



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 *WPK*
DATE: NOVEMBER 9, 2012
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

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 November 16, 2012. 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-12-27 890 Baker Street, Suite 200

Minor conditional use permit to deviate from shared parking requirements for a Pilates studio (maximum 4 people, including instructor) operating from 5:30 am to 2:00 pm, and 6:00 pm to 9:00 pm Mon-Thurs.; 5:30 am to 12:00 pm Fri; and group lectures with a maximum of 15 people in the evenings between 5:00 pm to 6:00 pm Sat. and Sun.)

Approved, subject to conditions.

Comments received: None.



CITY OF COSTA MESA

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

DEVELOPMENT SERVICES DEPARTMENT

November 9, 2012

Ms. Jodi Adamo
7306 Grovewood Lane
Orange, CA 92869

**RE: ZONING APPLICATION ZA-12-27
MINOR CONDITIONAL USE PERMIT TO DEVIATE FROM SHARED
PARKING REQUIREMENTS FOR A PILATES STUDIO
890 W. BAKER STREET, SUITE 200, COSTA MESA**

Dear Ms. Adamo:

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 November 16, 2012, 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, Raynald F. Pascua, at (714) 754-5245, or at ray.pascua@costamesaca.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Willa Bouwens-Killeen".

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, which is approximately 1.5 acres, is located at the northeast corner of Baker Street and Bear Street in the C1 (Local Business District) zoning district, and has a consistent General Plan land use designation of Neighborhood Commercial. Physical on-site improvements include a two-story freestanding building that totals approximately 15,570 square feet, 84 parking spaces (based on a submitted site plan), paved drive aisles, landscape treatment along the street frontage and ingress and egress driveways from Baker Street and Bear Street. Based on City building records, the site was developed in the 1980's.
- The applicant requests approval of a Minor Conditional Use Permit (MCUP) to allow a reduction in the amount of required parking spaces for a Pilates studio based on off-set hours of operation.
- This application is for an approximately 4,476 square-foot suite, located on the second floor. The suite consists of a lobby, two offices, storage and supply rooms, personal training room, nutrition and wellness lecture room, kitchen, restrooms, and a Pilates exercise room.
- The applicant proposes to provide private and semi-private lessons, personal training, weight loss coaching, and occasional nutrition and wellness lectures. During the normal hours of operation, there will be a maximum of six people, plus the business owner. The nutrition and wellness lectures will be held on Saturday and Sunday evenings for groups of 10 to 15 people.
- The proposed days and hours of operation are as follows:

Monday through Thursday	5:30 a.m. to 2:00 p.m. 6:00 p.m. to 9:00 p.m.
Friday	5:30 a.m. to 12:00 p.m.
Saturday and Sunday	5:00 p.m. to 6:00 p.m.

Based on the total floor area of the building (15,570 square feet) and the Code requirement of four spaces per 1,000 square feet of gross floor area, 62 parking spaces are required; 84 parking spaces were provided. As a result, there is a surplus of 22 parking spaces.

However, current businesses occupying the building generate a higher demand for parking as shown in the table below.

Business	Square Footage (Approximate)	Parking Ratio Applied	Parking Spaces Required
Kumon Learning Center	2,094	10/1,000	21

West Coast School of the Arts	8,650	10/1,000	87
Donnie Novak Office*	350	4/1,000	1
Pilates Studio	4,476	10/1,000	45
Total	15,570		154

* Seasonal schedule: Open September to May and closed June to August

While the businesses, including the proposed Pilates studio, may generate a cumulative parking demand that is higher than what is provided on-site, City staff does not anticipate a negative parking impact due to the varying days and hours of operation of the different businesses.

Business	M	T	W	Th	F	S	Su
Kumon Learning Center	2:30 p.m. to 6:00 p.m.	----	----	2:30 p.m. to 6:00 p.m.	----	----	----
West Coast School of the Arts	3:30 p.m. to 8:30 p.m.	3:30 p.m. to 8:30 p.m.	3:30 p.m. to 8:30 p.m.	3:30 p.m. to 8:30 p.m.	3:30 p.m. to 8:30 p.m.	9:00 a.m. to 2:00 p.m.	----
Donnie Novak Office**	9:00 a.m. to 5:00 p.m.	9:00 a.m. to 5:00 p.m.	9:00 a.m. to 5:00 p.m.	9:00 a.m. to 5:00 p.m.	9:00 a.m. to 5:00 p.m.	----	----
Pilates Studio	5:30 a.m. to 2:00 p.m.	5:30 a.m. to 2:00 p.m.	5:30 a.m. to 2:00 p.m.	5:30 a.m. to 2:00 p.m.	5:30 a.m. to 12:00 p.m.	5:00 p.m. to 6:00 p.m.	5:00 p.m. to 6:00 p.m.
	6:00 p.m. to 9:00 p.m.	6:00 p.m. to 9:00 p.m.	6:00 p.m. to 9:00 p.m.	6:00 p.m. to 9:00 p.m.			

As provided in the table above, the Pilates studio is scheduled to operate Monday through Thursday from 5:30 a.m. to 2:00 p.m. and until noon Fridays. During these times, the Pilates studio will be the only business operating between 5:30 a.m. to 9:00 a.m. From 9:00 a.m. to 2:00 p.m., it shares the parking lot with Donnie Novak.

During the evening hours of 6:00 p.m. to 9:00 p.m., the Pilates studio will share the parking lot with West Coast Schools of the Arts until 8:30 p.m.

For the weekend schedule, (Saturday and Sunday from 5:00 p.m. to 6:00 p.m.) the Pilates studio will be the only business operating in the evenings.

- As noted, the weekday schedule is such that the business operates and shares the parking lot with one other business, except on Monday and Thursday when it operates and shares the parking lot with two other businesses between 6:00 p.m. and 6:30 p.m. City staff does not anticipate any parking impacts as a result of having three businesses operating and sharing the parking lot for a period of 30 minutes.
- Based on the submitted use description, during the Pilates sessions, there will be a maximum of four people, including the instructor. During the Pilates session for personal training, there will be a maximum of two people, including the instructor. Consequently, weekdays there will be a maximum of six people, plus the business owner, occupying the suite. The highest demand for parking by this use is for the nutrition and wellness lectures, consisting of a group of 10 to 15 people, held Saturday and Sunday, from 5 pm to 6 pm when the other business are closed.
- 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.
- 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 seven people will be in the tenant space during the peak time when other on-site uses are operating. 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

- 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.
 2. Weekdays the business shall be limited to a maximum of seven people at one time. Group classes shall be operated Saturday and Sunday evenings only.
 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 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.

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.

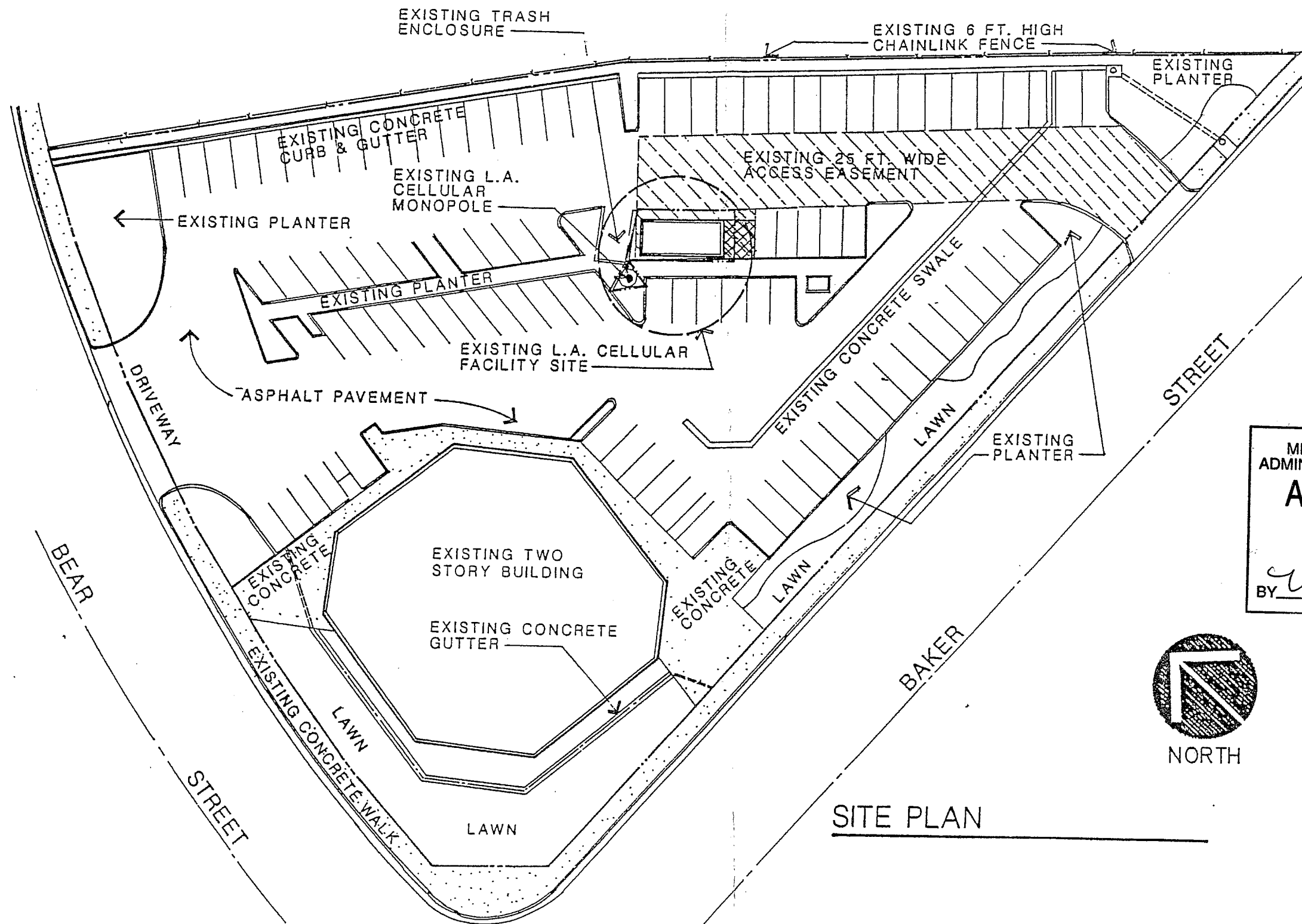
- Plng.
1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; 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 all requirements of Articles 3 and 9, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards.
 - Bldg. 4. Comply with the requirements of the 2010 California Building Code, 2010 Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code and the 2010 California Energy Code (or applicable adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code and California Energy Code, at the time of plan submittal) and the California Code of Regulations, also known as the California Building Standards Code, as amended by the City of Costa Mesa.
 - Bus. 5. All contractors and subcontractors must have valid business licenses to do
Lic. 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.
 6. Business license(s) shall be obtained prior to the initiation the business.
 - Eng. 7. 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:

- AQMD 1. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.



MINOR CONDITIONAL USE PERMIT/
 ADMINISTRATIVE ADJUSTMENT NO. CA-12-27

Approval in Concept

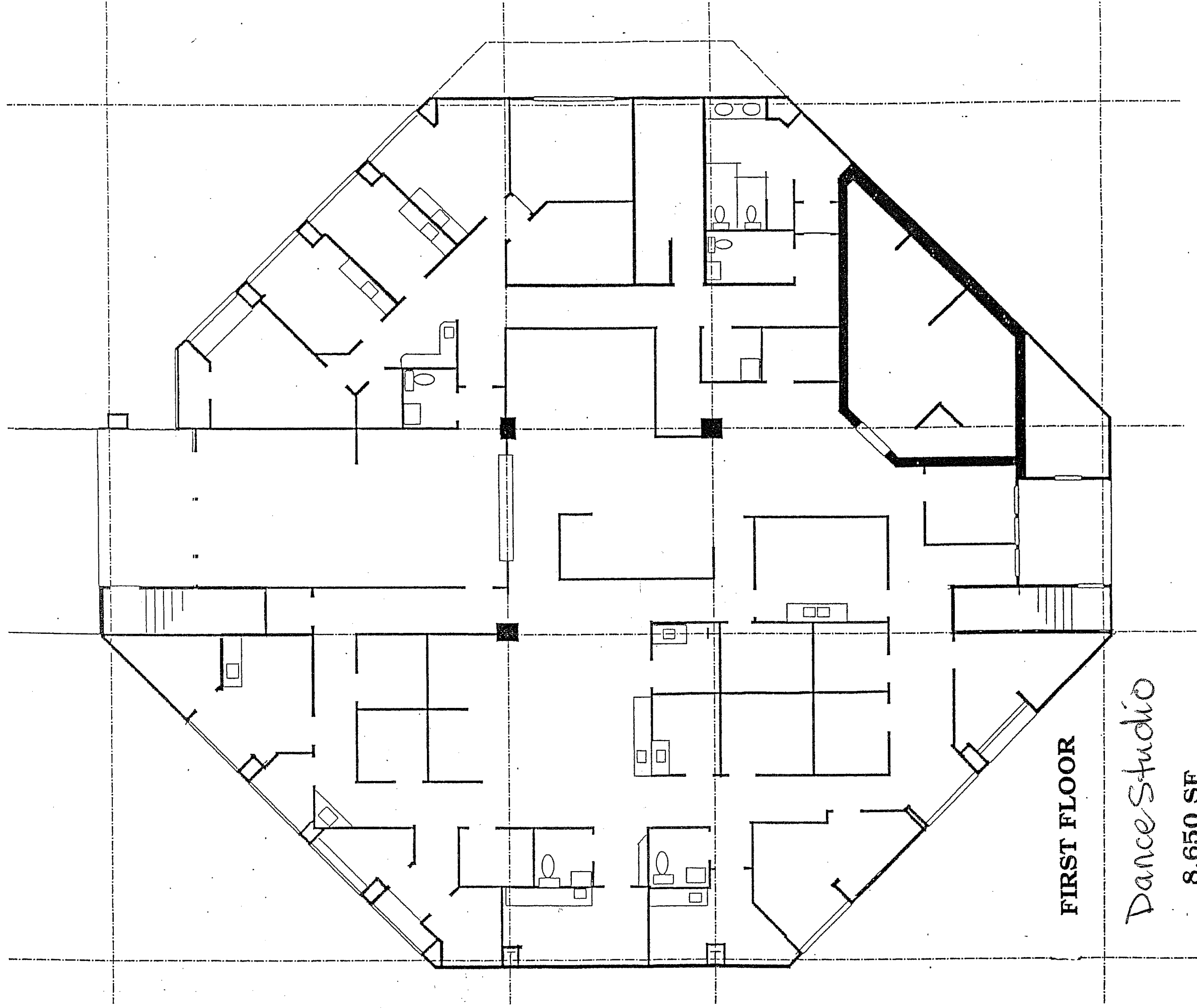
SUBJECT TO CONDITIONS
 CITY OF COSTA MESA
 PLANNING DEPT.

BY *Ubu/RL* DATE 11-9-12



SITE PLAN

PAGE 1 OF 3
 EXHIBIT B-1

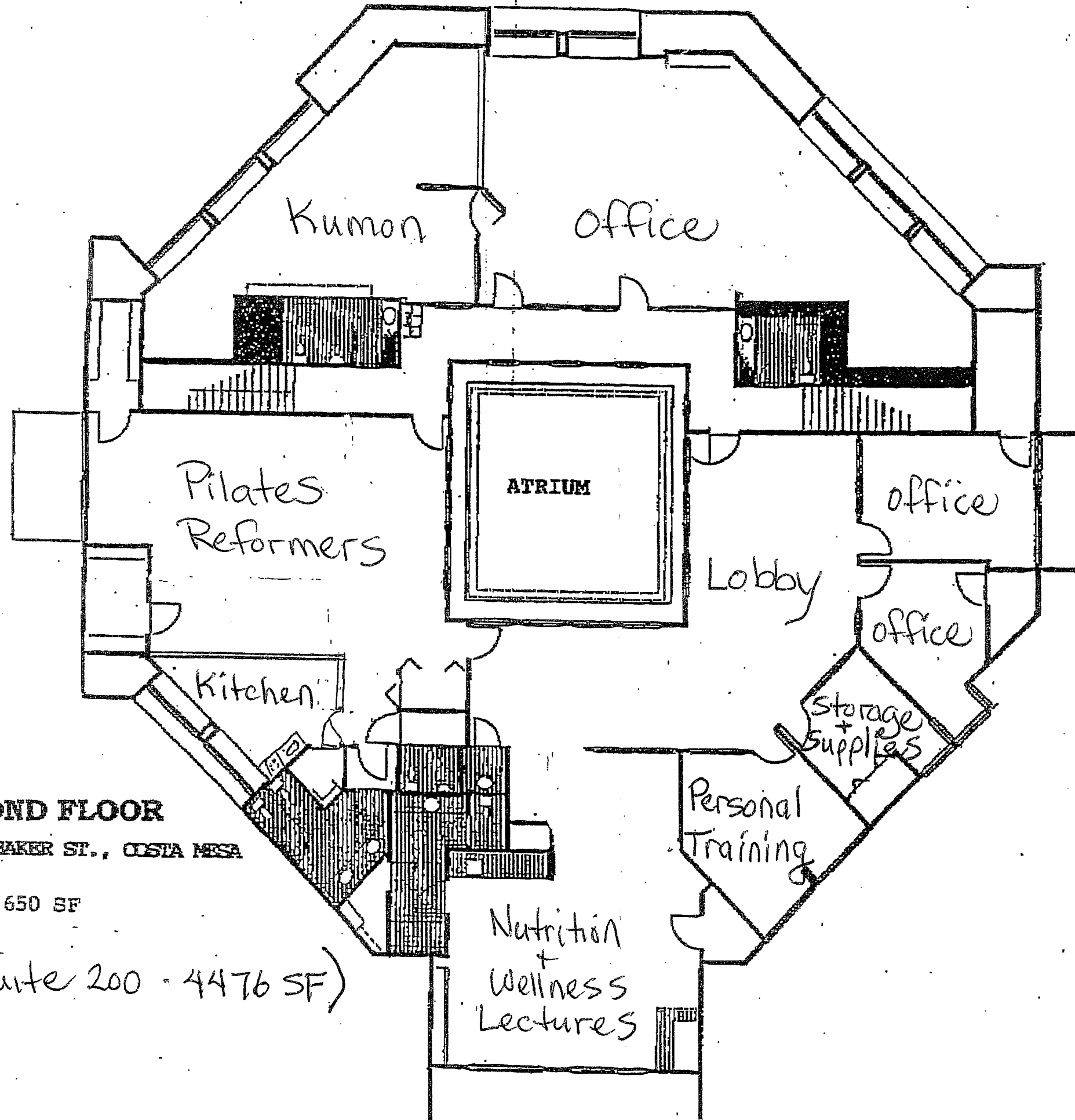


FIRST FLOOR

Dance Studio

8,650 SF

890 W. BAKER STREET
COSTA MESA, CA 92626



SECOND FLOOR

890 BAKER ST., COSTA MESA

6,650 SF

(Suite 200 - 4476 SF)