

# Conditional Use Permit Application

- CU 5-19: CrossFit Gym
- 1445 NE Miller Street
- Applicant: Melissa Alonzo

PLANNING COMMISSION 10.17.2019



# PROCEDURE & ACTION

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- Quasi-judicial hearing & procedure
- Final decision by Planning Commission unless appealed to City Council

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# PROPOSAL

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- Conditional Use Permit for a CrossFit Gym on property in an M-2 PD zone
- 4,000 sf of 10,000 sf building  
(1 of 4 -10,000 sf buildings on site)
- “A privately owned and operated facility planned, located, and laid out or modified and oriented for functional use for leisure time activities. The specific use and plan shall be enumerated at the time of application.”

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# CRITERIA & STANDARDS

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## Criteria:

- **Zoning Ordinance:**
  - Section 17.74.030. Authorization to Grant or Deny Conditional Use
  - Section 17.74.040. Placing Conditions on a Conditional Use Permit
  - Section 17.74.050. Compliance with Zone Standards - Exception
- **Comprehensive Plan:**
  - Goals and Policies in Volume II

## Standards:

- **Zoning Ordinance:**
  - Zoning: M-2 (General Industrial) Zone Standards
  - Overlays: Airport Overlay, Conical Zone Restrictions
- **PD Ordinance 4550:** Section 2. Conditions
- **PD Ordinance 4135:** Sections 4. Policies, Section 5. Conditions

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# CRITERIA

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In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

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# CRITERIA

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- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;

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# CRITERIA

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- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes

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# CONDITIONS

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In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole. These conditions may include, but need not be limited to, the following:

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# LOCATION

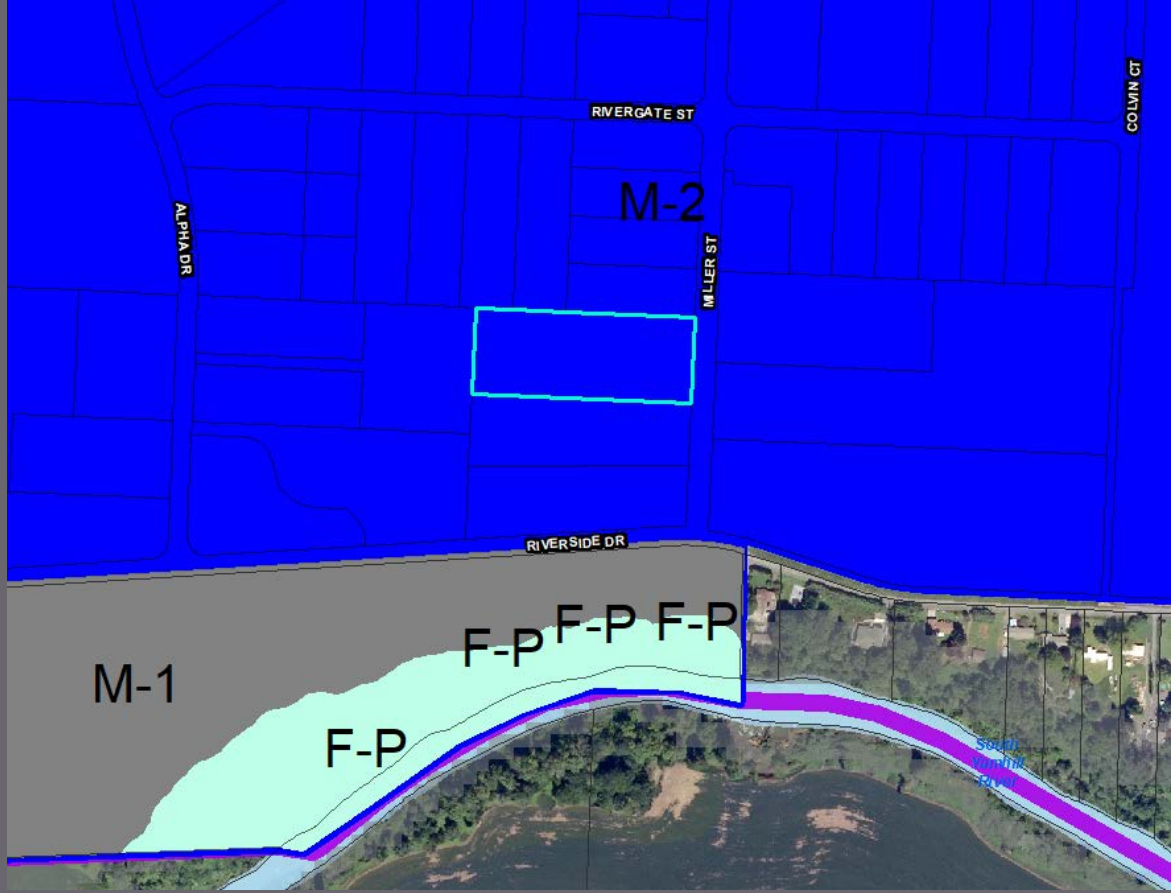


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# ZONING

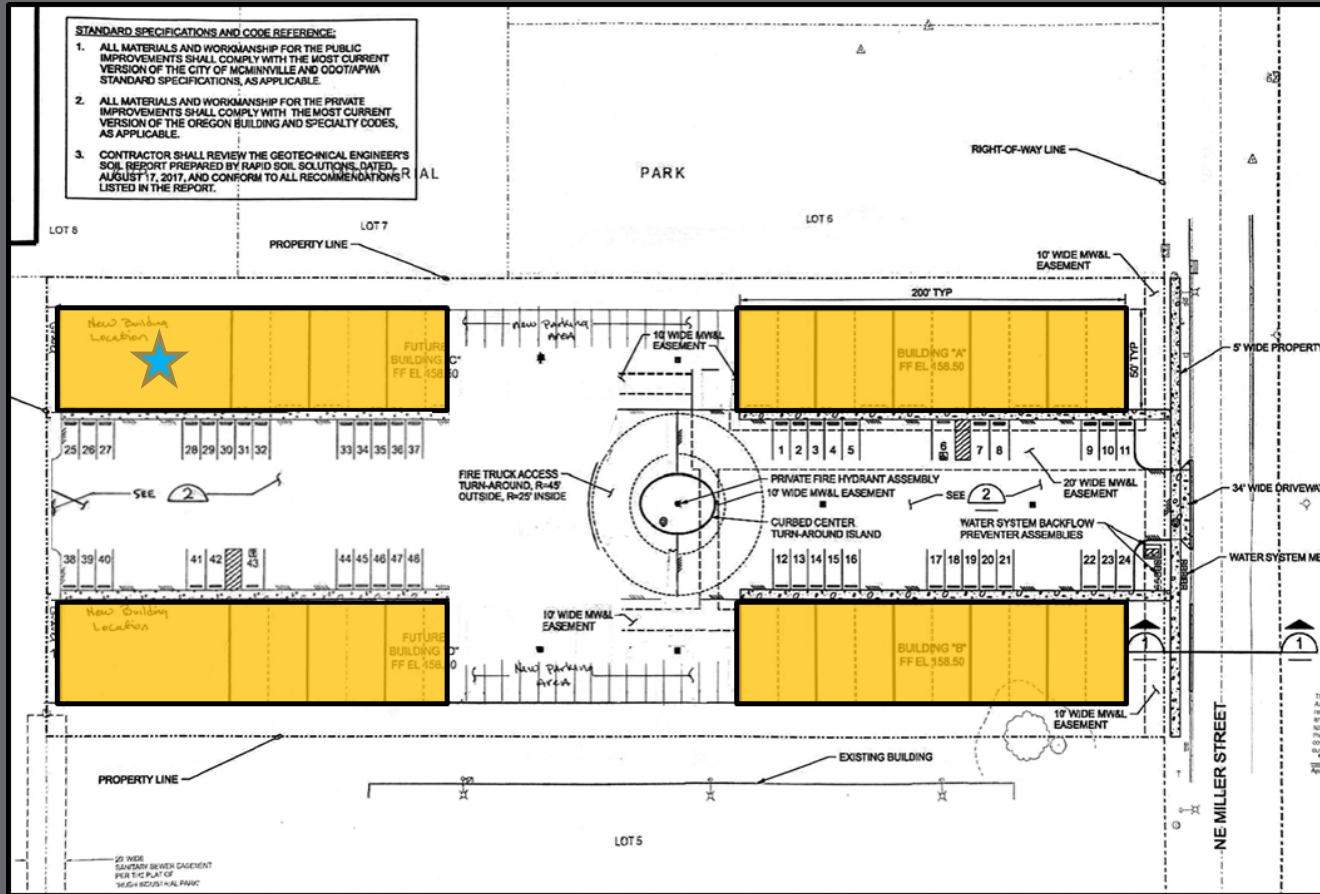
-  R-1
-  R-2
-  R-3
-  R-4
-  O-R
-  C-1
-  C-2
-  C-3
-  M-L
-  M-1
-  M-2
-  A-H
-  F-P



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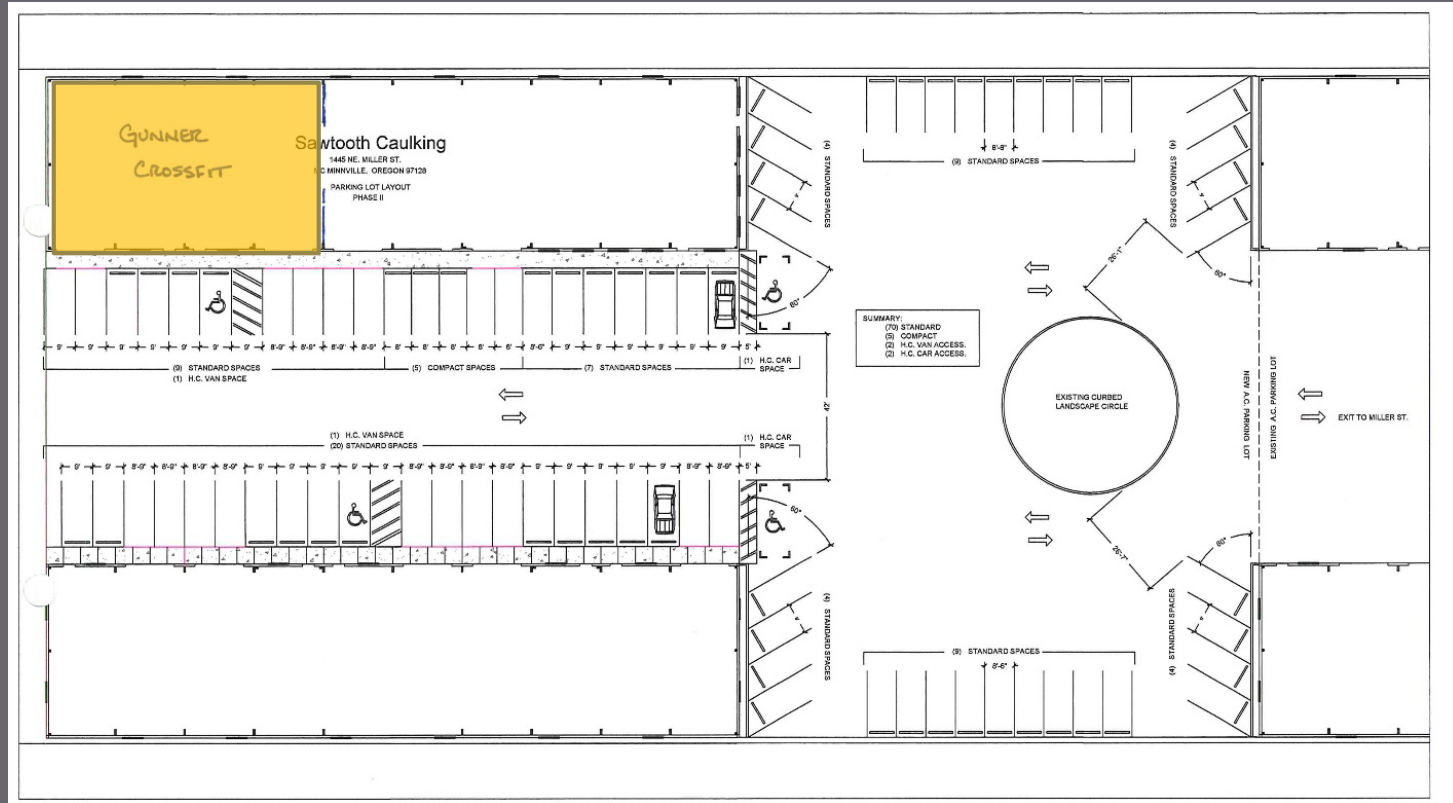
# SITE PLAN



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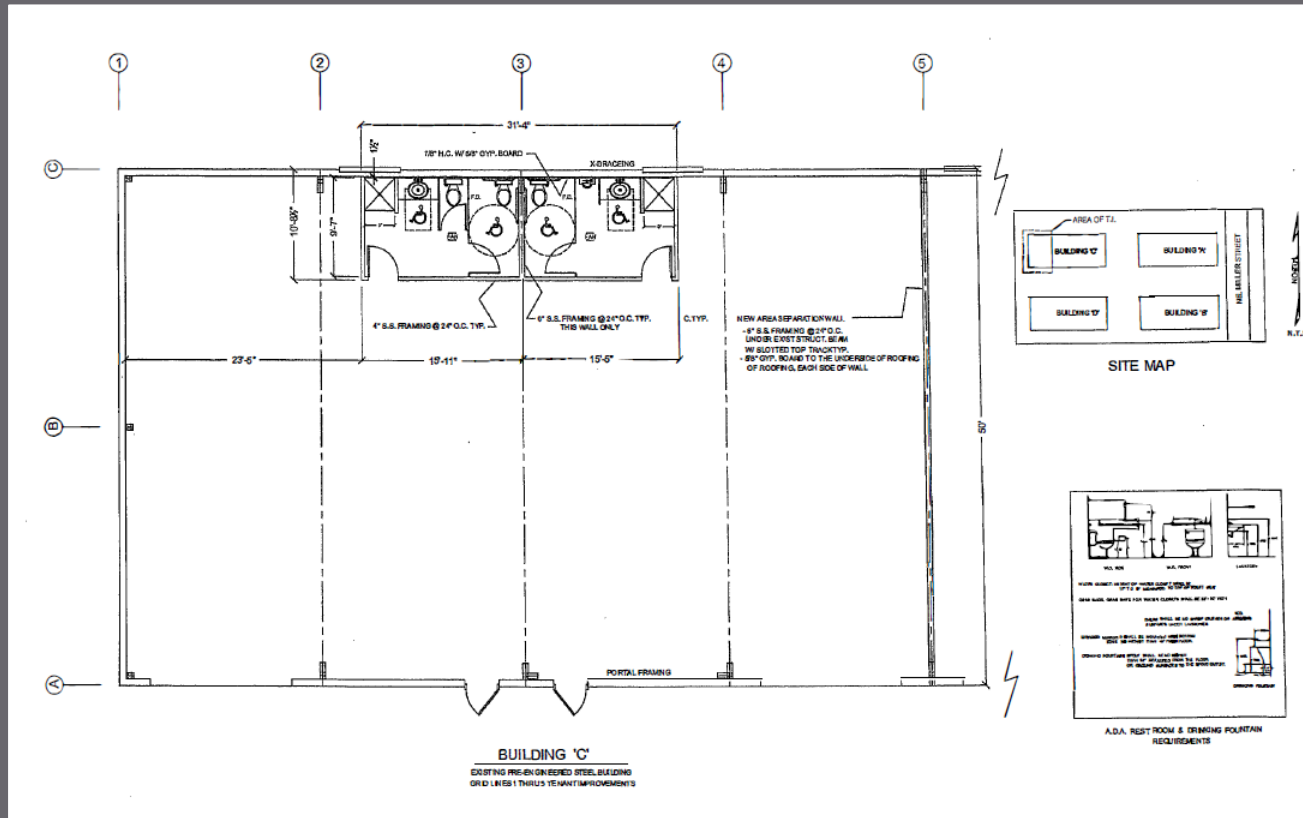
# SITE PLAN



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# SITE PLAN



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# PHOTOS (Phase 1)



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# PHOTOS (Phase 2)



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# COMMENTS

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## Agency Comments

- Response from Engineering and MWL: No comments

## Public Comments

- None received

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# SUMMARY

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## Physical Improvements:

- Use will occupy portion of approved building
- No changes to approved site improvements for approved bldg.

## Use & Operational Characteristics:

- No significant impacts or conflicts

## Conditions:

- Standard condition about starting, continuation, termination
- No expansion without prior approval
- Adequacy of parking (for overall site & tenants)
- Standard provisions for signage

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# RECOMMENDATION

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- Staff found each of the applicable criteria satisfied or satisfied with conditions
- Staff recommends approval with conditions, subject to the conditions in Section II of the Decision Document

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# RECOMMENDED CONDITIONS

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1. This conditional use permit approval shall be terminated if the proposed use does not commence within one year of the effective date of this approval, if the use once commenced lapses for any single period of time that exceeds one year in duration, if there is a failure to comply with conditions of approval, or for any other reason specified in Section 17.74.060 of the Zoning Ordinance. The determination for termination shall be made in accordance with the procedures in Section 17.74.060 of the Zoning Ordinance.

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# RECOMMENDED CONDITIONS, (cont).

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2. The use shall not occupy more than the 4,000 square foot portion of Building C without prior approval.
3. The use shall require a minimum of 11 parking spaces, based on 3,346 net square feet of area within the 4,000 square foot portion of the building space. The total parking demand for the entire site and tenants shall not exceed the available parking. When calculating total parking requirements, the calculation for this space and use shall be the 11 parking spaces described above.
4. Any signs for the property and the proposed use shall comply with Chapter 17.62 of the Zoning Ordinance.

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# CONCLUDES STAFF PRESENTATION

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- Staff recommends Approval with Conditions in Section II of Decision Document
- Questions for Staff?
- Public Testimony

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