

September 8, 2011  
BENICIA PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
AGENDA

Thursday, September 8, 2011

7:00 P.M.

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

C. Reference to Fundamental Rights of Public A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. ADOPTION OF AGENDA

III. OPPORTUNITY FOR PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN

B. PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

\*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

A. Approval of [Minutes of July 14, 2011](#)

V. REGULAR AGENDA ITEMS

A. [Use Permit to operate a 2,600 square foot Personal Training Studio at 4856 East Second Street](#)

PROPOSAL:

The applicant requests approval of a use permit to operate a 2,600 sq. ft. personal training studio, dba CrossFit707, located within an existing building at 4856 East Second Street. The studio will offer classes from 5 a.m. to 7 p.m. Monday through Wednesday, 5 a.m. to 8 p.m. on Thursdays, 5 a.m. to 10:30 a.m. on Fridays, 8:30 a.m. to 10:30 a.m. on Saturdays, and will be closed on Sundays. Class sizes are limited to 15 persons per class.

**Recommendation:**

**Approve Use Permit 11PLN-00035 to allow the operation of a 2,600 square foot personal training studio located at 4856 East Second Street, based on the findings and subject to the conditions of approval set forth in the proposed resolution.**

**VI. COMMUNICATIONS FROM STAFF**

**VII. COMMUNICATIONS FROM COMMISSIONERS**

**VIII. ADJOURNMENT**

**Public Participation**

**The Benicia Planning Commission welcomes public participation.**

**Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on agenda and non-agenda matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.**

**Should you have material you wish to enter into the record, please submit it to the Commission Secretary.**

**Disabled Access**

**In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the ADA Coordinator, at (707) 746-4211.**

**Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

**Meeting Procedures**

**All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.**

**The Planning Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.**

**Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.**

**Appeals of Planning Commission decisions that are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Public Works & Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.**

**Public Records**

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Public Works & Community Development Department during regular working hours. The Public Works & Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). Technical staff is available from 8:30 - 9:30 a.m. and 1:00 - 2:00 p.m. only. If you have questions/comments outside of those hours, please call 746-4280 to make an appointment. To the extent feasible, the packet is also available on the City's web page at [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us) under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Public Works & Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Kathy Trinque, Administrative Secretary, as soon as possible so that it may be distributed to the Planning Commission.

 [July 14, 2011 Draft Minutes](#)

 [staff\\_report\\_personal\\_training\\_studio.pdf](#)



**DRAFT**

**BENICIA PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
MEETING MINUTES**

**Thursday, July 14, 2011  
7:00 p.m.**

**I. OPENING OF MEETING**

**A. Pledge of Allegiance**

**B. Roll Call of Commissioners**

**Present:** Commissioners Don Dean, Rick Ernst, Belinda Smith, Lee Syracuse and Vice-Chair Rod Sherry.

**Absent:** Commissioner George Oakes (unexcused), Chair Brad Thomas (excused)

**Staff Present:** Kat Wellman, Contract Attorney  
Charlie Knox, Public Works & Community Development Director  
Doug Vu, Associate Planner  
Kathy Trinique, Administrative Secretary

**C. Reference to Fundamental Rights of Public -** A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

**II. ADOPTION OF AGENDA**

On motion of Commissioner Ernst, seconded by Commissioner Syracuse, the agenda was adopted by the following vote:

Ayes: Commissioners Dean, Ernst, Smith, Syracuse and Vice-Chair Sherry

Noes: None

Absent: Commissioner Oakes and Chair Thomas

Abstain: None

**III. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**

None.

**B. PUBLIC COMMENT**

None.

**IV. CONSENT CALENDAR**

**A. Approval of Minutes of June 9, 2011**

Kathy Trinique, Administrative Secretary, requested that the Planning Commission consider amending the minutes as requested by speaker, Leann Taagepera, at the June 9 meeting, to correct a name spelling (Taagepera) and to revise a sentence concerning the public access easement under public comment, Item No. VI A. The requested changes were read to the Commission, as requested by Commissioner Smith.

Commissioner Dean asked the Commission to amend the minutes to include a recommendation from Chair Thomas concerning Item No. VI A to state that the City Council consider vacating the entire remaining portion of the public easements.

On motion of Commissioner Syracuse, seconded by Commissioner Dean, the Consent Calendar was adopted, with minutes amended, by the following vote:

Ayes: Commissioners Dean, Ernst, Smith, Syracuse and Vice-Chair Sherry.  
Noes: None  
Absent: Commissioner Oakes and Chair Thomas  
Abstain: None.

**VI. REGULAR AGENDA ITEMS**

**A. METAL OBJECT IN WINDOW AT 724 FIRST STREET – TO BE CONTINUED**

**PROPOSAL:**

At its May 12, 2011 meeting, the Planning Commission directed staff to return within two months for discussion of a sign permit and/or variance for the metal object in the window of the Rellik Tavern. Staff is continuing to review the application of the Municipal Code to this item.

**Recommendation:**

Staff recommended that this item be continued to a date determined by staff in conjunction with the business owner.

Vice-Chair Sherry recused himself due to a conflict of interest. Commissioner Ernst volunteered to assume the role of Acting Chair for this item.

Charlie Knox, Public Works and Community Development Director, provided a verbal report, stating that staff is still considering the appropriate Municipal Code for this item. Staff received one e-mail comment from Mr. Jack Maccoun in support of the existing window sign.

Acting Chair Ernst stated that the City's sign ordinance is lacking and needs to be updated. It is enforced on a complaint basis and that is not effective. The sign ordinance should provide better definitions that businesses can easily follow.

Opened for public comments. None were received.

No action was taken.

**B. USE PERMIT TO OPERATE A TATTOO BODY ART STUDIO AS AN ANCILLARY USE TO AN ART GALLERY**

**PROPOSAL:**

The applicant requested approval of a use permit to operate a tattoo body art studio as an ancillary use to a new art gallery located at 814 First Street. The art gallery will have regular business hours from 11 a.m. to 7 p.m. everyday of the week, and the business owner will be available to provide body art during these hours by appointment only.

**Recommendation:**

Staff recommended approval of Use Permit 11PLN-00025 to allow the operation of a tattoo body art studio as an ancillary use to an art gallery located at 814 First Street, based on the findings and subject to the conditions of approval set forth in the proposed resolution.

Doug Vu, Associate Planner, provided the Commission with an overview of the project. Tattoo businesses are permitted within the Town Core if it is an ancillary use. This business has 220 square feet of art gallery, 60 square feet of office, 120 square feet for tattoo body art, with two work stations. The business utilizes sanitary practices and will (voluntarily) post a sign that no one under 18 years of age is permitted in the tattoo area and verify that all customers are at least 18 years of age. The tattoo artist has registered with the Solano County Department of environmental Health and will observe safe and sanitary practices.

Commissioner Dean asked concerning Condition of Approval #1, who approves extension of the Use Permit, if the business has not been established within two years.

Charlie Knox, Director, responded that if the extension is requested before the two year expiration date, it could be approved at the Director's level. If requested after that time, it would have to come back to the Planning Commission.

Commission Smith asked about adding another condition of approval to require the applicant to comply with State regulations. She also asked if he applied for his sign permit and if he intends to do so.

Doug Vu responded that under Condition of Approval #7 we can add “State of California” to require compliance with State law. We have not yet received a sign permit application.

Landon Mau, applicant, responded that he will be submitting his sign application soon.

Acting Chair Ernst noted that we have another business in the downtown area with an ancillary tattoo business to the primary hair design business. When the City approved that application, the ancillary use was required to be less than 50% of the rental space. He asked if this other business was required to have a sign that no one under 18 years of age is permitted in the tattoo area.

Doug Vu responded that this is a voluntary requirement and is not sure if the same was required of the other business.

Kat Wellman, Contract Attorney, advised the Commission to approve or deny this application on its own merits.

Commissioner Smith noted that the ordinance or reference document numbers are not included in staff reports. She asked staff to include them in future staff reports for easy reference.

Doug Vu responded that we will add those reference numbers in future reports.

Public Comment:

Landon Mau, of Creations and Illustrations, applicant spoke on behalf of his project. He stated that he wants to relocate his business from Military East/Grant Street to First Street. He plans to become more involved in the arts community. He plans to display art in his studio. He has a sign permit application will be applying for a sign permit. The sign is being designed.

Commissioner Dean asked Mr. Mau what type of art will be displayed.

Mr. Mau responded that he plans to display his art, mural, logos, and once a month, have an open gallery displaying local artists work.

Public Comment closed.

Commissioner Syracuse asked about health concerns 10 years ago for Hepatitis C disease associated with tattoo application. How does the City deal with this problem.

Mr. Knox responded that State laws on health and sanitation for tattoo application are now more stringent.

Ms. Wellman added that this concern is addressed under the Condition of Approval No. 3, which requires the applicant to adhere to all health and safety requirements.

Commissioner Smith asked if the City limits the number of this type of business on First Street, since we currently have another tattoo business just off of First Street.

Mr. Knox responded that the only restriction in effect applies to formula based eating and drinking businesses.

On motion made by Commissioner Syracuse and seconded by Commissioner Dean, approving Use Permit 11PLN-00025 to allow the operation of a tattoo body art studio as an ancillary use to an art gallery located at 814 First Street, based on the findings and subject to the conditions of approval set forth in the proposed resolution, adopted by the following vote:

Ayes: Commissioners Dean, Smith, Syracuse and Acting Chair Ernst  
Noes: None  
Absent: Commissioner Oakes and Chair Thomas  
Abstain: Vice-Chair Sherry

## **VII. COMMUNICATION FROM STAFF**

Vice-Chair Sherry left the meeting due to personal reasons. Commissioner Ernst volunteered to chair the rest of the meeting.

Mr. Knox informed the Commission that staff doesn't have any items scheduled for the next two meetings. Staff may query the Commissioners for discussion topics.

Acting Chair Ernst asked how the work was coming along with the Sign Ordinance revision.

Mr. Knox agreed that the Sign Ordinance does need revision. Staff is waiting for more direction from City Council and, in the meantime, we are doing the best we can using the current ordinance. One of the City's priorities includes strategies for business attraction and retention.

The Commission and staff discussed A-frame signs, where they are allowed and enforcement policies.

Ms. Wellman closed the discussion by stating that all cities that she is familiar with need to update their sign ordinances. It is a difficult project to deal with all the issues surrounding signs. It is a major project and requires major resources, time, energy and follow-through. It will not happen by the next meeting. She suggested a good place to start is with commercial signs.

## **VIII. COMMUNICATION FROM COMMISSIONERS**

Commissioner Smith asked if the Harborwalk development on First Street has a sign program. She also asked if the City allows the use of neon and temporary banners.

Mr. Knox responded that temporary banners are allowed for special events, not to advertise a product or businesses. The Municipal Code allows a banner to remain in place up to 75 days. Enforcement is primarily complaint driven.

Neon is allowed as an illuminated sign but it may not move or flash. There is a limit to the percentage of the window that may be neon.

The Harborwalk development does have a more restrictive sign program. Staff can review the details of their program and report back to the Commission.

## **IX. ADJOURNMENT**

Meeting was adjourned at 7:45 pm.

**AGENDA ITEM  
PLANNING COMMISSION MEETING: SEPTEMBER 8, 2011  
REGULAR AGENDA ITEMS**

**DATE** : August 25, 2011

**TO** : Planning Commission

**FROM** : Lisa Porras, Senior Planner

**SUBJECT** : **USE PERMIT TO OPERATE A 2,600 SQUARE FOOT PERSONAL TRAINING STUDIO**

**RECOMMENDATION:**

Approve Use Permit 11PLN-00035 to allow the operation of a 2,600 square foot personal training studio located at 4856 East Second Street, based on the findings and subject to the conditions of approval set forth in the proposed resolution.

**EXECUTIVE SUMMARY:**

The applicant requests approval of a use permit to operate a 2,600 sq. ft. personal training studio, dba CrossFit707, located within an existing building at 4856 East Second Street. The studio will offer classes from 5 a.m. to 7 p.m. Monday through Wednesday, 5 a.m. to 8 p.m. on Thursdays, 5 a.m. to 10:30 a.m. on Fridays, 8:30 a.m. to 10:30 a.m. on Saturdays, and will be closed on Sundays. Class sizes are limited to 15 persons per class.

**BUDGET INFORMATION:**

No budget impact has been identified.

**ENVIRONMENTAL ANALYSIS:**

The proposed project is Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15301(a) Existing Facilities, which includes interior or exterior alterations.

**BACKGROUND:**

The subject property is located within an existing building on the east side of East Second Street, between Reservoir Road and Stone Road. The General Plan designation for the property is Industrial General and the Zoning classification is General Industrial (IG). Adjacent to the site are also land uses designated General Industrial (IG) and include private storage to the North, New Harbor Church to the South and East, and a parking lot to the West. The General Industrial Zone allows Commercial Recreation and Entertainment (including health and fitness studios) if sized at 1,000 sq. ft. or less. If gyms are larger than 1,000 sq. ft. in this zone, a Use Permit is required.

**SUMMARY:**

Project Location: 4856 East Second Street

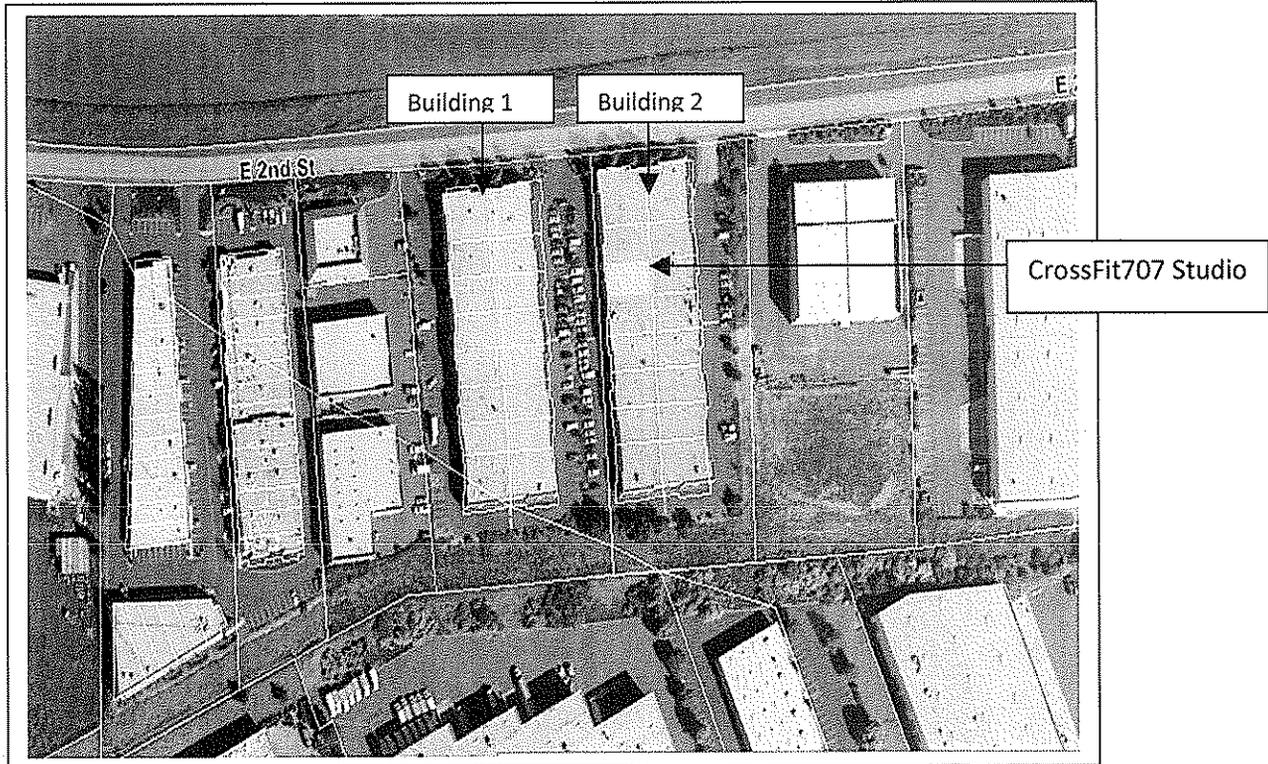


Figure A: Project Location

Project Description

The applicant and business owners, Spencer and Kara Purves, currently own and operate CrossFit707, a studio specializing in high-intensity health and fitness programs. Classes are offered in groups of 15 students maximum and are 60 minutes long. CrossFit707 offers a unique approach to fitness, using a “Workout of the Day”, online discussions, and nutrition education. Currently, the studio has 28 members and with a goal of reaching 50 by the end of 2011. Six classes are held each day, Monday through Wednesday, seven classes on Thursdays, four classes on Fridays, two classes on Saturdays, and closed on Sundays (see attached schedule).

The location for CrossFit707 would be within an existing building (noted as Building 2 in Figure A above), which is one of two buildings situated together. A total of 143 parking spaces are shared amongst the tenants of the two buildings. On the west side of the building where the fitness studio is proposed, a total of 36 spaces are currently provided. The lease for CrossFit707 includes two reserved parking spaces, with the remaining parking spaces free if not otherwise marked as reserved. The City of Benicia’s Zoning Ordinance does not set forth parking standards for gyms and fitness clubs, instead the Ordinance gives the authority to the Planning Commission to determine the appropriate amount of parking required for gyms through the Use Permit process (BMC 17.74.030, Commercial Recreation and Entertainment).

To determine current occupancy and vacancy rates, staff directed the applicant to conduct a three-week parking survey to collect data on the number of parking spaces occupied and vacant (see attachment). This survey sample was collected from the lot adjacent to the proposed gym, with a total of 36 parking spaces to assess during the morning hours. The survey results show that on average, 83% of parking spaces were vacant. Data was collected on Tuesday, Thursday, and Saturday mornings. Because the gym would be closed on Sundays, no data was collected for that day. Based on this survey, and based on the applicant's proposal to limit class size to 15 persons per class, staff finds the current amount of parking sufficient to serve a small-scale fitness studio similar to the one being proposed.

Pursuant to Benicia Municipal Code Section 17.104.060, in order to approve the use permit, the Planning Commission must make the following findings:

- 1) *The proposed location of the use is in accord with the objectives of Title 17 and the purposes of the district in which the site is located.* This finding can be made. The General Industrial zone allows health and fitness studios subject to Use Permit approval. This personal training studio provides a service commercial use to the community, provides an employment opportunity close to home for its business owners, its appearance and affect on existing uses are compatible in its proposed location, and has adequate parking based on a three week parking study with results showing an 83% average vacancy rate.
- 2) *The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the general plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city.* This finding can be made. The proposed personal fitness studio is consistent with General Plan Policy 4.1.2, which promotes a wide range of health-related services. In addition, the General Plan defines Benicia's healthy community as one that not only focuses on clean environment, but also on fitness and nutrition. General Plan Policy 2.7.1, which encourages the city to attract high-wage and high-revenue producing companies to Benicia, also applies to fitness occupations. The approximately 2,600 square feet of floor area that will be used as the fitness studio, with class sizes limited to 15 students maximum, and with class times occurring in the early morning and evening hours, would not generate incompatibility with adjacent pre-existing uses. It would also provide a fitness opportunity for nearby employees within the Industrial Park. Because the fitness studio would be closed on Sundays, its operations would not conflict with Sunday services occurring next door at New Harbor Church.
- 3) *The proposed conditional use will comply with the provisions of this Title 17, including any specific condition required for the proposed conditional use in the district in which it would be located.* This finding can be made. The personal fitness studio is compatible with surrounding commercial businesses and provides a community need that complies with all applicable conditions required for this use classification in the General Industrial (IG) zoning district.

### Conclusion

The proposed Use Permit 11PLN-00035 to establish a 2,600 sq. ft. personal training studio is compatible with the General Plan and consistent with the intent and purposes of the City's zoning ordinance. Staff recommends the Planning Commission approve the use permit based on the findings and subject to the conditions of approval set forth in the proposed resolution.

### **FURTHER ACTION:**

The Planning Commission's action will be final unless appealed to the City Council within ten calendar days.

### Attachments:

- Draft Resolution
- Applicant's Statement, Class Schedule, and Floor Plan
- Three Week Parking Survey

# **DRAFT RESOLUTION**

**RESOLUTION NO. 11- (PC)**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF BENICIA APPROVING USE PERMIT (11PLN-00025) TO ALLOW A  
2,600 SQUARE FOOT TRAINING STUDIO, CROSSFIT707,  
TO OPERATE AT 4856 EAST SECOND STREET**

**WHEREAS**, the applicant, Spencer and Kara Purves, have submitted an application for a use permit to operate a 2,600 sq. ft. personal training studio located at 4856 East Second Street; and

**WHEREAS**, the Planning Commission at their regular meeting on September 8, 2011 conducted a public hearing and reviewed this proposed project; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Benicia hereby approves Use Permit 11PLN-00035 based on the following findings:

1. That the proposed project is exempt under the California Environmental Quality Act pursuant to CEQA Guidelines, Section 15301(a) Existing Facilities, because the subject property may undergo tenant improvements that will only include interior alterations without undergoing environmental review.
2. The proposed location of the use is in accord with the objectives of Title 17 and the purposes of the district in which the site is located. The General Industrial (IG) zone district allows Commercial Recreation and Entertainment, including health and fitness studios larger than 1,000 sq. ft., upon approval of a use permit. The approximately 2,600 square feet of floor area that will be used as the personal fitness studio. This personal training studio provides a service commercial use to the community, provides an employment opportunity close to home for its business owners, its appearance and affect on existing uses are comptabile in its proposed location. In addition, and based on a three-week parking survey, the proposed use has adequate parking with an 83% average vacancy rate.
3. The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the general plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city. This finding can be made. The proposed personal fitness studio is consistent with General Plan Policy 4.1.2, which promotes a wide range of health-related services. In addition, the General Plan defines Benicia's healthy community as one that not only focuses on clean environment, but also on fitness and nutrition. General Plan Policy 2.7.1, which encourages the city to attract high-wage and high-revenue producing companies to Benicia, also applies to fitness occupations. The approximately 2,600 square feet of floor area that will be used as the fitness studio, with class sizes limited to 15 students maximum, and with class times occuring in the early morning and evening hours, would not generate incompatibility with adjacent pre-existing uses. It would also

provide a fitness opportunity for nearby employees within the Industrial Park. Because the fitness studio would be closed on Sundays, its operations would not conflict with Sunday services occurring next door at New Harbor Church.

4. The proposed conditional use will comply with the provisions of this title, including any specific condition required for the proposed conditional use in the district in which it would be located. The personal fitness studio is compatible with surrounding commercial businesses and provides a community need that complies with all applicable conditions required for this use classification in the General Industrial (IG) zoning district.

**BE IT FURTHER RESOLVED** that the Planning Commission's approval of the 2,600 square foot training studio, CrossFit707, at 4856 East Second Street (Use Permit 11PLN-00035) is subject to the following conditions:

1. This approval shall expire two years from the date of approval, unless the business has been established in accordance with these conditions of approval or unless an extension is approved. Any modification to this permit shall require review and approval by the Planning Commission.
2. The location of personal fitness studio, shall be in substantial compliance with the floor plan submitted by the applicant, date stamped received August 19, 2011 and on file with the Public Works & Community Development Department. Any change from the approved floor plan shall be requested in writing and approved by the Public Works & Community Development Director.
3. The project shall adhere to all applicable ordinances, plans, and specifications of the City of Benicia.
4. The personal training studio shall be permitted to operate from 5 a.m. to 7 p.m. Monday through Wednesday, 5 a.m. to 8 p.m. on Thursdays, 5 a.m. to 10:30 a.m. on Fridays, 8:30 a.m. to 10:30 a.m. on Saturdays, and will be closed on Sundays. Any change from this schedule will require Use Permit approval by the Planning Commission.
5. A total of 36 spaces are provided on the lot adjacent to the space occupied by CrossFit707. Two parking spaces are set aside for CrossFit707, while the other spaces are free to use if not otherwise marked as reserved. In order to ensure an sufficient amount of parking for all tenants, the maximum class size for any single class to be offered by CrossFit707 shall be limited to 15 persons maximum.
6. Violation of these conditions of approval is cause for revocation of the use permit after a public hearing before the duly authorized review body.
7. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding

against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Public Works & Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

\* \* \* \* \*

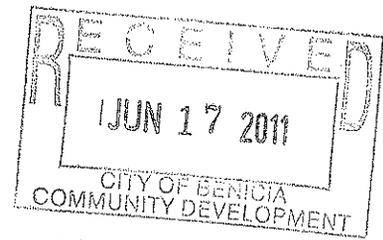
On a motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the above Resolution was adopted by the Planning Commission of the City of Benicia at the regular meeting of said Commission held on the 8 day of September 2011, and adopted by the following vote:

Ayes  
Noes:  
Absent:

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Brad Thomas  
Planning Commission Chair

**APPLICANT'S STATEMENT, CLASS SCHEDULE,  
AND FLOOR PLAN**



## ABOUT US

CrossFit 707 is a team of CrossFit-certified trainers who are dedicated to providing an exceptional health and fitness program that is constantly varied and performed at high intensity. Workouts are never dull or predictable, and are always challenging and engaging. Every workout can be scaled to meet the needs of any individual, from young to old, beginner to elite. We offer group and private classes, but all classes are lead by a CrossFit certified coach to ensure proper technique and functioning, as well as adequate support and encouragement.

The basis of the CrossFit workout methodology is the "workout of the day (WOD)," which is posted each day on our website. The WOD varies from day to day, and taxes one's body differently, allowing one to push it to the limits while recovering from previous workouts. Classes are about 60 minutes long and consist of 4 components: Warm up, Practice, the WOD, and then Stretching. The WOD combines weightlifting (deadlifts, cleans, squats, presses, etc.), gymnastics (pull-ups, ring dips, rope climb, push-ups, sits-ups, handstands, etc.), and monostructural cardio (run, bike, row, swim, jump rope, etc.) in a constantly varied, seemingly random fashion.

CrossFit 707 also has a discussion board online where athletes can post back and forth and discuss different topics together, such as workout results, successes and failures in workouts, struggles with proper nutrition, emotional responses to workouts, and much more.

Another critical component of our program is nutrition education. We encourage our athletes to carefully consider a way of eating that is healthy and beneficial to the physiological demands of CrossFit and life outside of the gym. We offer nutrition lectures and various avenues of support for all of our athletes, including nutrition threads on our discussion board, recipe ideas on our website, and resources to become better educated on nutrition.

## NUMBER OF PEOPLE INVOLVED

Currently, there are two owners (Spencer & Kara Purves), one employee, and 28 members. We are hoping to have about 50 members by the end of this year.

## VEHICLE TRAFFIC

Our building is situated in a large parking lot with autos and trucks. There is a church next to us, and other small businesses. None of us interfere with each others' businesses.

HOURS OF OPERATION

Classes are held Monday through Friday as follows:

5:30am – 6:30am

6:30am – 7:30am

7:30am – 8:30am

9:30am – 10:30am

4:30pm – 5:30pm

5:30pm – 6:30pm

*Superseded.  
by hours listed  
on the CrossFit  
website. 7/27/11*

Saturday classes are 8:00am – 9:00am, and 9:00am – 10:00am

Private and small group sessions are scheduled at various times not during a class time, as well.

OUTDOOR ACTIVITIES

No storage, work, or play areas of any kind. We do use the parking lot for running, } omitted though. NOT allowed.

PURPOSE OF NEW STRUCTURES

None

DESCRIPTION OF PREVIOUS USE OF THE SITE

Capitol Glass Co., and as a storage warehouse.

DESCRIPTION OF ANY LEASE CONTROLS OR MANAGEMENT PROGRAMS

None

ODORS, NOISE, DUST, OR GLARE

None.

HAZARDOUS OR VOLATILE MATERIALS OR CHEMICALS

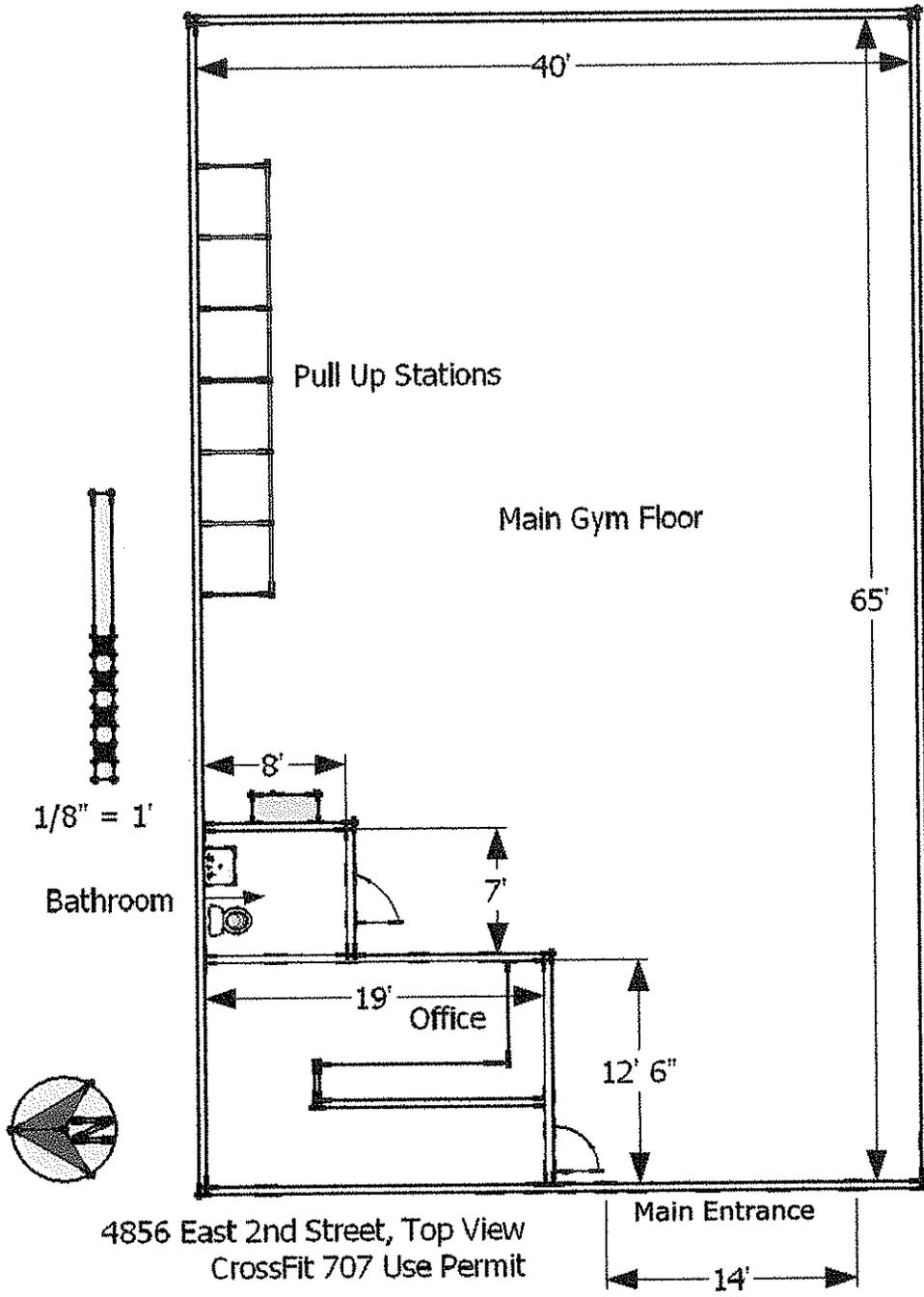
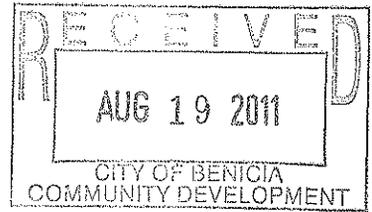
None.

All classes operate out of our location at 4856 East Second Street, Benicia, CA (click on the address to get directions).

All classes are 1 hour long.

We encourage you to arrive 5-10 minutes early to give you time to prepare, and so that class can start promptly on time.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5:00am	5:00am	5:00am	5:00am	5:00am		
6:00am	6:00am	6:00am	6:00am	6:00am		
7:00am	7:00am	7:00am	7:00am	7:00am	8:30am	Closed
9:30am	9:30am	9:30am	9:30am	9:30am	9:30am	
5:00pm	5:00pm	5:00pm	5:00pm			
6:00pm	6:00pm	6:00pm	6:00pm			
			7:00pm WeightLifting (see <i>Barbell Club</i> for details)			



4856 East 2nd Street, Top View  
CrossFit 707 Use Permit

# **THREE WEEK PARKING SURVEY**

**Lisa Porras - CF707 - parking survey**

**From:** Kara Purves <kara.purves@gmail.com>  
**To:** Lisa Porras <Lisa.Porras@ci.benicia.ca.us>  
**Date:** 8/16/2011 12:15:22 PM  
**Subject:** CF707 - parking survey

Three-Week Survey, beginning on **07-25-11** through **08-13-11**  
 {insert date} {insert date}

PARKING COUNTS FROM PARKING AREA "C": 36 SPACES TOTAL	TUESDAY 10:00 AM	THURSDAY 10:00 AM	SATURDAY 10:00 AM
<b>WEEK ONE</b>	07/26	07/28	07/30
Parking Spaces Occupied	Number: <u>  5  </u> Percent %: 14	Number: <u>  8  </u> Percent %: 22	Number: <u>  7  </u> Percent %: 20
Parking Spaces Vacant	Number: <u>  31  </u> Percent %: 86	Number: <u>  28  </u> Percent %: 78	Number: <u>  29  </u> Percent %: 80
<i>Documented with Photo</i>	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:
<b>WEEK TWO</b>	08/02	08/04	08/06
Parking Spaces Occupied	Number: <u>  6  </u> Percent %: 17	Number: <u>  6  </u> Percent %: 17	Number: <u>  4  </u> Percent %: 11
Parking Spaces Vacant	Number: <u>  30  </u> Percent %: 83	Number: <u>  30  </u> Percent %: 83	Number: <u>  32  </u> Percent %: 89
<i>Documented with Photo</i>	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:
<b>WEEK THREE</b>	08/09	08/12	08/13
Parking Spaces Occupied	Number: <u>  4  </u> Percent %: 11	Number: <u>  5  </u> Percent %: 14	Number: <u>  8  </u> Percent %: 22
Parking Spaces Vacant	Number: <u>  32  </u> Percent %: 89	Number: <u>  31  </u> Percent %: 86	Number: <u>  28  </u> Percent %: 78
<i>Documented with Photo</i>	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:	Yes: <u>  X  </u> No:

**Submitted by:** \_\_\_\_\_  
 {sign}

**On:**   08-16-11    
 {insert date}

Kara & Spencer Purves  
 CrossFit 707  
 4856 E 2<sup>nd</sup> Street  
 Benicia, CA 94510











07/30/11 09:48am



07/30/11 09:48am





08/04/11 09:49







