



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

**Thursday, September 8, 2011
7:00 p.m.**

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

Present: Commissioners Don Dean, Rick Ernst, Rod Sherry, and Chair Brad Thomas.

Absent: George Oakes (excused), Belinda Smith, Lee Syracuse

Staff Present: Kat Wellman, Contract Attorney
Mark Rhoades, Interim Land Use and Engineering Manager
Lisa Porras, Senior Planner
Kathy Trinke, 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 Sherry, seconded by Commissioner Ernst, the agenda was adopted by the following vote:

Ayes: Commissioners Dean, Ernst, Sherry and Chair Thomas

Noes: None

Absent: Commissioners Oakes, Smith and Syracuse

Abstain: None

III. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN

None.

B. PUBLIC COMMENT

None.

IV. CONSENT CALENDAR

A. Approval of Minutes of July 14, 2011

On motion of Commissioner Ernst, seconded by Commissioner Sherry, the Consent Calendar was adopted by the following vote:

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

VI. 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.

Lisa Porras, Senior Planner, provided a brief overview of this project. Ms. Porras reviewed the zoning, location, parking, business operating hours, class sizes and summarized that the project is consistent with the General Plan. Based on the applicant's parking survey, adequate parking is available. This project meets the Use Permit findings. Staff recommends approval of this Use Permit.

Commissioner Ernst asked if staff knew the date and time of the picture on page 2 of the staff report that shows the project location. It appears from this photograph that the available parking spaces are 90% full.

Ms. Porras responded that this photograph was taken from Google Earth which does not provide a date and time.

Commissioner Ernst asked if there would be parking conflicts with the neighboring church.

Ms. Porras responded that New Harbor Church is an adjacent tenant. However, Cross Fit would be open Monday through Saturday only, and would not conflict with the church's Sunday service.

Commissioner Ernst asked if parking is only allowed on the east side of the island.

Ms. Porras responded that there are two designated parking spaces for Cross Fit, the rest are available for use by any of the businesses. There is a total of 36 spaces for the 8 tenants occupying that side of the building.

Spencer Purves, applicant and business owner, explained that they chose not to have classes on Sunday to avoid conflicts with the neighboring church. He proposed that the Google Earth photo must have been taken on a Sunday. They have not experienced any issues with parking.

Commissioner Ernst asked about other times during the week when the church has activities, has there been any parking conflicts?

Mr. Purves answered that there has not been a problem during the week.

Opened for public comment. None was received.

Closed public comment.

Commissioner Sherry stated that he was happy to have a new business – a new type of gym -- in town.

Commissioner Ernst agreed with Commissioner Sherry's comment.

Commission Dean stated that the class schedule seem to be a good fit with the other businesses located in the area. He supports this business applicant.

On motion made by Commissioner Sherry and seconded by Commissioner Ernst, the Planning Commission approved 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, by following vote:

Ayes: Commissioners Dean, Ernst, Sherry and Chair Thomas

Noes: None
Absent: Commissioners Oakes, Smith and Syracuse
Abstain: None

VII. COMMUNICATION FROM STAFF

Mark Rhoades, Interim Land Use and Engineering Manager, spoke regarding the parking study approach used by staff for the CrossFit707 business. The intent is for the City to encourage small business. Health clubs do not usually come with parking requirements. Rather than require a formal traffic engineering study, which is very expensive, staff provided the applicant with parking survey form for the applicant's use, which allows the applicant to tell the story.

Chair Thomas commented that this is a good solution to minimize the cost for small businesses.

VIII. COMMUNICATION FROM COMMISSIONERS

Commissioner Ernst asked about the status of the sign ordinance update, as a follow-up to the last Planning Commission meeting in July.

Commissioner Sherry stated that he recalled that the sign ordinance revision is on hold for now until the City's budget issues have been resolved.

Mr. Rhoades affirmed that is correct. A sign ordinance update will require an extensive public process and a serious budget commitment.

Commissioner Ernst stated that he would like to see it updated in small sections.

Commissioner Ernst also asked staff about the General Plan annual review.

Commissioner Sherry stated that he recalled a discussion about having a study session. That staff would pick a section and review it a section at a time.

Chair Thomas stated that this is not a mandate.

Commissioner Ernst asked about his previous request that the Planning Commission make a recommendation to the City Council not to ignore Planning Commission decisions. He would like to see this item on the Planning Commission agenda.

Kat Wellman, Contract Attorney, advised the Commission to be careful about having too much discussion on this item because it was not agendized.

IX. ADJOURNMENT

Meeting was adjourned at 7:28 pm.