

PLANNING DIVISION STAFF REPORT

AGENDA NO. 6.eSITE LOCATION 140 and 154 East 17thAPPLICATION NO. PA-92-46 /RA-92-07AP # 425-441-08MANDATORY ACTION DATE December 9, 1992APPLICANT Richard Massen
(Owner of Record)AUTHORIZED AGENT Scott ConnellyADDRESS 770 Hillcrest Drive #13
Laguna Beach, CA 92651ADDRESS 351 Hospital Road
Newport Beach, CA 92663

Applicant is reminded that all ordinances and regulations governing the use of the land or building(s) to which this application pertains must be complied with whether specified herein or not.

PREPARED BY Gabriel Elliott
Associate PlannerDATE PREPARED June 18, 1992LAST UPDATE June 18, 1992

REQUEST:

Conditional Use Permits to establish a physical fitness facility in an existing building with on-site valet parking and off-site parking

STAFF RECOMMENDATION:

1. Deny Conditional Use Permit.
2. Recommend denial to the Redevelopment Agency.

FINAL COMMISSION ACTION: June 22, 1992

Approved PA-92-46, based on the following Findings, subject to conditions contained in the Planning Division Staff Report with modification and additions as listed below; and recommended approval of RA-92-07 to the Redevelopment Agency, subject to conditions as modified:

PLANNING STAFF FINDINGSConditional Use Permit

1. The information presented substantially complies with Costa Mesa Municipal Code Section 13-347 in that the proposed health club is substantially compatible with developments in the same general area. With controls placed on occupancy by Conditions of Approval, and with inclusion of valet parking, granting this Conditional Use Permit will not be detrimental to the safety and general welfare of other properties within

SEE ATTACHED PAGE

APPLICANT NOTIFIED NS DATE June 24, 1992

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200 (714) 754-5245



the immediate vicinity and will not allow a use, density or intensity, which is not in accordance with the General Plan designation for the property.

REDEVELOPMENT AGENCY

2. The proposed use is ~~not~~ consistent with the objectives of the Redevelopment Plan and will not be injurious to property or improvements in the area because conditions have been proposed to control parking through valet parking and occupancy limits.

CONDITIONS OF APPROVAL:

6. The number of members attending the club at one time shall be limited to a maximum of 80 plus staff of 24.

7. Any exterior lighting shall be approved by the Planning Division.

8. Valet parking service shall be provided during all hours of operation.

(2-1, Mr. Clarke voting no, Mr. Korando abstaining, Mr. Dunn absent)

PLANNING ACTION SUMMARY

Location: 140 & 154 E. 17th St. **Application:** PA-92-46/RA-92-07

Request: Conditional Use Permit to establish a physical fitness facility in an existing building with on-site valet parking and off-site parking with Redevelopment Agency Review.

SUBJECT PROPERTY:

Zone: C2
General Plan: General Commercial
Lot Dimensions: 150' x 309.86' / 150' x 125.27'
Lot Area: 1.49 acres

SURROUNDING PROPERTY:

North: CL: (Acr. Cabrillo) Trlr Pk
South: C2: (Acr. 17th) Comm.
East: C2/CL: Comm./Resid.
West: C2: Commercial

Existing Development: Abandoned Lumber Yard; Restaurant (off-site)

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Code Requirement</u>	<u>Proposed/Provided</u>
Lot Size		
Lot Width	<u>60'</u>	<u>150'</u>
Lot Area	<u>12,000 sq. ft.</u>	<u>*1.49 acres (65,269sf)</u>
Building Coverage		
Buildings	<u>19,580sf/.30 FAR**</u>	<u>Existing 19,820 sf (30%)</u>
Paving		<u>Existing 31,020 sf (48%)</u>
Open Space		<u>Existing 14,429 sf (22%)</u>
TOTAL		<u>Existing 65,269 sf (100%)</u>
Building Height	<u>2 stories/30'</u>	<u>Existing 2 stories / 23'</u>
Setbacks		
Front	<u>20'</u>	<u>Existing 20'</u>
Side (left/right)	<u>0'/15'</u>	<u>0'/72'</u>
Rear	<u>15'</u>	<u>Existing 95'</u>
Parking	<u>On-site Off-site</u>	<u>On-site Off-site</u>
Covered	<u>141 0</u>	<u>141 12</u>
Open	<u>(106) (0)</u>	<u>(55) (16)</u>
(Standard Size)	<u>(35) (0)</u>	<u>(34) (-4)</u>
(Compact)	<u>() (0)</u>	<u>(49)</u>
(Handicapped)	<u>() (0)</u>	<u>(48) Valet***</u>
TOTAL	<u>141 (0)</u>	<u>141</u>
Driveway Width	<u>20'</u>	<u>25'</u>
Interior Landscaping	<u>2,200 sq.ft.</u>	<u>Existing 7,871 sf</u>

NA = Not Applicable or No Requirement

CEQA Status: Exempt

Final Action: Planning Commission

* ABC Lumber site, only

** Under current code; 26,107 sq. ft. would have been applicable under prevailing conditions at time of approval.

*** Valet parking

I. DESCRIPTION

A. Subject Property; Surrounding Property; and Request

See Planning Action Summary

B. Background

Zone Exception Permit ZE-80-146, and Lot Line Adjustment LL-80-08 were approved by the Planning Commission on October 13, 1980. The Commission also recommended approval of Redevelopment Action RA-80-13 to the Redevelopment Agency. RA-80-13 was approved by the agency on November 5, 1980.

The Zone Exception Permit was a Conditional Use Permit request to operate a lumberyard and for compact parking stalls, with a Variance for reduction in parking. The Lot Line Adjustment is to combine four parcels into one.

II. PROJECT DESCRIPTION

The abandoned 19,820 sq. ft. lumberyard building is being proposed for renovation. A portion of it will be a tire store (approx. 7,500 sq. ft.), and another 1,490 sq. ft. for a proposed retail outlet.

Although the proposed retail outlet will be considered under a separate permit, Staff has learned that food supplement products to be used by clients of the health club will probably be sold there.

The portion of the building under this action is approximately 10,500 sq. ft. in area. This is to be used as a health club.

Approximately 8,232 sq. ft. of the 10,500 sq. ft. area is proposed work-out area. The remainder is for office, reception, a conference room, and bathing facilities.

Because there are two other proposed uses at this location, adequate parking for each use becomes an issue.

To meet the parking demand for the health club, the applicant has proposed the use of valet parking as well as limited off-

site parking (seven compact stalls) on the property located at 154 E. 17th Street. In addition, the proposal to remove an existing 2,670 sq. ft. wood building at 154 E. 17th Street will increase the number of parking spaces provided on that property by twelve spaces.

Because of a substantial change in use from a lumberyard to a retail and health club, a trip budget analysis must be conducted.

At the study session, the applicant indicated that the proposed health club is different from other health clubs in that there are no group aerobic classes proposed, and there would not be more than 50 members attending at once. The health club is involved in a development and testing program for people between the ages of 30 and 70 years. This program involves the use of food supplements in conjunction with free weights and exercise equipment. In a letter to the Planning Commission dated June 17, 1992, Dr. Connelly, the proprietor of the health club, goes into the operational details of the health club as well as the successes of another of his health clubs in the Bay Area.

The property is located in a Redevelopment Area, necessitating its review by the Redevelopment Agency.

III. PLANNING STAFF ANALYSIS

Per Section 13-209 of the Costa Mesa Municipal Code, a Conditional Use Permit is required for health and sports clubs in a commercial zone. A Conditional Use Permit is also required for off-site parking as well as the valet parking. In this particular case, however, there would have been a parking deficiency that would have necessitated a Variance were valet parking not proposed.

The proposed health club will occupy approximately 10,500 sq. ft. of floor area and will require 105 parking spaces. A total of 141 spaces are required for the site, including the proposed tire company and retail outlet.

However, there are only 88 parking spaces existing on the property, per ZE-80-146. To meet the current parking demand, a reconfiguration of the parking lot is proposed.

This reconfiguration will alter the existing parking and landscaping layout of the site, provide additional compact parking stalls (34 in all), close the westerly of the two existing driveways on Cabrillo Street, and most importantly, institute a stratified valet parking area along Cabrillo Street to accommodate at least 48 cars. Seven additional parking spaces are also being provided on the adjacent property.

Main access to the site will be from 17th Street (south) and Cabrillo Street (north), although there is possible access also from Fullerton Avenue (east).

Because of the change in use from a lumberyard to a health club, a trip budget analysis was performed for the site. The following represents the findings:

EXISTING BUILDING AREA: 19,820 SQ. FT./ .30 FAR
LOT SIZE: 65,269 SQ. FT.

GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL
GENERAL PLAN MAX. FAR: .30
TOTAL BUILDING AREA PER FAR: 19,580 SQ. FT.

THEREFORE, THE EXISTING BUILDING AREA MEETS THE GENERAL PLAN MAXIMUM FLOOR AREA RATIO.

PROPOSED USES FOR THE SITE: RETAIL: 1,490 SQ. FT.*
HEALTH CLUB: 10,500 SQ. FT.
TIRE STORE: 7,500 SQ. FT.*

* Staff would like to point out that the retail use and tire store identified above are not part of this application. However, in order to determine the site's trip budget, these uses need to be identified.

AM PEAK TRIP FOR PROPOSED RETAIL USE: 3.48
Calc. for proposed retail a.m. trip: $1,490 \times 2.34/1,000$

PM PEAK TRIP FOR PROPOSED RETAIL USE: 5.58
Calc. for proposed retail p.m. trip: $1,490 \times 3.75/1,000$

AM PEAK TRIP FOR PROPOSED HEALTH CLUB: 18.58
Calc. for prop. health club a.m. trip: $10,500 \times 1.77/1,000$

PM PEAK TRIP FOR PROPOSED HEALTH CLUB: 15.96
Calc. for prop. health club p.m. trip: $10,500 \times 1.52/1,000$

AM PEAK TRIP FOR PROPOSED TIRE STORE: 18
Calc. for prop. tire store a.m. trip: $7,500 \times 2.40/1,000$

PM PEAK TRIP FOR PROPOSED TIRE STORE: 21.5
Calc. for prop. tire store p.m. trip: $7,500 \times 2.87/1,000$

Total a.m. trips generated by site: 40.06
Total p.m. trips generated by site: 43.04

GENERAL PLAN AM PEAK TRIP RATE FOR SITE: 45.81
GENERAL PLAN PM PEAK TRIP RATE FOR SITE: 73.42

Calc. for peak a.m. trip: $19,580 \text{ sq. ft.} \times 2.34/1,000$
Calc. for peak p.m. trip: $19,580 \text{ sq. ft.} \times 3.75/1,000$

The project, as proposed, is within the trip budget limits of the General Plan.

In reviewing this proposal, Staff considered several land development issues ranging from on-site parking configuration and availability, to impact of the proposed use on surrounding uses and/or properties.

Parking Configuration/Availability:

Valet parking is being proposed as a way of meeting the parking demands of a health club which is $2 \frac{1}{2}$ times that of a retail use.

What makes the proposed parking configuration bothersome to Staff is the fact that the proposed valet parking lot, located along the Cabrillo Street part of the lot, is approximately 170 feet from the main entrance to the health club. Staff has been informed that valet parking attendants will be located approximately 82 feet from Cabrillo Street. At that distance, approximately four cars can be stacked before traffic overflows onto Cabrillo Street. During peak hours, several cars may queue up while waiting to be parked.

What Staff envisions during peak hours at this site is a traffic jam which may lead club members to park on public streets and at other unauthorized locations including adjacent properties. This type of situation usually leads to complaints.

The City's experience with the Family Fitness Center on Adams Avenue and the Sports Connection in the Costa Mesa Courtyards come to mind. However, Staff would like to point out that both of these facilities are significantly larger than the proposed health club and offer group aerobic classes among other things. Family Fitness Center is in excess of 20,000 sq. ft. and the Sports Connection is about 30,000 sq. ft. in area. Also, in both cases, a shared parking agreement and/or off-site parking exist. Neither of these facilities provide valet parking.

Experts in the health club industry seem to agree that group aerobic classes are significant parking generators. The applicant in this case has indicated that no group aerobic dance classes are proposed and that no more than a specified number of members will attend the club at one particular time. In fact, in his letter dated June 17, 1992, the applicant noted the club will be affiliated with the USDA Human Nutrition Laboratory, and that after an initial period of curiosity-seekers, the clientele will stabilize to ultimately include a select group of very committed trainees and research subjects.

Other Potential Impacts

Another of Staff's concerns is the coexistence of the health club with other proposed retail uses. Submitted plans indicate that eight of the required parking spaces for the site are located in front of bay doors.

Credit is usually not given for parking spaces located in front of bay doors. If these eight spaces are deducted from the required 141, only 133 parking spaces would remain. The Fire Prevention Division has also requested that the exit at the north end of the building remain open. This would result in the removal of an additional parking space.

In Staff's opinion, it would require strict parking enforcement to restrict the health club's clientele from parking in spaces designated for the retail outlet and the tire company and vice versa.

In conclusion, Staff notes the specifics of this proposed health club, and congratulates the applicant on his accomplishments in operating a similar facility in San Francisco. However, Staff's concerns go beyond this particular request, meritorious as it may seem.

Once a health club is approved at this location, another health club with a totally different format and clientele could occupy the site under the same Conditional Use Permit within a 180-day period of the exit of a previous health club. Since this department operates on an enforcement-by-complaint policy, it is sometimes too late to revoke a Conditional Use Permit once it is granted. In most cases, applicants would have invested substantial amounts of money in the enterprise and may claim a vested right to exist.

With that in mind, Staff believes that these problems, potential as they may be, necessitate critical attention, and hence the reason for recommending denial on the Conditional Use Permits.

Should the Commission decide to approve this project, Staff is requesting that conditions restricting the number of people attending the health club at one time be at a maximum of (60), and the prohibition of group aerobic classes, be added as Conditions of Approval.

Redevelopment Agency Review

Typically, the Agency will review projects within a Redevelopment Area if and when there is a change to existing exterior elevations. Although no exterior elevation changes have been specifically indicated as part of this proposal, Agency review is still eminent.

The following is an assessment of the project against Redevelopment Agency guidelines:

<u>Criteria</u>	<u>Does Project Comply?</u>
1. Is the proposed use permitted by the City's Zoning Code and Redevelopment Plan?	Permitted only by a Conditional Use Permit.

- | | | |
|----|---|--|
| 2. | Is setback area used for landscaping, access drives, walkways and/or off-street parking? | Yes. |
| 3. | Is adequate parking for all parking needs provided on the subject site as required by the City's Zoning Code? | No. Off-site parking is proposed and valet parking is being instituted to mitigate the parking deficiency. |
| 4. | Will parking spaces visible from the street be screened to prevent unsightly or barren appearances? | No indications at this time. |
| 5. | Will lighting for parking spaces be shielded from residential buildings and adjoining streets? | Maybe. |

As indicated above, Staff is unaware whether or not there is a proposal to screen visible parking spaces from the street. However, if made a condition, the applicant will comply. Also, since this is an existing site, Staff is not aware of lighting in the parking lot. But since this site is located across from a trailer park and the building is located about 100 feet from the street, that requirement is not a major concern.

IV. PLANNING STAFF FINDINGS

Conditional Use Permit

1. The information presented does not substantially comply with Costa Mesa Municipal Code Section 13-347 in that the proposed health club is not substantially compatible with developments in the same general area. The combination of the health club and other proposed uses on this site has a potential of creating an unpleasant parking situation during peak hours. The location of the valet parking lot also has the potential of creating serious parking problems on the site and an impact on City

streets. Granting this Conditional Use Permit may be detrimental to the safety and general welfare of other properties within the immediate vicinity (as a result of health club clients parking on unauthorized adjacent properties), but will not allow a use, density or intensity which is not in accordance with the General Plan designation for the property.

2. Redevelopment Agency

The proposed use is not consistent with the objectives of the Redevelopment Plan and will be injurious to property or improvements in the area because adequate parking is not being provided on site, and Staff is skeptical of the efficiency of the valet parking that has been proposed to mitigate a parking deficiency.

3. The project is consistent with Article 22-1/2, Transportation Systems Management, of the Costa Mesa Municipal Code in that no intersection to which the project contributes measurable traffic shall operate at less than the Standard Level of Service as a result of project implementation.

V. PLANNING STAFF RECOMMENDATION

1. Deny Conditional Use Permit
2. Recommend denial of Redevelopment Action to the Agency

VI. CONDITIONS, IF APPROVED

Shall meet all requirements of the various City departments, copy attached hereto.

CONDITIONS OF APPROVAL

- Plng:
1. Applicant shall provide Staff with a copy of contracts with companies providing the valet service.
 2. Valet service shall be free to club members.
 3. Approval shall be for a period of one year. Prior to expiration, applicant may request renewal, subject to reevaluation at that time. The Development Services Director may extend the Planning Action for a period not to exceed two (2) years if all conditions of approval have been satisfied, no complaints have been received, and the site inspection reveals compliance with applicable Ordinance requirements. Thereafter, the Development Services Director may extend the permit for successive two (2) year periods under the same terms.
 4. There shall be no group aerobic classes conducted.
 5. All parking spaces visible from the street shall be screened to prevent unsightly or barren appearances.
 6. The number of members attending the club at one time shall be limited to a maximum of 60.

ORDINANCE AND/OR CODE PROVISIONS

The following list of Federal, State, and local laws applicable to the project has been compiled by Staff for the applicant's reference.

- Plng.
1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final occupancy and utility releases will not be granted, and final inspections will not be granted until all such licenses have been obtained.
 2. All compact parking spaces shall be clearly marked "compact" or "small car only".
- Bldg.
3. Comply with the requirements of the Uniform Building Code as to design and construction.
- Eng.
4. At the time of development submit for approval an Off-site Plan to the Engineering Division that shows Sewer, Water, Existing Parkway Improvements and the limits of work on the site prepared by a Civil Engineer or Architect. Site Access approval must be obtained prior to Building or Engineering

Permits being issued by City of Costa Mesa. Pay Off-site Plan Check fee per Section 13-54, C.C.M.M.C. An approved Off-site Plan shall be required prior to Engineering/Utility Permits being issued by the City of Costa Mesa.

5. A Site Access permit and deposit of \$500.00 will be required by the City of Costa Mesa, Engineering Division, prior to the start of any on- or off-site work, which may be necessary during construction for street sweeping.
6. Obtain an off-site permit from the City of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
- Trans. 7. Construct residential driveway approach(es) at location(s) specified on submitted site plan.
8. Construct sidewalk curb and gutter to close unused drive approaches.
- Fire 9. Provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A,10BC as these extinguishers are suitable for all types of fires and are less expensive.
10. Provide address numerals which conform to Fire Department standards with respect to size (12") and location.
11. Exit at north end of building must remain unobstructed to the public way. This would necessitate the removal of a parking stall.

SPECIAL DISTRICT REQUIREMENTS

The requirement of the following special district is hereby forwarded to the applicant:

- Sani. 1. Applicant to pay all applicable Sanitary District fixture fee charges [(714) 754-5307].

GE#4(PA9246)