

Planning Commission Staff Report

June 27, 2012
Item 5.a.

SUBJECT: P12-0774

APPLICANT: Shape Up! Boot Camps and Fitness

PROPERTY OWNER: Brian O'Toole / South North Quarry, LLC.

PURPOSE: Application for a Conditional Use Permit to operate a gymnasium/fitness instruction facility in an existing tenant space.

LOCATION: 1257 Quarry Lane, Suite 115 (Valley Business Park)

GENERAL PLAN: General and Limited Industrial

ZONING: PUD-I (Planned Unit Development – Industrial) District

EXHIBITS:

- A. Draft Conditions of Approval
- B. Narrative, Floor Plan, and Site Plan dated "Received April 26, 2012"
- C. Approval Email from Valley Business Park Architectural Committee
- D. Location and Noticing Maps

BACKGROUND

The applicant, Christine Maloney for Shape Up! Boot Camps and Fitness, is requesting to operate a gymnasium/fitness instruction facility for up to 21 students within an existing building at 1257 Quarry Lane, Suite 115. The zoning district for the project site is PUD-I (Planned Unit Development- Industrial) and it is located within Valley Business Park (VBP). The VBP PUD requires a Conditional Use Permit for gymnasiums, health clubs, and indoor recreational and sports facilities; therefore, the applicant has applied for a Conditional Use Permit. Conditional Use Permits require review and action by the Planning Commission.

SITE DESCRIPTION

The subject site is an approximately 5 acre parcel with four buildings totaling approximately 77,400 square feet of office space at the northeast corner of Boulder Street and Quarry Lane, within the Valley Business Park (VBP). The subject building (1257 Quarry Lane) is an approximately 16,640-square-foot, one-story building.

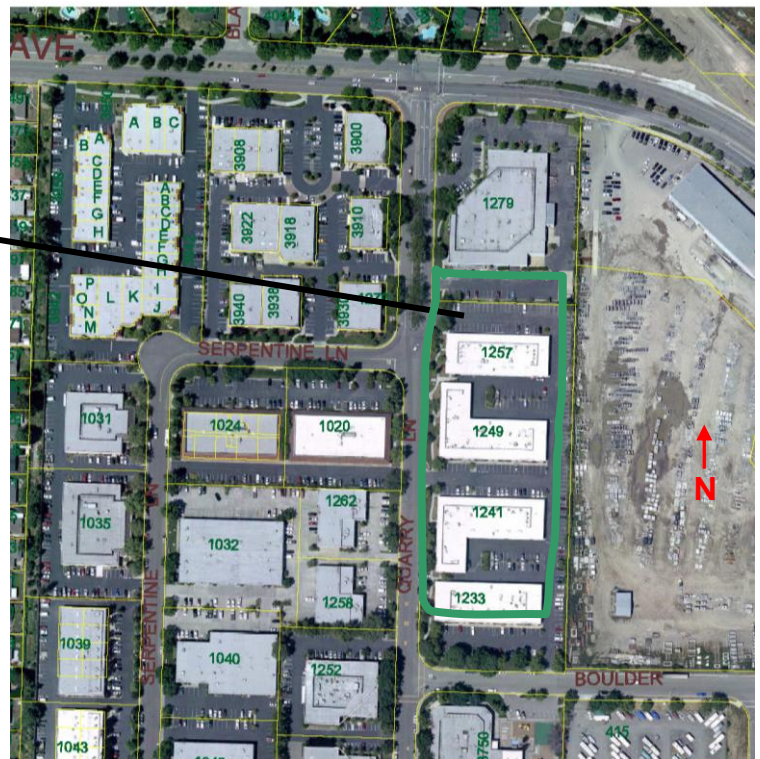
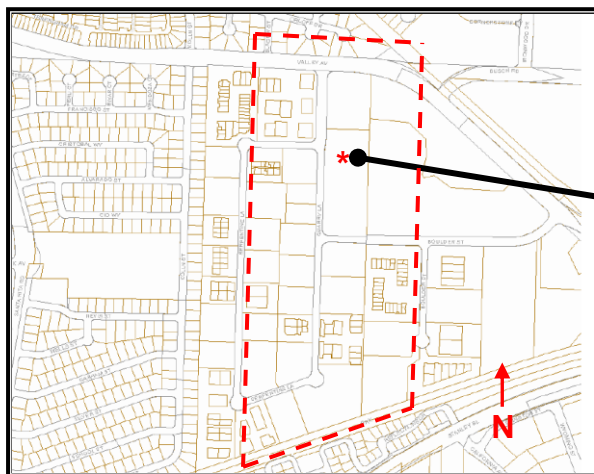
The subject building is currently occupied by CSG Consultants (Suite 100), Pacific Solar (Suite 105), Dickinson Hardwood Flooring (Suite 120), Rapidwerks (Suite 140) and Aces Billing Services (Suite 150). The remaining suites within 1257 Quarry Lane are currently vacant. The subject suite (Suite 115) is vacant and the neighboring tenant space to the west (Suite 110) is also vacant.

There are three driveways, two on Quarry Lane and one on Boulder Street, which lead to the common parking lot that provides parking for all four buildings on the parcel. There are 258 parking spaces that are available for use by all of the tenants.

Properties adjacent to the site include office/light industrial uses to the north and west, Industrial use to the east, and a school use to the south across Boulder Street (Quarry Lane School).

There are single-family residences to the north (across Valley Avenue and to the west, beyond the VBP boundaries).

Figure 1: Valley Business Park



Valley Business Park has a mix of uses that include, but are not limited to; professional offices, light manufacturing and industrial uses, and other uses, such as religious facilities, private schools, and cheerleader training and other sports and recreational facilities.

PROJECT DESCRIPTION

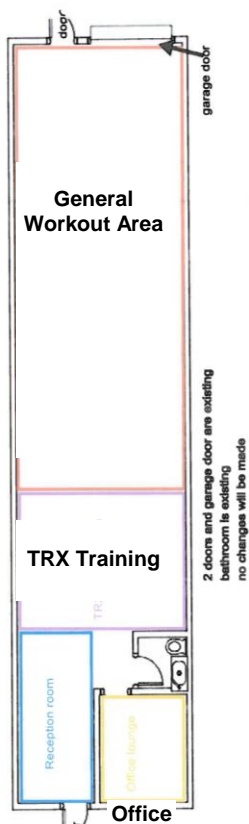
Shape Up! Boot Camps and Fitness (Shape Up) is a fitness organization dedicated to helping individuals make personal fitness a lifestyle by offering fitness-oriented classes such as: Boot Camp, TRX (Total body Resistance eXercise-Suspension Training), Kid's fitness, and personal/small group training. The facility would operate Monday thru Thursday from 6:00 a.m. to 7:45 p.m., Friday from 6:00 a.m. to 11:00 a.m., and Saturday from 8:00 a.m. to 11:00 a.m. (Closed on Sundays), with private group sessions being by appointment only to be scheduled during normal business hours when other classes are not in session. The facility will be staffed mainly with one instructor, but there are occurrences when two sessions are taught at the same time, at which time there would be two instructors on-site at the same time.



Figure 1.2: Tenant Facade

The kid's fitness programs are 90 minutes long with a maximum of six students to one instructor. The ages of the participants are 9 to 12 years old, and parents would sign the student in and out of the class. The children will be taught how to properly use equipment and the correct way to perform various moves.

Figure 2: Tenant Floor Plan



The applicant would provide classes to adults and children. The facility does not offer child care between or during classes, nor do they provide food or transportation to or from the facility. Thus, the facility is not operating in the capacity of a child care facility as defined by the State child care licensing requirements (Child Care and Supervision activities: Title 22, California Code of Regulations, Division 6, Sections 80001(c)(3)).

Shape Up would occupy approximately 1,935 square feet of tenant space that consists of an open reception area, TRX training area, general workout area, a bathroom and one office. (please refer to Figure 2 for the tenant floor plan).

No interior improvements will be done.

The facility would be operated by registration only and would not be open to the public on a drop-in basis. The scheduled Boot Camp classes would begin as early as 6:00 a.m.

Students arriving for classes would proceed to the activity area of their session and warm up for the upcoming class; students awaiting pick-up will wait in

the waiting area. Recommended condition of approval number 10 prohibits any loitering outside the facility.

The applicant will instruct and coach both children and adults. Instruction is provided through group lessons (approximately 15 students per session). Sessions are approximately 45 minutes in length. Although it is conceivable that an adult student may be enrolled in a session of one activity followed by a session of another activity, the applicant only offers one session that is directed at children.

No public address (PA) system would be used, but amplified recorded music may be utilized for some of the fitness sessions. Doors would remain closed (but unlocked) during class sessions to minimize any noise from being heard outside the building. It is not anticipated that the noise generated from the music for the sessions would exceed the maximum as allowed by the City's noise ordinance.

To ensure the safety of children, there would be only one entrance to the facility, i.e., from the front of the building. Secondary exits are provided for emergencies and are located at the back of the unit with direct access from the general workout area.

ANALYSIS

Conditional uses are uses which, by their nature, require special consideration so that they may be located properly with respect to the objectives of the Municipal Code and with respect to their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for use permits.

Land Use

One of the primary concerns in reviewing a conditional use permit application is the effect of the proposed use on surrounding uses. The Land Use Element of the General Plan designates the subject property as "General and Limited Industrial." The current PUD zoning for Valley Business Park permits land uses such as offices, printing shops, laboratories, and light manufacturing, and requires conditional use permit approval for uses such as gymnasiums and health clubs, indoor recreational sports facilities, non-commercial clubs or lodges, trade schools, and daycare centers.

Although the majority of the businesses in Valley Business Park are office/warehouse uses, in recent years educational and recreational businesses and trade schools have located within the Park. These uses include tutoring centers, dance studios, daycares, music facilities, and a cheerleading and gymnastic training facility, all of which were businesses required to secure conditional use permits to be located in the Park.

When the proposed use is a recreational use, staff evaluates how that use integrates into surrounding uses. Staff is cautious about adjacent uses, knowing that although the existing business neighbors may not have an issue, future tenants may. This business park was primarily designed for light-industrial uses, and on several occasions, tenants have questioned whether having uses that have child components to their business

close to construction, manufacturing, and other industrial uses is a good idea. In staff's evaluation, this use is compatible with the other uses in the Valley Business Park. In the past, the Planning Commission has granted Conditional Use Permits to the similar uses within the same business park.

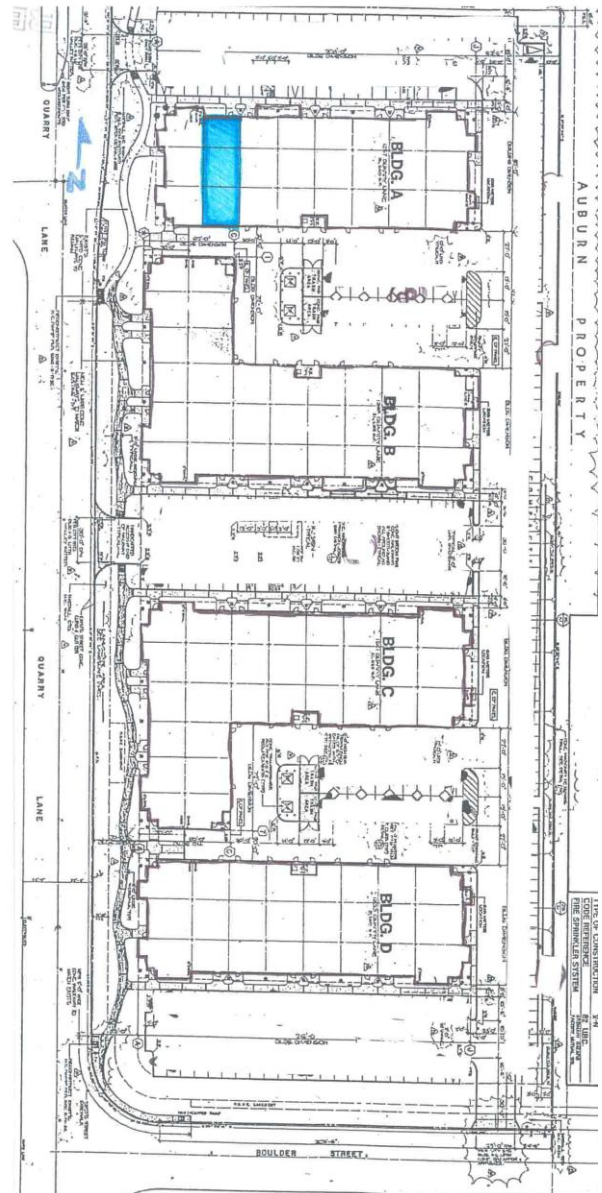
Figure 3: Parking Lot Layout

Parking

Based on the subject site's building floor area (77,400 square feet) and the number of parking spaces provided on site (258 spaces), the parking ratio at the subject site is one space for every 300 square feet of floor area. With the tenant space of approximately 1,935 square feet in floor area, the recreational facility would theoretically be allocated six parking spaces. However, there are no assigned parking spaces in this development.

Section 18.88.030(E)(2) of the Pleasanton Municipal Code (PMC) requires uses of this nature to provide one parking space for each two students age 16 and older and one parking space per employee. If all 21 students attending the classes are over the age of 16, a total of 13 parking spaces would be required by the Code (11 spaces for the students and 2 spaces for the employees). Although, the 6 "allocated" spaces would not meet this demand, staff believes that there would be adequate parking for the following reasons:

1. The schedule of classes has a typical enrollment of 15 students (8 parking spaces required), with the maximum of 21 students only occurring two times a week;
2. There would be a 10- to 15-minute break between classes to reduce the possibility of overlap between arriving and departing students;
3. Some of the classes would occur during non-standard (i.e., 8:00 a.m. - 5:00 p.m., M-F) business hours; and
4. Adults attending the morning and early evening fitness classes may be those professionals located in the surrounding professional buildings that would walk to the facility and not create additional parking demand.



Additionally, staff has conducted a number of site visits to observe the parking patterns and parking space availability for the site. Staff observed that, on average, 50 of the 258 parking spaces on the entire site were occupied. The parking spaces in proximity to the subject tenant space had 50 spaces vacant on average at various times during the weekday. Though there are unoccupied suites in the building, staff believes that the proposed use and availability of parking spaces indicates that future permitted uses in the vacant units would not result in a parking conflict. However, should parking problems occur, staff has recommended a standard condition that allows the Director of Community Development to refer the use permit back to the Planning Commission for possible mitigation measures.

Therefore, staff believes that the parking should be sufficient to accommodate the proposed facility.

Noise

The subject site is in an industrial area, and a certain amount of noise is expected. For industrial properties, such as the subject property, the Pleasanton Municipal Code states:

No person shall produce or allow to be produced by any machine, animal, device, or combination of the same, on industrial property, a noise level in excess of seventy-five dBA at any point outside of the property plane.

Immediately outside, with the doors closed, staff believes the noise level from the fitness activities would be able to adhere to the 75-dBA noise requirement of the Pleasanton Municipal Code.

The Pleasanton Municipal Code also states that a proposed conditional use must be in accord with the objectives of the Zoning Ordinance. One of those objectives is to “promote the stability of existing land uses that conform with the General Plan and to protect them from inharmonious influences and harmful intrusions.” As proposed, the majority of the classes will occur during off-peak business hours and noise produced from the proposed facility would be music from a CD player. The applicant has indicated that there will not be any yelling or heavy equipment or public address system used.

To ensure that noise from Shape Up does not impact adjacent tenants, a condition of approval has been added that the applicant shall be required to install noise-attenuating drywall along the common tenant walls to the ceiling (condition of approval 9). Staff has discussed this condition with the property owner and applicant. The property owner has agreed to this condition and will work with the property owner regarding noise-attenuating drywall installation.

The nearest residential properties are located beyond other properties and structures within the business park that would obstruct any noise concerns typically associated with a fitness facility. The nearest residential properties, located on Orloff Drive, are

over 550 feet to the north (beyond an existing building located at 1279 Quarry Lane). Valley Business Park is separated from the residential properties to the north by Valley Avenue, a 20-foot wide landscaped area, and an 8 ½- to 9-foot tall soundwall.

Based on the applicant's description of the activities and the separation of the proposed suite from the adjacent residences, staff believes that it is unlikely that the noise generated from the use would impact the nearby residences or tenants. However, to further minimize the chances of disturbing the neighbors, staff has included a condition of approval that requires the applicant to inform the members to not loiter outside of the building and to be courteous and quiet when entering or leaving the parking area during early morning/late night hours.

Staff has also included a "standard" use permit condition of approval (condition number 12) that allows the City to review the project again to add mitigating conditions in the event of any future complaints regarding noise levels. Such conditions could include modifying the hours of operation, reducing the number of people allowed in the building, requiring additional soundproofing of the tenant space, etc. The applicant has indicated that these conditions are acceptable.

Staff believes that, as conditioned, noise from Shape Up would not negatively impact future or existing uses located adjacent to the subject suites. All doors will remain closed during business hours, further limiting noise impacts to surrounding tenants and properties. Therefore, it is unlikely that the noise produced by the use will be in excess of 75 dBA at any point outside of the property plane as prescribed by code (PMC §9.040.50).

Tenant Improvements

The proposed facility would only be utilizing floor mats and other moveable equipment; the applicant is not proposing any additional structural or tenant improvements for the operations of the business at this time. Given the noise attenuation requirements, the applicant may need a building permit for the installation of the additional sound dampening materials.

Any tenant improvements would be subject to the review and approval of the Building and Safety Division and the Livermore-Pleasanton Fire Department. The Building and Safety Division has indicated that the current restroom facilities and facility set up does not require any additional improvements at this time.

Signage

No signage currently exists for the tenant suite. If the applicant wishes to add signage, the proposed signage would be required to adhere to Valley Business Park's sign program.

Valley Business Park Architectural Committee

Prior to noticing the project for hearing, staff referred the use request to Valley Business Park's Architectural Committee for their comments. The Committee approved the applicant's request to operate a fitness facility with a kid's fitness program in the proposed location. Staff has included the Committee's action email as Exhibit C.

FINDINGS

The Planning Commission must make the following findings prior to granting the use permit:

A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinances and the purpose of the district in which the site is located.

The zoning ordinance endeavors to foster a harmonious, convenient, workable relationship among land uses, protect land uses from inharmonious influences and harmful intrusions, promote a safe, effective traffic circulation system, and to ensure that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, staff believes that the proposed use would be consistent with these objectives.

The subject business is proposed in Valley Business Park which is zoned Planned Unit Development – Industrial (PUD-I) and has the characteristics of the City's I-P (Industrial Park) District. One purpose of the industrial park district is to provide locations for uses that can operate in close proximity to commercial and residential uses with minimum adverse impacts. Staff believes the proposed use, as conditioned, will be compatible with the industrial park uses. Other fitness facilities, dances studios, and similar uses have been approved within this development and have operated without conflict to the surrounding parcels/tenants. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. In summary, staff believes this finding can be made.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

Based on the proposal, Shape Up would be a compatible use to the adjoining uses and Valley Business Park, as a whole. The building that Shape Up is proposed to occupy is a freestanding building with an on-site parking lot. The number of parking spaces available on site will accommodate the parking demand of 13 spaces for the proposed classes. The proposed conditions of approval will ensure that Shape Up will not operate in a manner that is detrimental to the public health, safety, or welfare or be materially injurious to the

properties or improvements in the vicinity. Therefore, staff believes that this finding may be made.

C. That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code which apply to Conditional Uses.

Staff finds that, as conditioned, Shape Up will comply with all provisions and requirements of the City's zoning ordinance and the approved PUD development. As with any Conditional Use Permit, the use permit may be revoked if the conditions are not met. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance. Staff believes this finding can be made with the proposed conditions of approval.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within 1,000-feet of the site. Staff has provided the location and noticing maps as Exhibit D for the Commission's reference. At the time this report was published, staff had not received any public comments.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15301, Existing Facilities, Class 1. Therefore, no environmental document accompanies this report.

CONCLUSION

Staff believes that the required use permit findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained. Staff is of the opinion that Shape Up would be complementary to the existing businesses and tenants in Valley Business Park.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve P12-0774 by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and
2. Approve P12-0774 subject to the conditions listed in Exhibit A.

Staff Planner: Rosalind Rondash, Associate Planner, 925.931.5607, rrondash@cityofpleasanton.gov