



City of Costa Mesa Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION
CC: TOM HATCH, PETER NAGHAVI, AND CLAIRE FLYNN
FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR
DATE: MAY 9, 2013
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

Will

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. The decision(s) will become final unless a member of the Planning Commission or City Council requests a review of the decision(s) or an interested party files an appeal by 5:00 p.m. on May 16, 2013. Project descriptions have been kept brief for this notice. As a result, there may be details to the project or conditions of approval that would be of interest to you in deciding whether to request a review of a decision. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

ZA-13-09 1925 Harbor Blvd

Minor conditional use permit for a physical training facility in a 2,626 square-foot suite of an existing commercial building with a deviation from shared parking requirements (one-on-one training only).

Approved, subject to conditions.

Comments received: One opposed.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 9, 2013

Mr. Garrett Snyder
5 Hutton Centre Drive, Suite 210
Santa Ana, CA 92707

**RE: ZONING APPLICATION ZA-13-09
MINOR CONDITIONAL USE PERMIT TO ALLOW A DEVIATION FROM
SHARED PARKING FOR A PHYSICAL TRAINING FACILITY
1925 HARBOR BOULEVARD, COSTA MESA**

Dear Mr. Snyder:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on May 16, 2013, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee at 714.754.5611 or Mel.Lee@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description
Findings
Conditions of Approval, Code Requirements, and Special District
Requirements
Approved Conceptual Plans

cc: Engineering
Fire Protection Analyst
Building Safety Division

PROJECT DESCRIPTION

- The subject property is located on the west side of Harbor Boulevard, between Bernard Street (to the north) and 19th Street (to the south) in the C2 (General Business) zoning district, and has a consistent General Plan land use designation of GC (General Commercial). Physical on-site improvements include one freestanding building that totals approximately 7,486 square feet; 10 standard parking spaces; paved drive aisles; and direct ingress/egress driveway from Harbor Boulevard at the east side of the property.
- The applicant requests approval of a Minor Conditional Use Permit (MCUP) to allow a deviation from the shared parking requirements to allow a physical training facility. The use itself is permitted.
- This application is for a 2,626 square foot tenant space, which is one of two tenant spaces in the building. The tenant space consists of a reception area, lavatory, and a large open workout area. Based on the submitted floor plan, there is an entrance/exit door at the east side (front) of the tenant space and a roll-up service door at the west side (rear) of the tenant space that is adjacent to the main parking lot.

- The regular days and hours of operation are as follows:

Monday through Friday	5:00 a.m. to 7:30 a.m., 11:00 a.m. to 12:00 p.m. 5:00 p.m. to 8:30 p.m. for one-on-one personal training sessions only
Saturday	10:00 a.m. to 11:00 a.m. for one-on-one personal training sessions only
Sunday	Closed

Based on the current parking standards for the commercial district, the subject property is under parked. Since the proposed use will occupy approximately one-third of the building, a maximum of three parking spaces should be allocated to the use. As a result, the proposed physical fitness facility will be limited to a maximum of three people in the suite at any one time. This will help ensure that a fair share of parking spaces are provided and available to meet the demands of the other tenant space (currently vacant) in the building when it is occupied.

- If parking shortages or other parking-related problems arise, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to reducing the days and/or hours of the business.
- A letter has been received from an adjoining property owner expressing concerns about the state of the parking lot and potential parking impacts generated by the use.

Consequently, conditions regarding the repair and restriping of the parking lot, installation of security lighting, and requiring the business owner to ensure his employees and customers park on the site have been included.

- The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the recommended conditions of approval, the proposed use should not adversely impact the surrounding uses. Specifically, with the recommended conditions of approval, the use will be consistent with surrounding uses, as specified in Objective LU-1F.2 of the General Plan Land Use Element.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is compatible with developments in the same general area. Granting the Minor Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the Minor Conditional Use Permit will not allow a use, density or intensity that is not in accordance with the general plan designation for the property. Specifically, a maximum of three people – including, but not limited to, all staff and clients -- are permitted in the tenant space at any one time and group class are prohibited. Additionally, if parking shortages or other parking-related problems arise, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to days and/or hours of the business.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
1. The proposed use is compatible and harmonious with uses both on-site, as well as those on surrounding properties.
 2. Safety and compatibility of the design of the buildings, and other site features, including functional aspects of the site development, such as automobile and pedestrian circulation, have been considered.
 3. The use is consistent with the General Plan designation because the project will not exceed the allowable General Plan intensity for the site.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Class 1, Existing Facilities, of the CEQA Guidelines.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- P1ng.
1. The use shall be limited to the type of operation as described in the staff report and the attached applicant's description letter.
 2. A maximum of three people – including any and all staff and clients -- may occupy the suite at any one time. Group classes are prohibited at all times.
 3. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to reducing the days and/or hours of the business.
 4. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute appropriate security and operational measures that are necessary to comply with this requirement.
 5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to commencement of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 6. The applicant shall install security lighting along the rear of the building to adequately illuminate the rear of the property and parking lot during hours of darkness. The security lighting fixtures shall be equipped with cut-off shields to control spillover glare onto adjacent public rights-of-way and adjoining properties. The security lighting fixtures shall be installed and operational prior to the issuance of a business license to operate the physical fitness center.
 7. The applicant shall repair, slurry, and restripe the parking lot in accordance with City standards. All repairs, slurry, and restripe work to the parking lot shall be completed to the satisfaction of the City prior to the issuance of a business license to operate the physical fitness center.
 8. The business owner shall ensure that his employees and clients only park on their property; that they may not park on adjoining properties.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- P1ng.
1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.
 2. Permits shall be obtained for all signs according to the provisions of the

- Costa Mesa Sign Ordinance.
- 3. Use shall comply with all requirements of Articles 3, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards.
 - 4. Parking stalls shall be double-striped in accordance with City standards.
 - 5. Employees, customers, visitors, etc., shall only utilize the parking spaces that are provided for the subject building.
- Bldg. 6. Comply with the requirements of the 2010 California Building Code, 2010 California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards Code and 2010 California Energy Code (or the applicable adopted California Building Code, California Residential Code California Electrical Code, California Mechanical Code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
- Bus. Lic. 7. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
- Eng. 8. Business license(s) shall be obtained prior to the initiation the business.
9. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). Use of a City-permitted hauler for such projects is the responsibility of the designated contractor. Non-compliance is subject to an administrative penalty as follows: \$1,000 or 3% of the total project value, whichever is greater.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. Applicant shall comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- AQMD 2. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

Parking Analysis

The BNT Group, LLC dba. CrossFit Upgrade
Owner- Clayton Worswick
24 Goodwill Ct.
Newport Beach, CA 92663

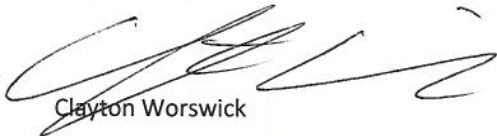
Attn: City of Costa Mesa
From: Clayton Worswick –Owner
Email: c.worswick11@gmail.com
Phone:760-880-8264
Date: April 4, 2013

Parking Analysis for Proposed location at 1925 Harbor Blvd, Costa Mesa- 2,626 sq. ft.

The Building, 1925 Harbor, is a 7,360 square foot, free standing building on a 16,370 sq. foot lot. There are approximately 20 Parking spots located in the rear of the premise, and an additional 2 in the front of the building. My intentions, if approved for a minor CUP, will be to lease 2,626 sq. ft of the premises, which my business will only need to utilize 4-7 spaces at any given time. We will be using the space as a personalized training studio designed for 1-on-1 to small group (5 people) CrossFit training classes. Due to the nature of our business model, in that, we limit our space to a personalized, or small group setting, we do not require the same amount of parking stalls as a normal user under our designated business classification would. Moreover, we have a program in place called the "Green Discount" in which we offer our members a substantial discount off of the Monthly Rate for riding their bikes, instead of driving their cars, when they come in; its our own very little way of trying to be environmentally conscious. But, however small that maybe, we believe this could help potentially alleviate some parking issues that may occur down the road.

The entire building is currently vacant, as we are the only business slated to potentially take occupancy in the next few months.

Respectfully,



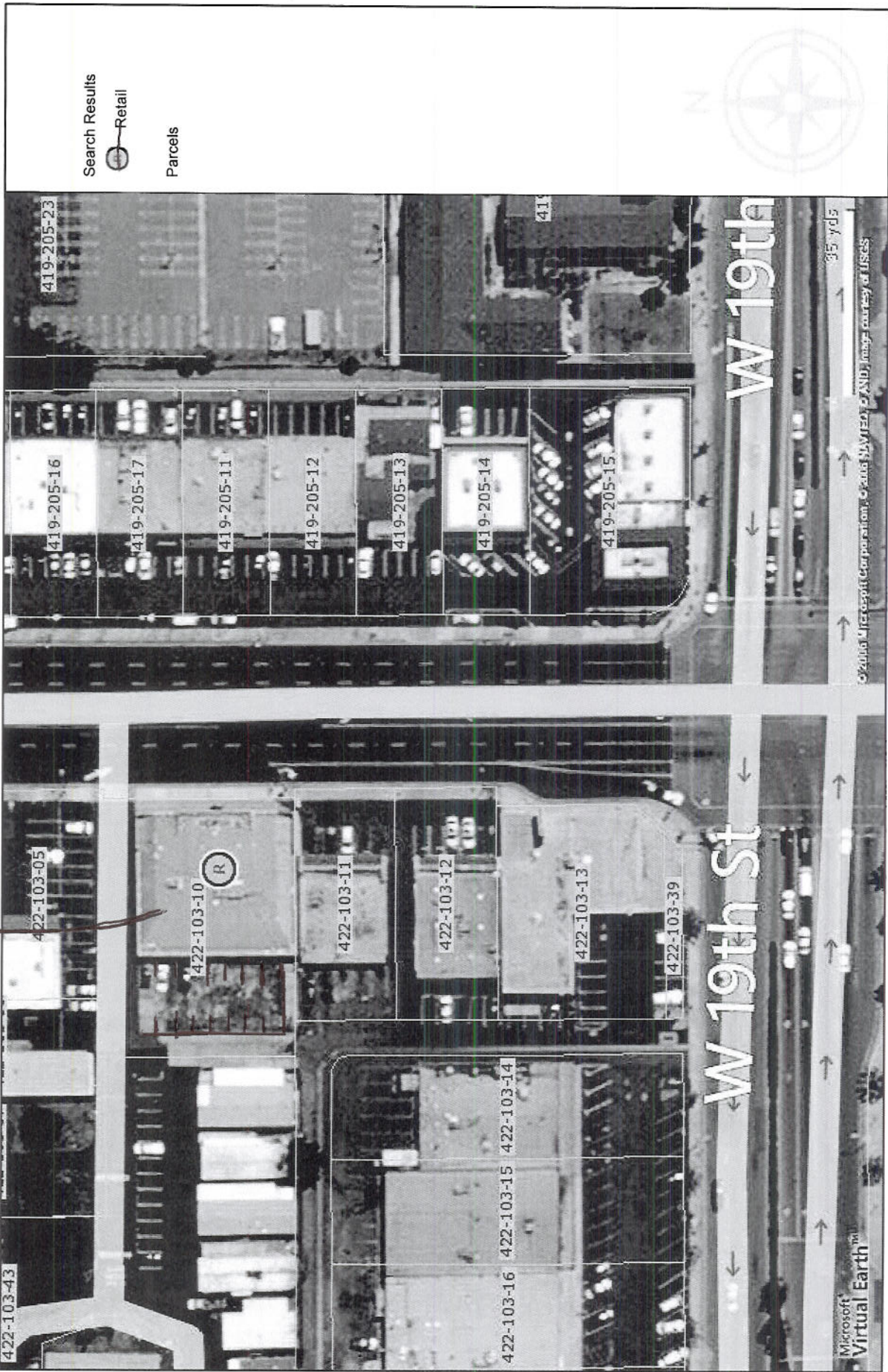
Clayton Worswick

Received
City of Costa Mesa
Development Services Department
APR 05 2013

*Proposed
B Site*

1925 Harbor Blvd, Costa Mesa, CA 92627

1925 Harbor



Search Results

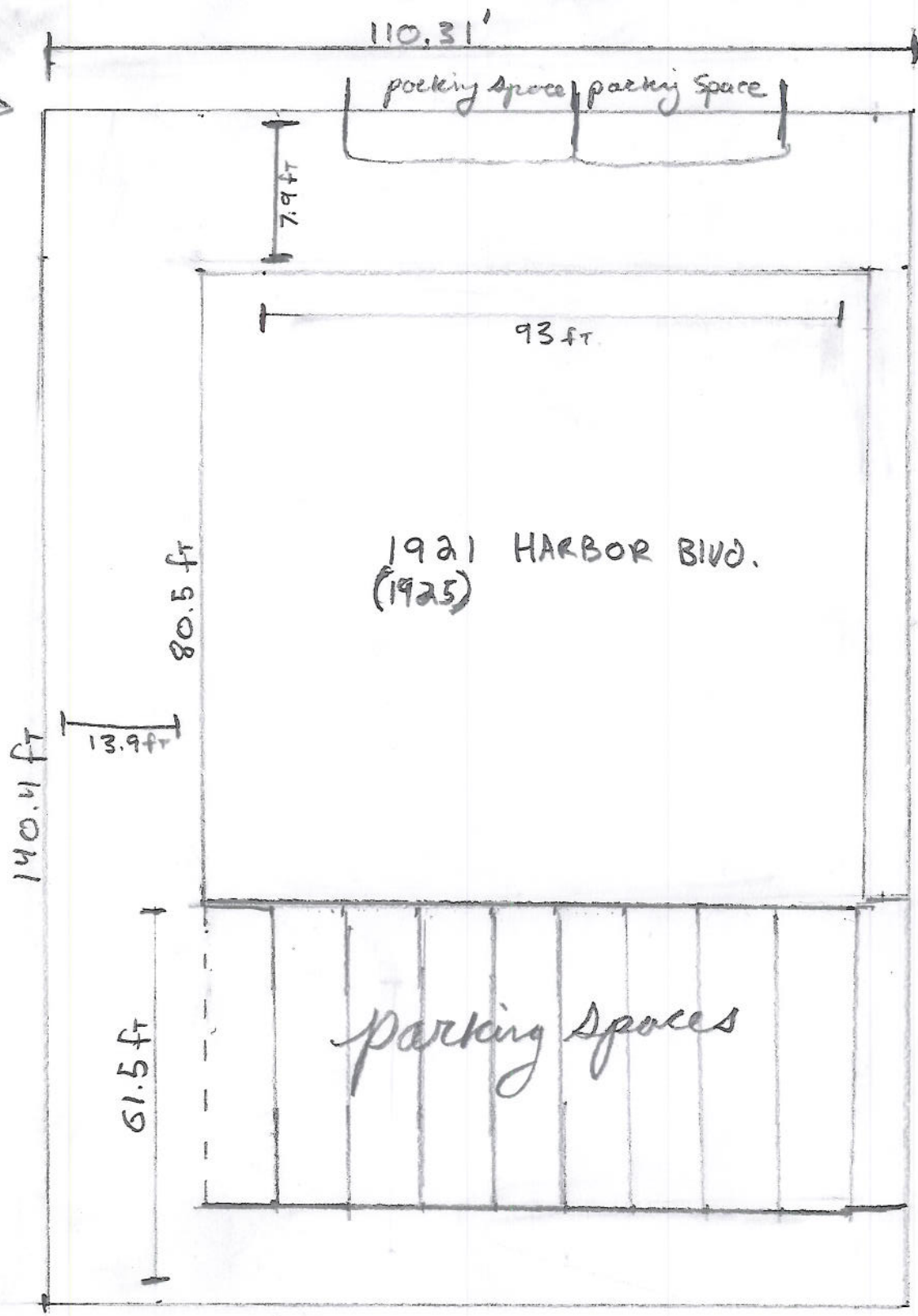


Parcels

HARBOR BLVD.

Clayton WORSWICK
BUT GROUP, LLC

property
line
→



← property
line

↑
property
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Parking Plan

