controller and the amount thereof collected at the same time and in the same manner as ad valorem taxes are collected, and shall be subject to the same penalties and the same procedures and sale;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEWOOD THAT:

SECTION 1. The listed administrative citation fees are found to be delinquent by the City pursuant to proceedings under the Lakewood Municipal Code, and the Report of costs on file with the City Clerk as amended, revised, and attached hereto, are hereby confirmed and

approved as special assessments against the properties listed in Exhibit "A" hereto. The delinquent fees therein set forth are confirmed and shall constitute a special assessment against the respective parcels of land as therein stated, and are a lien against the respective parcels of land in the amount of such delinquent fees. The City Clerk is directed to file a certified copy of the Confirmed Report attached hereto with the County Auditor-Controller for the amount of the respective assessments against the respective parcels of land, as they appear on the current assessment rolls. The City Clerk is further directed to forward a copy of this resolution with the Confirmed Report attached thereto to the County Auditor-Controller so that the same may be collected at the same time and in the same manner as ordinary ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale, in case of delinquency, as provided for such taxes. All laws applicable to the levy, collection and enforcement of ad valorem taxes shall be applicable to such assessments, and further subject to the terms and provisions of Section 25831 of the Government Code of the State of California.

SECTION 2. The listed assessments shall constitute a lien against each listed property if not paid prior to the delivery of such Report to the County Auditor-Controller. Any assessment paid on or before the delivery of such Report to the County Auditor-Controller may be deleted by the City Clerk prior to delivery of the Report.

SECTION 3. If any real property to which such lien would be attached has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attached thereto, prior to the date on which the first installment of such taxes will become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property, and the delinquent fees, as confirmed, relating to such property shall be transferred to the unsecured rolls for collection.

SECTION 4. The City Clerk is hereby authorized to certify the Report, and cause a copy of this Resolution and the Report to be filed with the County Auditor-Controller on or after the 10th day of August 2023. In any case, where the lien cannot be collected on the tax rolls, the City Clerk is directed to file a Notice of Lien of the assessment in the Office of the County Auditor-Controller and the lien thereby created attached upon recordation of the Notice.

ADOPTED AND APPROVED THIS 8th DAY OF AUGUST 2023.

Mayor

ATTEST:

City Clerk

EXHIBIT A

Address	APN	Cite #	Date	Fine
6819 Carson St	7063-016-018	AC-296	5/19/2022	\$ 100.00
11656 215th St	7065-023-005	AC-300	5/20/2022	\$ 100.00
6603 Michelson St	7048-004-010	AC-301	5/24/2022	\$ 2,000.00
20915 Pioneer Blvd	7059-024-001	AC-302	6/13/2022	\$ 100.00
5917 Castana Ave	7160-020-010	AC-303	6/14/2022	\$ 400.00
5917 Castana Ave	7160-020-010	AC-307	6/30/2022	\$ 1,100.00
4151 Quigley Ave	7063-013-017	AC-309	6/30/2022	\$ 200.00
4419 Adenmoor Ave	7178-001-007	AC-312	8/2/2022	\$ 300.00
12350 Del Amo Blvd	7057-005-027	AC-317	8/16/2022	\$ 500.00
5601 South St	7165-014-001	AC-319	8/18/2022	\$ 200.00
4419 Adenmoore Ave	7178-001-007	AC-323	9/7/2022	\$ 600.00
11305 Lemming St	7060-007-001	AC_329	9/22/2022	\$ 500.00
4558 Petaluma Ave	7061-014-012	AC-331	9/26/2022	\$ 100.00
5819 Eastbrook Ave	7165-010-036	AC-334	9/27/2022	\$ 400.00
4419 Adenmoore Ave	7178-001-007	AC-338	10/10/2022	\$ 1,500.00
6109 Elsa St	7177-002-014	AC-339	10/12/2022	\$ 300.00
5612 Ocana Ave	7171-003-006	AC-344	11/7/2022	\$ 100.00
6016 Charlwood St	7166-008-023	AC-343	11/7/2022	\$ 300.00
5601 South St	7165-014-001	AC-342	11/7/2022	\$ 1,000.00
5903 Whitewood Ave	7168-026-014	AC-346	11/8/2022	\$ 200.00
2819 Elkport St	7152-017-028	AC-347	11/9/2022	\$ 100.00
4558 Petaluma Ave	7061-014-012	AC-350	11/14/2022	\$ 200.00
5819 Eastbrook Ave	7165-010-036	AC-354	11/22/2022	\$ 1,000.00
6109 Elsa St	7177-002-014	AC-355	11/22/2022	\$ 600.00
5903 Whitewood Ave	7168-026-014	AC-358	12/6/2022	\$ 400.00
21109 Haston Pl	7065-011-008	AC-359	12/20/2022	\$ 100.00
12518 Walcroft St	7057-020-040	AC-360	12/20/2022	\$ 400.00
20949 Wilder Ave	7057-036-021	AC-363	1/11/2023	\$ 300.00
6109 Elsa St	7177-002-014	AC-369	1/25/2023	\$ 1,500.00
6016 Charlwood St	7166-008-023	AC-370	1/25/2023	\$ 600.00
11854 206th St	7058-012-007	AC-373	1/27/2023	\$ 200.00
5218 Bellflower Blvd	7173-003-007	AC-376	1/31/2023	\$ 200.00
21109 Haston Pl	7065-011-008	AC-380	2/1/2023	\$ 200.00
5912 Dagwood Ave	7167-004-011	AC-382	2/1/2023	\$ 100.00
4129 Monogram Ave	7062-024-018	AC-386	2/6/2023	\$ 1,500.00
4558 Petaluma Ave	7061-014-012	AC-387	2/6/2023	\$ 500.00
12508 Walcroft St	7057-020-042	AC-391	2/7/2023	\$ 500.00
5903 Whitewood Ave	7168-026-014	AC-392	2/10/2023	\$ 500.00
4155 Country Club Dr	7150-020-011	AC-394	2/10/2023	\$ 300.00
4558 Petaluma Ave	7061-014-012	AC-398	3/15/2023	\$ 500.00
6109 Elsa St	7177-002-014	AC-402	4/11/2023	\$ 500.00
6109 Eckelson St	7176-006-017	AC-403	4/11/2023	\$ 1,500.00
5912 Dagwood Ave	7167-004-011	AC-405	4/11/2023	\$ 500.00
5612 Ocana Ave	7171-003-006	AC-406	4/11/2023	\$ 500.00
5218 Bellflower Blvd	7173-003-007	AC-408	4/11/2023	\$ 200.00
6016 Charlwood St	7166-008-023	AC-411	4/11/2023	\$ 1,500.00
12508 Walcroft St	7057-020-042	AC-414	4/12/2023	\$ 1,000.00

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Reports

ORGANIZATIONAL APPOINTMENTS

ORGANIZATIONS	2022-23	2023-24 <i>PROPOSED</i>
California Contract Cities Association	Wood – Rep. Pe – Alt.	<i>Wood – Rep. Chase – Alt.</i>
California Joint Powers Insurance Authority	Croft – Rep. Wood – Alt.	<i>Croft – Rep. Wood – Alt.</i>
Council of Governments Organizations		
1. Southern California Association of Governments (SCAG)		
a. Representative		
b. General Assembly (Annual Conference) ²	Pe – Rep. Chase – Alt.	<i>Pe – Rep. Chase – Alt.</i>
2. Gateway Cities COG Board	Pe – Rep. Rogers – Alt.	<i>Pe – Rep. Rogers – Alt.</i>
Greater Los Angeles County Vector Control District ³	Croft – Rep.	<i>Croft – Rep.</i>
Job Training Partnership Act SELACO WDB	Wood – Policy Bd	<i>Wood – Policy Bd</i>
League of California Cities		
1. L.A. County Division	Pe – Rep. Chase – Alt.	<i>Pe – Rep. Chase – Alt.</i>
2. L.A. County City Selection Committees ⁴	Croft – Rep. Rogers – Alt.	<i>Pe – Rep. Croft – Alt.</i>
3. Annual League Conference ²	Chase – Rep. Croft – Alt.	<i>Chase – Rep. Croft – Alt.</i>
L.A. County Sanitation Districts 3 & 19 ¹	Croft – Rep. Pe – Alt.	<i>Pe – Rep. Rogers – Alt.</i>
Southeast Water Coalition	Rogers – Rep. Chase – Alt.	<i>Rogers – Rep. Chase – Alt.</i>
Southeast Resource Recovery Facility (SERRF) Joint Powers Authority ⁵	Wood – Rep. Croft – Alt.	<i>Wood – Rep. Croft – Alt.</i>

1 - Representative must be the Mayor. For City Selection Committees, Mayor must designate an alternate for each meeting where required.

2 - If neither can attend, delegate may be appointed by Mayor prior to annual conference

3 - Two-year term expiring in January 2024

4 - Committees appoint City representatives to boards, commissions, and agencies specified by law (e.g., AQMD, MTA, and Library Commission). Committees meet on an “as needed” basis during League (County Division) Meetings

5 - Three-year term expiring in 2025

COMMITTEE APPOINTMENTS

STANDING COMMITTEES	2022-23	2023-24 PROPOSED
Intergovernmental Relations ¹	Croft - Chair Pe - Member	<i>Pe – Chair Rogers – Member</i>
Lakewood Schools	Rogers - Chair Chase - Member	<i>Rogers – Chair Wood – Member</i>
Environmental Management	Pe - Chair Wood - Member	<i>Croft – Chair Wood – Member</i>
Public Safety ²	Rogers - Chair Croft - Member	<i>Rogers – Chair Pe – Member</i>
Park Development	Wood - Chair Pe - Member	<i>Wood – Chair Pe – Member</i>
Water Resources	Pe - Chair Croft - Member	<i>Pe – Chair Croft – Member</i>
Community Promotion	Chase - Chair Pe - Member	<i>Chase – Chair Pe – Member</i>
Economic Development ³	Croft - Chair Wood - Member	<i>Pe – Chair Croft – Member</i>
Hall of Fame – Board of Electors	Wood - Chair	<i>Wood – Chair</i>
Audit ⁴	Chase - Chair Rogers - Member	<i>Chase – Chair Wood – Member</i>
Capital Improvement Plan	Croft - Chair Wood - Member	<i>Croft – Chair Chase – Member</i>
Race, Equity, Diversity and Inclusion	Pe - Chair Croft - Member	<i>Pe – Chair Croft – Member</i>

1 – Current Mayor and Vice Mayor (since 1999)

2 - Includes License & Permit Hearing Board

3 – Current Mayor and Previous Mayor

4 - Comprises Members of Measure L Community Oversight Committee (per Bylaws)

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

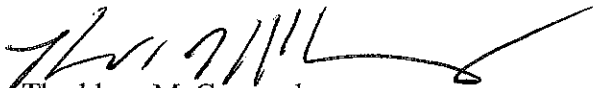
SUBJECT: Designation of Voting Delegate for League Annual Conference

STATEMENT OF FACT

The League of California Cities will hold its Annual Conference from September 20-22, 2023. The Annual Business Meeting portion of the conference will be held on the afternoon of September 22nd. League bylaws require that the City Council designate a representative and alternate to vote on behalf of the City of Lakewood at the Annual Business Meeting.

RECOMMENDATION

It is recommended that the City Council appoint a Council Member to represent the City as the delegate for voting purposes at the League Annual Business Meeting, or, in lieu of a Council Member, the City Manager.



Thaddeus McCormack
City Manager

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COUNCIL AGENDA

August 8, 2023

TO: The Honorable Mayor and City Council

SUBJECT: Appropriations for Capital Improvement Projects

INTRODUCTION

For many years, an appropriation was included within the Capital Improvement Program for small projects that have allowed staff to address urgent needs within our facilities inclusive of: park hardscape, fire and security improvements, fence improvements, facility roof maintenance, and painting improvements. Appropriations are also necessary for four additional projects to commence next fiscal year: annual playground projects, annual maintenance projects, and two California Uniform Public Construction Cost Accounting Act (CUPCCAA) projects.

STATEMENT OF FACT

Annually, the Public Works department staff budget for maintenance and improvements in the areas of hardscape repair, fire and security, fencing, roof maintenance, and painting improvements. Consistent with previous years funds have been allocated for hardscape repair, fire and security, fencing, roof maintenance, and painting improvements. This fiscal year the amounts requested to be appropriated are as follows: hardscape repair (\$50,000), fire and security (\$50,000), fencing (\$25,000), roof maintenance (\$50,000) and painting improvements (\$50,000). The funds come from the Measure L reserve for Capital Improvements.

For park hardscape, in the past staff has used the funds to repair or replace park walkways, patio slabs, picnic area slabs, driveways, and trash enclosure slabs. This modest expenditure helps to improve safety for facility users, and enhances the appearance of the facility at the same time. Fire and security encompasses fire alarms, burglar alarms, access control (fobs) and video surveillance. This year's annual allocation will help cover the costs of installation of enhanced security cameras at multiple city facilities. Fences are an ongoing need at our facilities, due to aging and damage. The annual roof maintenance allocation allows the City to make modest repairs to preserve some of the roofs not immediately targeted for replacement, and perhaps delay the need to immediately replace some roofs. The annual painting allocation allows us to take on larger repainting projects, such as the interior of an entire building as one comprehensive project.

The Measure L allocation this year is \$3,100,000. The above annual allocations make up a total of \$225,000. Staff is proposing to request additional appropriations in the amount of \$910,000 from this year's Measure L allocation for the following projects:

Annual Maintenance Project

Staff proposes to create a new annual maintenance project for infrastructure renewal, to address projects identified in the 2018 Facility Condition Assessment report, for building, facility, park, and or street improvements and maintenance, and small CUPCCAA (California Uniform Public Construction Cost Accounting Act) projects not otherwise included in budgeted projects. This annual allocation would be \$600,000.

Annual Playground Project

Staff proposes to create a new annual maintenance project for playground infrastructure renewal, as needed, for annual playground and surfacing repairs. This annual allocation would be \$50,000.

CUPCCAA Projects

At the Council Study Session on June 27, 2023 staff briefed Council of the Palms Park Basketball LED Conversion project. The scope of work for this project will be to remove existing light fixtures at the Palms Park basketball courts and convert the existing fixtures to LED lamps. The total rough-order-of-magnitude budget is estimated at \$51,523 plus a contingency of \$8,477 for a total project budget of \$60,000.

At the CIP Committee on July 31, 2023, staff briefed the committee members on the need for Burns daycare kitchen improvements. The scope of work for this project will be the demolition of the existing daycare kitchen, inclusive of abatement of drywall, and new improvements inclusive of drywall and painting improvements, installation of new kitchen cabinets, countertops, and kitchen equipment. The total rough-order-of-magnitude budget for the work is \$200,000.

RECOMMENDATION


Staff and the CIP Committee recommend that the City Council:


1. Appropriate funds for the Annual Projects Park Hardscape (\$50,000) in account 10109909-58800-60018, Fire and Security (\$50,000) in account 10109922-58800-70006, Fence (\$25,000) in account 10109922-58870-70005, Facility Roof Repairs (\$50,000) in account 10109922-58800-70106, and Painting Improvements (\$50,000) in account 10109922-58800-70117 from the Measure L reserve for Capital Improvements.
2. Appropriate funds for the Annual Maintenance Project (\$600,000) from the Measure L reserve for Capital Improvements.
3. Appropriate funds for Annual Playground Project (\$50,000) from the Measure L reserve for Capital Improvements.

RECOMMENDATION - Continued

4. Appropriate funds for the Burns Daycare Kitchen Improvements (\$200,000) from the Measure L reserve for Capital Improvements.

5. Appropriate funds for the Palms Park Basketball Court LED Lighting Conversion (\$60,000) from the Measure L reserve for Capital Improvements.

Kelli Pickler 
Director of Public Works


Thaddeus McCormack
City Manager

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*Housing
Successor*

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
FUND SUMMARY 7/13/2023**

In accordance with section 2521 of the Lakewood Municipal Code, presented herewith is a summary of obligations to be paid by the City of Lakewood. Each of the following demands has been audited by the Director of Finance and Administrative Services and approved by the City Manager.

3901	HOUSING SUCCESSOR AGENCY	<u>36,000.00</u>
		36,000.00

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
SUMMARY CHECK REGISTER**

<u>CHECK DATE</u>	<u>VENDOR NAME</u>	<u>CHECK AMOUNT</u>
07/13/2023	LOPEZ, EDDIE & DIANE AND THERESA FREASE	18,000.00
07/13/2023	SRINIVASAN, NATARAJAN	18,000.00
	Totals:	<u>36,000.00</u>