



## **Planning Commission Agenda Report**

**Meeting Date:** August 6, 2020

**Department:** Community Development

**INITIATED BY:** Jennifer Mansur, AICP, Associate Planner

**SUBMITTED BY:** Gayle Ackerman, AICP, Director of Community Development

**REVIEWED BY:** Amy Stonich, AICP, Planning Manager (Contract)

**SUBJECT:** USE PERMIT 11-19-5315, PLANNED SIGN PROGRAM 05-20-5354, AND PLANNED SIGN PROGRAM 11-19-5316 FOR THE CONSTRUCTION OF A NEW DRIVE-THROUGH CAR WASH WITH SELF-SERVICE VACUUM STALLS, AND RELATED SIGNAGE LOCATED AT 21781 LAKE FOREST DRIVE IN THE HERITAGE HILL PLAZA SHOPPING CENTER

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### **EXECUTIVE SUMMARY:**

Use Permit 11-19-5315 is a request to demolish the existing approximately 6,500 square foot building located at 21781 Lake Forest Drive and construct a new drive-through car wash with self-service vacuum stalls in the Heritage Hill Plaza Shopping Center. The project includes an approximately 4,600 square foot car wash tunnel, 13 self-service vacuum stalls and modifications to the existing parking and landscaping at the shopping center. This project also includes Planned Sign Program 05-20-5354 for the drive-through signage and Planned Sign Program 11-19-5316, an amendment to the existing Planned Sign Program for the shopping center. The project site is zoned Community Commercial in the Lake Forest Planned Community. Per the zoning, a Use Permit is required for the car wash because the use has a moderate to high potential for adverse impacts on the subject site or surrounding community due to the nature or magnitude of the use which requires careful evaluation. The project is in compliance with applicable zoning code requirements. However, the operating characteristics of the proposed car wash would create conditions or situations that may be incompatible with other permitted uses in the vicinity and the character of the existing shopping center. Therefore, required Use Permit findings related to compliance with the City's General Plan, compatibility, and general welfare cannot be made and staff is recommending denial of this Use Permit.

**SITE INFORMATION:**

|                                  |                                                                       |
|----------------------------------|-----------------------------------------------------------------------|
| <b>Site Address</b>              | 21781 Lake Forest Drive                                               |
| <b>Assessor Parcel Number(s)</b> | 614-291-44                                                            |
| <b>Applicant/Agent</b>           | Jeff Bergsma, Team Design                                             |
| <b>Property Owner</b>            | Shopcore Properties                                                   |
| <b>General Plan Designation</b>  | Commercial                                                            |
| <b>Zoning District</b>           | Community Commercial (CC) in the Lake Forest Planned Community (LFPC) |

**Surrounding Area**

|               | <b>Land Uses</b>                                                  | <b>Zoning</b>                                |
|---------------|-------------------------------------------------------------------|----------------------------------------------|
| <b>North:</b> | Commercial Building in Heritage Hill Plaza and Heritage Hill Park | CC and Open Space in the LFPC                |
| <b>South:</b> | Single Family Neighborhood                                        | Medium Density Residential (MDR) in the LFPC |
| <b>East:</b>  | Single Family Neighborhood                                        | Medium Density Residential (MDR) in the LFPC |
| <b>West:</b>  | Commercial Building in Heritage Hill Plaza                        | CC in LFPC                                   |

**Location Map**



**RECOMMENDED ACTION(S):**

Adopt the following resolutions entitled:

1. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, DENYING USE PERMIT 11-19-5315 FOR THE CONSTRUCTION OF A NEW DRIVE-THROUGH CAR WASH WITH SELF-SERVICE VACUUM STALLS LOCATED AT 21781 LAKE FOREST DRIVE IN THE HERITAGE HILL PLAZA SHOPPING CENTER
  
2. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, DENYING PLANNED SIGN PROGRAM PSP 05-20-5354 FOR DRIVE-THROUGH SIGNAGE FOR A NEW CAR WASH LOCATED AT 21781 LAKE FOREST DRIVE
  
3. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, DENYING PLANNED SIGN PROGRAM 11-19-5316, AN AMENDMENT TO PLANNED SIGN PROGRAM 06-17-5045, FOR THE HERITAGE HILL PLAZA SHOPPING CENTER

**BACKGROUND:**

The Heritage Hill Plaza Shopping Center is located at the northwest corner of Lake Forest Drive and Trabuco Road. The center has multiple access points along three street frontages: one along Serrano Road, two along Lake Forest Drive, (one signalized) and two along Trabuco Road. The existing shopping center is comprised of five multi-tenant buildings and one single-tenant building (previously US Bank). The shopping center includes a variety of businesses including retail, services, and restaurants. The center includes an outdoor plaza near the Crown Ace Hardware building and outdoor seating and patio areas serving the in-line tenants. The two major tenants within the center are CVS Pharmacy and Ralph's grocery store. The shopping center abuts Heritage Hill Historical Park and is one of the larger shopping centers in the City.

Heritage Hill Plaza was originally approved by the County of Orange in 1980. Additional building square footage and façade improvements have been approved by the County of Orange and the Lake Forest Planning Commission. In 2004, the Planning Commission approved Use Permit 2002-05(B) for an addition to one of the multi-tenant buildings (which includes Crown Ace Hardware) and an exception to the off-street parking requirements. Use Permit 2002-05(B) approved the entire shopping center with 539 parking stalls or a ratio of 1 parking stall for every 235 square feet. The current parking lot has 514 parking stalls. In 2018, the Lake Forest Planning Commission approved Site Development Permit 06-17-5044 and Planned Sign Program 06-17-5044 for a façade remodel, landscape renovations,

and a new Planned Sign Program for the Heritage Hill Plaza Shopping Center. The façade remodel modernized the overall appearance of the center and features natural stucco colors, wooden design elements, and limestone. The new Planned Sign Program established sign regulations for tenant wall signs and center monument signs.

**PROJECT DESCRIPTION:**

Use Permit 11-19-5315 is a request to demolish the existing 6,500 square foot bank building and eliminate 21 parking stalls located at 21781 Lake Forest Drive in Heritage Hill Plaza. The existing building and 21 parking stalls are located on a separate parcel from the rest of the shopping center, which is shown in the red outline on Graphic 1. Currently, this parcel is owned by the same owner as the rest of Heritage Hill Plaza. This project includes a new 4,600 square foot drive-through car wash tunnel, queuing lanes that can accommodate up to 18 vehicles, and 13 outdoor self-service vacuums. In addition, 3 parking stalls located across from the trash enclosure at the entrance to the drive aisle and queuing lane are proposed for employees.

**Graphic 1: Proposed Car Wash Location in Heritage Hill Plaza**



### Location

The proposed car wash site is located near the center of the shopping center, immediately west of the signalized main access at Chinook Drive. Customers can enter the facility from the main drive aisle within the center which runs parallel to Lake Forest Drive. Graphic 1 shows the location of the proposed car wash building and vacuum plaza in relation to the other buildings and the parking fields on the west side of the shopping center.

As seen in Graphic 1, the proposed car wash is adjacent to a multi-tenant building with various tenants that include Crown Ace Hardware and the Orange County's Credit Union. The car wash is directly accessed from the approximately 25-foot wide main drive aisle serving the center, which runs parallel to the large multi-tenant in-line building. This drive aisle facilitates the majority of traffic circulation for the shopping center and connects Trabuco Road to Serrano Road. Across the main drive aisle is a row of head-in parking stalls and multiple tenants including Bagels and Brew, Brizio's Pizza, Serrano Cleaners, Lake Forest Floral Design, The Jewelry Box, Serrano Animal and Bird Hospital, and Majestic's Asian Eatery. Both Bagels and Brew, and Brizio's Pizza have outdoor seating areas which are within approximately 80 feet from the nearest proposed vacuum stall. A second bank of head in parking stalls is located on the opposite side of the main drive aisle in front of the multi-tenant office building and Crown Ace Hardware.

### Car Wash Operation

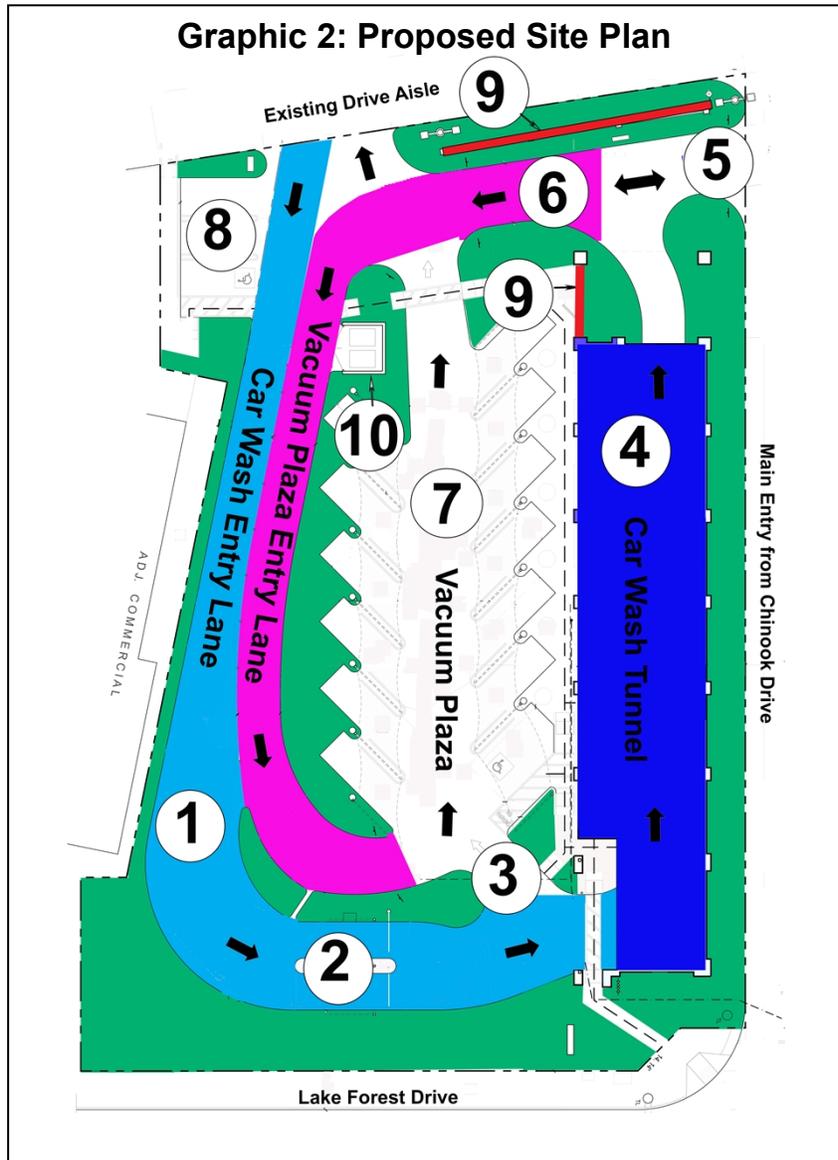
The proposed tenant for the car wash is H2GO Car Wash. H2GO has other locations in Orange County including Huntington Beach, Santa Ana, and Westminster. H2GO provides a fast self-service drive-through car wash experience with an option for customers to vacuum their vehicle. Based on information from the applicant, approximately 50% of customers choose to vacuum their vehicles. The car wash process takes a total of 2-3 minutes to wash and dry a vehicle and customers are not allowed to leave their vehicle during the car wash. A total of 8 cars can be inside the car wash tunnel at one time and 18 vehicles can queue in the entry lane. Additionally, H2GO has a membership program, in which customers are provided a transponder sticker on their car that automatically charges the customer when they drive through the car wash to save time at the pay station. Based on information from the applicant, approximately 50% of H2GO's customers use the membership option. The car wash operation requires 3 on-site employees. One employee helps vehicles onto the conveyor belt, one employee assists customers off the conveyor belt, and there is an on-site manager.

The proposed hours of operation for the car wash is daily from 7:00 a.m. to 8:00 p.m. Based on the ITE (Institute of Traffic Engineers) trip generation rates, the peak hours for a car wash are on weekend afternoons.

The proposed car wash includes technology that recirculates the water through the car wash via three underground clarifiers. The system is self-sustaining with the ability to replenish water when needed and overflow water is directed to the sewer system. Additionally, the car wash uses the “Pro-Vest Silencer Package Blowers”, which emit less noise than older car washes.

Car Wash Site Plan

The site plan for the proposed car wash is shown on Graphic 2, and described in the following list by the numbers referenced on the site plan:



- 1 **Car Wash Entry Lane.** The car wash site is accessed from the existing main drive aisle in Heritage Hill Plaza. Cars enter the site via a 9.8 foot-wide lane that is separated from the adjacent vacuum plaza lane (#6 on the site plan) by delineators. The single lane, splits into two lanes as it nears the pay stations. The entry lane can accommodate a total of 18 vehicles before the car wash tunnel.
- 2 **Pay Stations.** Two pay stations prior to entry into the car wash tunnel are provided. Customers select and pay for their car wash service at the pay station. After an electronic payment, a mechanical arm will open when it is the

customer's turn to enter the car wash tunnel. At the car wash tunnel, an employee will direct the customer's vehicle onto the conveyor system.

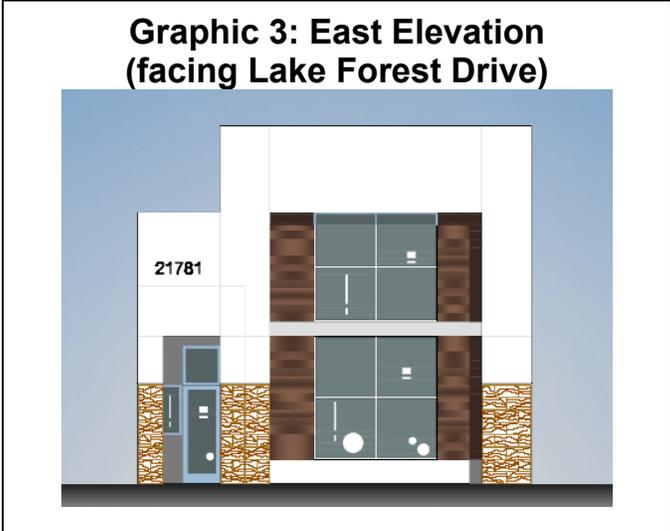
- 3 **Escape Lane.** An "escape lane" is provided prior to the car wash tunnel entrance. This lane would allow vehicles to leave the car wash queue before entering the car wash tunnel.
- 4 **Car Wash Tunnel.** The car wash tunnel is 4,600 square feet and 148.5 feet long. The tunnel can accommodate 8 vehicles at one time. The car wash tunnel also includes restrooms, a staff area, and offices, including an office in the second story tower element.
- 5 **Car Wash Exit.** After the customer's vehicle exits the car wash tunnel, the customer will then have a choice of either exiting the property onto the main drive aisle or following the directional signs to the self-service vacuum plaza entry lane.
- 6 **Vacuum Plaza Entry Lane.** If a customer chooses to vacuum their vehicle, they will follow the 9.8 foot-wide vacuum plaza entry lane, which circles around the site to the vacuum plaza.
- 7 **Vacuum Plaza.** 13 self-service vacuum stalls, including one handicapped accessible vacuum stall are provided. The stalls are designed to be 11 feet wide and a minimum of 18 feet in length. The stalls are accessed via a one-way 15-foot wide parking aisle.
- 8 **New Parking Stalls.** 3 parking stalls, including one handicapped accessible stall, are provided at the entrance to the shopping center. These parking stalls are intended for use by the employees.
- 9 **Sound Walls.** The applicant prepared a noise study to assess any noise impacts from the car wash on the nearby single-family residential neighborhood and on the other businesses in the center. One of the recommendations of the noise study is a 6-foot tall sound wall in the parking island and a 12-foot tall sound wall at the exit of the car wash. These are included on the site plan. The noise study is discussed in further detail later in this report.
- 10 **Trash Enclosure.** The project includes a six-foot tall trash enclosure that is 120 square feet and can accommodate two bins. The size and location of the trash enclosure was approved by the City's waste provider, CR&R.

Landscaping

Generally, Heritage Hill Plaza has existing landscaping along Lake Forest Drive and Trabuco Road and within islands throughout the parking lot. The project proposes to remove the existing landscaping, including 6 trees, around the existing building and within the parking lot islands directly adjacent to the existing building. The four mature pine trees along Trabuco Road, in front of the site, are not proposed to be removed. As depicted in green on Graphic 2, the project includes the addition of 8,649 square feet of new landscaped areas around the building, around the new vacuum plaza area, in the new parking lot island, and along Lake Forest Drive (at a minimum depth of 12 feet). The new landscaping will include 25 new trees and mixture of shrubs, vines, and groundcover.

Elevations

The building architecture of the car wash tunnel has been designed to match the architecture of the other buildings in Heritage Hill Plaza. As shown in Graphic 3, the buildings feature a tower element at the front of the building (facing Lake Forest Drive), with windows flanked by brown wood tiles, and surrounded by columns with limestone bases. This is the tallest feature on the building at 29 feet in height. The remainder of the building ranges from 12 feet to 22.5 feet in height. The building architecture also includes columns, steel trellises, and windows along the longer sides of the tunnel. The car wash tunnel opening was designed facing the parking lot and is not visible from Lake Forest Drive. The building includes a variety of different materials, including plaster, limestone, wood tile, and a gray standing seam metal roof. The main color of the building is “Cream” (light beige), with minor blue accents (on steel trellis).



The project also includes canopies over the pay station and at all 13 vacuum stalls. The canopy for the pay station is setback approximately 14 feet from the sidewalk

**Graphic 4: Example of Canopies**



Vacuum Plaza Canopy



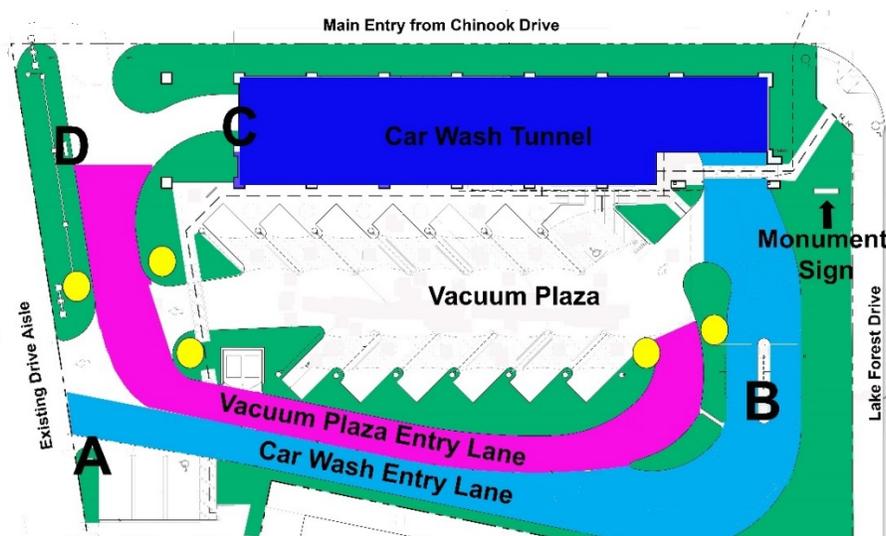
Pay Station Canopy

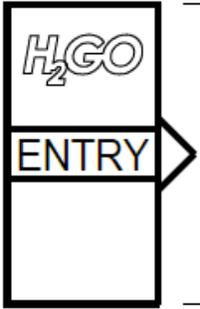
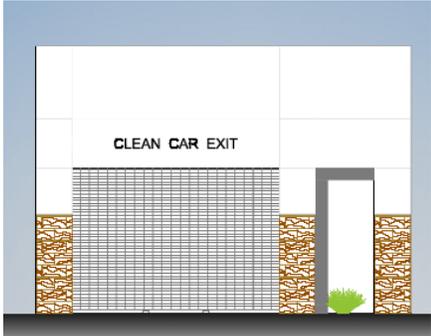
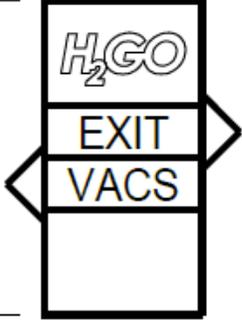
along Lake Forest Drive. The closest vacuum canopies are setback approximately 54 feet from the sidewalk along Lake Forest Drive, approximately 45 feet from the adjacent multi-tenant building (which includes Ace Hardware), and approximately 80 feet from the sidewalk in front of the multi-tenant building across the main drive aisle. The canopies would include green posts and framing for navy blue fabric sunshades. Graphic 4 includes examples of the proposed canopies. The full detailed plans for this project are attached to this report (PC Attachment 7).

**Planned Sign Program 05-20-5354**

This project includes a Planned Sign Program for the drive-through signage for the proposed building. All of the proposed signage will be green and blue, the corporate colors for H2GO Car Wash. The proposed signage including the location and size of the signs is shown in Table 1.

**Table 1- Proposed Drive-Through Signage Location and Types (not to scale)**



|                                                                                                                                                                                                 |                                                                                                                                                                                               |                                                                                                                                                                                                           |                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A. Entrance Sign</b></p>  <p><b>Height:</b> 4 ft.<br/><b>Width:</b> 2 ft.<br/><b>Area:</b> 8 sq. ft.</p> | <p><b>B. Menu Board</b></p>  <p><b>Height:</b> 6 ft.<br/><b>Width:</b> 2 ft.<br/><b>Area:</b> 12 sq. ft.</p> | <p><b>C. Clean Car Exit Sign</b></p>  <p><b>Height:</b> 1 ft.<br/><b>Length:</b> 10 ft.<br/><b>Area:</b> 10 sq. ft.</p> | <p><b>D. Exit/ Vacuum Sign</b></p>  <p><b>Height:</b> 4 ft.<br/><b>Width:</b> 2 ft.<br/><b>Area:</b> 8 sq. ft.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The drive-through signage is included in the plans (PC Attachment 7).

**Planned Sign Program 11-19-5316**

As previously mentioned, the signage for the center is regulated by Planned Sign Program 06-17-5045. The existing Planned Sign Program includes wall sign regulations, monument sign regulations, and the allowed locations for the multi-tenant monument signs. The current sign program does not include the existing single-tenant bank building (21781 Lake Forest Drive) because it was previously under separate ownership. The applicant is proposing to include the new car wash in the center’s planned sign program and to add an additional single tenant monument sign in front of the new building (see Table 1 for location). Graphic 5 shows the proposed design of the new monument sign, which is proposed to be a maximum height of 5 feet and a total of 35 square feet in area. The complete Planned Sign Program for the center, with the amendment, is included as PC Attachment 6.



## **ANALYSIS:**

### **Compliance with Zoning Code**

The Heritage Hill Plaza shopping center is zoned Community Commercial (CC) in the Lake Forest Planned Community. This zoning district designates land for commercial centers which provide a wide range of facilities for retail trade, convenience goods, services, and professional office uses. The City's Code includes a land use matrix (Section 9.72.090 of the City's Zoning Code), which includes a list of non-residential uses and specifies if each use is permitted, conditionally permitted (requires a Site Development Permit or Use Permit), or prohibited in the City's different zoning districts.

Pursuant to the land use matrix, a car wash requires a Use Permit in the CC zoning district. Per the City's Code, "the purpose of a use permit is to provide for the public review of detailed final plans for a proposed use. Uses which require a use permit are regarded as having a relatively moderate to high potential for adverse impacts on the subject site or surrounding community due to the nature or magnitude of the use vis-à-vis the sensitivity of the subject site or surrounding community." The Use Permit process requires the Planning Commission to make specific findings about the project related to the following:

- Compliance with the City's Zoning Code;
- Compliance with the City's General Plan;
- Compatibility of the use with the surrounding area;
- The use will not affect the public's general welfare;
- Applicable development fees will be paid; and
- Compliance with the Purpose and Intent of the Citywide Design Guidelines.

If any of these findings can not be made, then the project must be denied by the Planning Commission.

The City's Municipal Code and zoning regulations do not regulate competition. The City cannot deny a Use Permit for a use that meets the required Use Permit findings because there are other competing businesses in the area. The property and business owners decide if a particular business would be an asset to the tenant mix in a shopping center and if the proposed business would be successful in the market.

The new car wash tunnel location and design meets all the CC development standards and other applicable zoning standards, including but not limited to the minimum setbacks, maximum building height, and boundary landscaping. Furthermore, the new landscaping was designed in compliance with the City's

Water Efficiency Landscaping Ordinance. Lastly, the new proposed parking stalls, vacuum stalls, and parking aisles have been designed in compliance with the zoning requirements (Chapter 9.168 of the Zoning Code) in that the width of all one-way parking aisles are a minimum of 14 feet, and all parking stalls/vacuum stalls are a minimum of 9 feet wide by 18 feet in length.

### Site Circulation

City staff from the Planning Division and the Traffic Engineering Division have worked extensively with the applicant to design the project in such a way that all operations can be performed on the car wash parcel. The car wash has been designed with two exits; one exit onto the Chinook driveway for customers that just want an exterior car wash, and one exit onto the main drive aisle of the center. The two exits are intended to minimize vehicular conflict on the site and allow some vehicles to exit onto the Chinook driveway that leads directly to Lake Forest Drive, without driving onto the main drive aisle in the shopping center since this drive aisle is heavily utilized by patrons shopping throughout the center.

In addition, the car wash has been designed with an entry lane that accommodates queuing for a total of 18 vehicles before the car wash tunnel. The applicant provided a queuing study, prepared by RK Engineering Group (April 2020) and reviewed by the City's Traffic Engineer. The study analyzed the queuing for 3 similar H2GO car washes in Santa Ana. The queuing surveys were conducted during peak hours on a weekday and a Saturday in March of 2019. Based on the surveys, there was a maximum of 14 vehicles queued in the car wash entry lane. As recommended in the study the applicant proposes to have two employees that will regulate traffic operations on the site during peak times. The study concluded that the proposed design and configuration of the drive-through facility would be adequate to serve the estimated peak car wash drive-through demand.

Although the car wash has been designed to minimize negative impacts on the existing drive aisles in Heritage Hill Plaza or the adjacent public streets, staff noted that the main drive aisle already accommodates a high traffic flow, including trash pickup, automobiles and pedestrians who traverse through the center. In addition, vehicles that are parked in front of the in-line tenants are required to back up into the main drive aisle which can impact on site circulation.

### Traffic

This project includes the demolition of an existing bank and the construction of a new car wash. The traffic generated by the bank compared to a car wash is similar in overall traffic generation to the site. Based on the Institute of Transportation Engineers (ITE) trip generation rates, the estimated daily trips for the bank is 201

trips compared to 198 estimated daily trips generated by the car wash. Based on the ITE trip generation rates, the peak hours for the bank are on Friday evening (estimated 79 vehicles per peak hour) and the peak hours for the car wash area on Saturdays (estimated 65 vehicles per peak hours). Additionally, the queueing analysis provided indicates that there is adequate queueing capacity within the lease line of the proposed project site to accommodate anticipated queues without impact to City streets or on-site circulation. Because of this, additional traffic studies and analysis were not required.

Parking

The City’s parking code has the following parking requirement for self-service car washes:

|                                                                     |                             |
|---------------------------------------------------------------------|-----------------------------|
| <b>Automobile washing and cleaning establishment, self-service.</b> | 5 for each 2 washing stalls |
|---------------------------------------------------------------------|-----------------------------|

This parking standard for the self-service car wash was developed by Orange County and adopted by the City upon incorporation 26 years ago. As such, the parking requirement does not reflect the technological advances in drive-through self-service car washes. The parking requirement assumes a stand-alone car wash facility, where an individual parks their vehicle and washes their own vehicle with car wash equipment. This process takes longer than the drive-through car wash, and presumably requires a parking area for employees and vehicles waiting for their turn at the facility. This parking requirement is not appropriate for a drive-through self-service car wash, which includes a queueing area for vehicles waiting and only has a maximum of three employees. Accordingly, since there is not an appropriate parking requirement in the City’s Code, per Section 9.168.070 (B), the City shall determine the number of off-street parking spaces required. This is consistent with how the parking was required for a new drive-through car wash (which has not been constructed yet) at the Shell Service Station at 23652 Rockfield Blvd (UP 04-17-5028). Based on the operation of the proposed business, staff is recommending that the car wash provide 3 parking stalls for the proposed use based on the number of employees for the business. The site has also been designed with a bicycle rack.

| <b>Table 2: Parking Lot Changes</b> |     |
|-------------------------------------|-----|
| Parking Stalls Removed              | -21 |

As previously mentioned, Heritage Hill Plaza was approved at a parking ratio of 1 parking stall for every 235 square feet of floor area. Parking is reciprocal and particular spaces are not assigned to any individual use. Based on this ratio the existing 6,500 square foot bank building, which is proposed to be demolished, required 28 parking stalls. Due to the operational characteristics of a drive thru car wash, the new use requires less parking than the parking required for the bank. Specifically, 3 spaces are required for the employees, which is 25 spaces less than what was required for the bank. The 21 spaces in the parking field adjacent to the bank would be removed and replaced with 3 new spaces. Because the new use requires 25 spaces less than the previous bank, the number of spaces provided will comply with code requirements. It should be noted that 13 spaces are provided for the patrons who wish to vacuum their vehicles. These vacuum spaces are part of the operational needs of the car wash and cannot be used by customers who wish to patronize other uses in the shopping center. Therefore, these spaces are not counted toward the overall parking need for the center.

|                      |                              |
|----------------------|------------------------------|
| Parking Stalls Added | 16 (including vacuum stalls) |
| <b>Net Change</b>    | <b>-5</b>                    |

Although all parking in the center is reciprocal, a field of parking containing 21 spaces was provided between the bank, the credit union and the main drive aisle. These spaces will be physically eliminated with the construction of the car wash. Although the number of spaces will be adequate, the location and convenience of the parking fields for the tenants on the western side of the shopping center will be altered and a greater reliance on the spaces in the parking fields closer to Serrano Drive is expected.

Noise

To address the City’s noise ordinance requirements, general plan noise policies, and potential noise impacts on the surrounding uses, the applicant submitted a noise study prepared by RK Engineering Group (PC Attachment 4) that analyzed the noise impacts from the car wash tunnel and self-service vacuums on the surrounding uses. The study included a sound survey of existing conditions that was conducted in October of 2019.

The main sources of potential on-site stationary noise impacts to adjacent land uses would include noise from the car wash tunnel and thirteen (13) vacuum stalls. The study included sound readings from locations expected to receive the highest noise impacts including the rear property wall of the nearest single-family residences (across Lake Forest Drive), in the adjacent multi-tenant building, and at the outdoor dining patios in the shopping center.

According to the noise analysis, automated car wash equipment and facilities have several potential noise generating sources associated with their general operation; including pumps, compressors, high pressure applicators and spray nozzles, scrubbers, and dryers. The car wash mechanical equipment (pumps, compressors, blowers, etc.) can generate a substantial amount of noise.

The car wash was designed with the noisiest part of the car wash (blowers) near the exit of the car wash tunnel, which is farthest from the residential properties across Lake Forest Drive but facing the outdoor seating areas of Bagels and Brew and Brizio's Pizza. The outdoor vacuums are separated by over 150 feet from the nearest residential property wall but are closest to the outdoor seating areas which are approximately 80 feet away.

### **Noise impacts on surrounding residential neighborhood**

The projected noise level at the car wash tunnel entry is 84.6 dBA. Noise levels at the car wash exit tunnel are louder compared to car wash tunnel entry because of the placement of the blowers. Based on the information provided by the operators of H2GO, the car wash is proposing to use the Pro-Vest Silencer Package blowers which would reduce the noise levels from the proposed blowers to approximately 76.9 dBA at 10 feet (96.1 dBA sound power level at the source). Additionally, the car wash is designed so that the car wash tunnel entry does not directly face the single-family residences across Lake Forest Drive.

Using SoundPLAN noise modeling, the noise study concluded that the change in existing noise levels as a result of the project would be approximately 0.1 decibels (dBA) at the residential property wall. Generally, a change in noise level of 3 dBA is considered barely perceptible and a change in noise level of 5 dBA is considered readily perceptible to the human ear. Therefore, the project noise level impact to the homes is anticipated to be less perceptible to most people. The study concluded that the project would be in compliance with the City's noise ordinance and general plan policies.

### **Noise impacts on adjacent multi-tenant building**

The City's noise ordinance only addresses noise impacts on residential properties in the City. However, the City's General Plan has noise related policies to protect interior noise level of commercial properties. The closest building to the car wash site is the multi-tenant building addressed 21791 Lake Forest Drive, which is approximately 45 feet from the nearest self-service vacuum and approximately 95 feet from the car wash tunnel. When the noise study was completed, the City's General Plan had a recommended interior noise standard of 50 dBA for offices, which is analyzed in the noise study. The noise study concluded that the offices

(assuming the windows are closed) would maintain an interior decibel rating of 41 dBA. In June of this year, the City's General Plan was updated and now includes an interior noise standard of 45 dBA. Based on the conclusions of the noise study, the office building with an interior decibel rating of 41 dBA, would also meet the new General Plan standard.

### **Noise impacts on outdoor dining**

Although the City does not have any noise standards for outdoor commercial uses, the City required the noise study to address the noise impacts to outdoor dining areas in the shopping center. The patio areas for Bagels and Brew and Brizio's Pizza are approximately 80 feet from car wash building and vacuum stalls. The study concluded that there would be an increase of 6.3 dBA, which would be a perceptible noise change to the outdoor dining areas. The noise study recommended two sound walls to minimize the noise impacts to these areas. The sound walls are included on the proposed site plan for the car wash. With the recommended sound walls in place, the noise levels at the outdoor patio areas would be minimized to an increase of 4.5 dBA, which may still be a perceptible noise change to the outdoor dining area.

The study concluded that the noise from the car wash and vacuums, with the noise study recommendations, are in compliance with City's General Plan policies and Noise ordinance. The noise study was reviewed by a third-party noise specialist consultant, who concurred with the findings and recommendations in the report.

### Water Quality

In accordance with the Santa Ana Regional Water Quality Control Board requirements, a Preliminary Water Quality Management Plan (WQMP) was prepared for this project. Generally, a WQMP describes the proposed hydrology of a site and provides Best Management Practices (BMPs) to minimize any significant water quality impacts. The car wash itself uses 8,000 to 10,000 gallons of water a day. The water comes from a domestic water line and recirculates through the car wash via three underground clarifiers. The system is self-sustaining with the ability to replenish water when needed and overflow water is directed to the sewer system. The proposed site has been designed so that exterior water runoff drains to an infiltration basin with an underground detention storage tank in the existing landscape area along the Lake Forest Drive. The WQMP also include others BMPs, such as required employee training related to water quality (i.e. prevention of dumping in the storm drain, prevention of littering, management of chemicals) and site/landscaping maintenance requirements. The Engineering Division has reviewed the submitted Preliminary WQMP and has conceptually approved the BMPs in the WQMP. If the Planning Commission

approves this Use Permit, a condition of approval is recommended requiring review and approval of a Final WQMP.

### **Compliance with City's Design Guidelines**

The project has been reviewed in accordance with the Citywide Design Guidelines, adopted in 2010. The Design Guidelines include provisions for site planning, landscaping, architecture and building design, as well as District Specific Guidelines. The Guidelines aim to ensure that new development is of high quality, aesthetically-pleasing, and contextually sensitive, while allowing for flexibility for new or creative concepts. The proposed project is located in the Trabuco Road Design Guideline District. The Guidelines also include specific design guidelines for Car Washes and Drive-Through Businesses. The proposed project was designed in accordance with the City's Design Guidelines as follows:

#### **Building Layout and Landscaping Guidelines**

- Only a small section of the proposed drive-through lane is located adjacent to the Lake Forest Drive frontage and it is separated from the street by a landscaped berm with existing and proposed trees.
- The carwash tunnel entrance and exit do not face any residential properties or Lake Forest Drive.
- As previously mentioned, the applicant submitted a queuing study, prepared by RK Engineering Group that analyzed similar car washes. The study concluded that the proposed design and configuration of the car wash would be adequate to serve the estimated drive-through demand. Furthermore, the design of the drive-through and the queuing study was reviewed and approved by the City's Traffic Engineer.
- The new landscaping will include a variety of ground cover, shrubs, vines and trees.
- Vines are proposed on the two sound walls and on the trash enclosure.

#### **Architecture and Building Design**

- The architecture of the car wash tunnel is compatible with the architectural character, color and materials of the surrounding buildings in the Heritage Hill Plaza.
- The proposed architecture of the building is not based on the H2GO corporate model (which usually features a blue wave architectural feature), but instead was designed to match the architecture of the existing Heritage Hill Plaza.
- The car wash tunnel architecture reflects well-articulated elevations, with varying roof lines, changes in building materials and different wall planes.

- The building was designed with designated sign band areas that are well integrated into the building design.
- The building roof parapet has been designed to screen all proposed roof-top equipment.

Accordingly, this project was designed in accordance with the Citywide Design Guidelines and is consistent with the purpose and intent of the Guidelines.

### **Compliance with General Plan Goals and Policies and Compatibility with Surrounding Uses**

In June of 2020, the City Council adopted an updated General Plan, which includes goals and policies pertaining to land use and development in the City. The General Plan includes the following goal and policies related to compatible development and placemaking:

*GOAL LU-2 COMPATIBLE DEVELOPMENT: A community where new development blends harmoniously into the existing neighborhood fabric.*

*Policies:*

- *Physical Characteristics Compatibility. Ensure that new development fits within the existing community setting and is compatible with surrounding land uses and public infrastructure availability.*
- *Scale and Character. Ensure that the scale and character of new development is appropriate to the setting and intended use.*
- *Visual Compatibility. Require new development projects achieve visual compatibility with surrounding development through building, site, or design techniques, such as landscaping and architectural design, to achieve visual compatibility.*

*GOAL LU-3 PLACEMAKING: A distinct community image and identity that promotes Lake Forest as a desirable place to live and do business.*

*Policy:*

- *Physical Attributes. Maintain the physical attributes of Lake Forest, such as its streetscapes, parks, trails, and scenic vistas, to preserve an identifiable and distinct community within Orange County.*
- *Public Gathering Spaces. Encourage the provision of both formal and informal public gathering spaces through pedestrian-oriented street design; sidewalk furniture and pedestrian-oriented development; well-designed, multi-use public spaces of different sizes including pocket parks, plazas, and monuments; and community events.*

The neighborhood around Heritage Hill Plaza shopping center has a distinct sense of place that is characterized by its urban forest and the lake. This neighborhood is unique in that 14 residential tracts (3,436 homes) comprise the Lake Forest II

Master Homeowner's Association (HOA). The HOA provides recreational amenities and neighborhood events at the Sun and Sail Club which help to foster a sense of community for this area within the City. The Heritage Hill shopping center serves an important function for the neighboring community as both a retail center and social/gathering spot, with outdoor dining and plaza areas that promote gathering. The character of the center is further defined by the large mature trees around the center and architecture that includes natural elements. Lastly, the adjacent Heritage Hill Historic Park, which showcases the local history of the Lake Forest community and hosts community wide special events adds to the unique character of the shopping center.

Due to the unique operating characteristics of the car wash, the outdoor vacuum plaza will introduce an outdoor activity that is not presently found in the center. Patrons of the other businesses in the center park their cars and walk to the various businesses. The car wash introduces an auto-dominated use wherein patrons will circulate in their cars through the queuing lane to the car wash tunnel to the vacuum plaza, as opposed to parking a vehicle and walking within the center the various uses. This auto-dominated character of the car wash is in contrast to the character of the shopping center, which promotes walking and people gathering.

As discussed in this report, the car wash noise levels are in compliance with the City's zoning ordinance, which protects residential properties, and the City's General Plan noise policies, which protects interior noise for commercial tenants. However, the City does not have any regulations related to exterior noise impacts. As indicated in the noise study, the car wash will generate noise from the blowers. This type of noise is quasi-industrial in nature and is generally not expected in the middle of a retail shopping center. Although, the car wash has been designed to minimize the noise with sound walls, there will still be an increase in noise perceptible to people walking in the area around the car wash, and in the outdoor dining areas. The addition of this quasi-industrial noise in the middle of this shopping center is not compatible with people walking and gathering outside in the shopping center.

The car wash is centrally located in the shopping center, next to the Chinook Drive signalized driveway. As such, the car wash will be the first building visible to many patrons that visit the shopping center. Although the car wash tunnel is designed to match the architecture of the center, the car wash also includes an outdoor vacuum plaza, which is constructed of metal posts with hanging vacuums and covered with fabric awnings. The proposed design of the vacuum plaza is typical of most car washes, including other car washes in Lake Forest. However, the quasi-industrial appearance of the vacuum plaza is in sharp contrast to the "natural" character of the shopping center and the surrounding neighborhoods.

As previously mentioned, this project includes the elimination of the field of parking directly adjacent to the existing bank. As indicated in this report, even with the elimination of these parking stalls, the car wash will meet the number of parking stalls required by the City's Code. However, even though there are enough parking stalls in the shopping center, the parking stalls are not well distributed throughout the center. As such, this existing parking area in front of the bank, is heavily utilized by customers of many of the tenants in the center. The parking area is centrally located and provides convenient parking stalls for customers visiting multiple tenants in the shopping center. Even with the bank being closed, there are frequently many vehicles parked in this area of the lot. The loss of the parking stalls in this central location will create a situation that is objectionable to the other tenants in the shopping center.

The auto-dominated character and quasi-industrial nature of the car wash, with an outdoor vacuum plaza is in contrast to the character of the Heritage Hill Plaza and would not blend harmoniously with the existing setting and character of the shopping center and would create conditions that may be objectionable or incompatible with other permitted uses in the vicinity. Based on this analysis, the required Use Permit findings related to compliance with the General Plan, compatibility, and general welfare cannot be made and staff is therefore recommending denial of this project.

#### **Planned Sign Program 05-20-5354**

As discussed previously in this report, the proposed car wash drive-through signage includes two free-standing directional signs, a free-standing menu sign, a wall mounted "Clean Car Exit" sign, and 5 free-standing "Do Not Enter" signs. Should the Planning Commission deny Use Permit 11-19-5315, staff recommends denying the Planned Sign Program 05-20-5354, since the drive-through signage for the car wash would not be necessary.

#### **Planned Sign Program 08-18-5208**

As previously mentioned, the applicant requests revision of the Heritage Hill Plaza Planned Sign Program to include a new single tenant monument sign in front of the new car wash. Should the Planning Commission deny Use Permit 11-19-5315, staff recommends denial of the Planned Sign Program 05-20-5354, since an amendment to the Heritage Hill Plaza would not be necessary.

#### **Public Comments**

The public notice for this project was distributed, posted, and published in the Saddleback News on May 21, 2020. The public hearing for the project was

originally scheduled for the June 4, 2020 meeting. At the request of the applicant, the public hearing was subsequently continued to the July 9, 2020 meeting and finally to the August 6, 2020 meeting. Although the Planning Commission did not have a staff report or discuss the project, the Planning Commission opened the public hearing for the project and took public testimony from 7 members of the public who were in opposition to the project at both the June 4, 2020 and July 9, 2020 Planning Commission meetings. In addition, the City has received 300 comment letters from City residents and business owners in opposition to this project and 3 comment letters in favor of the project.

Most of the comments in opposition to the project expressed concerns over the increase of vehicles coming to shopping center. Many of the commenters also raised the issue that there were already too many car washes in the local vicinity. Many of the commenters also had concerns over the loss of the parking stalls in front of the existing bank and that there would not be enough parking at the center. Some of commenters felt that the project was an incompatible use in the center, both in terms of the atmosphere and aesthetics. There were also concerns that the car wash would be detrimental to the nearby businesses. Some of the comments also raised issues related to noise, safety, and environmental issues. All the written comments received before this report was published are included as PC Attachment 9.

**SUMMARY:**

Use Permit 11-19-5315 is a request to demolish the existing approximately 6,500 square foot building located at 21781 Lake Forest Drive and construct a new drive-through car wash with self-service vacuum stalls in the Heritage Hill Plaza shopping center. The project includes an approximately 4,600 square foot car wash tunnel, 13 self-service vacuum stalls and modifications to the existing parking and landscaping at the shopping center. This project also includes Planned Sign Program 05-20-5354 for the drive-through signage and Planned Sign Program 11-19-5316, an amendment to the existing Planned Sign Program for the shopping center.

The Use Permit is required for the car wash because the use has a moderate to high potential for adverse impacts on the subject site or surrounding community. As documented in this report, staff has analyzed this project in terms of objective impacts from the car wash onto the surrounding uses. Although the project is in compliance with applicable zoning code requirements and the proposed architecture of the car wash tunnel is consistent with the City's Design Guidelines, the operating characteristics of the proposed car wash use would create conditions or situations that may be incompatible with other permitted uses in the vicinity. Specifically, the establishment of a car wash in the center of Heritage Hill Plaza is

not compatible with the character of the Heritage Hill Plaza. Additional concerns of opposition expressed by members of the community have also been taken into consideration. As such, the car wash is not in compliance with the General Plan Land Use Goal LU-2 and the associated policies that relates to compatible development and encourages that new development blends harmoniously into the existing neighborhood fabric. Therefore, the required Use Permit findings related to compliance with the City's General Plan, compatibility, and general welfare cannot be made, and staff is recommending denial of this Use Permit, as documented in the draft Resolution for UP 11-19-5315 (PC Attachment 1). Furthermore, staff is also recommending denial of the Planned Sign Programs 05-20-5354 and 11-19-5316.

### **ENVIRONMENTAL REVIEW:**

Should the Planning Commission deny Use Permit 11-19-5315, then no action under the California Environmental Quality Act (CEQA) needs to be taken. CEQA does not apply to "projects which a public agency rejects or disapproves." (Pub. Resources Code, § 21080, subd. (b)(5); see also State CEQA Guidelines, §§ 15061, subd. (b)(4), 15270.)

However, if the Planning Commission approves Use Permit 11-19-5315, then the proposed project is exempt under CEQA Guidelines Sections 15303(c) and 15311(a). Under the Class 3 Exemptions for new construction, CEQA Section 15303(c) states the following is exempt: "A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive." The proposed car wash falls under this exemption, as follows:

- Pursuant to the CEQA definition of "Urbanized Area," the City of Lake Forest is considered an urbanized area because the population of Lake Forest, which is an incorporated City, and any of the contiguous incorporated Cities (Mission Viejo, Irvine, Laguna Hills) combined has more than 100,000 persons;
- The proposed car wash tunnel is 4,600 square feet, which does not exceed the 10,000 square feet stated in the exemption;
- The car wash does involve the use of significant amounts of hazardous substances;

- The carwash was proposed to replace an existing bank building in the Heritage Hill Plaza. The previous bank building had all necessary public services available.
- The car wash is proposed to be located in the center of the existing Heritage Hill Plaza shopping center. The area around the center is fully developed and there is no natural habitat would be considered environmentally sensitive.

The Planned Sign Programs would be exempt under CEQA Guidelines Section 15311(a) specifically exempts on-premise signage.

**PUBLIC NOTICING:**

In accordance with the requirements of Section 9.184.040(C)(2) of the Municipal Code of the City of Lake Forest, this project has been noticed in a newspaper of general circulation on May 21, 2020. In addition, on May 21, 2020, public notices were posted at City Hall, sent to owners of all property within 300 feet of the project boundary, and sent to all the tenant spaces in the Heritage Hill Plaza. The notices were not posted at the El Toro and Foothill Ranch branches of the public library because the libraries are currently closed based on the State and County's recommendations "to limit the number of people in a public building and to help curtail further spread of COVID-19 in our communities."

**ATTACHMENTS:**

1. PC Resolution Denying UP 11-19-5315
2. PC Resolution Denying PSP 05-20-5354
3. PC Resolution Denying PSP 11-19-5316
4. Noise Study
5. Queuing Study
6. Planned Sign Program 11-19-5315 for Heritage Hill Plaza
7. Plans (which includes drive-through signage)
8. Colored Elevations
9. Public Comments Received by the City