Planning Commission
Agenda Item

March 18, 2013

TO: **Chair Steiner and**
Members of the Planning Commission

THRU: **Leslie Aranda Roseberry**
Planning Manager

FROM: **Doris Nguyen**
Associate Planner

SUBJECT

PUBLIC HEARING: Conditional Use Permit 2895-13 – World Martial Arts Center, located at 3505 East Chapman Avenue, Suites B & C

SUMMARY

The applicant proposes to teach Tae Kwon Do martial arts to children and adults in a commercial center. A Conditional Use Permit is required for the school use.

RECOMMENDED ACTION

Adopt Planning Commission Resolution No. 13-13 entitled:

> **A RESOLUTION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT 2895-13 ALLOWING WORLD MARTIAL ARTS CENTER TO HAVE A 2,040 SF MARTIAL ARTS SCHOOL AT 3505 EAST CHAPMAN AVENUE, SUITES B & C**

AUTHORIZATION/GUIDELINES

Orange Municipal Code (OMC) Sections 17.10.030.C and Table 17.14.030 authorizes the Planning Commission to review and take final action on requests to establish a private school.

PUBLIC NOTICE

On March 7, 2013, the City sent a Public Hearing Notice to a total of 95 property owners/tenants within a 300-foot radius of the project site, and persons specifically requesting notice. The project site was also posted in 2 locations with the notification on that same date.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project includes no expansion of the existing building. There is no environmental public review required for a Categorical Exemption.

PROJECT BACKGROUND

Applicant:	World Martial Arts Center
Property Owner:	3501 E Chapman LLC
Property Location:	3505 East Chapman Avenue, Suites B and C
Existing General Plan Land Use Element designation:	General Business (GC)
Existing Zoning Classification:	Limited Business (C-1)
Old Towne:	No
Specific Plan/PC:	No
Site Size:	2,040 SF suite, 191,664 SF parcel
Circulation:	Chapman Avenue is classified as a Major Arterial
Existing conditions:	Commercial/retail complex
Surrounding land uses and Zoning:	North: Residential (R-1-7 zone) East: Residential (R-1-7 zone) South: Commercial (C-1 zone) West: Commercial (C-1 zone)
Previous Applications/Entitlements:	None

PROJECT DESCRIPTION

The applicant, World Martial Arts Center, proposes to open a private school to Tae Kwon Do martial arts to children and adults. The total square footage of the suite is 2,040 SF.

Classes will be held Monday through Friday from 3:00pm to 8:30pm and Saturday from 9:00am to 11:00am. Classes will consist of 2 instructors and a maximum of 20 students.

The applicant is proposing half hour gaps between classes to alleviate the parking problem, similar to other schools in the City. For the purposes of calculating the parking need, staff used 2 instructors, 20 students in a group class, 22 people.

Development Standards

	Required	**Proposed**	**Code Section**
Building Height	Existing building, no changes proposed	N/A	N/A
Distance between structures	Existing building, no changes proposed	N/A	N/A
Fence height	Existing building, no changes proposed	N/A	N/A
Floor Area Ratio (FAR)	Existing building, no changes proposed	N/A	N/A
Landscaping (non-residential)	Existing building, no changes proposed	N/A	N/A
Loading area (non-residential)	Existing building, no changes proposed	N/A	N/A
Lot size (residential)	N/A	N/A	N/A
Lot frontage	Existing building, no changes proposed	N/A	N/A
Lot depth	Existing building, no changes proposed	N/A	N/A
Open space, common (residential)	N/A	N/A	N/A
Open space, private (residential)	N/A	N/A	N/A
Open space, useable (residential)	N/A	N/A	N/A
Parking (non-residential)	Existing building, no changes proposed	N/A	N/A
Parking (residential)	N/A	N/A	N/A
Parking, guest (residential)	N/A	N/A	N/A
Setback, Front	Existing building, no changes proposed	N/A	N/A
Setback, Rear	Existing building, no changes proposed	N/A	N/A
Setback, Side	Existing building, no changes proposed	N/A	N/A
Setback, Side	Existing building, no changes proposed	N/A	N/A

APPLICATION(S) REQUESTED/ REQUIRED FINDINGS

Conditional Use Permit: The applicant is requesting a Conditional Use Permit for a martial arts and fitness school in a Commercial zone.

Required Findings:

1. A Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community.
2. A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.
3. A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located.
4. A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant.

ANALYSIS/STATEMENT OF THE ISSUES

Issue 1: Parking

OMC Section 17.34.060, Table 17.34.060.B does not provide a parking ratio for martial arts schools. Section 17.34.070 of the OMC authorizes the Community Development Director (CDD) to determine the parking requirements for a use that is not particularly specified in the parking section of the code. Staff has discussed proposals such as martial arts studios, yoga studios, and fitness studios with the CDD in the past. Because of the nature of the dance schools to other similar type instructional uses, the CDD has determined that the parking standards for colleges and universities are the most applicable and appropriate for the dance school. This standard provides that four parking spaces are required for every ten students, and one space is required per employee.

The school is proposing to have a maximum of 20 students and 2 instructors at the facility. At a parking ratio of 4 spaces per 10 students, this would require 8 parking spaces. The instructors would require one parking space each, for a total of 2. The 20 students plus 2 instructors would require 10 parking spaces.

At the regular retail rate of 5 spaces per 1,000 SF, the 2,040 SF suite would require 10.2 parking spaces. The proposed school would require 10 parking spaces. The proposed school would require the same amount of parking as a retail use. Below are the parking requirements of the center.

Table A: Parking at the Center with the School

Address	Name of Business/Store	Type of use	Gross SF	Parking Ratio	Parking Required
3501	In-N-Out Burger	Restaurant	2,570	0.0049	13
3505 A	So Cal Suds	Retail	2,040	0.0049	10
3505 B&C	Proposed World Martial Arts Center	School	2,040	0.4 for students & 1 per teacher	10
3505 D	Play N Trade	Retail	1,020	0.0049	5
3505 E	Sushi 21	Restaurant	1,020	0.0049	5
3505 F	Verizon	Retail	1,020	0.0049	5
3505 G	JW Wireless	Retail	1,020	0.0049	5
3505 H	Nail Tips	Retail	1,020	0.0049	5
3505 I	Max Muscle	Retail	1,020	0.0049	5

Address	Name of Business/Store	Type of use	Gross SF	Parking Ratio	Parking Required
3521	24 Hr Fitness	Retail	22,000	0.0049	108
3533 A	Golden Spoon	Restaurant	1,500	0.0049	7
3533 B	Which Which Sandwiches	Restaurant	1,500	0.0049	7
3533 C&D	Bagel Me! (3866 SF total, divided to calc different pkg ratio)	Restaurant	1,531	0.0049	8
3534 C&D	Bagel Me! (3866 SF total, divided to calc different pkg ratio)	Restaurant	2,335	0.01	23
3533 E&F	Taco Mesa (3,897 SF total, divided to calc different pkg ratio)	Restaurant	1,665	0.01	17
3534 E&F	Taco Mesa (3,897 SF total, divided to calc different pkg ratio)	Restaurant	2,232	0.0142	32
3533 G	Flower Shop	Retail	898	0.0049	4
3533 H	H & R Block	Office	1,001	0.0049	5
3533 J	Flame Broiler	Restaurant	1,017	0.0142	14
3533 K	Lollicup	Restaurant	1,017	0.0142	14
3533 L	Orange Dental Care	Medical	1,220	0.0049	6
3533 M	Tabacco Place	Retail	1,017	0.0049	5
3533 N	Ideal Chiropractic	Office	2,440	0.0049	12
Total			54,143		325

The center currently has 293 parking spaces and requires 325 spaces, making it underparked by 32 spaces. On weekdays, the other tenants in the center close between 6pm to 2am, with the gym open 24 hours. Although the site is under parking and the retail uses would be open at the same time as the school, the karate center would require the same number of parking spaces as a retail use; therefore, there is no anticipated affect on parking.

ADVISORY BOARD RECOMMENDATION

N/A

ATTACHMENTS/EXHIBITS

Attachments to Report:

1. Planning Commission Resolution PC 13-13
2. Vicinity map
3. Class schedule (classes subject to change)

Exhibits provided to the Planning Commission:

A. Site plan and floor plan (date stamped received January 10, 2013)

cc: World Martial Arts Center
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