



# CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

August 29, 2002

Richard Massen  
770 Hillcrest Dr., #13  
Laguna Beach, CA 92651

**RE: MINOR CONDITIONAL USE PERMIT ZA-02-29**  
**140 EAST 17<sup>TH</sup> STREET, COSTA MESA**

Dear Mr. Massen:

Review of the minor conditional use permit for the above-referenced project has been completed. The application has been approved, based on the following project description and findings, subject to the conditions set forth below:

## PROJECT DESCRIPTION

The property is located near the northwest corner of East 17<sup>th</sup> Street and Fullerton Avenue. The lot is developed with a building used for a health club and a retail T-shirt store. The applicant requests an amendment to an existing conditional use permit (PA-92-46A) for the health club to allow conversion of existing office and retail areas for additional fitness use (yoga and spin classes). The total area available for fitness use will be 12,367 sq. ft. (10,500 sq. ft. existing). Code required parking would be at a ratio of 10 spaces per 1,000 sq. ft. of gross floor area, resulting in a need for 124 parking spaces. Required parking for the office/retail portion of the business is calculated separately, per previous conditional use permit. The following table represents a breakdown of the building area and required parking for the site:

USE	FLOOR AREA	PARKING REQUIRED
Fitness Area	12,367 sq.ft.	124
Office/Retail Area	1,458 sq.ft.	6
T-shirt Company (retail)	7,500 sq.ft.	30
<b>TOTAL</b>	<b>21,325 sq.ft.</b>	<b>160</b>

The previous conditional use permit included conversion of the adjacent property (1721 and 1731 Fullerton Avenue) to a parking lot to accommodate parking generated by the health club. This off-site parking lot provides 58 spaces and the main lot contains 84 spaces, for a total of 142 parking spaces. Based on the breakdown of uses listed above, the property does not have excess parking for the

additional fitness area (160 parking spaces required; 142 existing). As a result, the subject application for a minor conditional use permit was filed, to allow a reduction in the amount of required parking.

### **ANALYSIS**

The applicant conducted a parking study by counting the number of cars in the parking lots every hour for a one-week period. The maximum number of cars in the parking lots at any one time was 54 (6 p.m. on a Thursday), which left 88 spaces still available, 30 of which are required parking for the T-shirt company. As a result, there were still 58 parking spaces available during the time when parking demand was the highest. According to this study, the busiest times seem to be around 5 p.m. and 6 p.m. The classes are proposed primarily in the mornings, when fewer people are at the site. Evening classes will occur after 7 p.m. on Mondays and Wednesdays. Based this study and staff observation of the site, no parking problems are anticipated with the additional fitness area. Further, as conditioned in the previous conditional use permit, the number of members attending the club at one time shall be limited to a maximum of 80, plus a staff of 24.

### **FINDINGS**

1. The information presented substantially complies with Section 13-29(g)(2) of the Costa Mesa Municipal Code in that the proposed conversion and parking reduction, subject to conditions, will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, as the parking study shows, the parking requirement substantially exceeds the demand of the actual uses. Therefore, conflicts in parking demands are not anticipated. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
2. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
  - The proposed development and use is compatible and harmonious with uses on surrounding properties.
  - Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - The project is consistent with the General Plan.
  - The planning application is for a project-specific case and does not establish a precedent for future development.
  - The cumulative effect of all the planning applications have been considered.

3. 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 from CEQA.
4. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

### **CONDITIONS OF APPROVAL**

- Plng. 1. The number of members attending the club at one time shall be limited to a maximum of 80, plus a staff of 24.
2. If parking shortages or other parking-related problems arise on the property, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem – such as, but not limited to, adjustments in class size or schedules.
3. A copy of the conditions of approval shall be kept on the premises and presented to any authorized City Official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
4. The minor conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
- Eng. 5. During construction, maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- PD 6. A list of security recommendations has been provided by the Police Department for the applicant's consideration.

### **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.

- Plng. 1. Approval of the Zoning Action is valid for one (1) year and will expire at the end of that period unless building permits are obtained, the authorized activity is commenced, or the applicant applies for and is granted an extension of time.
- Bldg. 2. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access

- Regulations".
- Fire 3. Provide Fire Department with occupant load calculations for the yoga/spinning area. Show exits from yoga/spinning rooms.
- Parks 4. All Existing parkway trees shall remain.
- Eng. 5. At the time of development submit for approval an off-site plan to the Engineering Division and grading plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.
6. A construction access permit and deposit of \$1,000 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.

**SPECIAL DISTRICT REQUIREMENT**

- Sani. 1. Developer shall contact the Costa Mesa Sanitary District at (949) 631-1731 for current district requirements.

Upon receipt of this letter, your project has been approved, subject to the above-listed conditions. A copy of the conceptually-approved site plan is enclosed. The decision will become final at 5:00 p.m. on September 5, 2002, unless appealed by an affected party or 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, Wendy Shih, at 714-754-5136 between 1 p.m. and 5 p.m.

Sincerely,

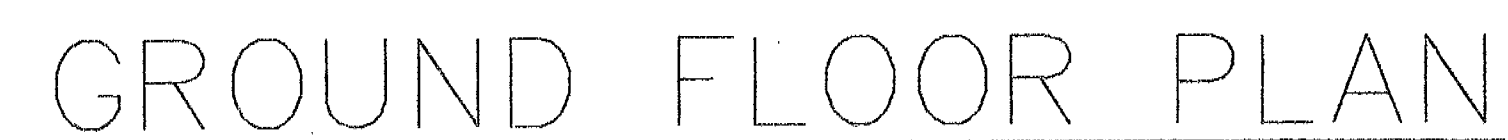


PERRY VALANTINE  
Zoning Administrator

Enclosure: Conceptually-approved plans

cc: Engineering/Development Services  
Fire Protection Analyst  
Water District  
Building Division

Nico Alberts  
19532 Starfish Lane  
Huntington Beach, CA 92648



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