

CONDITIONAL USE PERMIT FINDINGS

**5400 Cherry Avenue
Application No. 1905-17 (CUP19-015)
February 6, 2020**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The subject site carries a General Plan Place Type of Neighborhood Serving Center or Corridor Moderate Density (NSC-M). The designation of NSC-M intends for a variety of commercial use, moderate residential density, and mix-use opportunities. A fitness use is a healthy commercial service use consistent with the NSC-M place type. The approval of the project will allow for the repurposing of a building which has been vacant since 2017. The use is consistent with the General Plan Land Use Goal #3-Accommodate Strategic Growth and Change in “promoting regional serving uses” and Goal #4-Support Neighborhood Preservation and Enhancement in “accommodating neighborhood-serving goods and services within walking distances of residences and transition areas at key intersections.”

The subject site’s zoning designation is Light Industrial (IL) which allows for fitness uses through approval of a Conditional Use Permit. In addition to the Conditional Use Permit requirement, fitness uses are subject to Special Development Standards pursuant to Section 21.52.233 to demonstrate adequate parking and to not exceed 5,000-square-feet if located in any of the City’s neighborhood commercial zones further elaborated on in Finding #3 below.

The improvements will consist of interior remodeling, exterior demolition of a drive-through canopy on the east elevation of the building, additional façade improvements to the north and east elevations, repainting of the building, and additional parking lot improvements including restriping a portion of lot to create 14 additional parking stalls and one loading stall for a total of 15 new stalls (70 stalls for the entire site). This Finding is therefore made in the affirmative.

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2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY, GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

The use will diversify the existing commercial land uses along the Cherry Avenue and Market Street corridor as well as provide healthy fitness services to the nearby residential neighborhoods further west of Cherry Avenue. The project is not intended to be detrimental to the quality of life of the surrounding neighborhood. This Finding is therefore made in the affirmative.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.

Fitness and health club uses specified in Chapter 21.52 identify two special conditions to be evaluated as follows:

- a) The use shall demonstrate adequate parking for peak demand.
- b) The facility shall be limited to five thousand (5,000) square feet of gross usable floor area in neighborhood commercial zones (CNP, CNA and CNR).

In conjunction, with Section 21.52.233, the minimum amount of required parking and loading spaces are satisfied and is intended to meet the peak demands anticipated for the use. The site is not located in a neighborhood commercial zone and the 5,000-square-foot size limitation for this facility is not applicable. This Finding is therefore made in the affirmative.

Additionally, certain industrial and manufacturing uses located in Chapter 21.33.090 are subject to additional performance standards. The fitness use is a commercial use neither an industrial or manufacturing use and is therefore not subject to meeting these performance standards. Therefore, the requirements identified in Chapter 21.33.090 are not applicable to the project.

4. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

This project does not meet the thresholds stipulated in section 21.45.400 to be subject to the Green Building Standards. Therefore, this finding is not applicable.