MEETING DATE: 12/17/2007

AGENDA ITEM: City Council Adoption of a Resolution Granting the Appeal Overturning the Planning Commission's Denial and Approving a Conditional Use Permit; and the Redevelopment Agency Consideration of the Conditional Use Permit as it relates to the Redevelopment Plan for a New Car Wash and Expanded Convenience Store at an Existing Valero Service Station Located at 10332 Culver Boulevard.

ATTACHMENTS

	Pages
1. City Council Resolution NO. 2007 –R____	1-18
2. Revised Mitigated Negative Declaration	19-37
3. Development Plans Dated October 19, 2007	38

RESOLUTION NO. 2007-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, OVERTURNING THE PLANNING COMMISSION'S DENIAL OF AN APPLICATION FOR A CONDITIONAL USE PERMIT (CUP), FOR A NEW AUTOMATED CAR WASH AND FOOD MART AT AN EXISTING VALERO SERVICE STATION LOCATED AT 10332 CULVER BOULEVARD IN THE COMMERCIAL NEIGHBORHOOD (CN) ZONE AND APPROVING THAT CUP.

(Conditional Use Permit, CUP P-2007018)

WHEREAS, on September 11, 2006, the applicant, Jin Kwok, filed a Conditional Use Permit application to replace an existing vehicle repair and snack shop (at an existing Valero service station) with a new automated car wash and food mart at 10332 Culver Boulevard, being Lots 18 through 24 of Tract 10078, in the Commercial Neighborhood (CN) Zones; and

WHEREAS, on May 9, 2007, the Planning Commission conducted a duly noticed public hearing on this application, Planning Commission adopted Resolution No. 2007-P008, denying Conditional Use Permit, CUP P-2007018; and

WHEREAS, the Applicant submitted a timely appeal to the City Clerk on May 23, 2007, requesting the Planning Commission denial of the project be overturned and the project approved; and

WHEREAS, on November 14, 2007, the City Council conducted a duly noticed public hearing on the appeal of the Planning Commission decision, fully considered the appeal, application, plans, staff report, environmental information and all testimony

presented and the City Council determined by a vote of 4 to 1 to (i) adopt a Mitigated Negative Declaration in accordance with the California Environmental Quality Act, finding the project will not have any significant adverse impacts on the environment provided certain mitigation measures as revised and stipulated in this Resolution are required; (ii) grant the appeal overturning the Planning Commission's denial; (iii) approve the Conditional Use Permit P-2007018 with additional conditions of approval and (iv) direct staff to return with the appropriate resolution outlining the findings and appropriate conditions of approval; and

WHEREAS on December 17, 2007, the City Council, by a vote of _____ to _____, adopted this resolution which adopts a revised Mitigated Negative Declaration and conditionally approves Conditional Use Permit P-2007018 .

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council adopts the Mitigated Negative Declaration dated December 17, 2007.

SECTION 2. Pursuant to the foregoing recitations and the provisions of Culver City Municipal Code (CCMC) Section 17.530.020 required findings for a Conditional Use Permit, and subject to the Conditions of Approval herein, the following findings are hereby made:

1. ***The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit or Conditional Use Permit and complies with all other applicable provisions of this Title and the CCMC.*** In the Commercial Neighborhood (CN) Zones, a Conditional Use Permit is required for a car wash. The proposed use conforms to all the development regulations of the CN Zone and CCMC Section 17.400.120 – Vehicle Fueling Stations.

2. ***The proposed use is consistent with the General Plan and any applicable Specific Plan.*** Fueling stations, car washes and convenience stores are all permitted uses in Neighborhood Serving Corridor General Plan designation. This designation allows a

range of small scale commercial uses that serve the adjacent residential neighborhoods and nearby businesses. The proposed and existing uses are compatible with the General Plan. There is no Specific Plan designated for this area.

3. ***The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.*** The proposed development is related properly to Culver Boulevard and Motor Avenue which are adequate in width to carry the quantity and type of traffic generated by a car wash, fueling station, and convenience market. The design of the project and incorporation of mitigation measures will assure that the proposed use is compatible with the surrounding land uses.

4. ***The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.*** The 19,261 square foot site allows incorporation of the required parking and queuing areas, adequate onsite circulation, setback requirements and landscaping. With incorporation of noise and traffic mitigation measures the use will be compatible with neighboring commercial, studio, and residential uses. Public utilities are adequately provided.

5. ***The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.*** The existing fueling station and repair shop have been on this property for decades and the site is primarily surrounded by commercial, studio, and residential uses. The proposed car wash use will enhance the existing fueling station and with appropriate noise and traffic mitigation measures it will not be detrimental to the surrounding area.

SECTION 3. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby approves Conditional Use Permit, CUP P-2007018, subject to the following conditions:

Special Conditions noted in bold italics

GENERAL CONDITIONS

Planning Division:

1. The final working drawings shall conform to the preliminary development plans and materials sample board dated October 19, 2007, except as noted below and otherwise noted during the building permit review process.

2. The resolution approving Conditional Use Permit, CUP P-2007018, and the Conditions of Approval shall be referenced on the cover sheet and repeated in full on attached additional sheets of the final working drawings.

3. The applicant or the property owner shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. These conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant or property owner on or near the project site. The applicant, property owner and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

4. Conditions of approval herein shall apply to the applicant, the contractor/builder of the project, the property owner, and any successor property owner that may legally assume benefit of this Site Plan Review.

5. The City reserves the right to periodically inspect the premises without prior notification to ensure ongoing compliance with all conditions of approval.

6. This Conditional Use Permit, CUP P-2007018, will expire if not used within one year after the date they become effective, unless prior to the expiration date, a written extension request with the appropriate fee is submitted by the applicant and the Planning Manager, or Planning Commission, grants said extension.

7. ***If the car wash use discontinues for a period of more than 12 consecutive months after building permits have been finalized or a Certificate of Occupancy has been issued, the Conditional Use Permit shall be subject to revocation pursuant to the CCMC.***

8. A certificate of occupancy for the approved project will be issued only upon completion of all applicable conditions of approval and required site improvements.

9. The applicant, property owner, and contractors shall use all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems.

10. ***All planted areas shall be landscaped and irrigated pursuant to CCMC Title 17 – Chapter 17.310 Landscaping. Before issuance of the building permit, a minimum of three (3) sets of detailed landscape and irrigation plans separate from the final working drawings shall be submitted to the Planning Division for review and approval. Said landscape and irrigation plans shall include the following items:***

A. Additional tree planting of a fast growing evergreen species, minimum 36" box size shall be installed on the planter along the south-east portion of the property, on both sides of the ten (10) foot high wall, as well as on the planter behind the curved ten (10) foot high wall on the south-west portion of the property.

B. Vine type planting shall be planted at the base of both ten (10) foot high walls at the rear of the property.

C. Per Planning Manager review and approval, to minimize visual appearance of the two ten (10) foot high walls located in the rear of the property, landscape areas shall be bermed to the extent feasible.

11. All street trees shall be supplied irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All street trees, landscaping and irrigation shall be indicated on the overall site landscaping/ irrigation plan. The property owner shall maintain all street trees.

12. In addition to the screening requirements for refuse storage facilities, the propane tank, and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:

A. All exteriors of the proposed buildings shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits, and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-mounted features or equipment may be necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or other similar devices shall be constructed within the wall, whenever possible, to accommodate such features and equipment so that they are flush with and do not project out from the main exterior wall plane. With or without recesses, the exposed portions of such features or equipment shall be of a color to blend, not contrast, with the adjoining finished building color, subject to the approval of the Planning Manager;

B. All roof-mounted mechanical equipment, duct vents and the like shall not project above the horizontal plane of the building's lowest primary opaque architectural feature(s) (i.e., parapet walls, penthouse structures or screening walls); and

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C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be located within the building or in underground vaults if the equipment is located within a street facing setback, or it shall be screened with walls and/or landscaping if not located within a street facing setback. Ground-mounted equipment shall not be located in the landscaped areas fronting any public right-of-way.

13. All perimeter block walls shall be stuccoed to match the color of the proposed building or be of decorative block and shall be approved by the Planning Division.

14. The project and its operations shall comply with all applicable local, special district or authority, county and federal statutes, codes, standards, and regulations including, but not limited to, Building and Safety Division, Fire Department, Planning Division and Public Works Department code requirements and it shall comply with all applicable comments and code requirements as determined during the City's building permit review process.

15. ***The project will be subject to the City's Art in Public Places Program, unless final valuation of the development, calculated at the time of building permit submission is below the threshold for the program.***

16. ***Noise impacts from stationary sources such as all mechanical equipment associated with the car wash (including, but not limited to, the blow dryer and vacuum) shall be minimized by proper selection, operation, maintenance, and replacement of equipment and by the installation of acoustical shielding to include the Thrust Pro Dryer with noise reduction package as stated in the noise study dated April 26, 2007 and as determined necessary from time to time by the Planning Manager and the Building Official, so that compliance with the CCMC Noise Regulations and Standards is achieved. <u>This is a mitigation measure.</u>***

17. ***At the expense of the applicant, a third party noise consultant shall be chosen and approved by the City to conduct and submit to the Planning Division for review a series of quantitative noise measurements at sites 1, 2, and 3 (of the noise study) to verify that the stationary noise sources are within the typical noise ordinance levels and durations as listed in the General Plan's Noise Element for stationary noise sources (dated July 22, 1996). These noise measurements shall be made when ambient noise levels are at its lowest level (e.g. not during rain and rush hour). Quantitative values shall be provided for the exceedance levels in the noise element. The measurements will be taken within 30 days following Certificate of Occupancy, six months after occupancy,***

one year after occupancy, and two years after occupancy. Based on the noise studies described above, if any violation of the General Plan's Noise Element is found, then this Conditional Use Permit shall be referred back to the Planning Commission for possible further mitigations to be implemented by the applicant, or revocation. This is a mitigation measure.

18. *All Operational, Development, and Site Maintenance Standards of CCMC Section 17.400.120 shall be met, including:*

    A. *Location and display of accessories, batteries, and tires for sale shall be on or within three feet of the pump island or the main structure's exterior.*

    B. *All exterior light sources, including canopy, flood, and perimeter shall be energy efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light including glare of reflections, is directed away from adjoining properties and public rights-of-way, in compliance with Section 17.300.040 (Outdoor Lighting).*

    C. *Driveways and service areas shall be maintained and kept free of oil, grease, and other petroleum products in addition to litter. These areas shall be periodically cleansed with equipment that dissolves spilled oil, grease, and other petroleum products without washing them into the drainage, gutter, and sewer system.*

19. *The hours of operation of the car wash shall be limited from 8:00 AM to 7:00 PM, Mondays through Fridays, from 9:00 AM to 7:00 PM Saturdays, and from 10:00 AM to 7:00 PM Sundays. The hours of car wash operation shall be posted at several locations on the project site to avoid excessive queuing at all times. This condition is a mitigation measure.*

20. *Approximate wait time shall be posted on a sign at the entrance of the queuing lane per Planning Manager's review and approval.*

21. *Prior to the issuance of a Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the installation of the blower dryers seven feet inside the exit car wash tunnel. This is a mitigation measure.*

22. *There shall be no speaker system or any other type of amplified sound device at the entrance of the car wash.*

23. ***The applicant shall install signs at various locations per Planning Manager's review and approval, indicating to patrons to keep noise levels including car stereos to a minimum while waiting to use the car wash and vacuums, in consideration of residential neighbors.***

24. ***The applicant shall install signs at various locations per the Police Department's and Planning Manager's review and approval indicating no parking other than Valero patrons are permitted.***

25. ***The applicant shall install a right-turn only sign for cars exiting the driveway off of Motor Avenue, per City Engineer's and Planning Manager's review and approval.***

Public Works Department/Engineering Division:

26. Drainage devices, concrete curb and gutter, sidewalk, and drive approach shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans. All onsite drainage, including roof drainage, shall be pretreated to eliminate sediments and other pollutants prior to being discharged to the street. Roof drainage shall extend through the street curb or to an onsite drainage inlet. All onsite drainage inlets shall convey stormwater underground through the street curb.

27. The applicant or property owner shall provide a geotechnical report from a State licensed geotechnical engineer reporting on the suitability of the onsite soils to support the proposed construction and shall include a liquefaction analysis. The report shall also identify any special considerations necessary to satisfy California Building Code requirements.

28. The applicant shall repair any broken or damaged curb, gutter, sidewalk, and street pavement along the street frontage of the proposed development and shall be reconstructed per APWA Standards

29. ***Due to the increase in square footage of the proposed convenience store, this project is subject to the City Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.***

30. Pursuant to the CCMC Section 5.01.010, Ordinance No. 2001-011 Solid Waste Management, the Culver City Sanitation Division has the exclusive franchise for all solid and recyclable waste material handling within the City limits.

31. *The refuse containers assigned to the fueling station shall be stored on-site in the trash enclosure, as shown on final plans dated May 1, 2007. The trash enclosure shall have a minimum interior dimension of 10-feet (depth) by 12-feet (width), a clear opening of 8 feet with gates, 6-inch by 6-inch concrete curb along the interior perimeter wall, and exterior to match the building. The location, required number of bins, and requirements for recycling bins for the proposed development must be approved by the Public Works/Sanitation Division Manager.*

32. *The applicant shall remove the existing driveway approach located along Motor Avenue and construct a full width sidewalk, curb and gutter in its place per APWA Standards.*

33. *The applicant shall reconstruct all driveways along Culver Boulevard and Motor Avenue to meet ADA compliance and APWA Standards.*

34. *The applicant shall reconstruct alley intersection per APWA Standards located along Motor Avenue.*

35. *There shall be no collection of monies at car wash entrance by an attendant. Patrons will pay for the car wash service at the pump, at an automated system at the entrance to the car wash, or inside the convenience market. In the event a problem arises in regards to onsite or offsite circulation, the Planning Manager and the City's Engineer reserves the right to implement additional conditions of approval. In the event the Planning Manager and Traffic Engineer are unable to resolve onsite or offsite circulation issues, the Planning Manager reserves the right to refer the project back to the Planning Commission for possible further mitigations or revocation. <u>This is a mitigation measure.</u>*

36. *In addition to the convenience store attendant, the applicant shall employ an attendant whose primary duties are to facilitate on-site circulation. <u>This is a mitigation measure.</u>*

37. *Employees shall be required to park onsite and the applicant shall provide explicit instructions to employees to assure that they do not park in the surrounding neighborhood. <u>This is a mitigation measure.</u>*

38. *There will be no detailing of vehicles at any location on the site. <u>This is a mitigation measure.</u>*

Fire Department:

39. The applicant shall provide a lighted address sign viewable and legible from the public way.

40. The applicant shall provide fire sprinklers in the convenience store per NFPA 13.

41. All exterior fascias shall be of solid materials. Soft fascia materials are prohibited.

42. Plans shall carry a Fire Department Note section to include all life safety items.

43. The project shall meet all requirements of Los Angeles County Environmental Unit.

44. The applicant shall provide fire extinguishers with off-site reporting.

Building Safety Division:

45. All onsite utilities shall be underground or enclosed within the building construction. No on-site overhead utilities shall be permitted.

46. ADA accessibility shall be provided at the interior counter and at the exterior pay window.

PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION, AND/OR BUILDING PERMIT

Planning Division:

47. ***Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of an ten foot high solid masonry block sound wall continuous with the car wash building extending to the east of the property in the rear of the property, and a curved ten foot high solid masonry block sound wall constructed at the tunnel exit to block line-of-sight to residences on Motor Avenue in the direction of the nearest residences. This is a mitigation measure.***

48. ***Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of a four inch metal studs with two layers of 5/8 inch thick gypsum board on each side of the wall between the car wash tunnel and the food mart. This is a mitigation measure.***

49. All exterior lighting shall be developed pursuant to CCMC Title 17, Chapter 17.300, General Property Development and Use Standards. The applicant or property owner shall submit to the Planning Manager for approval an exterior light fixture plan. The plan shall identify the location and type of all exterior light fixtures to be installed by the applicant. All lighting shall be directed onsite and light sources shall be shielded so as not to be intrusive to surrounding properties.

50. The applicant or property owner shall submit to and receive written approval from the Planning Manager of a vector/pest control abatement plan prepared by a pest control specialist licensed and/or certified by the State of California. Said plan shall outline all steps to be taken prior to the commencement of any demolition/construction activity so as to insure any and all pests [including, but not limited to, rodents, bees, ants and mosquitoes] that may populate the subject site do not relocate to or impact adjoining residences and/or businesses.

51. By taking any benefit of this approval, the applicant and the property owner jointly and severely hereby agree to indemnify, defend and hold harmless the City, and the City's elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, demands, lawsuits, judgments, liability, injury or damage which may result from or arise in connection with third party challenges to the City's approval of the project.

Public Works Department/Engineering Division:

52. The applicant shall provide two sets of Site Improvement Plans and Horizontal Control Plans prepared by a civil engineer registered in the State of California, to be submitted to the Engineering Division for review, approval, and permitting. The Plans shall include, but not limited to, detailed drainage and grading of the site indicated by topographical lines and spot elevations, existing and proposed drive approach, driveway, sidewalk, curb, gutter, indicate all proposed and existing utilities (sanitary sewer, water, etc), and fully dimensioned plans to include up to the centerlines of Culver Boulevard and Overland Avenue.

53. Upon completion of the rough grading and prior to the issuance of a building permit the following reports and drawings and any supplements thereto shall be submitted to the City Engineer:

A. An as-built grading plan prepared by the Civil Engineer.

B. A certification by the Civil Engineer that the grading has been completed in conformance with the approved plan and California Building Code Appendix

Chapter 33 and with this certification, a survey showing the final rough pad grade elevations shall be submitted.

C. A certification by the soils engineer that the grading has been completed to his/her satisfaction and is in compliance with the California Building Code Chapter 33.

D. A final compaction report prepared by the soils engineer.

Standard Urban Stormwater Mitigation Plan

54. Concurrent with the submittal of the site improvement plan, a Standard Urban Stormwater Mitigation Plan (SUSMP) or a site-specific mitigation package prepared by a registered civil engineer shall be submitted for review and approval by the City Engineer. The SUSMP shall be developed and implemented in accordance with the requirements of: 1) the current Los Angeles County Municipal Stormwater NPDES Permit No. CAS004001 (Order No. 01-182); 2) the most recent SUSMP for Los Angeles County and Cities in Los Angeles County as approved by the Los Angeles Regional Water Quality Control Board; and 3) the Culver City Municipal Code Section 5.05.040.

55. The SUSMP or site-specific mitigation package shall include all of the items listed in the Engineering Division's "SUSMP/Site Specific Plan Check List". If the SUSMP package fails to contain all required items, the package will not be accepted.

56. The site plans shall note that the contractor shall comply with the California Stormwater Best Management Practice (BMP) Handbooks.

57. To facilitate the National Pollutant Discharge Elimination System (NPDES) review process, the applicant shall limit the scope of the information shown on these plans to NPDES-relevant information (i.e. turn off utility, architectural, or other features not relevant to the NPDES requirements).

58. The SUSMP or site-specific mitigation package shall be consistent with the details in the Engineering Division's SUSMP Criteria and Guidelines, which may be obtained from the Engineering Counter.

59. The transfer of ownership, sale or lease of the property shall include provisions, by a covenant recorded with the Los Angeles County Recorder, requiring any new owner and their successors to:

- File a new covenant of agreement (maybe obtained from the City Engineering Division)
- Assume responsibility for maintenance of any existing structural or treatment control BMP; and
- Replace any existing structural or treatment control BMP with new control measures or BMPs meeting the most current standards of the City and the SUSMP.

Such requirements shall be included in any sale, lease agreement or deed for the property. The condition of transfer shall include a provision that the new owner and their successors conduct routine maintenance inspections of all structural and/or treatment control BMPs to ensure they are in good working order at all times and retain proof of inspection.

In the case of a transfer of ownership, sale or lease of the property, the previous owner or seller must complete and record a termination of covenant of agreement (form available from the Engineering Counter) with the Los Angeles County Recorder. A copy of the recorded termination of covenant of agreement form must be submitted by the (previous) owner or seller to the City Stormwater Program Manager.

60. If structural and/or treatment control BMPs are located within an area proposed for dedication as an easement or fee title to the City or Redevelopment Agency, the BMPs shall remain the property and responsibility of the developer/owner until the dedication is accepted by the City Council and recorded with the Los Angeles County Recorder.

61. Prior to the start of design of these plans and of necessary reports, the applicant shall retain a registered civil engineer in the State of California who is experienced in designing SUSMP and preparing a BMP report for review and approval with other municipalities. The Civil Engineer shall meet with the City's Stormwater Program Manager for a mutual understanding of the required submittals.

Local Storm water Pollution Prevention Plan

62. Concurrent with the submittal of the Site Improvement/Grading Plan, a Local Storm Water Pollution Prevention Plan (LSWPPP) package prepared by a registered Civil Engineer shall be submitted for review and approval by the City Engineer. (Note: The Site Improvement Plans will not be accepted for review unless the LSWPP Plan is included in the submittal package.)

63. The LSWPPP shall be developed and implemented in accordance with the requirements of the current Los Angeles County Municipal Stormwater NPDES Permit No. CAS614001 and the CCMC Section 5.05.035. Prior to the issuance of any demolition, grading, excavation and/or building permit, the applicant shall have a LSWPPP package approved by the City Engineer.

64. The LSWPPP package shall include all of the individual items listed in the Engineering Division's "Requirements for Local Storm Water Pollution Prevention Plan" handout, which may be obtained from the Engineering Counter. If the LSWPPP package fails to contain all required items, the package will not be accepted.

65. The scope of the information shown on the site plans must be limited to NPDES-relevant information (i.e. turn off utility, architectural, or other features not relevant to the NPDES requirements). Prior to the start of design of these plans and of necessary reports, the applicant's Civil Engineer shall meet with the City's Stormwater Program Manager to obtain information on the City-specific LSWPPP requirements.

66. Plan check fee for the LSWPPP shall be paid at the time of the initial submittal, per the fee schedule established by City Council Resolution.

67. The LSWPPP package shall be submitted to the attention of the Storm Water Program Manager.

68. The applicant shall appropriately and effectively implement the BMPs identified in the LSWPPP and reduce to the Maximum Extent Practicable (MEP) both the volume of storm water leaving the site as well as the amount of sediments and other pollutants in the storm water and the non-storm water discharges.

DURING CONSTRUCTION:

Planning Division:

69. During all phases of construction, information that includes contact names and telephone numbers of the applicant, property owner, construction contractor(s), and City, shall be posted at the project site so as to be visible to the public. These names and telephone numbers shall be made available to adjacent homeowners.

70. During all phases of construction, the applicant and property owner shall use their best efforts to ensure that all construction workers and contractors park on-site or at designated off-site locations, approved by the City, and not in the surrounding neighborhood.

71. During all phases of construction and once the development becomes operational, all graffiti shall be removed within 48 hours of its application.

72. ***All construction equipment shall be modified so as to insure the following noise standards: This is a mitigation measure.***

A. Equipped with mufflers and sound control devices (i.e., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall be operated without an exhaust muffler;

B. Properly maintained to minimize noise emissions;

C. If serviced at a location onsite, the vehicle(s) shall be setback from any street so as to maintain the greatest distance from the public right-of-way;

D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as determined necessary by the Planning Manager and the Building Official in order that compliance with the CCMC Noise Regulations and Standards is achieved;

73. The construction plans shall indicate that vacuum cleaners will be completely enclosed with a noise shielding box.

Public Works Department/Engineering Division:

74. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. A haul route plan shall be submitted to the Public Works Department for review and approval.

75. During construction, dust shall be controlled by regular watering and as directed by the City inspector.

76. All staging and storage of construction equipment and materials, including the construction dumpster, shall preferably be onsite. The applicant shall obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.

77. Prior to the commencement of any excavation, the applicant shall install a temporary construction fence around the site. The height and fence material are subject to approval by the City Engineer.

78. The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.

PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

Planning Division:

79. All signs shall be designed and installed pursuant to CCMC Title 17 - Chapter 17.330 Signs. A sign permit approval from the Planning Division is required for all new signage.

80. All onsite and offsite landscaping and irrigation shall be completed to the satisfaction of the City.

Public Works Department/Engineering Division:

81. Prior to issuance of the Certificate of Occupancy, the operators and/or owners shall construct all the stormwater pollution control BMPs and structural treatment control BMPs shown on the approved SUSMP or site-specific mitigation plan and submit a stormwater observation report (may obtain form from the City's Stormwater Program

Manager), which shall include a wet-signed and stamped certification statement by the engineer, who prepared the SUSMP site plans, confirming that the SUSMP BMPs have been built as designed.

82. The applicant shall submit to the City Stormwater Program Manager a notarized Master Covenant and Agreement (regarding on-site BMP maintenance) to be recorded by the County Recorder of Los Angeles County. Prior to getting the Agreement notarized, the applicant's civil engineer shall contact the City's Stormwater Program Manager for review of the Agreement and for information on other requirements associated with the recording process.

83. The applicant and the property owner shall be responsible for the expense to repair or replace any damage to the public right-of-way caused by the construction of the proposed project. Such repair or replacement shall be completed per APWA Standards and to the satisfaction of the City Engineer.

Fire Department:

84. The applicant shall update the hazardous material disclosure plan for this facility.

APPROVED and ADOPTED this _____ day of _____ 2007.

_____
ALAN CORLIN, MAYOR
City of Culver City, California

ATTEST:

_____
CHRISTOPHER ARMENTA, City Clerk

APPROVED AS TO FORM:

_____
CAROL A. SCHWAB, City Attorney

A07-00766

Culver CITY

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•
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PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

INITIAL STUDY AND *REVISED* MITIGATED NEGATIVE DECLARATION

ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

Project Title:	Conditional Use Permit, CUP P-2007018 New Automated Car Wash and Convenience Store at Existing Fueling Station		
Lead Agency Name & Address:	City of Culver City, Planning Division 9770 Culver Blvd., Culver City, CA 90232		
Contact Person & Phone No.:	Nancy Tahvili, Assistant Planner (310) 253-5751		
Project Location/Address:	10032 Culver Boulevard, Culver City, CA 90232		
Nearest Cross Street:	Motor Avenue	**APN:**	4029-009-036
Project Sponsor's Name & Address:	A & S Engineering 207 W. Alameda #203 Burbank, CA 91502 (818) 842-3641		
General Plan Designation:	Neighborhood Serving Corridor	**Zoning:**	Commercial Neighborhood (CN)
Redevelopment Project Area:	Component Area No. 3		
Overlay Zone/Special District:	Commercial Setback Overlay Zone		

Project Description and Requested Action:
This project consists of the conversion of a repair bay area and small convenience store at an existing fueling station to a 1,308 square foot, one-car automated car wash and a 1,271 square foot convenience store. The current gasoline island pumps will remain.

Existing Conditions of the Project Site:
The project site currently consists of four fueling pumps, a mechanic shop and snack shop with a total building area of 2,579 square feet and 5 parking spaces. The lot is approximately 19,261 square feet in size.

Surrounding Land Uses and Setting: *(Briefly describe the project's surrounding)*
North: Culver Boulevard and Sony Studios
South: 20' alley and residential homes beyond.
West: commercial and residential
East: commercial building

Other public agencies whose approval is required: (*e.g., permits, financing approval, or participation agreement)*
Culver City Redevelopment Agency

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- ☐ Aesthetics
- ☐ Agriculture Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Geology /Soils
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology / Water Quality
- ☐ Land Use / Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population / Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation/Traffic
- ☐ Utilities / Service Systems
- ☐ Mandatory Findings of Significance

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

FISH AND GAME FEE (AB 3158)

☒ I find that the proposed project **WILL NOT** have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend. I find that the proposed project **IS EXEMPT** from the Fish and Game fee. A 'Certificate of Fee Exemption' will be prepared for this project.

☐ I find that the proposed project **IS NOT EXEMPT** from the Fish and Game fee.

Signature _____ Date 12/17/07

Nancy Tahvili — *Case Manager*

Assistant Planner — *Title*

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
VII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐
VIII. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
XI. NOISE --Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐
XIV. RECREATION –				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
XVI. UTILITIES AND SERVICE SYSTEMS –Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE –				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

XVIII. EARLIER ANALYSES:

Not applicable.

XIX. DISCUSSION:

Discussion of Initial Study Checklist responses:

I. AESTHETICS

a) and b) No Impact	The project is not located in or near a scenic vista or along a state scenic highway; no impacts relative to scenic vistas and scenic resources along state scenic highways are expected of this project.
c) and d) Less Than Significant Impact	As a new car wash and convenience store replacing existing three service bays, there may be new sources of light on the site; however, the project will be required to be built to code and all lighting will be required to not shine or glare onto adjacent public and private properties. The lighting will be conditioned to not be obtrusive nor create a nuisance to adjacent properties.
	MITIGATION MEASURE(S): None required.

II. AGRICULTURE RESOURCES:

a) through c) No Impact	The project site is not located on land identified, utilized, or zoned for agricultural purposes, and there is no known Williamson Act contract in effect on the project site.
	MITIGATION MEASURE(S): None required.

III. AIR QUALITY:

a) through e) Less Than Significant Impact

Potential Air Quality impacts are based on whether or not the project will exceed operational thresholds of significance or construction thresholds of significance as they relate to air quality and pollutant emissions. The entire South Coast Air Basin (which includes Culver City) does not meet certain federal and state ambient air quality standards thereby being designated a non-attainment area. As one method of mitigating non-attainment, the SCAQMD Air Quality Handbook sets thresholds for significant air quality impacts for various types of land uses at both operational and construction phases. These thresholds are a guide by which local governments can determine whether or not mitigations are required.

There is no gas station/drive thru car wash listed in the handbook. The use that most closely relates to the project in the handbook is a fast food drive thru restaurant. According to the handbook, the threshold of significance for air quality impacts caused by a fast food drive through facility (this was the closest use for a car wash drive through) is a facility of 2,800 square feet or more. At 2,579 square feet this project is below the threshold of significance. This includes converting the existing repair shop and mini-mart into a 1,308 square foot one-car automated car wash and a 1,271 square foot convenience store. No additional square footage will be added. At 2,579 square feet this project is below the threshold of significance for construction. Therefore, the project will not result in significant air quality impacts because expected operational and construction emissions will be below thresholds of significance as determined by the SCAQMD Air Quality Handbook.

In addition to reviewing the SCAQMD Air Quality Handbook, the project was also reviewed for it's consistency with the City's General Plan and Zoning Code. Among many other factors, SCAQMD's regional air quality models takes into account local cities' potential growth capacity as determined by local cities' General Plans and Zoning Codes. The proposed carwash use is within the growth and redevelopment potential of the project site per the City's General Plan.

No objectionable odors are expected from the proposed carwash use.

The project applicant will be required to comply with SCAQMD Rule 403, which provides specific control actions to be implemented during construction activities to control fugitive dust.

MITIGATION MEASURE(S): None required.

IV. BIOLOGICAL RESOURCES:

a) through f) No Impact

The project site is located in an urbanized area surrounded by existing disturbed land and development. Information on existing conditions of the project site, submitted by the applicant with project application materials, indicates no identified biological resources, as identified by the California Department of Fish and Game or US Fish and Wildlife Service, or federally protected wetlands, as defined by the Clean Water Act, exist on site. There are no identifiable, migratory wildlife corridors on the project site and the project site is not subject to a City policy/ordinance protecting biological resources and is not subject to a habitat conservation plan.

MITIGATION MEASURE(S): None required.

V. CULTURAL RESOURCES:

a) through d) No Impact

The project site is located in an urbanized area surrounded by existing disturbed land and development. Information on existing conditions of the project site per City records and information submitted by the applicant with project application materials indicates no identified cultural resources exist on site, and no significant adverse impacts relative to cultural resources are associated with the project.

The proposed project is an intensification of an existing use.

MITIGATION MEASURE(S): None required.

VI. GEOLOGY AND SOILS

a) through e) Less Than Significant Impact

Information on existing conditions of the project site indicates the site is not located near land subject landslides, is not located on expansive soil, and will be adequately serviced by the City's existing sewer system. The project will be constructed to meet all Uniform Building Code requirements and will be required to be reinforced to comply with City and State seismic standards.

The project site is located within the Overland earthquake faults, in an area of seismic activity (Southern California). The site is near soil subject to liquefaction, although it is not directly within the zone. However, the project will be constructed to meet all Uniform Building Code requirements and will be required to be reinforced to comply with City and state seismic standards.

Information on existing conditions of the project site, submitted by the applicant with application materials, indicates the site is considered suitable for the proposed development relative to geotechnical concerns.

MITIGATION MEASURE(S): None required.

VII. HAZARDS AND HAZARDOUS MATERIALS

a) through h) Less Than Significant Impact

Although the nature of the project's operations as a car wash and gasoline station will include use of and disposal of hazardous materials, the applicant will be required to obtain the necessary approvals from the Culver City Fire Department, in compliance with applicable Fire Code regulations. The applicant will also be required to participate in the Culver City Hazardous Materials Program. Adverse impacts relative to health hazards are expected to be less than significant.

The project site is not on a list of hazardous materials sites compiled per Government Code Section 65962.5 nor located within an airport land use plan on within the vicinity of a private airstrip nor located in a wild land area, and will not impair implementation of an emergency evacuation plan. In addition, the applicant will be required to obtain the necessary approvals from the Culver City Fire Department, in compliance with applicable Fire Code regulations. The applicant will also be required to participate in the Culver City Hazardous Materials Program.

MITIGATION MEASURE(S): None required.

VIII. HYDROLOGY AND WATER QUALITY

a) & e) Less Than Significant Impact

Grading and building plans will be reviewed and approved by the City's Building Safety and Engineering Divisions to assure that on and off-site drainage will not create significant impacts to drainage facilities, groundwater quality and quantity. The project will require the preparation of a Standard Urban Stormwater Mitigation Plan (SUSMP). The SUSMP plan must be prepared by a registered civil engineer and be reviewed by the Engineering Division for approval prior to the issuance of any permits. The City will require the project to be designed to effectively prohibit the entry of pollutants from the construction site into the public street and storm drain system. The construction contractor will be required to comply with the *California Storm Water Best Management Practice Handbook*.

b) through d) and f) through j) No Impact

The project will not place housing or structures within a 100-year flood hazard area. It is not within a dam inundation zone or subject seiches, tsunamis, or mudflows.

MITIGATION MEASURE(S): None required.

IX. LAND USE AND PLANNING:	
a) through c) No Impact	The project will not physically divide an established community and the project site is not subject to a habitat conservation plan or natural community conservation plan. The proposed use is consistent with the 'Neighborhood Serving Corridor' General Plan Land Use designation and is permitted in the Commercial Neighborhood (CN) Zones. There is no conflict with habitat conservation plan or natural community conservation plan because the proposal is an conversion of a 2,579 square foot repair bay area and small snack shop to a 1,308 square foot automated car wash and 1,271 square foot convenience store in an existing gasoline fueling station MITIGATION MEASURE(S): None required.

X. MINERAL RESOURCES:	
a) and b) No Impact	Materials submitted with the application, and also City Staff site review or the project, shows that mineral resources have not been identified on or within the project site. MITIGATION MEASURE(S): None required.

XI. NOISE:	
a) through d) Potentially Significant Unless Mitigation Incorporated	Operation: The proposed project consists of a convenience store, an automated car wash, and related equipment, which have the potential to impact surrounding properties. A Noise Study was submitted on April 26, 2007 which analyzed three receptor points on adjacent properties. Sound level data for the dryer unit were obtained during the operation of another car wash facility equipped with identical blower dryer unit. The only significant difference between the installation measured and that proposed at Culver and Motor is that the dryer units will be located seven feet inside the car wash tunnel exit at the proposed site. Therefore, actual sound levels at the Culver and Motor site will be slightly lower than those sound levels measured at another car wash The average daily CNEL due to expected car wash activity is at 46.9 (this included operational assumption combined with the source noise levels). The noise study also studied the proposed car wash noise against noise levels for stationary sources as recommended in the Noise Element. The most significant car wash noise level is will be 55.9 dBA, which will be reached for just over 12 minutes in any hour. This is below the applicable Noise Element limit for stationary sources that states 60 dBA Leq cannot be exceeded for more than 15 minutes in any hour. The noise study shows that with proper mitigation measures, the proposed car wash and dryer sound levels will comply with the Culver City noise level standards at all adjoining and nearby residential properties. Furthermore, the applicant will be required to conduct several follow-up noise studies to assure that stationary nose sources are within the General Plan's Noise Element recommended stationary sources. The existing six foot high block wall will be removed and a ten foot high solid masonry block sound wall will be constructed, continuous with the building extending to the east in the rear of the property. A curved ten foot high sound solid masonry block wall will also be constructed at the tunnel exit to block line-of-sight to residences on Motor Avenue in the direction of the nearest residences. The addition of the ten foot high solid masonry block sound walls reduce car wash sound levels by about 10 dBA. Landscape planters will extend along the perimeter of the site. This includes, a planter strip to be located in the rear of the property extending from the east of the property to the west. This planter will be planted with Ivy and other plants in order to minimize the visual effects of the ten foot high solid masonry block walls. After issuance of the building permit, detailed landscaping and irrigation plans will be reviewing by the Planning Division. Per Conditions of approval all planted areas shall be landscaped and irrigated pursuant to CCMC Title 17, Chapter 17.310 - Landscaping.

	Construction: All grading and construction activities will be conducted during the appropriate hours as allowed by the Culver City Municipal Code (CCMC). As a condition of approval for this discretionary project, the applicant's contractor will use construction equipment with state-of-the-art noise shielding and muffling devices to alleviate potential noise impacts. The applicant will also notify surrounding residential communities in advance of construction activities, and both applicant and City contact information will be posted on the project site to direct residents wishing to report noise and other construction activity complaints. With the mitigations noted below, potential noise impacts will be reduced to a level of insignificance.
e) and f) No Impact	The project site is not located within an airport land use plan and is not near an airport or private airstrip. MITIGATION MEASURE(S): 1. Prior to Issuance of Building Permit and during construction, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans or other documentation demonstrating that any noise impacts from stationary sources such as all mechanical equipment associated with the car wash including but not limited to the blow dryer and vacuum shall be minimized by proper selection of equipment and the installation of acoustical shielding to include the Thrust Pro Dryer with noise reduction package as stated in the Noise study dated April 26, 2007 and as determined necessary from time to time by the Planning Manager and the Building Official, so that compliance with the CCMC Noise Regulations and Standards is achieved. 2. At the expense of the applicant, a third party noise consultant shall be chosen and approved by the City to conduct and submit to the Planning Division for review a series of quantitative noise measurements at sites 1, 2, and 3 (of the noise study) to verify that the stationary noise sources are within the typical noise ordinance levels and durations as listed in the General Plan's Noise Element for stationary noise sources (dated July 22, 1996). These noise measurements shall be made when ambient noise levels are at its lowest level (e.g. not during rain and rush hour). Quantitative values shall be provided for the exceedance levels in the noise element. The measurements will be taken within 30 days following Certificate of Occupancy, six months after occupancy, one year after occupancy, and two years after occupancy. Based on the noise studies described above, if any violation of the General Plan's Noise Element is found, then this Conditional Use Permit shall be referred back to the Planning Commission for possible further mitigations to be implemented by the applicant, or revocation. 3. Prior to the Issuance of Building Permit and During Construction, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans or other documentation demonstrating the use construction equipment with state-of-the-art noise shielding and muffling devices to alleviate potential noise impacts. 4. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of an ten foot high solid masonry block sound wall continuous with the car wash building extending to the east of the property in the rear of the property, and a curved ten foot high solid masonry block sound wall constructed at the tunnel exit to block line-of-sight to residences on Motor Avenue in the direction of the nearest residences. 5. The hours of operation of the car wash shall be limited from 8:00 AM to 7:00 PM, Mondays through Fridays, from 9:00 AM to 7:00 PM Saturdays, and from 10:00 AM to 7:00 PM Sundays. The hours of car wash operation shall be posted at several locations on the project site to avoid excessive queuing at all times. 6. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of a four inch metal studs with two layers of 5/8 inch thick gypsum board on each side of the wall between the car wash tunnel and the food mart. 7. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the installation of the blower dryers seven feet inside the exit car wash tunnel.

XII. POPULATION AND HOUSING:	
a) through c) No Impact	The proposed car wash and convenience store replacing three service bays at an existing gasoline fueling station will not result in significant adverse impacts to population or housing. MITIGATION MEASURE(S): None required.
XIII. PUBLIC SERVICES:	
a) Less Than Significant	The project will comply with all applicable California Building and Fire Codes. Impacts to fire and police protection are expected to be less than significant. No significant adverse impacts to schools are expected to result from the project. Maintenance of public facilities and requirements for other public services associated with the project are expected to be incidental, and no significant adverse impacts are expected. MITIGATION MEASURE(S): None required.
XIV. RECREATION:	
a) and b) No Impact	The proposed car wash and convenience store replacing three service bays at an existing gasoline fueling station will not result in significant adverse impacts relative to recreation. MITIGATION MEASURE(S): None required.

XV. TRANSPORTATION/TRAFFIC

b) and c), e) through g) No Impact

As noted below the project will not create new trips that result in a level of significant impact. The minor increase in vehicle trips can be adequately handled by the existing traffic load and capacity of the street system. The project is not within vicinity of an airport and as such, will not result in a change of air traffic patterns. The project's on-site circulation plan will not result in inadequate emergency access. The project will provide ten parking spaces including one handicapped space which is in compliance with the number of parking spaces required per Culver City Zoning Code. In addition, the Zoning Code allows for half of the parking provided at pump islands to be credited towards meeting parking requirements. The project has eight pumps, which means that four additional parking spaces provided onsite beyond the minimum code requirement. The Zoning Code requires three queuing spaces ahead of the entrance to an automated car wash and the proposed project includes four spaces. The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

a) Less Than Significant Impact

The new car wash and expanded convenience market have been analyzed for traffic impacts. The proposed conversion of a 2,579 square foot repair bay area and small snack shop to a 1,308 square foot automated car wash and 1,271 square foot convenience store in an existing gasoline fueling station does not require a traffic study as determined by consulting the Institute of Transportation Engineers' Trip Generation Manual, 6th Edition, Volume 2 of 3, 1997. The manual includes several categories for gasoline stations and the two that are applicable to this project are "Gasoline/Service Station with Convenience Market" (No. 845) and "Gasoline/Service Station with Convenience Market and car wash" (No. 846).

For a gasoline station with a convenience market (No. 845) with eight vehicle fueling positions, the A.M. peak hour trip generation rate is calculated at approximately 84.48 average vehicle trip ends, and the P.M. rate is 108.56 trip ends. For a gasoline station with a convenience market and car wash (No. 846), the A.M. rate is approximately 98.4 trip ends and the P.M. rate is 110.16. As shown by this data, the addition of a car wash to a gasoline station with a convenience market will increase the number of trip ends to a site by approximately 14 trips in the A.M. peak hour and 2 trips in the P.M. peak hour. Therefore, the net increase in vehicle trips between these two categories is below the threshold required for a traffic impact study in Culver City. In addition, the noise study shows that an average of eight cars per hour and 89 cars per day is expected during 8:00 a.m. to 7:00 p.m. hours of operation on week days. This data was obtained from similar type car washes that are automated rollover facilities. The minor increases in daily vehicle trips can be adequately handled by the existing traffic load and capacity of the street system as well as the project layout and design.

d) Potentially Significant Unless Mitigation Measures Incorporated

Traffic congestion could potentially result at the intersection of Motor Avenue and Culver Boulevard as a result of excessive queuing and possible problems with on-site circulation. With the mitigations noted below, potential impacts will be reduced to a level of insignificance.

MITIGATION MEASURE(S): In order to assure there will be no impacts on traffic on adjacent Motor Avenue and Culver Boulevard, additional conditions have been applied to the proposed project. Prior to the Certificate of Occupancy, the applicant shall submit to the Planning Division a business operation plan to satisfaction of the Planning Manager indicating the following conditions:

1. There shall be no collection of monies at car wash entrance by an attendant. Patrons will pay for the car wash service at the pump, at an automated system at the entrance to the car wash, or inside the convenience market. In the event a problem arises in regards to onsite or offsite circulation, the Planning Manager and the City's Engineer reserves the right to implement additional conditions of approval. In the event the Planning Manager and Traffic Engineer are unable to resolve onsite or offsite circulation issues, the Planning Manager reserves the right to refer the project back to the Planning Commission for possible further mitigations or revocation.
2. In addition to the convenience store attendant, the applicant shall employ an attendant whose primary duties are to facilitate on-site circulation.
3. Employees shall be required to park onsite and the applicant shall provide explicit instructions to employees to assure that they do not park in the surrounding neighborhood.
4. There will be no detailing of vehicles at any location on the site.

XVI. UTILITIES AND SERVICE SYSTEMS

a) through g) Less Than Significant

The proposed project will connect to existing utilities available to adequately serve the project site. No significant adverse impacts to utilities are expected from project implementation.

MITIGATION MEASURE(S): None required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) No Impact

The project will not have significant impacts to any plant or animal wildlife species because it is located in a built-out urban area.

b) through c) Less Than Significant Impact

Because the project will result in a new use (carwash) and the intensification of the project site, there will be some cumulative impacts. However, the project meets all requirements of the Zoning Code and is not expected to result in significant impacts. As noted above in other sections of this report, the amount of traffic generated as a result of the proposed project is not anticipated to create a significant adverse impact to the surrounding community. The carwash will require use of potentially hazardous materials. However, the project will have to comply with Fire Code regulations as it relates to hazardous materials. Any noise impacts associated with the propose project will be reduced to a less than significant impact with mitigations incorporated.

The project, which is located in a developed, urbanized area meets General Plan Land Use policies and guidelines and is consistent with the Zoning Code. Various code requirements and the identified mitigation measures in this report will ensure that the proposed project will not cause substantial adverse effects on human beings.

MITIGATION MEASURE(S): None required.

MITIGATION MONITORING PROGRAM

The following environmental mitigation measures shall be incorporated into the project development as conditions of approval. The project applicant shall secure a signed verification for each of the mitigation measures which indicates that mitigation measures have been complied with and implemented, and fulfills the City environmental and other requirements (Public Resources Code Section 21081.6.) Final clearance shall require all applicable verification as included in the following table. The City of Culver City will have primary responsibility for monitoring and reporting the implementation of the mitigation measures unless otherwise indicated. The mitigation measures have been identified by impact category and numbered for ease of reference.

MITIGATION MONITORING PROGRAM
Valero Car wash and Convenience Store: 10332 Culver Boulevard

MITIGATION MEASURE	TIMING	VERIFICATION OF COMPLIANCE		
		DEPT.:	SIGNATURE:	DATE:
NOISE				
N.1. Prior to Issuance of Building Permit and During Construction, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans or other	Prior to Issuance of Building Permit and	Planning and Building Safety		

MITIGATION MONITORING PROGRAM

Valero Car wash and Convenience Store: 10332 Culver Boulevard

MITIGATION MEASURE	TIMING	VERIFICATION OF COMPLIANCE		
		DEPT.:	SIGNATURE:	DATE:
documentation demonstrating that any noise impacts from stationary sources such as all mechanical equipment associated with the car wash including but not limited to the blow dryer and vacuum shall be minimized by proper selection of equipment and the installation of acoustical shielding to include the Thrust Pro Dryer with noise reduction package as stated in the noise study dated April 26, 2007 and as determined necessary from time to time by the Planning Manager and the Building Official, so that compliance with the CCMC *Noise Regulations and Standards* is achieved.	During Construction			
N.2. At the expense of the applicant, a third party noise consultant shall be chosen and approved by the City to conduct and submit to the Planning Division for review a series of quantitative noise measurements at sites 1, 2, and 3 (of the noise study) to verify that the stationary noise sources are within the typical noise ordinance levels and durations as listed in the General Plan's Noise Element for stationary noise sources (dated July 22, 1996). These noise measurements shall be made when ambient noise levels are at its lowest level (e.g. not during rain and rush hour). Quantitative values shall be provided for the exceedance levels in the noise element. The measurements will be taken within 30 days following Certificate of Occupancy, six months after occupancy, one year after occupancy, and two years after occupancy. Based on the noise studies described above, if any violation of the General Plan's Noise Element is found, then this Conditional Use Permit shall be referred back to the Planning Commission for possible further mitigations to be implemented by the applicant, or revocation.	Prior to Issuance of Final Certificate of Occupancy, 6 months after Occupancy, and one year after Occupancy.	Planning and Building Safety		
N.3. The applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans or other documentation demonstrating the use construction equipment with state-of-the-art noise shielding and muffling devices to alleviate potential noise impacts.	Prior to Issuance of Building Permit & During Construction	Planning and Building Safety		
N.4. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of an ten foot high solid masonry block sound wall	Prior to Issuance of Building Permit	Planning		

MITIGATION MONITORING PROGRAM

Valero Car wash and Convenience Store: 10332 Culver Boulevard

MITIGATION MEASURE	TIMING	VERIFICATION OF COMPLIANCE		
		DEPT.:	SIGNATURE:	DATE:
continuous with the car wash building extending to the east of the property in the rear of the property, and a curved ten foot high solid masonry block sound wall constructed at the tunnel exit to block line-of-sight to residences on Motor Avenue in the direction of the nearest residences.				
N.5. The hours of operation of the car wash shall be limited from 8:00 AM to 7:00 PM, Mondays through Fridays, from 9:00 AM to 7:00 PM Saturdays, and from 10:00 AM to 7:00 PM Sundays. The hours of car wash operation shall be posted at several locations on the project site to avoid excessive queuing at all times.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning		
N.6. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the construction of four inch metal studs with two layers of 5/8 inch thick gypsum board on each side of the wall between the car wash tunnel and the food mart.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning		
N.7. Prior to the issuance of Building Permit, the applicant shall submit to the Planning Division and to the satisfaction of the Planning Manager, plans demonstrating the installation of the blower dryers seven feet inside the exit car wash tunnel.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning		
TRANSPORTATION/TRAFFIC				
T.1 There shall be no collection of monies at car wash entrance by an attendant. Patrons will pay for the car wash service at the pump, at an automated system at the entrance to the car wash, or inside the convenience market. In the event a problem arises in regards to onsite or offsite circulation, the Planning Manager and the City's Engineer reserves the right to implement additional conditions of approval. In the event the Planning Manager and Traffic Engineer are unable to resolve onsite or offsite circulation issues, the Planning Manager reserves the right to refer the project back to the Planning Commission for possible further mitigations or revocation.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning/ Engineering		
T.2. In addition to the convenience store attendant, the applicant shall employ an attendant whose primary duties are to facilitate on-site	Prior to Certificate of Occupancy	Code Enforcement/ Planning		

MITIGATION MONITORING PROGRAM *Valero Car wash and Convenience Store: 10332 Culver Boulevard*				
MITIGATION MEASURE	**TIMING**	**VERIFICATION OF COMPLIANCE**		
		DEPT.:	**SIGNATURE:**	**DATE:**
circulation.	& Ongoing.			
T.3. Employees shall be required to park onsite and the applicant shall provide explicit instructions to employees to assure that they do not park in the surrounding neighborhood.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning		
T.4. There will be no detailing of vehicles at any location on the site.	Prior to Certificate of Occupancy & Ongoing.	Code Enforcement/ Planning		

References Utilized:

1. Noise Study dated April 26, 2007 and Supplemental Noise Study dated October 17, 2007.
2. The Institute of Transportation Engineers' Trip Generation Manual, 6th Edition, Volume 2 of 3, 1997.

Attachments:

A. Noise Study dated April 26, 2007.
B. Supplemental Noise Study dated October 17, 2007.