



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 10, 2011

Matt Powers
3100 Pullman Street, Unit A
Costa Mesa, CA 92663

**RE: ZONING APPLICATION ZA-11-36
MINOR CONDITIONAL USE PERMIT FOR A PERSONALIZED TRAINING
STUDIO WITH A PARKING DEVIATION
2930 GRACE LANE, UNIT K, COSTA MESA**

Dear Mr. Powers:

Review of the minor conditional use permit 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 (attached). The decision will become final at 5 p.m. on November 17, 2011, unless appealed by an affected party (including filing of the necessary application and payment of the appropriate fee) or 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, Rebecca Robbins, at 714-754-5609 or rebecca.robbins@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project description
 Findings
 Conditions of approval
 Applicants Letter
 Approved conceptual plans

cc: Engineering
 Fire Protection Analyst
 Building Division

Clayton Worswick
24 Goodwill Ct.
Newport Beach, CA 92663

PROJECT DESCRIPTION

Project Site/Environs

- The property is zoned MG (General Industrial) and has a Light Industry General Plan land use designation.
- The property is one of a four parcel development containing three multi-tenant industrial buildings totaling approximately 51,700 square feet.
- The property is surrounded by residentially zoned and developed properties across Mendoza Drive to the east and across the Paularino Channel to the south, and industrially zoned and developed properties to the north and west.

Proposed Use

- The applicant is proposing to operate a personalized training studio within a 1,368 square-foot suite of an existing industrial building.
- A minor conditional use permit is required since the studio is to be located in an industrial zone. In addition, per Code the proposed use requires 14 parking spaces; however, four parking spaces are allotted for the suite based on the industrial parking requirement (three parking spaces per 1,000 square feet). Therefore, a parking deviation is also requested.
- The applicant proposes the following operational characteristics:
 - Monday through Friday:
 - 5 a.m. to 8 a.m. for one-on-one to small group classes (up to five students maximum)
 - 4 p.m. to 8 p.m. for one-on-one to small group classes (up to five students maximum)
 - Saturday: 8 a.m. to 11 a.m. for small group classes (same as above)
 - Sunday: Closed.

ANALYSIS:

Justifications for Approval

- The peak hours for the studio (5 a.m. to 8 a.m. and 4 p.m. to 8 p.m.) will be, for the most part, off-set from the surrounding industrial uses, which are typically open from 9 a.m. to 5 p.m., Monday through Friday and closed on weekends. Although the applicant is proposing to begin the small group classes at 4 p.m., an hour before the surrounding businesses typically close, staff visited the site during daytime business hours and observed over 20 available parking spaces. Therefore, parking impacts to the surrounding uses are not anticipated.
- Although the applicant is not proposing classes during daytime business hours (8 a.m. to 4:00 p.m.), Staff is including an allowance for one-on-one training (maximum one employee and one to two students) during these hours since four parking spaces are allotted for the suite based on the industrial parking requirement. Therefore, sufficient parking exists to support one-on-one training during daytime business hours.

- The use, as proposed, should be low key in nature (i.e. no loud music); consequently, the use itself should not impact the other businesses on the subject and surrounding properties. In addition, all business activities are required by Code to be conducted under-roof. Onsite training outside of the building (i.e. parking lot) is prohibited.
- To minimize parking and traffic impacts, a condition has been included prohibiting competitions and events at this location. Additionally, a traffic impact fee is required for this use.
- The applicant will be required to provide an area within the suite for bicycle storage to encourage employees and students to bike to classes, also minimizing potential parking impacts on surrounding uses.

GENERAL PLAN CONFORMITY

The use is consistent with the Zoning Code and the City's General Plan because, with the proposed offset hours of operation, limited class size, low key nature, and prohibition of competitions and other events, it should not adversely impact surrounding properties. Additionally, traffic impacts will be mitigated through the payment of traffic impact fees.

FINDINGS

- A. The information presented substantially complies with Section 13-29(e) of the Costa Mesa Municipal Code in that:
1. The proposed personalized training studio is compatible and harmonious with uses on-site as well as those on the surrounding properties.
 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The Light Industry land use designation permits a wide range of industrial uses and allows the approval of conditional uses aimed toward eliminating possible hazards to adjoining properties. The personalized training studio, with offset hours of operation, limited class size, low key nature, and prohibition of competitions and other events, is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.

- B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) because:
1. The proposed personalized training studio, as conditioned, is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. Specifically, the proposed studio, based on the limited class size, offset operating times, and conditions of approval requiring a bicycle storage area in the suite to encourage employees and students to bike to classes, should not adversely impact parking the subject and surrounding properties.
 2. Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Specifically, due to the low-key nature of the proposed use, the use will have low traffic and parking demands.
 3. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
- 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 from CEQA under Section 15301 for Existing Facilities.
- D. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management of Title 13 of the Municipal Code in that the project's traffic impacts will be mitigated by the payment of traffic impact fees.

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to private one-on-one instruction (one instructor and one to two students maximum) between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. Group classes shall be limited to a maximum of five students and shall not occur between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.
2. The use shall be limited to the type of operation described in the staff report. Any change in the operational characteristics shall require prior approval by the Planning Division and may require processing of an amendment to the minor conditional use permit.
 3. The class sizes and use of parking lot shall be monitored and strictly enforced by the business operator.
 4. Competitions/events are prohibited at this location at this location; additionally, no events open to the general public shall be permitted.
 5. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary

- to minimize or eliminate the problem, including, but not limited to, reduction of class sizes or modification to class hours.
6. A copy of the conditions of approval for the conditional use permit must be kept on 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.
 7. The business 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 whatever security and operational measures are necessary to comply with this requirement.
 8. The applicant shall provide an area within the suite for bicycle storage to encourage employees and students to bike to classes.

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 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 2) obtains a business license and 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. Once the use is legally established, the zoning application herein approved shall be valid until revoked. The Development Services Director or her designee may refer the zoning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
3. All business activities shall be conducted under-roof. Onsite training outside of the building (i.e., parking lot) is prohibited.
4. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
5. Any new mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Bus. 6. A business license shall be obtained prior to the initiation of the
Lic. business approved under this application.
- Bldg. 7. Comply with the requirements of the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code,

2010 California Plumbing Code, and 2010 California Energy Code (or the applicable adopted California Building 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.

- Trans. 8. Fulfill mitigation of off-site traffic impacts at the time of issuance of business license and/or building permit by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. At the current rate per trip end, the traffic impact fee is estimated at \$2,172.00. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

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

- Sani. 1. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
- 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 the district.
- State 3. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation.

**The BNT Group LLC dba. BNT CrossFit
c/o Clayton Worswick and Guillermo Flores
Phone: 760-880-8264
24 Goodwill Ct.
Newport Beach, CA 92663**

Attn: City of Costa Mesa
From: Clayton Worswick /Guillermo Flores
Date: October 5, 2011

Re: Application for Minor Conditional Use Permit at 2930 Grace Lane, Costa Mesa – Unit K, 1368 sf

Hours of Operation: 5am-8am & 4pm-8pm

The subject property will be used as a personalized training studio designed for 1-on-1 to small group (5 people) CrossFit training classes.

With a previous training studio located at 2930 Grace Lane, this property has been identified as the ideal location to open a CrossFit Strength and Conditioning studio to be named BNT CrossFit. Co-Owners, Guillermo Flores and Clayton Worswick, are Chapman University alumni and wish to provide the Metro Pointe community with its very first “functional fitness” training facility. Upon initial identification of potential properties that would be appropriate for our business use, one of our major concerns, as well as the City of Costa Mesa’s, is whether or not there would be enough suitable surface parking. We believe that we have found such a place in 2930 Grace Lane. We have already had an opportunity to talk with a handful of the current tenants in the building, and have been reassured that our proposed use would be very welcome in the project; moreover, that there is an over abundance of parking at all hours of the day. Seeing how our business model only operates in the early morning and early evening, we further believe that we shouldn’t have any parking issues.

Furthermore, we choose this location because the “CrossFit gym model” thrives in the Industrial warehouse, no frills type of atmosphere. This can be seen in a number of other CrossFit gyms that are already operating in the City of Costa Mesa and surrounding areas; most notably CrossFit Costa Mesa and Orange Coast CrossFit. We do not create any materials or hazardous waste that might generally be associates with an occupant on an industrial building. There is absolutely nothing that would, or could be, materially detrimental to any of the adjacent properties. We merely provide a service; we do not create material goods.

The CrossFit physical fitness model consists of training individuals for “real life” situations; therefore, CrossFit does not utilize any machines or complicated equipment, but rather focuses on gymnastics or “body weight” training, as well as Olympic lifting with free weights. The goal of CrossFit is to create General Physical Preparedness for its athletes; in short CrossFit provides fitness that can actually be used, and not just for show. This approach to fitness has made CrossFit the number one training program for Fire Fighters, Police Officers, EMT’s, and the Armed Services. **The primary hours of training are one hour classes between 5:00am-8:00 am and 4:00pm -7:30 pm with a target demographic of working professionals, college and high school students.**

We look forward to the prospect of opening BNT CrossFit in the City of Costa Mesa and being a part of this community.

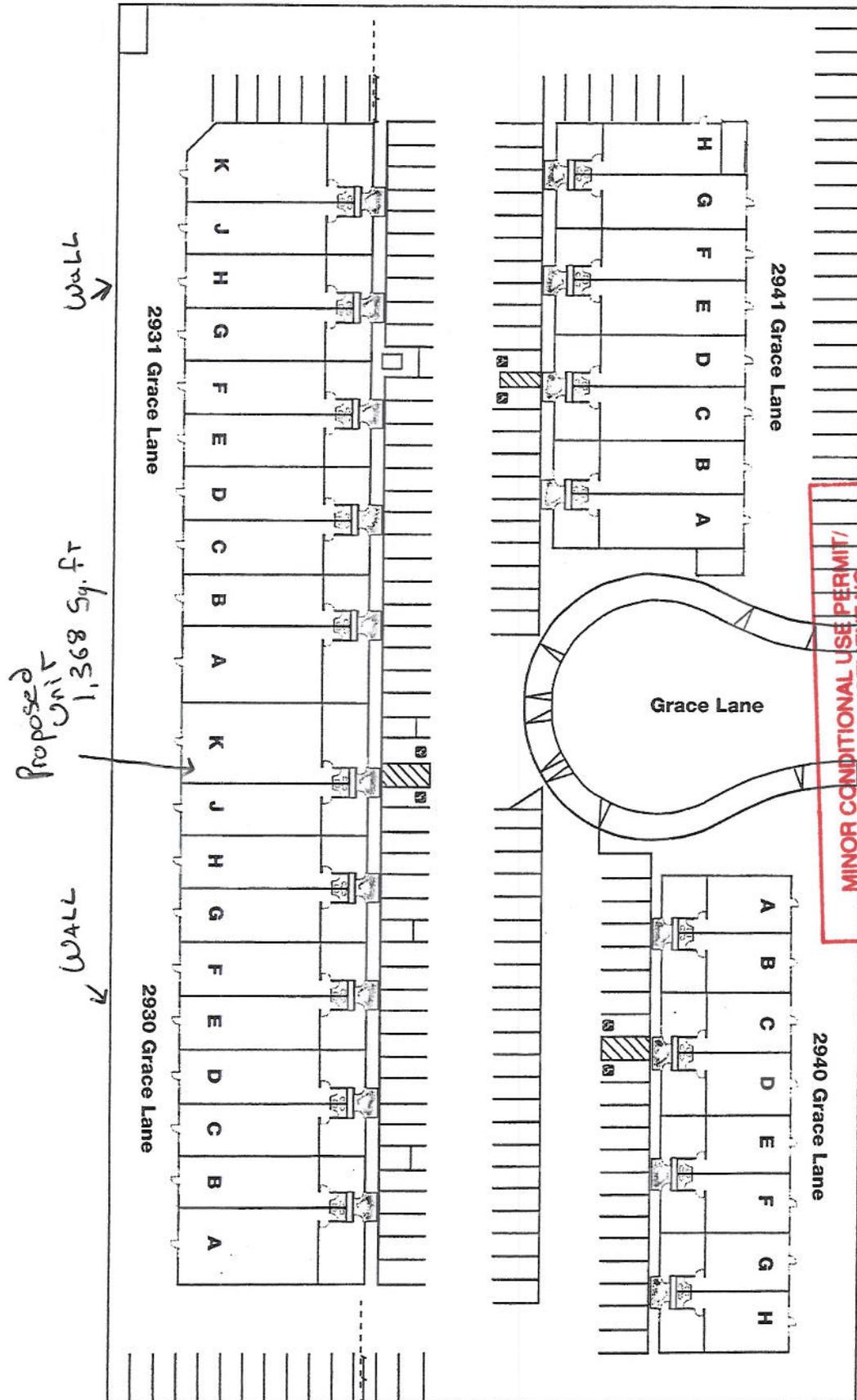
Respectfully,

Guillermo Flores & Clayton Worswick

SITE PLAN

2930-2941 GRACE LANE
COSTA MESA, CA 92626

51,766 S.F.



MINOR CONDITIONAL PERMIT /
ADMINISTRATIVE ADJUSTMENT NO. 2A-11-36

Approval in Concept

SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.

BY ZP/INBK DATE 11/10/11

2A-11-36

FLOOR PLAN

2930 GRACE LANE, UNIT K
COSTA MESA, CA

