

CITY OF LA CAÑADA FLINTRIDGE

MEMORANDUM

To: Planning Commission
From: Harriet Harris ~ Assistant Planner
Re: **Amendment** to Minor Conditional Use Permit 458; 965 Foothill Boulevard, Suite B / Core Power Yoga (Terri Dickerhoff)
Date: March 14, 2017

BACKGROUND:

On December 14, 2010, the Planning Commission approved a children's gym use with unique conditions pertaining to parking and hours of operation. The new tenant is seeking to extend the conditioned hours of operation:

- The hours of operation shall be limited to Monday through Saturday 9:00 a.m. to 10:00 p.m. and Sundays 10:00 a.m. to 6:00 p.m.*

REQUEST:

The applicant requests that the conditions of approval be amended to expand the hours of operation. In their application, Core Power Yoga is proposing to be open from 6 a.m. to 10 p.m., Monday thru Friday and 6 a.m. to 7 p.m., Saturday and Sunday.

EVALUATION:

The space would have two studios at 1,013 and 800 sq. ft. The building would not be expanded to accommodate the new yoga studio use. The applicant has indicated that the classes would be "limited to available space and the instructor's ability to give individual attention to each student." Per their application, they would have 2-3 instructors/staff on-site at any given time and an average class size of 10-20 students – depending on the time of day. Each studio, however, is capable of accommodating 33 and 44 yoga mats. Parking would,



however, be based on the floor area (3,603 sq. ft.) for the tenant space, which yields a requirement of 15 parking spaces.

Tenant	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Core Power Yoga	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-7 pm	6 am-7 pm
Panera	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-10 pm	6 am-10 pm	7 am-10 pm
Blaze Pizza	11am - 10pm	11am - 10pm	11am - 10pm	11am - 10pm	11am - 10pm	11am - 10pm	11am - 10pm
Habit Burger	10:30 am -10 pm	10:30 am -11 pm	10:30 am -11 pm	10:30 am -10 pm			
Sakura	11 am - 2:30 pm and 5-9:30 pm	11 am - 2:30 pm and 5-9:30 pm	11 am - 2:30 pm and 5-9:30 pm	11 am - 2:30 pm and 5-9:30 pm	11 am - 2:30 pm and 5-10 pm	12-10 pm	4-9 pm
Luna Grill	11am - 9pm	11am - 9pm	11am - 9pm	11am - 9pm	11am - 9pm	11am - 9pm	11am - 9pm
Baked Bear	12 - 9 pm	12 - 9 pm	12 - 9 pm	12 - 9 pm			
Harcourts Reality	8 am – 8 pm	8 am to 8 pm	8 am to 8 pm	8 am to 8 pm	8 am to 8 pm	8 am to 8 pm	8 am to 8 pm
Canada Jewelry	10 am to 6 pm	10 am to 6 pm	10 am to 5 pm	Closed			
Home Goods	9:30 am to 9: 30 pm	9:30 am to 9: 30 pm	9:30 am to 9: 30 pm	11 am to 8 pm			
Taylor's	11:30 am to 3 pm and 4 to 9:30 pm	11:30 am to 3 pm and 4 to 9:30 pm	11:30 am to 3 pm and 4 to 9:30 pm	11:30 am to 3 pm and 4 to 9:30 pm	11:30 am to 3 pm and 4 to 10 pm	4 to 10 pm	4 to 9:30 pm

A survey of the surrounding businesses for their hours of operation indicates that there would be limited parking conflicts early in the morning since only Panera, Harcourts Reality and Home Goods are open before 10 a.m. Most of the parking conflicts would arise during the lunch and dinner hours. For a more detailed discussion and parking analysis the original staff report for MCUP 458 (Caterpillar Play Place) which was approved in 2010 has been attached for your reference. Potentially, expanding the hours of operation to early morning could distribute any parking impacts.

The following findings have been revised from the original approval, as necessary, to reflect the expanded hours of operation

FINDINGS:

- 1. The proposed use will not be in substantial conflict with the adopted general plan for the area.**

The proposed use will not be in substantial conflict with the adopted General Plan for the area because the General Plan and the Downtown Village Specific Plan allow for commercial use in the Mixed Use I and the previous children's gym was allowed with a CUP. The new yoga studio with expanded hours is consistent with the General Plan policy of encouraging a balanced commercial base. The yoga studio would complement the existing uses in the Town Center, and would not adversely impact the existing level of use intensity. Classes would be adjusted to minimize parking conflicts within the center. Staff supports the finding.

- 2. The requested use of the location proposed will not:**

- a. **Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
- b. **Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
- c. **Jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare.**

There is no evidence that any detrimental effects could be anticipated in terms of noise, litter, or other nuisances. The use is primarily internal to the site away from surrounding residential uses and the Sport Chalet Office building. Traffic and parking impacts would change but this was already accounted for in center build-out. The change from a children's gym to a yoga studio with expanded operating hours is not expected to adversely affect other uses within the Town Center and the surrounding areas. No additional square footage would be added. Staff supports the finding.

3. **The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features to integrate said use with the uses in the surrounding area.**

No changes in square footage are proposed for the tenant space and building. The proposed yoga studio use integrates well with the surrounding uses. The parking spaces provided onsite have been adequate for the site and the proposed yoga studio, as conditioned, would not significantly affect demand. Staff supports the finding.

4. **The proposed site is adequately served:**
 - a. **by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
 - b. **other public and private service facilities as are required.**

In the vicinity of the site, Foothill Boulevard is of ample width and without obstructions, functioning well as a major commercial highway. Access to the site is ample, with two major access points on Foothill Boulevard and Angeles Crest Highway and other internal streets. No effect on required infrastructure would result from the requested yoga studio use. The proposed yoga studio use is not anticipated to increase the amount of traffic to an unreasonable level. Staff supports the finding.

5. **The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood:**

The proposed yoga studio would utilize the space in an existing building with no new square footage added as part of the proposal. Other than signage, no exterior improvements are proposed and the use is consistent with the character of the immediate area. Staff supports the finding.

RECOMMENDATION:

Based on the above discussion and the applicable Conditional Use Permit finding, staff recommends that the amendment request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

cc: Core Power Yoga / 3001 Brighton Boulevard, Suite 269 / Denver, CO 80216
Terri Dickerhoff / 1120 Manzanita Street / Los Angeles, CA 90029
IDS Real Estate Group / 515 S. Figueroa Street, Suite 1600 / Los Angeles, CA 90071

Attachments: Draft Resolution
Business Overview
Previous Staff Report dated December 14, 2010
Resolution No. 10-70
Planning Commission Minutes dated December 14, 2010

CITY OF LA CAÑADA FLINTRIDGE

**RESOLUTION NO. 17-xx
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING AN AMENDMENT TO
MINOR CONDITIONAL USE PERMIT 458
FOR EXPANDED HOURS AT A YOGA STUDIO USE
AT 965 FOOTHILL BOULEVARD, SUITE B
AS REQUESTED BY CORE POWER YOGA
AS AN APPLICANT REPRESENTING
LA CAÑADA RETAIL, LLC.**

WHEREAS, a request by Core Power Yoga as an applicant representing La Cañada Retail, LLC., has been received for an Amended Minor Conditional Use Permit (MCUP) to expand the hours of operation for a yoga studio use in an existing building, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on March 14, 2017, after publication and posting of notice in the prescribed manner, held a public hearing on the MCUP Amendment request; and

WHEREAS, in compliance with the California Environmental Quality Act, the Planning Commission reviewed the Initial Study Questionnaire and related materials and hereby determines that the project will have no significant impact on the environment, which is Categorically Exempt from the provisions of the California Environmental Quality Act, under Section 2.5(a)(1) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA.

WHEREAS, the Planning Commission finds that all the facts contained in the staff report dated March 14, 2017, regarding the application for a MCUP Amendment at 965 Foothill Boulevard, Suite B are true and correct, and the Planning Commission hereby adopts said staff report as its own findings of facts; and

NOW, THEREFORE, the Planning Commission hereby finds and determines as follows:

Section 1.

Conditional Use Permit:

1. The proposed use will not be in substantial conflict with the adopted General Plan for the area because the General Plan and the Downtown Village Specific Plan allow for commercial use in the Mixed Use I and the previous children's gym was allowed with a CUP. The new yoga studio with expanded hours is consistent with

the General Plan policy of encouraging a balanced commercial base. The yoga studio would complement the existing uses in the Town Center, and would not adversely impact the existing level of use intensity. Classes would be adjusted to minimize parking conflicts within the center.

2. There is no evidence that any detrimental effects could be anticipated in terms of noise, litter, or other nuisances. The use is primarily internal to the site away from surrounding residential uses and the Sport Chalet Office building. Traffic and parking impacts would change but this was already accounted for in center build-out. The change from a children's gym to a yoga studio with expanded operating hours is not expected to adversely affect other uses within the Town Center and the surrounding areas. No additional square footage would be added.
3. No changes in square footage are proposed for the tenant space and building. The proposed yoga studio use integrates well with the surrounding uses. The parking spaces provided onsite have been adequate for the site and the proposed yoga studio, as conditioned, would not significantly affect demand.
4. In the vicinity of the site, Foothill Boulevard is of ample width and without obstructions, functioning well as a major commercial highway. Access to the site is ample, with two major access points on Foothill Boulevard and Angeles Crest Highway and other internal streets. No effect on required infrastructure would result from the requested yoga studio use. The proposed yoga studio use is not anticipated to increase the amount of traffic to an unreasonable level.
5. The proposed yoga studio would utilize the space in an existing building with no new square footage added as part of the proposal. Other than signage, no exterior improvements are proposed and the use is consistent with the character of the immediate area.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby APPROVES the Minor Conditional Use Permit Amendment to allow a yoga studio use with expanded hours at 965 Foothill Boulevard, Suite B, subject to the conditions attached to this resolution.

PASSED, APPROVED AND ADOPTED this 14th day of March 2017.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
MINOR CONDITIONAL USE PERMIT 458 (Amendment)
965 Foothill Boulevard, Suite B

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Minor Conditional Use Permit 458 (Amendment).
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plan labeled Minor Conditional Use Permit 458 (Amendment), except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.
6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.

7. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the city.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this request. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. Employees shall be limited to parking on the second level of the semi-subterranean parking structure located between Town Center Drive and the subject building.
12. The hours of operation shall be limited to Monday through Friday 6:00 a.m. to 10:00 p.m. and Saturdays and Sundays 6:00 a.m. to 7:00 p.m.
13. A six-month review shall be conducted by the Director of Community Development regarding parking and the hours of operation. If the review reveals that the conditions of approval need to be modified, this MCUP (Amendment) will be brought back to the Planning Commission for review and approval.

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