



Legislation Details (With Text)

File #: REPORT 20-0040 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 1/16/2020 **In control:** City Council
On agenda: 1/21/2020 **Final action:** 1/21/2020
Title: CUP 19-12 - Conditional Use Permit a request to operate a fitness studio (Lightning Fit) within a 1,298 square foot tenant spaces at 828 Hermosa Avenue, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Draft Resolution, 2. 2. Applicant's Business Narrative, 3. 3. Zoning Map and Aerial Photo, 4. 4. Legal Poster and Radius Map, 5. 5. Project Plans

Date	Ver.	Action By	Action	Result
1/21/2020	1	Planning Commission	approved	Pass

Honorable Chairman and Members of the Hermosa Beach Planning Commission Regular Meeting of January 21, 2020

CUP 19-12 - Conditional Use Permit a request to operate a fitness studio (Lightning Fit) within a 1,298 square foot tenant spaces at 828 Hermosa Avenue, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA)

APPLICANT: Colleen McNutt, with Lightning Fitness
1517 Sullivan Avenue
Costa Mesa, CA 92627

OWNER: Ansje Baker Trust
966 Loma Drive
Hermosa Beach, CA 90254

Recommended Action:

Adopt the attached resolution approving Conditional Use Permit Amendment 19-12, thereby approving the operation of a fitness studio (Lightning Fit) within a 1,298 square foot tenant space at 828 Hermosa Avenue, and determining that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Background:

ZONING:	C-2 - General Commercial
GENERAL PLAN:	Community Commercial
LOT SIZE:	5,866 square feet
PREVIOUS USE:	Food and beverage market
PROPOSED USE:	Assembly hall

The subject site is a 5,866 square foot parcel that is located on the east side of Hermosa Avenue, north of 8th Street. The site is improved with three one-story commercial buildings, including a 2,350 square foot building on the west side of the parcel, and two 400 square foot buildings on the east side of the parcel (facing Palm Drive). Additionally, there is a five-space parking lot east of the buildings, which is accessed from Palm Drive.

The applicant is proposing to utilize an existing 1,298 square foot tenant space, which was formerly occupied by Ashley's Deli & Market. The proposed fitness studio (Lightning Fit) provides a 25-minute workout that includes the use of electrical muscle stimulation suits. All workout sessions are with a trainer, with no group classes being proposed. The applicant's full business description is contained in their submittal letter, which is attached to this report as Attachment 2.



View of Property from Hermosa

The proposed floor plan indicates that there are four workout stations, dressing rooms, two restrooms, and a utility room. The applicant is estimating that no more than eight clients will be working out at any given time. While an individual trainer may train more than one client at a time, there will be no group classes offered. The proposed hours of operation will be 5:00 a.m. to 9:00 p.m., Monday through Friday; and 7:00 a.m. to 4:00 p.m., Saturday and Sunday. Access to the tenant space will be through one of two doors facing Hermosa Avenue, or through a single door on the east side of the tenant space, facing the parking lot.

Analysis:

Hermosa Beach Municipal Code (HBMC) Section 17.04.050 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.” Accordingly, the proposed fitness studio is classified as an assembly hall. Pursuant to HBMC 17.26.030, assembly halls are a permitted use, subject to the approval of Conditional Use Permit.

Parking for gymnasiums/health and fitness centers that are less than 3,000 square feet is one parking space per 250 square feet of gross floor area. This parking ratio is the same as the previous market; as such, no additional parking is required for the new use in the tenant space.

While the east side of this portion of Hermosa Avenue is primarily other commercial establishments, there are residential properties across Hermosa Avenue (approximately 100’ to the west) and Palm Drive (approximately 80’ to the east). To avoid potential noise impacts, staff is recommending a condition of approval that requires that all business doors remain closed. Staff is further recommending a condition of approval that requires all activity to occur within the fully enclosed building.

In order to approve the Conditional Use Permit, HBMC Section 17.40.020 states, “In considering the granting of any conditional use permit for any use, the following criteria for granting said permit shall be considered:”

A. Distance from existing residential uses:

The subject parcel is located in the C-2 zone and has commercial uses on the north and south sides of the site. Residential properties currently exist across Hermosa Avenue (approximately 100’ to the west), which are zoned R-2; and across Palm Drive (approximately 80’ to the east), which are zoned R-3. Nevertheless, the fitness studio will have fewer customers at a time than the former market. Specifically, the applicant is estimating that no more than eight clients will train at the fitness center at any given time; whereas, the market had an occupant load of 24 persons. Additionally, staff has recommended conditions of approval to require that all doors into the establishment remain closed; the ability for the City to mitigate noise impacts, should noise complaints be received; and all operations are contained within the building, further preventing potential adverse impacts to the surrounding residences and businesses.

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

The proposed fitness studio will occupy a 1,298 square foot tenant space. Based on the required parking ration of one space per 250 square feet of floor area, the fitness studio requires six parking spaces. The property provides five parking spaces, which is insufficient to meet the code requirement for all the uses on-site. Nevertheless, the previous use in this tenant space was a market, which has the same parking requirement (1/250) as the proposed fitness studio. Hermosa Beach Municipal Code 17.52.035(E) allows a change of use when the parking is non-conforming, provided the new use does not intensify the parking requirement. Accordingly, the proposed business is not required to provide additional parking.

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

The public beach is located approximately 510’ west of the site, Clark Field is located approximately 1,000’ northeast of the site, and South Park is located approximately 1,100’

southeast of the site. The operation of the fitness studio will not impact these, or other uses in the vicinity. Nevertheless, staff has recommended several conditions of approval, including requiring all activities are conducted in the fully enclosed building and all doors and windows remain closed. These conditions will prevent potential adverse impact from occurring.

D. The combination of uses proposed:

The 1,298 square foot tenant space will only be occupied by the fitness studio (Lightning Fit). However, the business will be located in a multi-tenant building that also includes a restaurant and beauty salon. The tenant space previously was occupied with a market that had an occupant load of 24 people and did not contribute towards a significant cumulative impact to the surrounding area. It is anticipated that the proposed fitness studio will only have eight clients working out at any given time, thus will be less likely than the former market to contribute to a significant cumulative impact on those who live and work in the area.

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 proposed to limit the number of customers utilizing the facility at any given time. The proposed floor plan provides four workout stations, which will limit the number of people that can workout at one time. This limited number of clients shows the business owner has considered the surrounding uses and has designed the business to be compatible with the area.

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

The subject site is located on Hermosa Ave, a four-lane (two lanes in each direction) minor arterial. The anticipated daily traffic generated from the previous market with deli exceeds the expected daily traffic from the fitness studio. Not only is the traffic generation expected to decrease, but also Hermosa Avenue has sufficient capacity to accommodate the business-generated traffic.

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

No 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:

While there are other fitness studios and gyms in the vicinity of the proposed use, this business offers a unique service. The use of electrical muscle stimulation suits during workouts is not found in other businesses in the area.

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

The operation of a fitness studio is not typically associated with creation of odor, dust or

vibration. However, potential noise impacts need to be addressed. Staff has recommended conditions of approval to require that all doors into the establishment remain close and all operations are contained within the building, thereby preventing potential adverse impacts from noise.

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:

While there are other fitness studios and gyms in the vicinity of the proposed use, this business offers a unique service. The use of electrical muscle stimulation suits during workouts is not found in other businesses in the area.

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.

Staff has recommended several conditions of approval that will prevent adverse impacts and assure the compatibility of the use with the surrounding uses.

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, such as interior partitions or 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:

According to PLAN Hermosa, the subject site has a General Plan Land Use Designation of Community Commercial, which is defined as, "Locally-oriented uses including retail stores, restaurants, professional and medical offices, and personal services." The proposed fitness studio is not only intended to serve the local residents (as compared to serving the region), but offers a service that is consistent with the uses outlined in the General Plan for the Community Commercial land use.

The site is also located in the Downtown District Character Area. The character area is in part intended to provide for "the mix of community and recreational uses [that] serve a functional role in meeting the daily needs and activities of residents and visitors..." The proposed fitness studio will provide a functional role to meet the daily needs of the residents, thus is consistent with the character area.

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, 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, 1.9 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 contained within this report, the proposed fitness studio, as conditioned, is consistent with the Hermosa Beach Municipal Code and PLAN Hermosa. Staff recommends the Planning Commission adopt the attached resolution to approve CUP 19-12 and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Attachments:

1. Draft Resolution
2. Applicant's Business Narrative
3. Zoning Map and Aerial Photo
4. Legal Poster and Radius Map
5. Project Plans

Respectfully Submitted by: David Blumenthal, AICP, Senior Planner
Approved: Ken Robertson, Community Development Director