



# City of Costa Mesa

## Inter Office Memorandum

**TO:** CITY COUNCIL AND PLANNING COMMISSION  
**CC:** TOM HATCH AND GARY ARMSTRONG  
**FROM:** WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR  
**DATE:** DECEMBER 5, 2013  
**SUBJECT:** ZONING ADMINISTRATOR DECISION(S)

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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 December 12, 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](mailto:willa.bouwens-killeen@costamesaca.gov) if you have any questions or would like further details.

**ZA-13-25** 1633 Monrovia Avenue

Minor Conditional Use Permit to establish a physical fitness studio in a 2,500 square foot tenant space within the industrial complex, with a reduction in the amount of required parking due to offset hours of operation. The classes have a maximum of 15 students and two trainers during weekdays from 5:00 am to 9:00 am; 12:00 pm to 1:00pm; and 6:00 pm to 9:00 pm; weekends Saturday from 8:00 a.m. to 12:00 pm (closed Sunday).

Approved, subject to conditions.

Comments received: None.



# CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

December 5, 2013

Duke Burchell  
383 Monte Vista Avenue  
Costa Mesa, CA 92627

**RE: ZONING APPLICATION ZA-13-25 — MINOR CONDITIONAL USE PERMIT  
FOR A PHYSICAL FITNESS STUDIO USE  
1633 MONROVIA AVENUE, COSTA MESA**

Dear Mr. Burchell:

Staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the 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 p.m. on December 12, 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, Chelsea Crager, at (714) 754-5609, or at [chelsea.crager@costamesaca.gov](mailto:chelsea.crager@costamesaca.gov).

Sincerely,

WILLA BOUWENS-KILLEEN, AICP  
Zoning Administrator

Attachments: Site Plan/Floor Plan

cc: Engineering  
Fire Protection Analyst  
Building Safety Division

## **PROJECT DESCRIPTION**

The property is located at the southwest corner of Monrovia Avenue and Newhall Street in the MG (General Industrial) zoning district, and has a General Plan land use designation of LI (Light Industrial). Physical on-site improvements include a 27,500 square foot building with 85 parking spaces, landscaping along the street frontage, and one point of ingress/egress on each street frontage.

The use will occupy a 2,500 square foot tenant space, located in the existing multi-tenant building. The tenant space consists of two offices, two bathrooms, and a large open workout area. Based on the submitted floor plan, there is an entrance/exit door on the east side of the tenant space and a roll-up door on the west side of the tenant space adjacent to the parking lot.

The applicant requests approval of a Minor Conditional Use Permit (MCUP) to allow establishment of a physical fitness studio use and deviation from the shared parking requirements due to offset operating hours. The days and hours of operation are Monday through Friday from 5:00 a.m. to 9:00 p.m. and Saturday from 8:00 a.m. to 12:00 p.m. Regular classes are 45 minutes long and classes will not overlap, allowing one group to disperse before the next group arrives.

## **ANALYSIS**

### *Noise*

Although noise impacts, other than the occasional dropping of equipment, is anticipated, offset operating hours should allow surrounding uses to be unaffected by noise associated with a physical fitness studio.

### *Parking*

The total of on-site parking spaces provided for the entire property is 85 spaces. Applying the industrial parking ratio to the building (3 spaces per 1,000 square feet of building area for the first 25,000 square feet and 2 spaces per 1,000 square feet of building area for the next 25,000 square feet), the minimum number of required parking is 80 spaces. Based on this analysis, the site complies with the code required parking and there is an excess of 5 parking spaces.

The parking ratio for a physical fitness studio is 10 spaces per 1,000 square feet of floor area or 25 parking spaces for this studio; 7 spaces are allocated for the suite. Because there is no excess parking, the applicant is requesting approval of a minor conditional use permit to deviate from shared parking requirements.

Parking impacts could occur during regular business hours on weekdays because approximately 17 occupants (15 clients and two employees/trainers) are proposed to use the facilities. Most businesses at this site operate from 9:00 a.m. to 5:00 p.m., allowing

additional parking to be available outside those times. In order to limit parking impacts to surrounding uses, a condition of approval will limit the operation to private clients only (one client and two trainers) from 9:00 a.m. to 5:00 p.m. weekdays, with the exception of one regular class during the lunch hour. If parking shortages or other parking-related problems develop, 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 class sizes and/or operating hours of the business.

#### *Additional Discussion*

When visiting the site, staff noted a number of unscreened trash bins. Per Code requirements, any trash dumpsters on the property will be required to be screened under direction of Planning staff.

#### *General Plan Consistency*

The Light Industrial General Plan designation allows commercial uses provided that the use is complementary to the area and is within the allowable floor area ratio standards. The maximum allowable FAR for low traffic generating uses is .35 in the Light Industrial designation. The site area is 67,387 square feet, resulting in a floor area ratio of .41. However, because this is a multi-tenant building occupied by a variety of uses, approval of this use will not cause an overall change in the FAR.

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 physical fitness studio use should not adversely impact the surrounding uses. Specifically, with the recommended conditions of approval, the use will be consistent with surrounding uses.

## **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 will be allowed to occupy the tenant space during standard business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday, with the exception of one class at 12 noon, when other on-site uses will be utilizing the parking area. Additionally, if parking shortages or other parking-related problems arise, because of, but not limited to, the 12 noon to 1:00 p.m. classes, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, reducing days and/or hours of the business. Noise impacts should be minimal and further mitigated by offset hours of operation.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
1. The proposed use is compatible 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, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development 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 the type of operation as described in the staff report and the attached applicant's description letter.  
The business operation shall be limited to the following:
- Scheduled Group Classes (two trainers and 15 clients maximum):
    - Monday through Friday, 5:00 a.m. – 9:00 am, 12:00 p.m. – 1:00p.m., and 6:00 p.m. to 9:00 p.m.
    - Saturday, 8:00 a.m. – 12:00 p.m.
  - Private Classes (two trainers and one client):
    - Monday through Friday, 9:00 a.m. – 5:30 p.m.
2. There shall be a minimum of 15 minutes between sessions to allow departing students to leave before arriving students.
3. All uses shall be conducted within the tenant space (underroof).
4. 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.
5. 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 are necessary to comply with this requirement.
6. The parking spaces shall remain unobstructed and available for customer and employee parking.
7. The applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

## 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/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 Articles 5 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to industrial development standards.
4. All trash containers shall be screened from public rights-of-way and adjacent properties (CMMC Sec. 13-74). The finished elevations of the enclosures shall be approved by the Planning Division per CMMC 13-73 prior to the issuance of building permits.
- Bldg. 5. Comply with the requirements of the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Green Building Standards Code (if applicable to this tenant improvement), 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 Code and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
6. Applicant shall contact the Air Quality Management District 800.288.7664 for potential additional conditions of development or for additional permits required by the AQMD.
7. 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.
- Bus. Lic. 8. 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.
9. Business license(s) shall be obtained prior to the initiation the business.
- Trans. 10. The applicant shall submit a \$4,163 traffic impact fee to the Transportation Division prior to the issuance of a business license. The traffic impact fee is calculated and includes credits for existing uses.

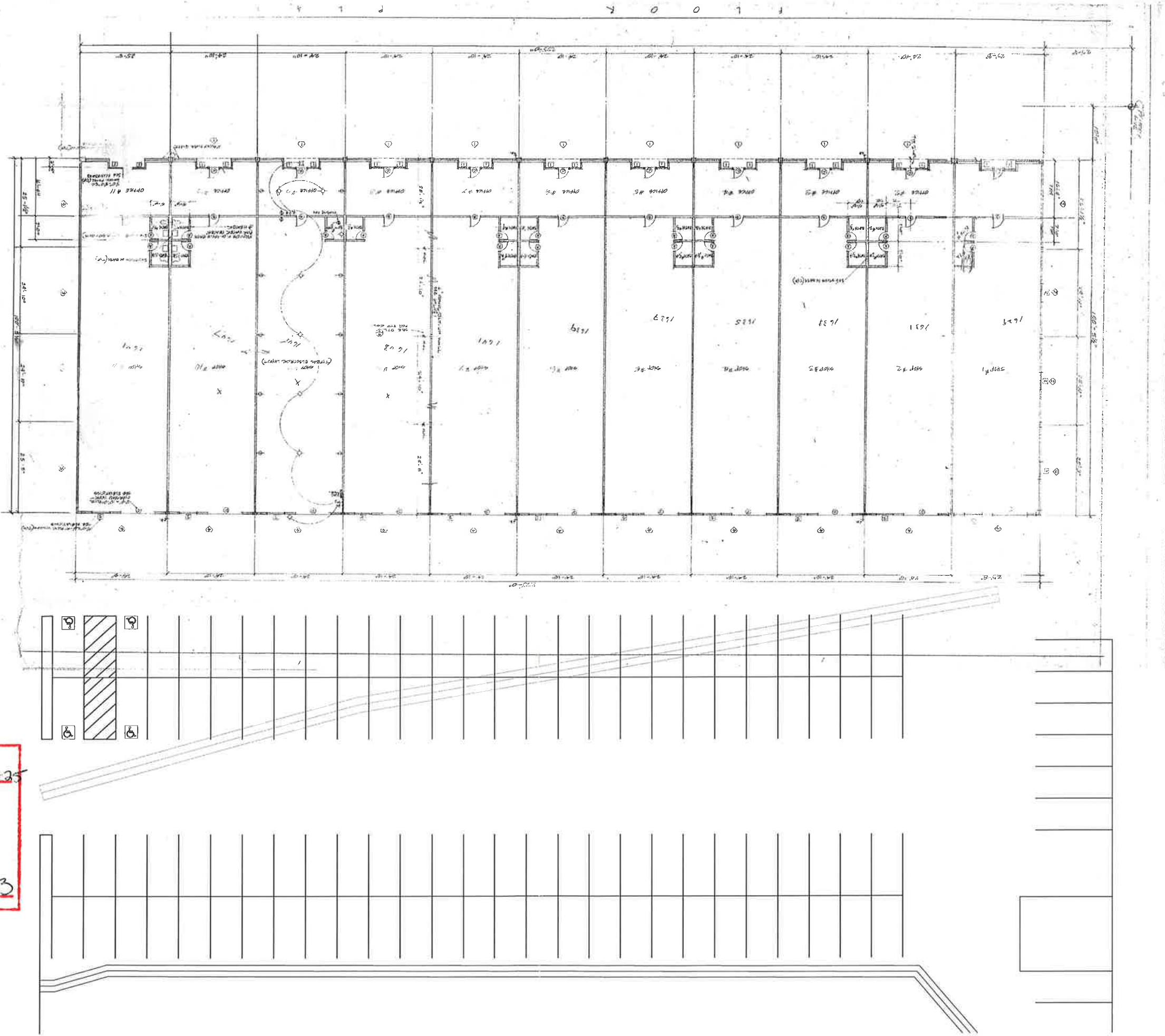
- Eng. 11. For demolition, grading, or building permits involving projects with a valuation of \$10,000 or more, the contractor shall use a City-permitted hauler(s) to haul any debris or solid waste from the job site (refer to Section 8-83(h), Regulations, of Title 8 of the Costa Mesa Municipal Code). 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. It is recommended that the applicant 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.



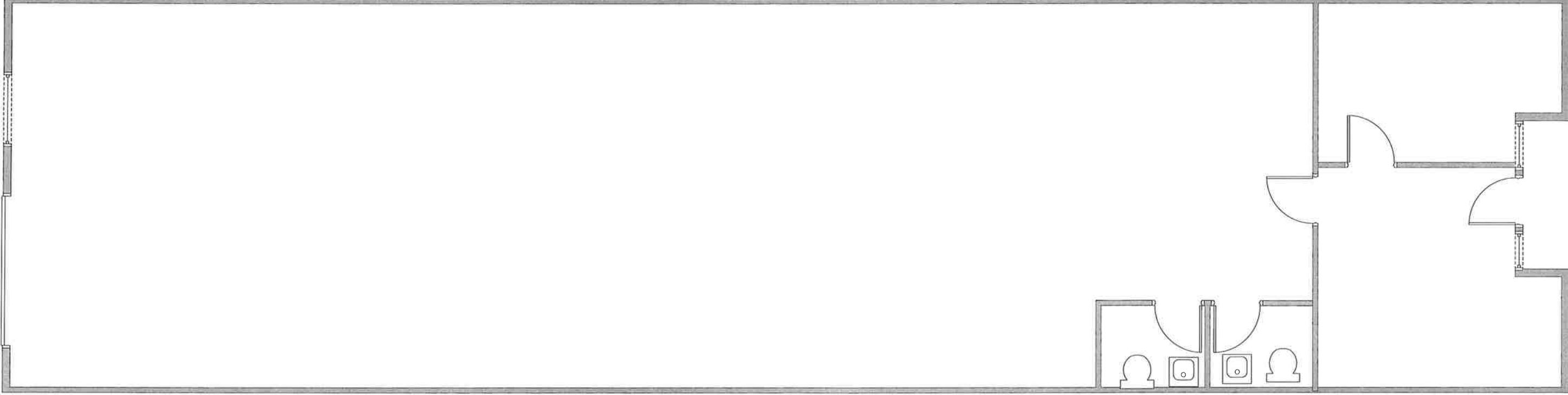


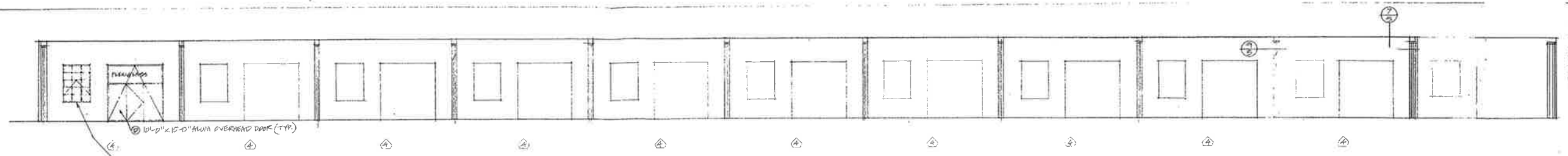
MINOR CONDITIONAL USE PERMIT/  
 ADMINISTRATIVE ADJUSTMENT NO. 24-1325  
**Approval in Concept**  
 SUBJECT TO CONDITIONS  
 CITY OF COSTA MESA  
 PLANNING DEPT.  
 BY *Chitra Croys* DATE 12/5/13

7/9/2013

**1633 Monrovia  
Costa Mesa, CA  
92626**

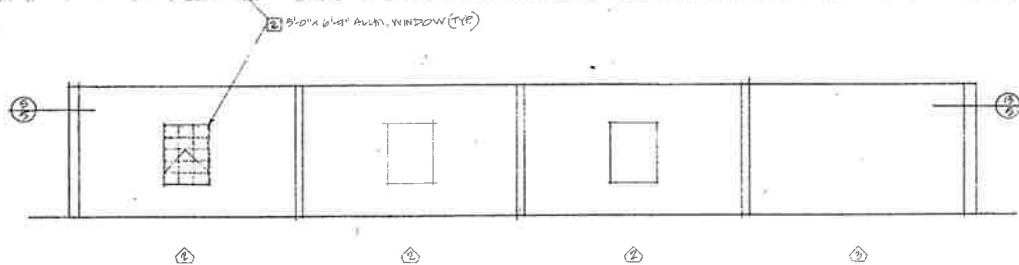
**2,500 S.F.**





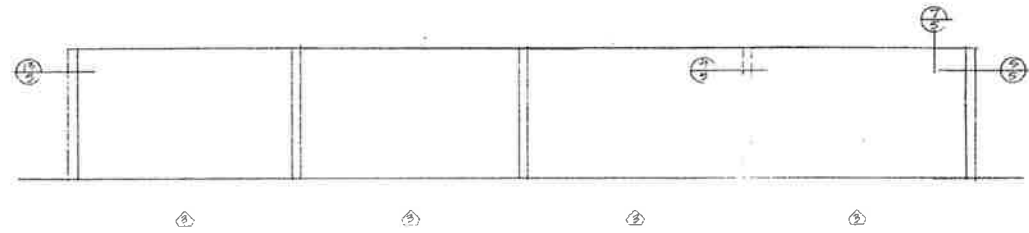
WEST ELEVATION

SCALE: 1/8" = 1'-0"



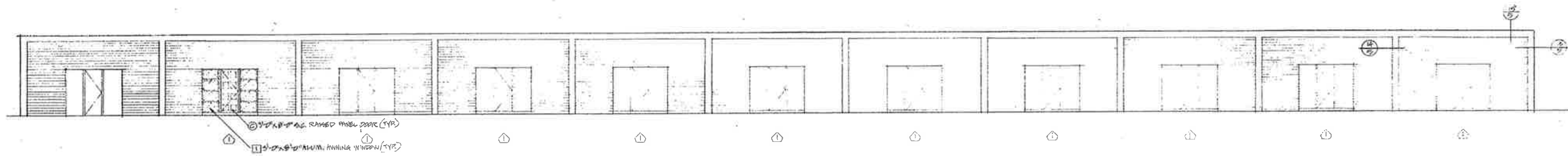
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



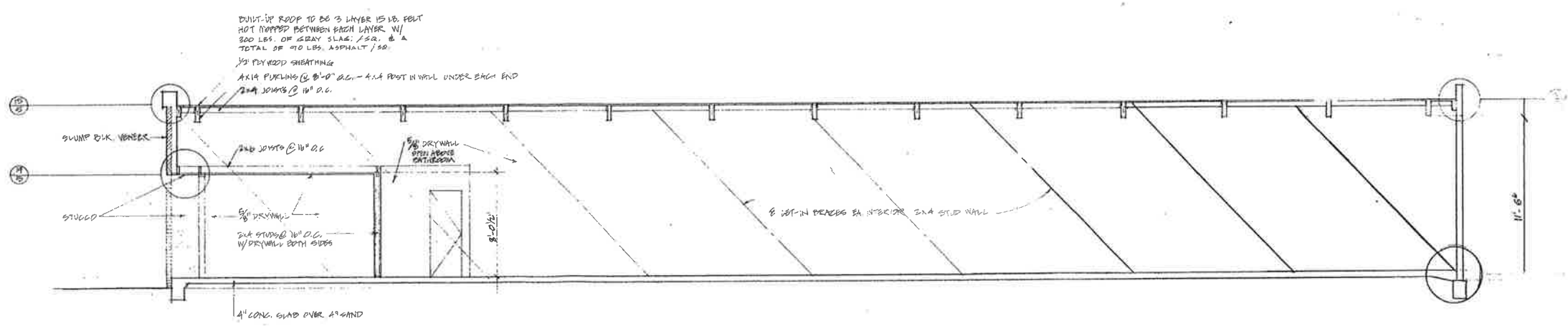
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"



4" CONC. SLAB OVER 4" SAND

11'-6"