

RESOLUTION NO. PC-2024-023

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND UPHOLDING THE ZONING ADMINISTRATOR'S APPROVAL OF A MINOR CONDITIONAL USE PERMIT FOR A HEALTH/FITNESS FACILITY LOCATED AT 551 SUMMERFIELD ROAD, SANTA ROSA, APN: 013-284-011, FILE NO. CUP23-063

WHEREAS, on September 26, 2023, an application was submitted requesting the approval of a Minor Use Permit for a new health/fitness facility, to be located at 551 Summerfield Road, also identified as Sonoma County Assessor's Parcel Number 013-284-011;

WHEREAS, the proposed project was scheduled before the Zoning Administrator on May 16, 2024. On May 15, 2024, a request for public hearing was received and the item was continued to June 6, 2024, a date certain, to allow for re-noticing; and

WHEREAS, the matter was properly noticed as a public hearing pursuant to the City Code Chapter 20-66, as requested by the public.

WHEREAS, the proposed project was scheduled before the Zoning Administrator on June 6, 2024. The Zoning Administrator continued the item to July 18, 2024, a date certain, requesting that revisions be made to the Project; and

WHEREAS, on July 18, 2024, the Santa Rosa Zoning Administrator held a public hearing and, after due consideration of all evidence and reports offered at said meeting, did make findings and determinations and approved the Minor Use Permit and Minor Design Review to allow a health/fitness facility; and

WHEREAS, on July 29, 2024, an appeal application was submitted to the City Clerk's Office appealing the Zoning Administrator's decision to approve the Minor Use Permit; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The property is zoned Neighborhood Commercial, which is intended to provide for the day-to-day needs of local neighborhoods and workplaces. Zoning Code Section 20-23.030, Table 2-6, allows health/fitness facilities with the approval of a Minor Use Permit in the Neighborhood Commercial zoning district. Pursuant to Zoning Code Section 20-36.040, Table 3-4, the use requires 180 parking spaces and the project site provides 222 parking spaces. The project, which does not include any expansion of the existing building footprint or height, and as conditioned, is consistent with all other provisions of the Zoning Code and City Code; and
2. The proposed use is consistent with the General Plan and any applicable specific. The General Plan land use designation for the site is Retail and Business Services General Plan Land Use Designation, which is intended for retail and service enterprises, offices, and restaurants. The project has been found consistent with the applicable General Plan goals and policies, including the following:
 - LUL-I-1: Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.
 - LUL-I-3: Allow neighborhood centers that include small grocery stores, cleaners, and similar establishments, where they can be supported, within walking distance of residential uses. Ensure that neighborhood centers do not create unacceptable traffic or nuisances for residents due to the hours and nature of their operation and are designed to facilitate walking and bicycling.
 - EV-A-5: Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles.

A Health/Fitness Facility implements the General Plan by providing an amenity that caters to diverse age groups, meets the interests of specific activity groups, and aligns with creating a vibrant and inclusive community where health/fitness opportunities are accessible to everyone, and provides local employment opportunities. The property is not within a specific plan area; and

3. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity in that the use will be located within an existing commercial plaza, within an existing building, and surrounded by neighborhood commercial uses that are compatible with the proposed use. The project plans have been reviewed by City staff including Traffic Engineering Division, Fire Department, Recreation and Parks Department and Planning and Economic Development Department, and no concerns have been raised about public safety, access to emergency services, parking, traffic, or potential impacts to Howarth Park (across Summerfield Road from the proposed use). Pursuant to Zoning Code Section 20-36.040, Table 3-4, the use requires 180 parking spaces and the project site

provides 222 parking spaces. The Trip Generation Assessment, dated November 21, 2023, prepared by Associated Transportation Engineers for the project, concludes that the proposed Health/Fitness Facility would have a net decrease in daily trips from the existing movie theater use. Further, the existing site photographs and plan set elevations, dated June 28, 2024, demonstrate that the proposed changes to the exterior of the existing building are minimal and show that the overall scale of the building is not proposed to change, including no proposed additions to the footprint or height of the building; and

4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints. The project site is located entirely within an existing commercial plaza, and the proposed health/fitness facility use will be located within an existing building on the site. The plans have been reviewed by City staff, including the Fire Department, Traffic Engineering Division, and the Planning and Economic Development Department, which includes the Engineering and Development Services, Planning and the Building Divisions, and the project has been conditioned to address compliance with City codes and regulations. The project submitted a Trip Generation Assessment, dated November 1, 2023, which determined that the project scope will not attract substantial traffic volumes from outside the neighborhood. The Assessment uses two different references regarding the trip generation for the proposed use. The trip generation for the Peak Hour calculations references the most current version of the ITE Trip Generation Manual (the 11th edition published in September 2021). Under the Health/Fitness Facility rates, the manual lists AM and PM peak hour rates, but a daily rate is not available or published in the ITE Trip Generation Manual 11th edition. Because of this, the Assessment used the San Diego Association of Government (SANDAG) Trip Generation, April 2002, as a comparison to provide a daily rate for a Health/Fitness Facility rate, which is reasonable. The ratio between the PM peak hour rate of the prior movie theater use, versus the PM peak hour rate of the proposed Health/Fitness Facility, is nearly the same as the ratio between the daily rates of the two uses. This validated the reasonableness of using the SANDAG daily rate. Additionally, the peak hour rates are what the City uses to determine if a more in-depth traffic study is required. In this case, the impact on the City network is shown to be less than the prior use of a movie theater at this location. As such, the Assessment documenting this is what is required; and
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located. The project consists of minor changes to the existing building and landscape and the plans have been reviewed by City staff, including the Fire Department, Traffic Engineering Division, and the Planning and Economic Development Department, which includes the Engineering and Development Services, Planning and the Building Divisions, and the project has been conditioned to meet all City codes and regulations; and

6. The project has been found in compliance with the California Environmental Quality Act (CEQA).
 - a. Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt because it involves only minor alterations to an existing facility. CEQA Section 15301 “consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” Examples of projects that fall under this exemption are provided, including “restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.” The use of the building is proposed to change from a movie theater to a health/fitness facility. Such a change in use has been determined to not be an expansion of the existing use, as the footprint and height of the existing structure will not change, and as documented in the Trip Generation Assessment, dated November 21, 2023, the proposed health/fitness facility would have a net decrease in daily vehicular trips from the existing theater use. While the building would be required to be brought up to current codes, such renovation would be to accommodate the proposed new use, not due to an environmental hazard. Further, the City’s Engineering and Development Services Division and Water Department have both reviewed the proposed plans and provided conditions of approval related to water and wastewater, ensuring that the proposed project will meet City’s standards.
 - b. Pursuant to CEQA Guidelines Section 15332, the project qualifies for a categorical exemption as in-fill development:
 - The Project is consistent with the General Plan and zoning. The General Plan land use designation is Retail and Business Services, which is intended for retail and service enterprises, offices and restaurants. The zoning is Neighborhood Commercial (CN), which allows Health/Fitness Facility uses with the approval of a Minor Use Permit. The CN zoning district is intended for uses that provide for the day-to-day needs of local neighborhoods and workplaces, but not to be of such scope and variety as to attract substantial traffic volumes from outside the neighborhood. A Health/Fitness Facility implements the General Plan by providing an amenity that caters to diverse age groups, meets the interests of specific activity groups, and aligns with creating a vibrant and inclusive community where health/fitness opportunities are accessible to everyone, and provides local employment opportunities. Further, the proposed use would provide a service that would be available to local neighborhoods and workplaces. As documented in the Trip Generation Assessment, dated November 21, 2023, the proposed health/fitness facility would have

a net decrease of 540 average daily vehicular trips from the existing theater use.

- The Project occurs on a site that is less than five acres within City limits and is substantially surrounded by urban uses. The subject building is located within an existing shopping center that is located on an approximately 4.21 acre site.
- The Project site has no value as habitat for endangered, rare or threatened species. The subject site is within a developed shopping center and will be located within an existing building, with no proposed expansion of the existing structures footprint or height.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The applicant submitted a Trip Generation Assessment, dated November 21, 2023, which was reviewed by the City's Traffic Engineering Division. As provided in the Assessment, the proposed use is expected to generate less than 50 peak trips in the peak AM or PM hours. As a result, no additional study was required. The report also concluded that "the proposed Planet Fitness would result in a net decrease of 540 average daily trips".

The project has been conditioned to remain in compliance with the Noise Ordinance, City Code Chapter 17-16. Further, construction hours have been conditioned to be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday, with no construction permitted on Sunday or holidays. All construction activities will be required to comply with applicable federal, state and local codes, including compliance with the Bay Area Air Quality Management District regulations for ensuring air quality compliance. In addition, because the project is expected to be located entirely within an existing structure, with no outdoor activities, there are no expected impacts to air quality as a result of the Health/Fitness Facility use.

The project is required to comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual.

- The Project site is located within a developed area where it can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditioned the Project appropriately. Conditions of approval include those related to water and wastewater, ensuring that the proposed project will meet all City's standards.
- c. Pursuant to CEQA Guidelines Section 15183, the project is statutorily exempt from environmental review because it is consistent with the General Plan

2035 for which an Environmental Impact Report was certified by Council in 2009. Specifically, the proposed Health/Fitness Facility use, to be located within an existing building, is consistent with the Retail and Business Services land use designation for the site, which is intended for retail and service enterprises, offices, and restaurants. Further, the proposed use implements the applicable goals and policies of the General Plan by providing an amenity that caters to diverse age groups, meets the interests of specific activity groups, and aligns with creating a vibrant and inclusive community where health/fitness opportunities are accessible to everyone, and provides local employment opportunities. There are no project-specific significant effects which are peculiar to the project or its site that were not analyzed in the prior EIR and cannot be substantially mitigated.

- d. The City has further determined that no exceptions to the exemptions apply, and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.)

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa denies the appeal and approves the Minor Use Permit for the health/fitness facility, located at 551 Summerfield Road; and

BE IT FURTHER RESOLVED that this Minor Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification); and

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Santa Rosa finds and determines that said Minor Use Permit would not be approved but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions are determined invalid, this Minor Use Permit would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

1. Obtain building permits for the proposed project.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday. No construction is permitted on Sunday or holidays.
3. All existing landscaping at the front of the building shall be protected during construction and properly maintained at all times. All landscaping (trees, shrubs, ground cover, turf, etc.) which, due to accident, damage, disease, lack of maintenance, or other cause, fail to show a healthy appearance and growth, shall be replaced.
4. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
5. All onsite activities shall comply with the City of Santa Rosa Noise Ordinance, City Code Chapter 17-16.

6. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
7. No exterior signs are approved with this permit. A separate sign permit is required.
8. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
9. Compliance with Engineering Development Services Exhibit A, dated April 23, 2024, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 10th day of October 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
JESSICA JONES, EXECUTIVE SECRETARY

Exhibit A - Engineering Development Services conditions of approval, dated April 23, 2024

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
April 23, 2024

Planet Fitness
SUMMERFIELD RD (551)
PRJ23-018

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. **Per City Code Section [18-12.015](#) (C), all properties including commercial and industrial parcels shall be subject to public improvement requirements when the value of any proposed building or site improvement exceeds \$200,000.00. A formal review of the valuation will commence during review of the building permit application. If the valuation is determined to be above the \$200,000 threshold, the project may be required to install or modify public improvements such as sidewalks, curb and gutter, pedestrian ramps, driveway approaches, planter strips and bike lanes. Additional right-of-way and easement dedications may also be required to support the current or future expansion of the roadway in order to meet adopted City Standards, General Plan requirements or area specific plans. Contact the Engineering Division of the Planning and Economic Development Department at 707-543-3200 to discuss specific requirements.**
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received 11-1-23:

PUBLIC STREET IMPROVEMENTS

1. It is recommended that any non-standard sidewalk sections and driveway approaches along the property's frontage be upgraded to the current standard in order to ensure a compliant path of travel within the public right-of-way or public easements and to mitigate any potential trip hazards. Per City Code Section 13-32.020, the abutting property owner shall maintain the sidewalk in a manner that avoids creating a dangerous situation for the property owner and any members of the public utilizing the corridor.

2. An encroachment permit shall be obtained from the Planning and Economic Development Department prior to performing any work within or adjacent to the public right-of-way.

STORM WATER COMPLIANCE

3. Note on the plans submitted with the building permit application that “no debris, soil, silt, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are complete, any excess material or debris shall be removed from the work area.”
4. As applicable, the developer’s engineer shall comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual.

STORM DRAINAGE

5. Any needed drainage facilities and drainage easements shall be provided to the satisfaction of the City Engineer and shall be designed per the Sonoma County Water Agency’s Flood Control Design Manual and the City of Santa Rosa Design and Construction Standards at the developer’s expense.

BUILDING

6. Obtain building permits for the proposed project.

WATER AND WASTEWATER

7. Demand fees may be required and shall be determined during review of the building permit application. Submit the type of use in each portion of the building and the square footage of each usage type with the building permit application. The applicant may contact the Water Engineering Services division at (707)-543-4300 to obtain a preliminary fee calculation.
8. All irrigation and domestic water services shall be protected with a reduced pressure backflow device per City Standard 876. Backflow additions or upgrades shall be required as part of the building permit review. The location of all existing or proposed backflow devices shall be shown on the utility plan submitted with the building permit application.
9. The existing water service shall be sized to support any additional fire and domestic demand. If the building is not served by an automatic fire sprinkler system, it is possible that the proposed tenant improvement will require the installation of fire sprinklers within the building and a dedicated fire service per City Standard 880. All modifications to the existing water system shall be

- performed under an encroachment permit. The water service size shall be determined based on flow calculations submitted by the sprinkler designer.
10. Design of hydrant locations shall be per City Standard 857, meet the Fire Code requirements and must be approved by the Fire Department for logistics and by Santa Rosa Water Department for maintainability. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.
 11. Water Engineering provides mapping of private onsite water mains and fire hydrants for the Fire Department and processes the fee collection and meter installation for the fireline. If a private hydrant is proposed or required, provide two copies of the approved onsite plans showing private firelines and private fire hydrant locations to the Utilities Engineering Division prior to requesting meter sets and commencing service. Refer to section XI. A of the Water System Design Standards for submittal of plans for private fire systems.
 12. Properties currently protected by automatic fire protection systems may have backflow devices on the dedicated fire service that do not meet current standards. All dedicated fire services shall be protected with a double detector check device per City Standard 880. Existing fire services protected by a single check device may require an upgrade per City Standard 880 as part of the tenant improvements. Contact Water Engineering Services at 707-543-4200 or email watereng@srcity.org to determine the existing backflow type and to understand the specific requirements that will be placed on the building permit application. Any upgrades to the backflow device shall be installed under an encroachment permit.
 13. If the project involves the addition of a new fire service or modifications to an existing service, an approved Fire permit for the onsite dedicated fire line shall be obtained prior to issuance of the encroachment permit for the backflow device. The onsite permit application and plan should be submitted to the Fire Department prior to applying for the encroachment permit.
 14. A sewer cleanout per City Standard 513/513A must be installed on the existing sewer lateral if one does not already exist. The location of the cleanout must be shown on the utility plan submitted with the building permit application. The type of cleanout and the placement shall be based on the depth of the existing lateral. The installation of the clean out must be performed under an encroachment permit.
 15. If additions or modifications to the existing landscaping are proposed under the building permit application, a dedicated irrigation meter shall be installed to serve the existing or proposed landscaping if one does not already exist. The Director of Santa Rosa Water may approve a variance deferring the installation of the

irrigation meter if special circumstances exist on the property that would result in the installation creating practical difficulties or unnecessary hardships.

16. If additional fire lines and water meters are required, Santa Rosa Water may require all individual existing and new water services to be consolidated and installed as a combination service per City Standard 870. Consolidation shall require the abandonment of any unused water services at the main. This determination will be made during review of the building permit application.
17. Any additions or modifications to the existing landscaping shall be consistent with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on December 1, 2015. Landscape plans will be reviewed during the building permit stage to determine compliance with the ordinance.

ENVIRONMENTAL COMPLIANCE

18. Tenant improvements performed in conjunction with a change of use or an expansion of an existing use may result in additional requirements associated with the discharge to the City's public wastewater system. Contact the Water Department's Environmental Compliance section at 707-543-3369 to determine the necessary permitting path and to better understand the specific requirements that will be brought forward during the review of the building permit application.

FIRE (from Fire Memo dated January 22, 2024)

New Planet Fitness Center Location. Work includes interior remodel of former movie theater building into fitness center. Exterior work includes new entry facade and entry parapet with signage.

Applicant is advised that the Fire Department has the following comments with this project:

19. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, [California Code of Regulations Title 24 Building Standards](#) and [Santa Rosa City Code](#).
20. [A building permit will be required based upon the change of use. If the remodel qualifies as a Substantial Improvement per city ordinance, or is a change in occupancy class designation, then a Fire Sprinkler system and Fire Alarm system will be required.](#)
21. [A hydrant will be required within 100 feet of the Fire Department Connection for the fire sprinkler system.](#)



A. R. Jesús McKeag

PROJECT ENGINEER