TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 14-005: ELSAYED CARWASH

DATE: AUGUST 26, 2014

Needs:

For the Planning Commission to consider a request by Margaret Holstine, on behalf of Steve Elsayed, to approve a Conditional Use Permit (CUP) to allow an automated car wash as an accessory to a gas station and mini-mart, in the Town Centre-1 (TC-1) zoning district.

Facts:

- 1. Mr. Elsayed owns and operates Steve's Gas Station located at 1441 Spring Street and would like to add a carwash in conjunction with a major remodel planned for the existing facility.
- 2. Table 5.3-1 of the Uptown Town Centre Plan (Specific Plan) allows for car washes in the TC-1 zoning district, with the approval of a Conditional Use Permit (CUP), when accessory to an existing service station.
- 3. Plans have been approved by the City allowing Steve's Gas to reconfigure the station to replace the repair garage with a mini-mart, rearrange the pump islands, and add a carwash. The building permit for the project has been approved, and has been ready to issue since November of 2013. The plans have been designed with a space that could be built as the car wash if the CUP is approved.
- 4. This application is categorically exempt from environmental review per Section 15303 (Minor New Construction) of the State's Guidelines to Implement CEQA.

Analysis and Conclusion:

The main concern with the establishment of the car wash at the proposed location is the noise generated from the car wash and the impacts on the neighboring residential properties to the west.

The carwash dryer blowers are located 15-feet on the interior of the carwash bay. When adding the 6 foot building setback from the property line adjacent to the alley, and the 20-wide alley, the blowers would be 41 feet from the residential property line to the west (See Attachment 4).

Within the project description provided by Margaret Holstine (Attachment 3), manufacturer information has been provided which indicates that noise levels from the blowers would be 65db at a 40 foot distance. The information indicates that there are additional measures that can be applied that would further reduce

the noise levels if necessary, these include installing multiple types of door systems and installing dryer intake covers.

The Noise Element of the General Plan, Action Item 14 indicates that when a new stationary noise sources is proposed to be developed, mitigation of noise levels that exceed those listed in Table N-5 shall be required. Table N-5 indicates that noise levels cannot exceed a maximum level of 70db, and an impulse maximum of 65db during the daytime (7am to 10pm) and a maximum level of 65db, and an impulse of 60db in the night time hours (10pm to 7am). The decibel readings are required to be measured at the property line of the receiving land use, or in this case the east property line of the residential property located across the alley west of the project site.

Because measuring noise levels can be complicated, a condition of approval has been added that requires that the carwash cannot be operated until a professional noise consultant can verify that the maximum noise levels of the carwash blowers does not exceed noise levels outline in Table N5 of the Noise Element of the General Plan.

It will be up to the applicant to provide the necessary data by a noise professional to determine if the carwash can comply with the noise standards in the General Plan. If it is determined that the levels cannot be met including the installation of the doors and intake covers, then it may be necessary to remove the blower dryer system and require manual hand drying.

Reference: Uptown Town Centre Specific Plan, 2003 General Plan, 2006 Economic Strategy

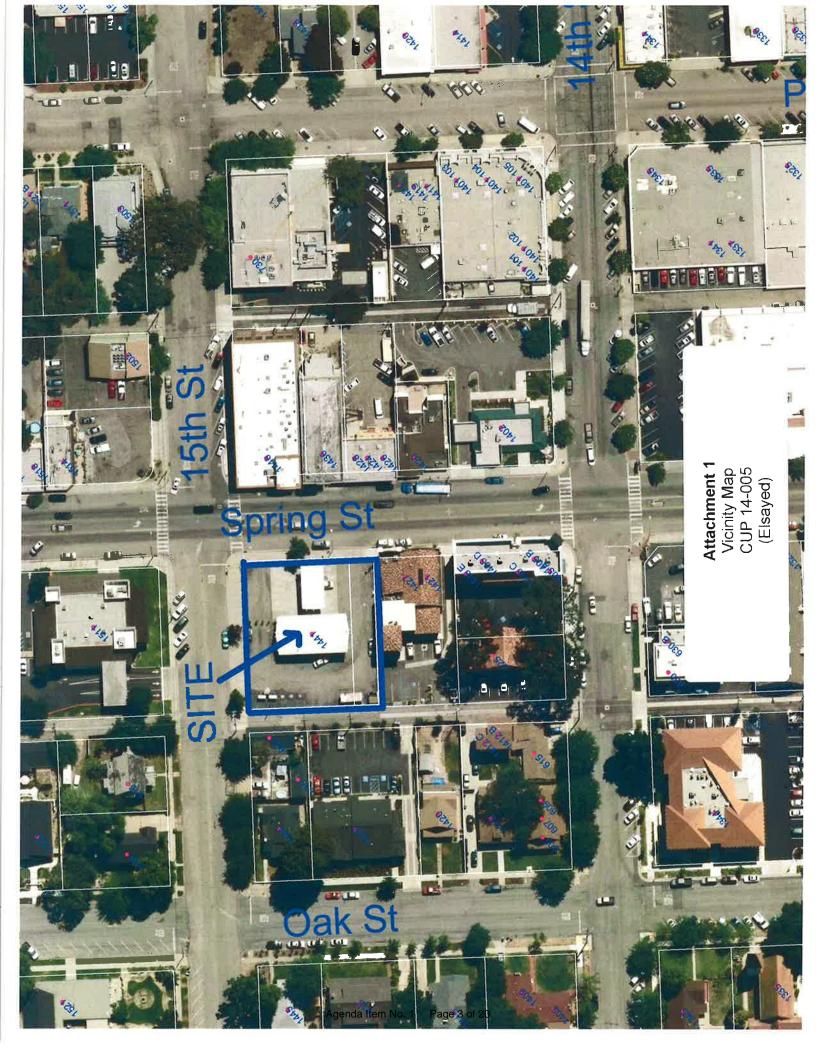
Fiscal Impact: There are no fiscal impacts associated with the proposed conditional use permit.

Options: That the Planning Commission approve one of the following options:

- a. Adopt the attached Resolution approving Conditional Use Permit 14-005, subject to standard and site specific conditions of approval;
- b. Amend, modify, or reject the above options.

Attachments:

- 1. Vicinity Map
- 2. Applicant Letter
- 3. Setback Exhibit
- 4. Philip Lombardo Letter
- 5. Mark Wiberg Letter
- 6. Resolution to Approve CUP 14-005
- 7. Public Notice Affidavits



Steve's Gas Paso Robles, California

PROJECT DECRIPTION – CUP CAR WASH

Prepared for: Steve's Gas Elsayed Paso Enterprises, LLC 1441 Spring Street Paso Robles, Ca 93446

Prepared by:

Margaret Heely Holstine
Land Use Consulting
General Engineering Contractor
#543468
Paso Robles, California

July 21, 2014

Attachment 2
Applicant Letter
CUP 14-005
(Elsayed)

RECEIVED

JUL 2 1 2014

City of Paso Robles
Community Development Dept.

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1. INTRODUCTION

This study report has been prepared for the proposed construction of a car wash (proposed project) located 1141 Spring Street in Paso Robles. City's Noise element and recycled water usage. This report will reflect Information from Ryko car wash manufacturing.

Steve's Gas requested to amend table 5.3-1 in the TC-1 zone with conditional Use Permit (CUP) Approved by City Council July 01, 2014. Introduce for first reading Ordinance No. 14-xxx Amending Chapter 5 of the Uptown/Town Centre Specific Plan to Allow Establishment of Carwashes as Conditional Uses in Conjunction with Existing Service Stations, and Set July 15, 2014 as the date for adoption of said Ordinance. This report has been prepared to address the potential noise related impacts, recycled water, non-profits, charity, traditional car washing fundraisers held in parkinglots draining to storm drains. These untreated discharges flows directly to our local creeks, the perception water running down the street and water usage 10 gallons water per minute. This report has been prepared to address the potential concerns noise, recycled water for the proposed project for submittal to the City of Paso Robles during the CUP process.

2. ENVIRONMENTAL SETTING

On Feb 25, 2013 Steve's Gas requesting a Gas Station with mini marts, mixed use. The existing service station is considered existing non-conforming. The TC-1 allow neighborhood market. It was approved for gas Station, mini mart, and mix use. The new structure was designed and layout with the intent of having car wash.

Miscellaneous 13-001- Planning Commission interpretation applicant Steve's Gas Feb 25, 2013, This issue was discussed with the Development Review Committee (DRC) on January 28, 2013, and based on the points mentioned above, the DRC was comfortable making the recommendation to the Planning Commission to make an interpretation that the project would be a permitted use. Furthermore, the DRC discussed that it seemed important to take advantage of the opportunity for redevelop the site with a new project

The project site is within an approved Gas Station with mini marts, mixed use on the corner of Spring Street and 15th Street Steve's Gas TC-1.

The approved Carwash facility on July 1, 2014 (CUP) is currently in the T-C1. Adjacent parcels to the north, south T-C1, to the east T-C1, to the west T-3F and T-4F. T-C1 (town and Centre Commercial) T-3F (Ads office and limited commercial uses), property on the West side located off the alley runs parallel to Spring Street at the rear of the gas station. Property behind the gas station. Non-Conforming residential in the T-3F – Non permitted residential usage.

3. PROJECT INFORMATION:

Currently, the gas station includes a fueling station, enclosed service station, propane filling station and a convenience store. The proposed project includes: reconstructing the convenience store to the southwest and northwest property line, of the site bordering the adjacent commercial use and the alley: altering the location of the gas pumps, propane dispenser, and construct a car wash in the existing propose new gas station, mini mart, mix use. The carwash would be located at the inside of new building northwest side of the building. See drawings G, page 9. The applicant also provided the manufacturer's noise literature

specific to the proposed car wash model SoftGloss xs w/On Board Dryer,(refer to Manufacturer Noise Diagram 3, page 3.

The nearest sensitive receptor is a converted garage residential unit not permitted unit located to the west of the project, approximately 41 feet from the on board dryers to property line. The sensitive receptor are in the T-3F zoning (Flex (Ads Office and Limited commercial uses). No longer zoned Residential Multi-Family zoning and have a threshold of 65 CNEL with a conditionally acceptable threshold of 70 CNEL (refer to Table 1). The drive-through bank located across 15th Street to the north, the adjacent T-C1 zone use to the south and businesses across Spring Street to the east T-C1 zone have a noise threshold of 70 CNEL.

- Air Compressor will no longer be used with new project.
- Propane dispenser moving to new location north, east corner 15th and Spring Street.

TABLE 1 Noise Compatibility Index

Land Use	Ext	Exterior Noise Exposure, Ldn or CNEL (dB)						
	55	60	65	70	75	80	85	
				· [2]				
Residential Single Family	107.0	A COSS AND						
							N ca	
		17 1	iran eta	UE.				
Residential Multi-Family				() () () () () () () () () ()				
		-	J.	Stephen A				
Commercial								
Normally Acceptable								
Conditionally Acceptable Normally Unacceptable Clearly Unacceptable Clearly Unacceptable								

Source: Paso Robles Noise Element, Policy Document

4. STATIONARY NOISE ASSESMENT - FROM RYKO

- Product information Bulletin:
- Decibel Readings on Ryko Car Washes
- Steve's Gas using system SoftGloss XS w/On Board Dryer
- This report is based on 3 on Board Dryers 40 feet 69.5 db. All of these measurements are based on machines SoftfGloss XS w/On Board Dryers in a building with the doors open. All these measurements were taken from the exist end of the bay.
- Steve's Gas installing 2 on board Dryers. Each Dryers dB 23.66 each x 2 = 47.32 at 40 feet.
 Steve's carwash on board Dryer is 15 feet inside car wash or 15 feet from exit, not at end of the bay



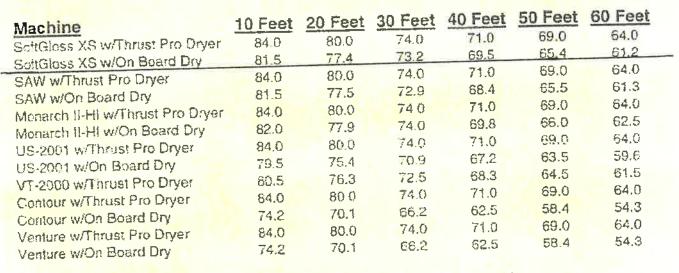
PRODUCT INFORMATION BULLETIN

Contact Information

Doug Roush 11600 NW 54th Ave. Grimes, IA 50111 Ph: (515) 986-7715

E-mail: droush@ryko.com

Decibel Readings on Ryko Car Washes



These measurements were taken with a BK Model 2230 Sound Level Meter with a BK Model 1624 Octave Filter Set attached.

All of these measurements are based on the above listed machines in a building with the doors open.

All these measurements were taken form the exit end of the bay.



5. TESTING INFORMATION LESS dBs By 5 dB, INFORMATION FROM; RCollins@ryko

From: Collins, Robert [mailto:RCollins@ryko.com]

Sent: Thursday, May 29, 2014 3:17 PM

To: margaret

Subject: RE: Steve's Gas Paso Robles, Ca

Margret,

If noise is an issue, there are alternatives, such as dryer intake covers that reduce the dB level around 5 dB, vinyl roll up doors, plastic doors, and bi-fold doors.

6. COMPLIANCE WITH CITY STANDARDS

According to the Noise Element's Compatibility index, 65dBA is acceptable for multi-family residential noise exposure form stationary sources and 70 dBA is conditionally acceptable.

Noise Impacts;

At this time Steve's Gas Car Wash more than meets Noise Element of the City of Paso Robles. Before Steve's Gas receive his final on car wash, a noise study will be conducted by a certified noise expert.

A. RECYCLED INFORMATION

Per email: Robert Collins who works for Ryko Solutions – Softgloss Unit. We will be using an average of 48 gallons of reclaim water per vehicle, and 12.43 gallons of fresh water per vehicle. This is the actual usage with the option on Steve's Gas car wash equipment. Steve will be adding equipment, so can save more water by recapturing the Reverse Osmosis reject water and use a rise water. This will bring the fresh water per vehicle down to 7.9 per vehicle.

Green Solutions: Ryko is committed to helping car wash owners and public provide the best experience while saving money, water, and the environment. That's why we offer you superior, environmentally-safe cleaning products for both the automatic and self- service care wash industry.

Our Enviro-Safe cleaning program for Ryko car wash chemicals conforms to today's most important environmental standards and includes the following characteristics. B. on page 5. Called Green Solutions.

B. GREEN SOLUTIONS

Green Solutions

Home / About Ryko / Green Solutions **Eco-Friendly Technologies That Save**

Ryko is committed to helping car wash owners provide the best car wash experience while saving money, water and the environment. That's why we offer you superior, environmentally-safe cleaning products for both the automatic and self-service car wash industry.

Our EnviroSafe cleaning program for Ryko car wash chemicals conforms to today's most important environmental standards and includes the following characteristics:

- Total chemical packaging in recyclable containers
- No Hydrofluoric Acid or Ammonium Bifluoride
- No Nonylphenol Ethoxylates (NPEs)
- No phosphates
- Readily Biodegradable
- No formaldehyde
- No ozone depleting compounds
- No VOCs

This overall positioning does not stop at the point of manufacturing and blending but rather is carried through to the customer and your consumers through a certification program with owner/operators of convenience stores and consumer education in point-of-sale materials. Drivers getting their car washed at your Ryko facility can be assured the car wash chemicals being used to clean their vehicle are safe, non hazardous, biodegradable and carry no phosphates.

Water Conservation

Our chemical-free products also eliminate the need for water softener salt and maintenance and require no electricity. Ryko's reclaim systems - an important part of our water conservation efforts - are designed to lower water usage rates by up to 80 percent, which in turn reduces operating costs. Through these systems we have saved billions of gallons of water in the last decade alone.

To save water, Ryko car washes use computer-controlled systems and high-pressure nozzles and pumps. In addition, Ryko's novel CleanTouch technology also uses less water and fewer chemicals, offering an eco-friendly and cost-effective alternative to touchless car wash systems.

Materials recycling is also an important part of Ryko's manufacturing and production facility in Grimes. Currently, the plant operation staff recycles scrap aluminum, scrap stainless steel, scrap steel, scrap wood from nonreusable pallets, wire spools, and crating, cardboard, used plastic chemical containers, scrap electrical wire and office paper.

C. CITY OF PASO ROBLES WATER WASH / CLEAN VEHICLE

City of Paso Robles other water use restrictions that are mandatory? Yes, the city's conservation ordinance prohibits the following at all times:

Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility. Car washing is not subject to the 3-day watering schedule.

D. STEVE'S GAS INFORMATION CHART.

Steve' Gas

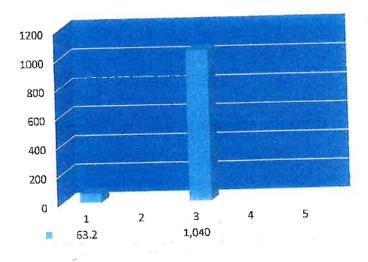
Car Wash usage - 8 cars @ 7.9 gal allons used

63.2

Home or Charity Wash usage 8 car car @ 130 gallons used

Home and Charity numbers are very conservative numbers

1,040 Conservative



Gallons Used

Home usage per gallon or other uses - Engineered studies show that a 5/8 hose running at 50 pounds per square inch uses 10 gallons of water per minute

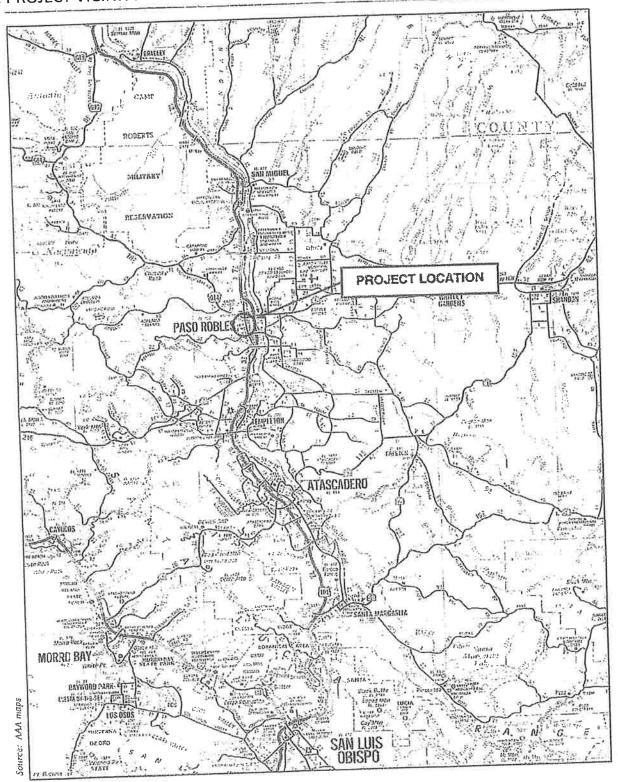
Washing one car - 13 minutes - usages 130 gallons of water.

Status show, Home and Charity uses average 150- 200 gallon of water Sources; Green-CT.org, Kikias Research Group, and City of Fremont

per car

8 car @ 150 gallons = 1,200 gallon of water average vs 8 car @ 200 gallons = 1,600 gallon of water average vs 63.2 Gallon for 8 cars 63.2 Gallon for 8 cars

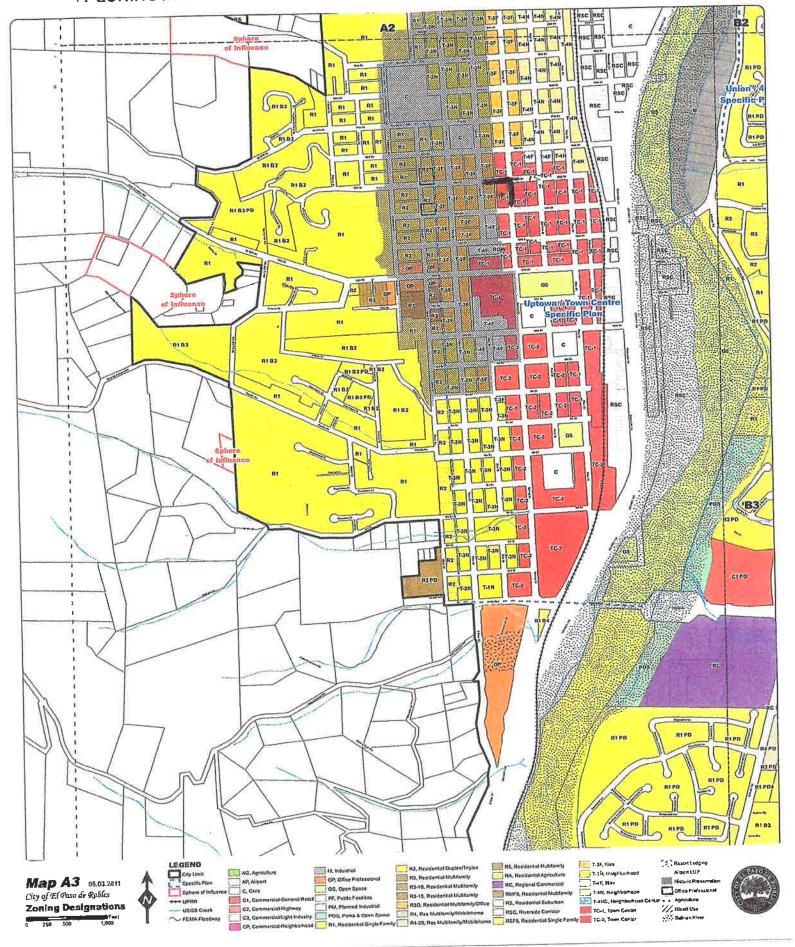
mh 05/06/2014



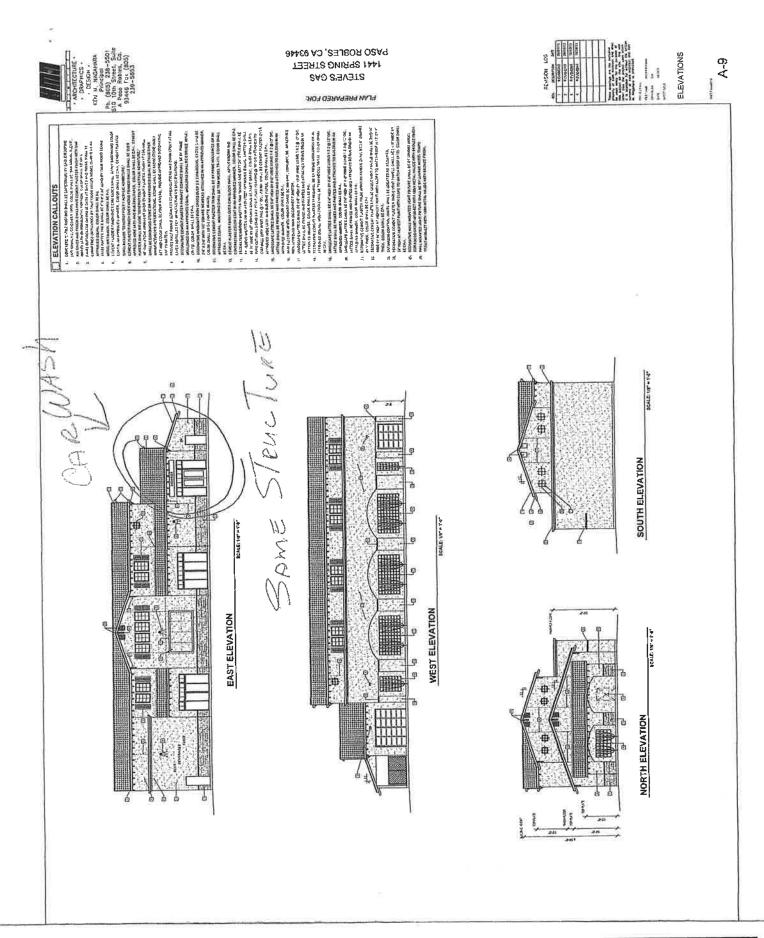


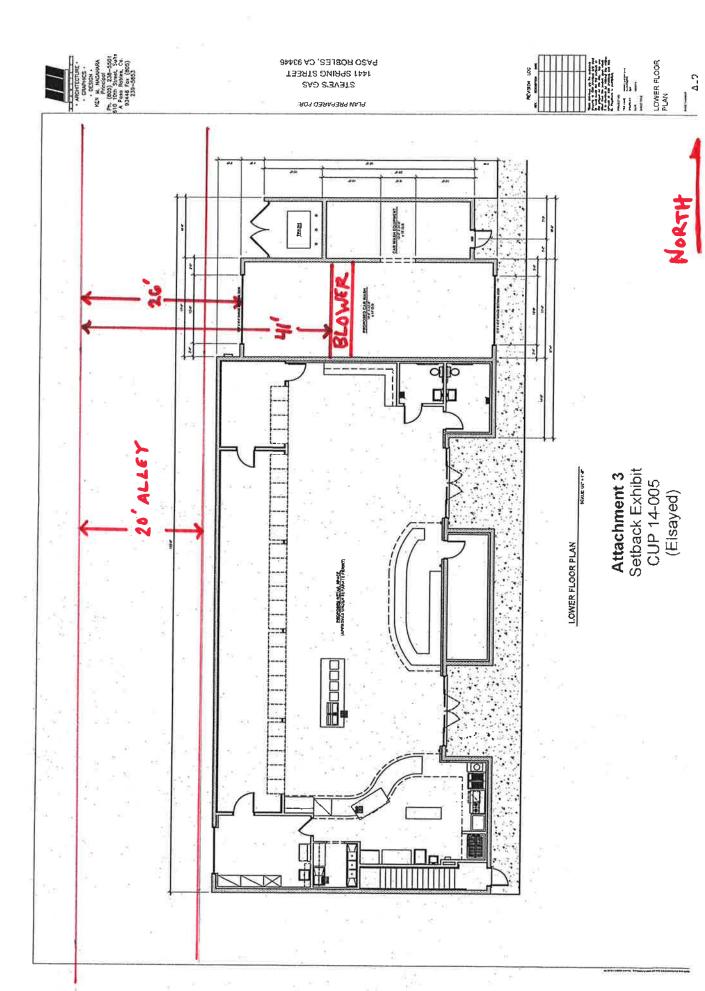
Project Vicinity Map FIGURE 1

F. ZONING MAP DESIGNATIONS



G. STRUCTURAL ELEVATION





To Whom it may Concern:

I may not be able to attend the public hearing scheduled for 8/26 regarding Steve El-Sayed's application to build a car wash at 1441 Spring Street, so am sending my thoughts to your email address.

My largest concern would be the potential for noise from the car -washing apparatus. I know, for a fact, that the Sunset Car Wash on 9th Street has blowers that can be heard for blocks; my home is but one block from Mr. El-Sayed's proposed car wash, and d o not relish the thought of an industrial - scale blower running intermittently in my quiet street.

Thank you for giving this opportunity to relate my concerns.

Yours,

Philip and Catherine Lombardo 1445 Oak Street 347 5783415

Attachment 4
Philip Lombardo Letter
CUP 14-005
Agenda Item N.(4Isayad) of 20

I've been made aware of a hearing regarding the Conditional Use Permit 14-005 (establishing a car wash as accessory to a gas station).

I live at 523 15th Street - just about a 1.5 blocks away and so have a couple of questions and concerns:

- 1. Noise level of the car wash, especially the blowers that dry the car. I know from experience using car washes that these are very loud. Is there some type of study or estimated level of noise that might be determined before they proceed. From the front of my house, I would like to not have to hear a steady drone of these dryers blowing.
- 2. Space/traffic will this cause traffic off of 15th Street or Spring Street. Having used the one in Atascadero (gas station at 41/101) what # of cars can the drive thru lane to the car wash hold, if known? I bring this up due to the current entrance to the gas station is off Spring and 15th with the 15th Street driveway to the gas station being so near the stop sign at Spring and 15th, which could cause traffic issues if cars are backed into the 15th street driveway.

(the way the cars are designated to park on 15th Street - at an angle - already narrow that street making). Also, turning left onto Spring Street from 15th Street is often challenging and I would not want increased car traffic to that corner to make it even tougher.

That is all - I am certain some of these issues have been discussed or will be discussed next week, but if not, please consider the above concerns.

Thank you. Regards, Mark Wiberg 523 15th Street, Paso Robles

Attachment 5
Mark Wiberg Letter
CUP 14-005
Agenda Item (Elsa (1901))7 of 20

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 14-005 (ELSAYED CAR WASH)

APN: 008-319-015, 016

WHEREAS, Table 5.3-1 Allowed Land Uses within the Uptown Town Center Specific Plan, requires approval of a Conditional Use Permit (CUP) for car washes as an accessory to an existing service station in the TC-1 (Town Center-1) zoning district; and

WHEREAS, Margaret Holstine, on behalf of Steve Elsayed has filed a CUP application to establish and operate a one-bay, self-serve car wash, as an accessory to a gas station and mini-mart, at the site located at 1441 Spring Street; and

WHEREAS, this application is categorically exempt from environmental review per Section 15303 (Minor New Construction) of the State's Guidelines to Implement CEQA; and

WHEREAS, a public hearing was conducted by the Planning Commission on August 26, 2014, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 14-005, subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION	
A	Site Plan	
В	Floor Plan	
C	Elevations	

- 2. This Conditional Use Permit (CUP) authorizes the establishment and operation of a one-bay, self-serve car wash, as an accessory to the gas station and mini-mart, on the site located at 1441 Spring Street.
- 3. The carwash cannot be operated until a professional noise consultant, approved by the City, can verify that the maximum noise levels of the carwash blowers after installation, does not exceed noise levels outline in Table N5 of the Noise Element of the General Plan.

- 4. The dryer blowers shall be located within the car wash bay, 15-feet back from the west exit door, as shown on Exhibit B, Floor Plan/Set back Detail.
- 5. The hours of operation for the car wash shall be limited to 7:30am to 7:30pm.
- 6. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 7. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

PASSED AND ADOPTED THIS $\underline{26^{th}}$ day of	August, 2014 by the following Roll Call Vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	DOUG BARTH, CHAIRMAN
ATTEST:	,
ED GALLAGHER, SECRETARY OF THE PI	ANNING COMMISSION



3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 1209635 CITY OF PASO ROBLES

STATE OF CALIFORNIA

SS

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof — on the following dates to wit; AUGUST 14, 2014, that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signature of Principal Clerk)

DATED: AUGUST 14, 2014 AD COST: \$146.90

COTY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT 14-005

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, August 26, 2014, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the approval of the following application:

Conditional Use Permit 14-05: a request filed by Margaret Holstine on behalf of Steve Elsayed, to establish a car wash as accessory to a gas station and mini-mart, at the property located at 1441 Spring Street.

The proposed Conditional Use Permit may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California, Copies may be purchased for the cost of reproduction. The staff report for this code amendment may be viewed online beginning August 21, 2014 at the following link, http://www.prcity.com/government/city.council/agendas.asp.

Written comments on the proposed Conditional Use Permit may be mailed to the Community Development Department 1000 Spring Street, Paso Hobles, CA 93446 or emailed to planning & pricity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call (805) 237-3970 or email at planning @proity.com.

If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Darren Nash Associate Planne August 14, 2014

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