



Legislation Details (With Text)

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**Title:** Public Hearing: Action on a Conditional Use Permit for BMI Fitness to allow a gym at 1678 Coleman Avenue

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Parking Study, 2. Project Data, 3. Development Plans, 4. Resolution Approving a Use Permit, 5. Conditions of Approval

Date	Ver.	Action By	Action	Result
2/27/2019	1	Planning Commission	Continued	Pass

**REPORT TO PLANNING COMMISSION**

**SUBJECT**

Public Hearing: Action on a Conditional Use Permit for BMI Fitness to allow a gym at 1678 Coleman Avenue

**REPORT IN BRIEF**

Project: Use Permit to allow a gym  
Applicant: Simon Lin, Eleven Ten Architects  
General Plan: Santa Clara Station Area Plan  
Zoning: Light Industrial (ML)  
Site Area: 1.02 acres  
Existing Site Conditions: Two existing one-story industrial buildings

Surrounding Land Uses

North: Industrial uses  
South: Industrial uses  
East: Industrial uses  
West: De La Cruz Boulevard

Issues: Consistency with the City’s General Plan and Zoning Ordinance

Staff Recommendation: Adopt the resolution approving the Use Permit, subject to conditions of approval

**BACKGROUND**

BMI Fitness filed an application on September 28, 2018 to legalize an existing gym within an

approximately 5,000 square foot industrial building. BMI Fitness has been operating at the subject location since at least March 2015 when the property owner was cited for unpermitted tenant improvements related to the building's conversion to a gym use. The gym operates as a "by appointment only" facility and has an average class size of four people. There are typically four clients and four trainers utilizing the space at any given time.

A gymnasium is not permitted by right in the Light Industrial (ML) zoning district. Pursuant to Section 18.48.040(e) of the Santa Clara City Code, uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the ML zone, provided that the proposed use and structure would not be objectionable or detrimental to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs. The Planning Commission has granted CUPs for gyms in the City's industrial zones in the past.

The project site is located on the north side of Coleman Avenue. There are two one-story industrial buildings on-site with a total of 46 striped surface parking spaces. The site is north of the Coleman Avenue/De La Cruz Boulevard interchange and is surrounded by industrial warehouse and office uses. The site is zoned Light Industrial (ML) and the General Plan land use designation is Santa Clara Station Area Plan.]

## **DISCUSSION**

The project proposes to legalize the conversion of the existing approximately 5,000 square foot industrial building to a gym. The gym operates from 6:30 a.m. to 8:00 p.m. daily. The gym is primarily used for personal training by appointment only, but there are also group fitness classes offered throughout the week. The interior was remodeled to allow space for fitness instruction, restrooms, and showers. Approval of the building permit for the completed work is pending the outcome of the subject Use Permit.

The primary issues for the project are consistency with the City's General Plan and Zoning Code and parking requirements.

### *General Plan Conformance*

The subject property has a General Plan designation of Station Area Plan as it is within the Santa Clara Station Focus Area. This classification is intended to aid the redevelopment of the area surrounding Santa Clara Station and would allow for the development of up to approximately 1,650 residential units and two million square feet of non-residential building space within the Station Plan area boundaries.

The proposed project is consistent with the following Santa Clara Station Focus Area Policy:

- 5.4.3 P6 Provide pedestrian oriented retail uses to serve new residential development, Station visitors and area employees. The proposal provides a needed residential amenity in what is envisioned to be a predominantly residential area.

### *Zoning Conformance*

A gymnasium is not permitted by right in the Light Industrial (ML) zoning district. Pursuant to Section 18.48.040(e) of the Santa Clara City Code, uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the ML zone, provided that the proposed use and structure would not be objectionable or detrimental

to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs.

### Parking

Section 18.74.020 of the Santa Clara City Code does not specify parking requirements for gyms. Based on the most similar listed use and parking demand, the Zoning Administrator determined that parking shall be provided on the same basis as required for recreational enterprises, which is one parking space per 200 square feet. Based on 4,155 square feet of instruction and staff office areas, a total of 21 parking spaces are required. However, as there is another occupied building on site, the landlord has allotted 16 parking spaces to the subject gym. Therefore, the applicant is requesting a Zoning Administrator Minor Modification to allow a 25% reduction to the required parking.

To support this request, the applicant provided a parking study prepared by Hexagon Transportation Consultants, Inc. (Attachment 1). Hexagon counted the parked cars on a typical weekday between 10:00 a.m. and 3:00 p.m. This was considered the peak period because the other uses on site are light industrial with no evening activities. Assuming maximum use of the gym, the report concludes that a total of eight parking spaces are needed to meet the demands of the use. Based on this conclusion, staff supports the Zoning Administrator Minor Modification request for reduced parking.

### *Conclusion:*

The proposal contributes to the variety of private service uses available in the industrial area of the city and is designed to be compatible with the industrial offices, with sufficient parking to support the proposed use. A non-industrial use, such as a gym, may only be conditionally permitted when the use is appropriate for an industrial area and would not be objectionable or detrimental to the industrial area or adjacent properties. Based on the operational description of the proposed use provided by the applicant, the use would be compatible with the adjacent land uses.]

### **ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15301 of the CEQA Guidelines (Class 1 - Existing Facilities), in that the use is confined within an existing on-site facility. The proposed activity consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures involving negligible or no expansion of use beyond that existing at the time of the City's determination.

### **FISCAL IMPACT**

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

On February 15, 2018, a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 500 feet of the project site. Planning Staff has not received public comments for this application.

### **RECOMMENDATION**

Adopt a Resolution to Approve a Use Permit to allow a gym located at 1678 Coleman Avenue, subject to conditions of approval.

Prepared by: Rebecca Bustos, Associate Planner  
Reviewed by: Alexander Abbe, Assistant City Attorney  
Approved by: Reena Brilliot, Planning Manager

**ATTACHMENTS**

1. Parking Study
2. Project Data
3. Development Plans
4. Resolution Approving a Use Permit
5. Conditions of Approval