



Legislation Details (With Text)

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Title: CUP 18-9 and PARK 19-4- Conditional Use Permit and Parking Plan Amendment request for a gymnasium/health and fitness center, limited (assembly hall) at 307 Pacific Coast Highway (Game Ready Performance), and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Proposed Approval Resolution for CUP, 2. 2. Proposed Approval Resolution for PARK Parking Plan, 3. 3. Applicant Submittal and Business Narrative, Site Photos and Plans, 4. 4. Zoning Map and Aerial Photo, 5. 5. Legal Poster and Radius Map, 6. 6. Planning Commission Minutes, Report and Request Letter 11-18-97, 7. 7. Planning Commission Resolution 93-52, 8. 8. Letter from Carol Vernon and Dwight Glasscock dated 8-13-19, 9. 9. SUPPLEMENTAL 17 Letters (added 8-19-19 at 6pm).pdf, 10. 10. SUPPLEMENTAL eComment from Cameron Paulson (submitted 8-19-19 at 10:52pm).pdf, 11. 11. SUPPLEMENTAL Timeline submitted by Community Development (added 8-20-19 at 4pm).pdf, 12. 12. SUPPLEMENTAL Instagram posts submitted by Community Development (added 8-20-19 at 4pm).pdf, 13. 13. SUPPLEMENTAL eComment from Giovanni Partida (submitted 8-20-19 at 12:48pm).pdf

Date	Ver.	Action By	Action	Result
8/20/2019	1	Planning Commission	approved	Pass

Honorable Chairman and Members of the Hermosa Beach Planning Commission Regular Meeting of August 20, 2019

CUP 18-9 and PARK 19-4- Conditional Use Permit and Parking Plan Amendment request for a gymnasium/health and fitness center, limited (assembly hall) at 307 Pacific Coast Highway (Game Ready Performance), and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Applicant: Game Ready Performance
C/O: Jacquelyn Guerra
409 North Pacific Coast Hwy. #230
Redondo Beach, CA 90277
Owner: Maurice Refoua/ Refoua LLC
1559 S. Sepulveda
Los Angeles, CA 90025

Recommended Action:

Adopt the attached resolutions approving CUP 18-9 and PARK 19-4 to allow a limited gymnasium/health and fitness facility (assembly hall) at 307 Pacific Coast Highway (Game Ready Performance), and determine that the project is categorically exempt from the California

Environmental Quality Act (CEQA).

Background:

ZONING:	SPA-7 Specific Plan Area No. 7
GENERAL PLAN:	Community Commercial, Pacific Coast Highway Corridor
EXISTING USE:	Gymnasium/Health and Fitness, Limited (Assembly Hall), most recently Play Hive Children's Gym
PROPOSED USE:	Gymnasium/Health and Fitness, Limited (Assembly Hall)
LOT SIZE:	Approximately 3,645 sq. ft.
BUILDING AREA:	1,600 sq. ft.
OUTDOOR USE AREA:	1,400 sq. ft. patio
PARKING PROVIDED/PROPOSED:	None/Shared parking is available in the Public Lot across 3rd Street (No Change)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt, Section 15301(a), Class 1 Exemption, Existing Facilities because the proposal pertains to an existing structure and involves only minor alterations to the structure.

Located within the Pacific Coast Highway corridor, the subject building at 307 Pacific Coast Highway is located on the west side of Pacific Coast Highway between 3rd Street and 4th Street with a 40.5-foot building frontage along Pacific Coast Highway. The subject building is located between Hermosa Motors car sales to the south and South Bay Jiu Jitsu to the north with commercial uses to the east, across Pacific Coast Highway, and to the west behind the subject site. The closest residential zone is located approximately 60 feet northwest from the rear property line.

In 1993, CUP 93-15 and PARK 93-3 were approved by Resolution 93-52 to allow a gymnasium/health and fitness center with classes with less than required parking at 307 Pacific Coast Highway. The original 1993 approval for "Boxing Works" had unrestricted hours, except for group fitness classes (3 or more people) which were limited to after 7:30 P.M. on weekdays and on weekends. The most recent tenant was "Play Hive Childrens Gym."

In 1997, the Planning Commission interpreted that the original 1993 CUP included the rear, outdoor portion of the site as part of the allowable use for the business.

The proposed business (Game Ready Performance) is a gymnasium/health and fitness center that provides performance training and sports-related assessment services tailored for personal and team athletic improvements. Individual and team evaluations and fitness training classes are available by appointment only and there are no walk-in classes. Hours of operation for evaluation and training are proposed between 9:00 A.M. and 8:00 P.M. and office hours are proposed between 6:00 A.M. and 9:00 P.M., 7 days a week with no more than 20 students/clients on-site at one time. For purposes of consistency with similar businesses and in order to avoid a potential need for future CUP amendments, a condition has been included in the resolution limiting hours of operation with clients present to between 9:00 A.M. and 9:00 P.M. daily. Client assessments and training will be conducted both inside and outside the building in the partially-covered outdoor area. Stationary equipment will be located inside the building for physical assessments, including: manual/powered treadmills (5), hydro-rowers (2), and a supercat machine for vertical jump assessments (1). Outdoor equipment will include balls, hoops, goals, cones, bungees and plyometric jump boxes.

Analysis:

The project site is located in SPA-7 (Specific Plan Area No. 7) zone, which refers to the C-3 (General Commercial) zone for permitted uses. The SPA-7 zoning designation provides opportunities for the full range of office, retail, and service businesses deemed suitable for the City and appropriate for the Pacific Coast Highway commercial corridor.

The project requires a Conditional Use Permit and Parking Plan Amendment due to operational changes including class sizes, hours of operation and floor plan modifications.

Pursuant to Hermosa Beach Municipal Code (HBMC) Section 17.26.030, the proposed limited gymnasium/health and fitness (assembly hall) use requires a Conditional Use Permit (CUP) in the SPA-7 zone, and Section 17.26.050.B.1 states outdoor uses be permitted by CUP for uses listed as stated in the permitted use list. The HBMC defines an assembly hall as any building, or portion of a building, used for public or private gatherings. For example, and without limitation, "assembly hall" includes convention/meeting halls, business schools, funeral homes, gymnasium/health and fitness centers, educational institutions (K-12), game arcades with five (5) or more machines, miniature golf courses, large day spas, movie theaters, museums, music academies, religious institutions, and skating rinks, whether available for public or private use.

The Zoning Code definition for smaller fitness centers is defined as follows:

"Gymnasium/health and fitness center, limited" means a facility not exceeding six thousand (6,000) square feet of gross floor area, whether open to the public or a private club, which provides the indoor space, equipment and the supervision/training/teaching for physical activities including but not limited to sporting activities, exercising, martial arts, aerobic dancing, weight training, gymnastics and spas. In this Code, "gymnasiums/health and fitness center" includes this use type "gymnasium/health and fitness center, limited."

The Zoning Code differentiates parking requirements for Gymnasiums/Health and Fitness Centers as follows:

- a. Less than or equal to three thousand (3,000) square feet and with less than or equal to twenty (20) students at one time if classes are offered: one (1) space per two hundred fifty (250) square feet of gross floor area.
- b. Greater than three thousand (3,000) square feet but not more than six thousand (6,000) square feet, or with more than forty (40) students at one time if classes are offered: one (1) space per two hundred (200) square feet of gross floor area.
- c. Greater than six thousand (6,000) square feet, or with more than forty (40) students at one time if classes are offered: one (1) space per one hundred (100) square feet of gross floor area.

The applicant proposes to make 480 square feet of the rear outdoor area inaccessible for gymnasium/health and fitness center use by limiting the area for bicycle parking only in order count the business square footage as within the 3,000 square feet limit needed for the parking requirement to be equivalent to the general retail commercial parking requirement and no more intense than the previous use, thus requiring no additional parking. The bicycle parking area is not considered part of the gross floor area space since it is not usable for the primary business operations except for

parking for employees and customers who travel to the fitness center by bicycle. The 1993 CUP allowed less-than-required parking and the applicant seeks approval of the same parking impact. The site is land-locked, with no on-site parking and relies on the public parking lot across 3rd Street, which is the same situation as for the original 1993 approval.

The applicants signed a lease in September 2017 to operate Game Ready Performance at this location. The original application for a City business license was received in December 2017, at which time it was determined that an amendment to the CUP and Parking Plan were required due to the assembly use and the request to hold community events. The applicants have been working with Community Development staff on its application since that time, but were delayed in their pursuit of an easement agreement with the adjacent property owner to allow access for parking in the rear portion of the lot. The unsuccessful pursuit of the access easement created delays and the applicant has withdrawn its request to host events, beyond what the City's Temporary Minor Special Event Permit allows (pursuant to HBMC Section 17.42.150, due to an inability to provide additional parking. Code enforcement has cited the business for not having a business license and operating without a valid CUP and Parking Plan. There have been no complaints about the business.

CUP Criteria, Conditions and Standards

HBMC Section 17.40.020 establishes the criteria, conditions and standards for reviewing, granting and amending CUPs in order to reduce the potential for adverse secondary land use impacts. In considering the granting of any CUP for any use, the following criteria for granting said permit shall be considered:

17.40.020 General criteria for all uses

A. *Distance from existing residential uses:*

The nearest residence is a nonconforming residential use located approximately 20 feet northwest of the rear (west) property line within the SPA-7 commercial zone and the nearest residential zone is located approximately 60 feet northwest of the rear (west) property line within the R-2 Two Family Residential zone. Conditions of approval are included in the draft resolution to reduce potential noise and vibration impacts to existing nearby residential uses, which include requiring sound dampening mats to be located under all equipment, requiring that the building be equipped with air conditioning and requiring that noise emanating from the property comply with the City's Noise Ordinance. A gym use has operated at this site since 1993 beginning with Boxing works from 1993 to 2014 which was then replaced with a children's play gym (Play Hive) from 2014 to 2017. Game Ready occupied the space in 2017 and has been in operation since. There have been no complaints for the prior or current businesses. Potential impacts are detailed further in criteria I below. As conditioned, the proposed use is not anticipated to create adverse impacts to nearby residential uses.

B. *The amount of existing or proposed off-street parking facilities, and its distance from the proposed use:*

The applicant proposes to continue the gymnasium/health and fitness use established by CUP 93-15 and PARK 93-3, which allowed the use to be established on an existing property, both indoors and outdoors, with no on-site parking. The site is land-locked and relies on the public parking lot across 3rd Street and other street parking. There are 22 off-street parking spaces in the City public parking lot provided across 3rd Street behind 201-233 Pacific Coast Highway. Pursuant to P.C. Resolution 93-52, the less-than-required parking "was justified and demonstrated that adequate parking was provided and/or was already available for customers that need parking." The parking requirement for Gymnasiums/ health and fitness centers less

than or equal to 3,000 square feet and with less than or equal to 20 students at one time, if classes are offered, is 1 off-street parking space per 250 square feet of gross floor area (includes exterior site area for outdoor uses) per HBMC Section 17.44.030 equivalent to the parking requirement for general retail commercial uses. Approximately 480 square feet of the rear outdoor area will be used for bicycle parking only in order to limit the gross usable area to 3,000 square feet. The bicycle parking area is not considered to be gross floor area since it is not usable for the primary business operations except for bicycle parking. Since the use will have the equivalent parking requirement as previously approved by CUP 93-15 and Parking Plan 93-3, no additional parking is required or proposed. As conditioned, the proposed use is not anticipated to create adverse parking impacts.

C. Location of and distance to churches, schools, hospitals and public playgrounds:

Bi-Centennial Park, located at 4th Street and Valley Drive, is the nearest of these types of sensitive receptors at approximately 1,000 feet west of the project site. Due to the distance and continuation of the gymnasium/health and fitness assembly use, the proposed use is not anticipated to have adverse effects on Bi-Centennial Park. Conditions of approval have been added to the draft resolution to mitigate potential impacts and it is unlikely that the proposed use will affect similar sensitive receptors in the vicinity.

D. The combination of uses proposed:

The entire 1,600 square foot building and 1,400 square foot outdoor area (excluding 480 square feet of deactivated bicycle parking area) will be dedicated to the gymnasium/health and fitness center and will not be combined with any other uses. Because the use will be located within a single-tenant building, the proposed use, as conditioned, is anticipated to have minimal impacts on the surrounding commercial uses/buildings. Noise and vibration impacts and mitigations are detailed further in criteria I below, while parking is detailed in criteria B above.

E. Precautions taken by the owner or operator of the proposed establishment to assure the compatibility of the use with surrounding uses:

In order to assure compatibility with surrounding uses, the business owner proposes to utilize sound speakers within the building only and not in the outdoor area. The business owner proposes stationary equipment with shock absorbers within the building and portable soft equipment only in the outdoor area. The rear 480 square foot outdoor area will be utilized for bicycle parking only. The number of people on-site, as proposed by the business owner, is limited to a maximum of three employees during their busiest periods and a maximum of 20 students/clients during peak hours (9:00 A.M and 9:00 P.M. daily) and all business operations will be contained on-site. These precautions are intended to minimize impacts related to noise, vibration and parking. Conditions of approval are included to ensure these precautions are maintained throughout the life of the operation, and as conditioned, it is anticipated that the proposed establishment will be compatible with existing surrounding uses. Noise and vibration impacts are detailed further in criteria I below.

F. The relationship of the proposed business-generated traffic volume and the size of streets serving the area:

The proposed gymnasium/health and fitness center is not anticipated to generate additional trips because the capacity of the existing building and outdoor area will not increase. Through the reduction of 480 square feet of outdoor area and utilizing the space for bicycle parking only, the business operations are limited to 3,000 square feet with class sizes limited to 20

students, consistent with the class size of gymnasium/health and fitness uses and with the general retail parking requirement. Pacific Coast Highway is classified as a Major Arterial Street designed to carry large volumes of traffic.

G. The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area:

No proposed exterior façade modifications are proposed with this request. Any proposed signage will require a separate sign permit application and conform to the HBMC Section 17.50 for Signs.

H. The number of similar establishments or uses within close proximity to the proposed establishment:

Game Ready Performance will be a specialty fitness facility providing curriculum development for teams and elite athletes, fitness assessments, and recovery lab services after workouts and games. Other health and fitness facilities located nearby include South Bay Jiu Jitsu directly to the north at 325 Pacific Coast Highway, Anytime Fitness at 300 Pacific Coast Highway, Poise Fitness at 428 Pacific Coast Highway, and CrossFit South Bay at 725 5th Street.

I. Noise, odor, dust and/or vibration that may be generated by the proposed use:

The proposal is to designate the front portion within the building (1,600 square feet) to performance training and sports-related physical activity, stretching, fitness assessments, recovery services on stationary equipment (with applicable no/low impact shock absorbers), education and curriculum development, data analysis, and office work. The indoor area stationary equipment includes manual/powered treadmills (5), hydro-rowers (2), and a supercat machine for vertical jump assessments (1). The outdoor area (1,400 square feet) is designated for performance training and sports-related physical activity, meditation and stretching, education and curriculum development, and physical measurements. Outdoor equipment will include balls, hoops, goals, cones, bungees and plyometric jump boxes. The proposed hours of operation with clients present will be limited to 9 A.M. to 9 P.M. The business owner proposes a speaker in the indoor portion of the building be used when the roll-up doors and windows are closed. The tenant space has existing air conditioning and ventilation, which facilitates keeping all doors and windows closed during periods of amplified sound inside the building. Conditions of approval are included in the draft resolution to ensure compatibility of the proposed use with surrounding uses, such as closing the doors when amplified sound is provided within the building, maintaining a neat and clean premises, complying with the City's Noise Ordinance, all activities must be conducted on-site and not in public right-of-way areas, and strictly prohibiting any dropping of weights. In addition, the project is conditioned to require that a Temporary Minor Special Event Permit, pursuant to HBMC Section 17.42.150, be obtained for all events on-site. The proposed health and fitness facility use, as conditioned, is not anticipated to create adverse impacts.

J. Impact of the proposed use to the city's infrastructure, and/or services:

The existing building is adequately served by the various utility companies, infrastructure and municipal services, and the proposed use is not anticipated to place additional burden on current infrastructure and services.

K. Will the establishment contribute to a concentration of similar outlets in the area:

There are several fitness uses located within the City of Hermosa Beach, with approximately

five facilities located along or nearby the Pacific Coast Highway Corridor, including the adjacent South Bay Jiu Jitsu. Fitness centers are health based and community-serving businesses, which support the Hermosa Beach health conscious beach culture and the associated goals and policies of PLAN Hermosa. However, unlike other fitness facilities, the proposed gymnasium/health and fitness center offers a specialized service to the community to provide elite athletic training, analysis, assessments and recovery services by appointment only. Due to the size and type of the proposed business, there are no anticipated negative impacts from a concentration of the fitness-based businesses.

L. Other considerations that, in the judgment of the Planning Commission, are necessary to assure compatibility with the surrounding uses, and the city as a whole.

The proposed application is an Amendment to CUP 93-15 and Parking Plan 93-3. The proposed resolutions for the new CUP 18-9 and Parking Plan 19-4 include applicable conditions from the 1993 approvals plus new conditions. These new resolutions will supersede the previously-approved 1993 Resolution 93-52.

Parking Plan Criteria, Conditions and Standards

HBMC Section 17.44.210 states that a parking plan may be approved by the planning commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter.

Staff believes that less than required parking (no spaces provided) is acceptable for the use based on the below factors.

17.44.210 Factors to be considered

A. *Van pools,*

Though most in-office appointments are for individuals, teams may occasionally come to the business location. For these cases, a condition of approval has been included in the Parking Plan resolution to encourage team appointments to utilize van pools when possible.

B. *Bicycle and foot traffic.*

Through the reduction of 480 square feet of outdoor area, new bicycle parking will be provided for clients and employees traveling by bicycle. A condition of approval has been included in the Parking Plan resolution to encourage local clients and employees to travel by bicycle when possible.

C. *Common parking facilities.*

A gymnasium/health and fitness center was established in 1993 by CUP 93-15 and PARK 93-3, which allowed the use to be established in an existing building with no on-site parking. The site is land-locked and relies on the public parking lot across 3rd Street. There are 22 off-street parking spaces in the City public parking lot provided across 3rd Street behind 201-233 Pacific Coast Highway. Pursuant to P.C. Resolution 93-52, the less-than-required parking “was justified and demonstrated that adequate parking was provided and/or was already available for customers that need parking.”

D. *Varied work shifts.*

All clients are scheduled by appointment only. Staffing needs are according to appointments

scheduled during the hours of 9:00 A.M and 9:00 P.M., which varies according to the daily needs. It is anticipated that there will be no more than 3 staff members on-site at peak time periods.

E. Valet parking.

No valet parking is requested as part of this application.

F. Unique features of the proposed uses.

None noted.

G. Other methods of reducing parking demand.

Through the reduction of 480 square feet of outdoor area and utilizing the space for bicycle parking only, the business operations are limited to 3,000 square feet with class sizes limited to 20 students, consistent with the class size of gymnasium/health and fitness uses and with the general retail parking requirement.

H. Peak hours of the proposed use as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multi-tenant buildings.

Clients are scheduled by appointment only, which allows consideration of parking availability. Typically peak weekend and evening hours which are most popular for restaurants are not as popular for the business operations of the proposed gymnasium/health and fitness center. Domino's Pizza and Hermosa Saloon are located adjacent to the shared parking lot behind 201-207 Pacific Coast Highway. They are served by on-site parking as well as the shared public parking lot.

Environmental Determination:

The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15301(a), Class 1 Exemption, Existing Facilities because the proposal pertains to an existing structure and involves only minor alterations to the interior of the structure but includes outdoor adjustments and minor site modifications, such as electrical and mechanical permits. Moreover, none of the exceptions to the Categorical Exemption apply nor will the project result in a significant cumulative impact of successive projects of the same type in the same place over time, or have a significant effect on the environment due to unusual circumstances, or damage a scenic highway or scenic resource within a state scenic highway. The site is not located on a hazardous waste site and will not cause a substantial adverse change in the significance of a historical resource.

General Plan Consistency:

The proposed establishment is located within the Community Commercial (CC) General Plan land use area, the purpose of which is to provide opportunities and locations for uses designed to serve the shopping, dining, and employment desires of the entire community. The Community Commercial land use designation provides space for locally oriented commercial uses including retail stores, restaurants, professional and medical offices, personal services, and including health and fitness uses.

The site is located within the Pacific Coast Highway Character Area. The Pacific Coast Highway corridor serves as the primary entry point into Hermosa Beach, as well as a pass-through corridor between Manhattan Beach and the Palos Verdes Peninsula. There should be a variety of commercial uses including health and fitness, retail, office, residential and auto-oriented uses along the corridor.

The proposed use implements the following PLAN Hermosa goals and policies: Community Governance policies 5.1 Residential and commercial compatibility, 5.7 Visitor and resident balance, 6.2 Regional presence, 7.5 Health-promoting uses, 7.9 Healthy commercial products and Land Use and Design policies 1.3 Access to daily activities, 1.5 Balance resident and visitor needs, 1.7 Compatibility of uses, 1.8 Respond to unique characteristics, 1.9 Retain commercial land area, 13.2 Social and health needs, 13.4 Private health uses, and 13.6 Connecting health and land use.

Summary:

Based on the analysis above, the proposed gymnasium/health and fitness center, limited (assembly hall) use located at 307 Pacific Coast Highway (Game Ready Performance), as conditioned, is consistent with the Hermosa Beach Municipal Code and PLAN Hermosa. Staff recommends the Planning Commission adopt the attached resolutions for amendments to CUP 18-9 and PARK 19-4, and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Attachments:

1. Proposed Approval Resolution for CUP
2. Proposed Approval Resolution for PARK Parking Plan
3. Applicant Submittal Business Narrative, Plans and Site Photos
4. Zoning Map and Aerial Photo
5. Legal Poster and Radius Map
6. Planning Commission Minutes, Report and Request Letter 11-18-97
7. Planning Commission Resolution 93-52
8. Letter from Carol Vernon and Dwight Glasscock dated 8-13-19

Respectfully Submitted by: Christy Teague, Contract Senior Planner

Approved: Ken Robertson, Community Development Director