

**RESOLUTION NO. 24 – \_\_\_\_\_**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING MODIFICATION 24-0004 TO PLANNED UNIT DEVELOPMENT (PUD) PRECISE PLAN 87-07 TO REMODEL AN EXISTING CAR WASH BUILDING AND SITE LOCATED AT 401 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301, CLASS 1: "EXISTING FACILITIES" OF THE CEQA GUIDELINES

THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

- A. On December 14, 1987, the Planning Commission adopted Resolution No. 87-167, recommending the City Council approve Planned Unit Development (PUD) Precise Plan 87-07, and adopted Resolution No. 87-168, approving Conditional Use Permit (CUP) 87-53 for the development of an automotive service center and car wash with retail and quick-serve restaurants across five buildings.
- B. On January 5, 1988, the City Council adopted Ordinance No. 1320 for PUD Precise Plan 87-07, which memorialized the design and layout of the site. The City Council also adopted Ordinance No. 1321, changing the zoning designation of the site from Light Manufacturing (M-1) to Commercial (C-2).
- C. On August 8, 1988, the Planning Commission approved Tentative Parcel Map 88-247 for the subdivision of the property, subject to PUD Precise Plan 87-07, into three new parcels of 39,921 square feet, 78,338 square feet, and 12,112 square feet, known as Parcels 1, 2, and 3 respectively. Building B is located on Parcel 1 and is occupied by a full-service car wash. Buildings A, C, and D are located on Parcel 2 and are occupied by several auto repair/service businesses, a hair salon, and two restaurants. Building E is located on Parcel 3 and is occupied by an auto repair/service business.
- D. The Applicant, Geoff Von Der Ahe, on behalf of Rapids Express Car Wash, submitted an application requesting approval of Modification 24-0004 to PUD Precise Plan 87-07 to remodel the existing car wash building and site located at 401 East Imperial Highway (the "Project").
- E. On October 14, 2024, the Planning Commission held a duly noticed public hearing to consider the Project.
- F. In making the various findings set forth in this Resolution, the Planning Commission has considered all of the evidence presented by staff, the

Applicant, and the public, whether written or oral, and has considered the procedures and standards required by the La Habra Municipal Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA HEREBY RESOLVES AS FOLLOWS:

**SECTION 1. CALIFORNIA ENVIRONMENTAL QUALITY ACT.** The Planning Commission finds and determines that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1: "Existing Facilities" of the CEQA Guidelines, as it consists of minor alterations to an existing private structure involving no expansion of use. The existing structure is currently in operation as a car wash facility and will continue to be after the proposed rebranding and renovation is complete. Proposed renovations include the demolition of approximately 2,740 square feet of the existing 5,990 square foot building, a 1,012 square-foot extension to the car wash tunnel, and the addition of nineteen vacuum stalls and vehicle canopies.

The Project is not subject to any of the exceptions for exemption under Section 15300.2 of the CEQA Guidelines. The cumulative impact of this Project, and the approval of other projects like it in the vicinity, is not expected to have any significant environmental impact. The Project is not located along any state designated scenic highway nor within any designated hazardous waste site. Staff does not expect any impacts or unusual circumstances related to the approval and construction of this Project. Therefore, the Project is categorically exempt from CEQA.

**SECTION 2. MODIFICATION.** The Planning Commission finds and determines that the Applicant has succeeded in meeting its burden of providing evidence to support the approval of Modification 24-0004 to PUD Precise Plan 87-07 to remodel the existing car wash located at 401 East Imperial Highway based on the following findings required by Section 18.36.100 of the La Habra Municipal Code (LHMC) and subject to the conditions of approval attached hereto as **Exhibit A**.

**A. The location, design and proposed uses are compatible with the character of existing development in the vicinity.**

The subject site is an existing car wash facility that was approved by PUD Precise Plan 87-07 and CUP 87-53 in 1987 and constructed in 1989 as part of a multi-tenant automotive service center with retail and quick-serve restaurants. The proposed Project involves the demolition of approximately 2,740 square feet of an existing 5,990 square foot car wash building, a 1,012 square-foot extension to the car wash tunnel, the addition of nineteen vacuum stalls and vehicle canopies, and various landscape improvements. The scope of work, which involves the modification to the car wash building, the addition of the vacuum stations, and the redesign of the queuing formation and drive aisle is consistent with the existing CUP 87-53 for the automotive service center and car wash use. In addition, the proposed

project is compatible with the rest of the existing development and the adjacent properties, as the subject site is not adjacent to any residential dwellings or sensitive receptors. The closest residential units are located to the south of the site, across Imperial Highway, south of the drainage channel. The modification to PUD Precise Plan 87-07 is due to the change in the building elevations and site layout. Therefore, the location, design and proposed uses are compatible with the character of existing development in the vicinity.

**B. The plan for development will produce internally an environment of stable and desirable character, and not tend to cause any traffic congestion on surrounding or access streets.**

The queuing formation and revised drive aisle for the proposed project will improve the existing onsite congestion as the existing car wash facility did not have an established queue capacity in the original approvals of CUP 87-53 nor PUD Precise Plan 87-07. Additionally, the current layout features six exit lanes dedicated to vehicle drying/detailing post-wash, which encroaches into the current car wash queue lane. The new double-aisle queuing formation is designed for a maximum of eighteen vehicles leading to the pay station. Vehicle ingress and egress to the car wash queue will be from the westernmost driveway along Imperial Highway. The drive access located east of this driveway will be designated for the adjacent Good Year Tire Center and direct access to the vehicle vacuum stations. A condition of approval has been included for the installation of a stop sign at the crosshatch walkway between the vacuum area and the car wash queue to maintain traffic flow for patrons entering the queue from the westerly Imperial Highway ingress. Access to the remaining buildings/parcels on this site will continue to be through a shared driveway located to the east of the subject property on Imperial Highway and a shared driveway on Leslie Street. Therefore, the Project will produce internally an environment of stable and desirable character, and not tend to cause any traffic congestion on surrounding or access streets.

**C. The standards of development applicable to the planned commercial-industrial development project as shown on the precise plan are subject to one of the following or any combination thereof: 1. All of the development standards of the appropriate zone which would permit the requested land use, 2. Such standards of development which are clearly designated in the approved master plan.**

The original entitlement for this car wash implemented the City's Commercial (C-2) development standards as the City Council adopted Ordinance No. 1321, which changed the zoning designation of the site from Light Industrial (M-1) to Commercial (C-2). Per Section 18.06.040 (Land Uses) of the LHMC, car wash facilities are permitted within the

Commercial (C-2) zone with the approval of a Conditional Use Permit. CUP 87-53 was approved on December 14, 1987, to establish the car wash use on this site. Since the original entitlement, the zoning designation for this site has changed from Commercial (C-2) to Planned Commercial-Industrial (PC-I), which implements the Light Industrial (M-1) site development standards. Regardless, the proposed revision to the car wash design remains consistent with the site development standards for both the original Commercial (C-2) Zone and current Planned Commercial Industrial (PC-I) Zone with reference to setbacks, building height, parking, and landscaping. Therefore, the Project complies with the applicable development standards.

**D. The proposed development will be well integrated into its setting.**

The proposed Project is a remodel of the existing Imperial Car Wash. Aside from the reconfiguration to the building footprint and embellishments to the building exterior, per the Rapids Express Car Wash corporate color schemes and elevations, the revision to the site design to establish a proper queuing formation and separating the vacuum/drying/detailing area will only improve site circulation and relieve any traffic congestion that is currently on the property. The proposed queuing formation was analyzed by the City's Engineering division and deemed sufficient. Therefore, the Project will be well integrated into its setting.

**E. Provision is made for both public and private open spaces, at least equivalent to that required by the underlying preceding zoning regulations**

PUD Precise Plan 87-07 established design guidelines and development standards for the site. The original entitlement for this car wash implemented the City's Commercial (C-2) standards as the City Council adopted Ordinance No. 1321, which changed the zoning designation of the site from Light Industrial (M-1) to Commercial (C-2). The zoning designation for this site has since changed from Commercial (C-2) to Planned Commercial-Industrial (PC-I), which implements the Light Industrial (M-1) site development standards. Per the Planned Commercial-Industrial (PC-I) / Light Industrial (M-1) standards, the front setback of 15 feet must be landscaped unless it is being utilized by a drive approach. The Applicant has proposed 15-foot deep landscape planters in the portions of the front setback that are not identified as drive approaches to comply with this requirement. Therefore, adequate provision is made for open spaces.

**F. Suitable provision is made, where appropriate, for the protection and maintenance of private areas reserved for common use.**

PUD Precise Plan 87-07 established design standards and guidelines for the development of this site as part of a multi-tenant automotive service center with retail and quick-serve restaurants. There is an existing reciprocal access agreement between the subject property and the owner of Parcel 2 to the east that will remain as-is. The onsite open space, sitting areas, and landscape planters will all be properly maintained by the property owner. There is no further requirement for private areas applicable to this project.

**G. The proposed development does not negatively impact the city's ability to provide services over the short and long term to city residents because the projected cost of providing city services to the property outweighs the economic benefits of the project to the city.**

The Project scope involves the remodel of an existing car wash. There will be no change to the City's ability to provide services to the site. The car wash and vacuum stations will be in compliance with the LHMC and Fire and Building codes. Each public safety division of the City has reviewed the Project and provided any necessary conditions of approval. All Project-related public utilities, infrastructure, and services are already in place. There is no indication that the Project will be detrimental to the public health, safety or welfare, or have any anticipated change in economic impact to the City. Therefore, the Project does not negatively impact the City's ability to provide services over the short and long term to City residents.

**H. There is substantial compliance with the spirit and intent of this code.**

The existing car wash facility meets the development code standards, including but not limited to those pertaining to land use, setbacks, density, parking, and circulation for both the original Commercial (C-2) zoning standards, as required by PUD Precise Plan 87-07, and the current Planned Commercial-Industrial (PC-I) zoning designation. The renovation remains consistent with the development standards for the site and provides a high-quality, modern design to further improve the aesthetics along the Imperial Highway corridor. Therefore, the Project is in substantial compliance with the spirit and intent of the Zoning Ordinance.

- I. That the phasing of development under the master plan as provided for by the proposed precise plan, if any, is appropriate.**

The proposed modification to the Precise Plan is for a remodel of an existing car wash site, which is anticipated to be completed by spring 2025 as a single phase.

- J. The proposed project complies with all appropriate requirements of the California Environmental Quality Act.**

This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15301, Class 1: "Existing Facilities," as it consists of minor alterations of an existing private structure involving no expansion of use. The existing structure is currently in operation as an automated car wash and will continue to be after the proposed remodel. Proposed renovations include the demolition of approximately 2,740 square feet of the existing 5,990 square foot building, a 1,012 square-foot extension to the car wash tunnel, and the addition of nineteen vacuum stalls and vehicle canopies.

**SECTION 3. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.**

The Applicant's proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP) and the Model Water Quality Management Plan (WQMP), Section 7.2. Since this is a rebranding and renovation to an existing car wash facility, the Project is exempt from the Water Quality Ordinance and preparation of a new WQMP.

**SECTION 4. APPEAL.** The approvals granted by this Resolution may be appealed within 10 working days from adoption of this Resolution. All appeals must be in writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

**SECTION 5. RECORD.** Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately.

**SECTION 7. CERTIFICATION.** The Secretary shall certify the passage of this Resolution.

PASSED, APPROVED, and ADOPTED this 14th day of October, 2024.

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Jason Manley, Chair

I, Veronica Lopez, Secretary to the Planning Commission of the City of La Habra, do hereby certify that the foregoing Resolution No. 24 – \_\_\_\_\_ was adopted at a regular meeting of the City of La Habra Planning Commission held on October 14, 2024 by the following vote:

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

\_\_\_\_\_  
Veronica Lopez, Secretary

## EXHIBIT A

### CONDITIONS OF APPROVAL

#### **General Conditions:**

##### Standard Condition 1.1 CODE COMPLIANCE

The property owner/business operator shall comply with the City of La Habra Municipal Code and all applicable ordinances.

##### Standard Condition 1.2 BUILDING PERMITS

The property owner/business operator shall comply with all the applicable California/La Habra Building Code requirements and obtain all required permits from the Chief Building Official. Construction shall comply with the California/La Habra Building Code (or Residential Code), California/La Habra Plumbing Code, California/La Habra Mechanical Code, California/La Habra Electrical Code, California/La Habra Energy Code, and California/La Habra Green Building Standards Code, as applicable.

##### Standard Condition 1.3 GRAFFITI ABATEMENT

The property owner/business operator shall maintain the property in a clean and orderly condition at all times and remove any graffiti from the site within forty-eight (48) hours of its discovery in matching colors to the existing improvements.

##### Standard Condition 1.4 LA COUNTY FIRE DEPARTMENT

The property owner/business operator shall comply with the Los Angeles County/La Habra Fire Code and Fire Department requirements, as applicable.

##### Standard Condition 1.5 MINOR MODIFICATIONS

The Director of Community and Economic Development or designee may approve minor modifications through the Administrative Adjustment process to the conditions of approval so long as the intent of the Planning Commission or City Council is maintained.

##### Standard Condition 1.6 PLANS

This approval is for the plans date reviewed and approved by the City of La Habra at the Planning Commission meeting of October 14, 2024. A copy of said plans shall be maintained in the files of the City of La Habra Planning Division. The project shall be developed and maintained in substantial conformance with said plans, except as otherwise specified in these conditions of approval.

#### Standard Condition 1.7 COMPLIANCE

The failure to comply with any of these conditions of approval by the property owner/business operator shall be grounds for rehearing and consideration by the Planning Commission for possible revocation of Modification 24-0004.

#### Standard Condition 1.8 VIOLATION

In the event that the property owner/business operator violates or fails to comply with any of the conditions of approval, the City may take measures to cure such violations, including but not limited to, administrative citation and full reimbursement of the City for its costs and expenses, including but not limited to, attorney's fees, in undertaking such corrective action. Reimbursement of enforcement costs shall constitute a civil debt and may be collected by any means permitted by law. In the event that violations occur, the City shall refrain from issuing further permits, licenses or other approvals until such violations have been fully remedied.

#### Standard Condition 1.9 LANDSCAPE MAINTENANCE

The property owner/business operator shall maintain landscaping in a healthy and well-kept manner at all times. Dead or damaged landscape material/vegetation shall be replaced immediately per the approved landscape plan. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height.

#### Standard Condition 1.12 SIGN MAINTENANCE

The property owner/business operator shall maintain signs in good condition at all times and shall repaint/replace the freestanding signs every eight (8) years at a minimum. The Director of Community and Economic Development may require more frequent painting if the improvements are not maintained in good condition.

#### Standard Condition 1.14 RESOLUTION ON HAND

The property owner/business operator shall at all times maintain a copy of the approved resolution containing all the conditions of approval on site. Said resolution shall be provided for review upon request by any law enforcement officer or code enforcement inspector.

#### Standard Condition 1.15 OUTDOOR VENDING MACHINES

The property owner/business operator shall not operate or allow any outdoor vending machines on the site at any time.

#### Standard Condition 1.16 OUTDOOR DISPLAY OF MERCHANDISE

The property owner/business operator shall not display any merchandise outside of the building at any time unless approved by the Director of Community and Economic Development or designee through a Special Event Permit.

#### Standard Condition 1.17 PUBLIC PAY PHONES

The property owner/business operator shall, at all times, prohibit the installation and use of exterior public pay telephones.

#### Standard Condition 1.18 LITTER

The property owner/business operator shall maintain the property in a clean and orderly condition at all times and remove all litter from the exterior areas around the premises, no less frequently than once each day prior to the close of business.

#### Standard Condition 1.23 ON-SITE DRAINAGE

The applicant/developer shall be responsible for the construction of all on-site drainage facilities as required by the City Engineer.

#### Standard Conditions 1.24 MASTER PLAN OF DRAINAGE

The applicant/developer shall provide drainage facilities and easements in accordance with the Master Plan of Drainage and to the specifications of the City Engineer.

#### Standard Condition 1.37 CONDUCT OF BUSINESS

The property owner/business operator shall, at all times, conduct business operations in a manner that does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City of La Habra.

#### Standard Condition 1.38 CANOPIES AND AWNINGS

The applicant/developer shall maintain canopies and awnings in good condition at all times and shall replace them every five (5) years at a minimum. The Director of Community Development may require more frequent replacement if the canopies are not maintained in good condition or become damaged, faded, ripped, frayed, or marred by graffiti. Canopies and awnings shall not display any signage.

#### Standard Condition 1.41 INDEMNIFICATION

To the maximum extent permitted by law, the applicant and any successor in interest shall defend, indemnify and hold harmless the City of La Habra and its elected and appointed officials, officers, agents and employees from and against any and all actions, claims, damages, liabilities and/or proceedings (collectively referred to as "action") arising out of or in any way relating to the applicant's project or any approvals granted by the City related to the applicant's project, including, but not limited to, any action to attack, challenge, set aside, void, or otherwise modify or annul the approval of any entitlement or permit relating to the project or the environmental review of any entitlement relating to the project. The indemnification and hold harmless shall include, but not be limited to, any and all costs incurred by the City in defense of any action arising out of or relating to the applicant's project or any approvals granted by the City related to the applicant's project, including, but not limited to, payment of all court costs and attorneys' fees, costs of any judgements or awards against the City (including any award of attorneys' fees), damages, and/or settlement costs. The City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for such costs incurred by the City.

#### **Prior to the Issuance of Grading Permits:**

#### Standard Condition 3.1 EROSION CONTROL PLAN

The applicant/developer shall submit Erosion Control Plans to be reviewed and approved by the Chief Building Official.

#### Standard Condition 3.3 HYDROLOGY/HYDRAULIC STUDY

The applicant/developer shall provide a complete hydrology and hydraulic study prepared by a qualified engineer to the satisfaction of the City Engineer.

#### Standard Condition 3.4 SOILS REPORT

The applicant/developer shall provide a geotechnical investigation report prepared by a qualified engineer to the satisfaction of the Chief Building Official.

#### Standard Condition 3.5 DESIGN OF DRAINAGE FACILITIES

The applicant/developer shall design all drainage facilities in such a manner as to imitate the manner in which storm water is presently crossing said property line or a drainage acceptance letter shall be obtained from the downstream property owner to the satisfaction of the Chief Building Official and City Engineer.

**Prior to the Issuance of Building Permits:**

Standard Condition 4.1      CONDITIONS ON CONSTRUCTION PLANS

The Applicant/developer shall include the conditions of approval of this resolution on the construction plans.

Standard Condition 4.3      FINAL PRIORITY PROJECT WATER QUALITY  
MANAGEMENT PLAN

The Applicant/developer shall submit a Final Priority Project WQMP to the City for review and approval by the City Engineer or designee. This plan shall be in conformance with all current NPDES requirements.

Standard Condition 4.24    SECURITY AND CAMERA PLANS

The applicant/developer shall submit a security camera system design plan with proposed locations to the Chief of Police for approval. All tapes shall be kept on file for a minimum of 30 days and be available to the City upon request. Additionally, signage shall be placed in the parking lot indicating that security cameras are in use.

Standard Condition 4.31    ACKNOWLEDGEMENT OF SIGN CODE

The property owner/business operator shall acknowledge receipt of the Sign Code, Banner Policies/Guidelines and approved sign program for the property and sign an agreement to abide thereby. In addition, the property owner/business operator shall not utilize any human display signs.

**Prior to the Issuance of Occupancy:**

Standard Condition 5.10    FINAL WATER QUALITY MANAGEMENT PLAN – BEST  
MANAGEMENT PRACTICES

The applicant/developer shall demonstrate the following related to the WQMP to the satisfaction of the City Engineer or designee:

- a. All structural BMPs described in the Priority Project WQMP/ Non-Priority Project Water Quality Plan (WQP) have been constructed and installed in conformance with approved plans and specifications.
- b. The applicant is prepared to implement all non-structural BMPs described in the WQMP.

- c. An adequate number of copies of the approved WQMP are available on-site and for the future occupiers.
- d. A mechanism or agreement acceptable to the City has been executed for the long-term funding and performance of BMP operations, maintenance, repair, and/or replacement.

**Project Specific Conditions:**

1. The property owner/business operator shall abide by the City Noise Ordinance (LHMC Chapter 9.32 - Noise Control) at all times.
2. All permanent parking areas shall be paved and permanently maintained with asphalt or concrete and designated with clearly painted lines.
3. The mechanical process of vehicle washing and drying shall take place entirely within the carwash building.
4. The three (3) designated exterior parking spaces shall be used for employee and customer parking only, and not for the storage of vehicles.
5. The premises shall be kept in a neat and orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled vehicles may be stored onsite for longer than 72 hours.
6. A stop sign shall be installed at the crosshatch walkway between the vacuum area and the car wash queue lanes to maintain traffic flow for patrons entering the queue from the westerly Imperial Highway ingress.
7. All parking spaces shall be provided with nighttime security lighting. Lighting shall not exceed 0 foot-candles of illumination into the neighboring properties to the north and to the west.
8. The hours of operation for the facility shall be limited to 7:00 AM to 8:00 PM, seven (7) days a week. The Director of Community and Economic Development may approve a modification to the hours of operation.
9. The applicant/successor in interest shall replace existing chain-link fence along western property line with new 6-foot tall CMU block wall.
10. All rooftop mounted mechanical equipment shall be screened from public view to the satisfaction of the Director of Community and Economic Development or designee. This can be accomplished by architectural treatments of parapets equal in height to the tallest piece of roof-mounted equipment.
11. The applicant/developer shall submit elevations/plans for "Rapids Express" carwash signage for Staff's approval prior to issuance of occupancy.

12. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design to the satisfaction of the Director of Community and Economic Development or designee.