



City of Huntington Beach Planning and Building Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ethan Edwards, AICP, Associate Planner *Ee*
DATE: June 8, 2010

**SUBJECT: APPEAL OF DIRECTOR'S DENIAL OF ADMINISTRATIVE PERMIT NO. 09-019
(FITNESS INSTRUCTION – HOME OCCUPATION PERMIT)**

APPLICANT/

APPELLANT: Anthony Campo, 7736 Sugar Drive, Huntington Beach, CA 92647

PROPERTY

OWNER: Tonya Campo, 7736 Sugar Drive, Huntington Beach, CA 92647

LOCATION: 7736 Sugar Drive, 92647 (south side of Sugar Drive at the southern terminus of Rushmoor Lane)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS:

This represents an appeal filed on April 16, 2010 by Anthony Campo of the Director's denial of Administrative Permit (AP) No. 09-019. AP No. 09-019 represents a request to permit a home occupation consisting of group fitness instruction utilizing the CrossFit, Inc. strength and conditioning exercise program. The home occupation would utilize 1,500 sq. ft of an existing garage and approximately 15,000 of the rear (including existing tennis court) and side yard areas for exercise. Exercise classes are proposed Monday through Friday at 6:00 AM, 8:00 AM, 9:00 AM, 5:00 PM and 6:00 PM and one class Saturday at 9:00 AM (Attachment No. 3). Home occupations in Residential Districts are permitted pursuant to Section 230.12, Home Occupation in R Districts, of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The Administrative Permit process requires Neighborhood Notification within a 300 ft. radius of surrounding properties. A copy of the appeal letter is provided as Attachment No. 2.

BACKGROUND

Between 2007 and present, the City's Code Enforcement Division has responded to multiple complaints from surrounding neighbors regarding organized fitness & gym activity occurring at the subject property and on the public right-of-way within the neighborhood. On July 27, 2009, a Final Notice was sent by Code Enforcement to the property owner regarding the continued use of the property for fitness instruction without a permit. On August 18, 2009, Code Enforcement contacted the property owner, advising of the violations and necessary corrective measures required to permit the group fitness instruction. On October 26, 2009, the applicant was issued another Notice of Violation for continued home occupation without a permit and failure to comply with applicable requirements noted below.

AP No. 2009-019 was submitted on September 24, 2009 to permit a home occupation consisting of group fitness instruction. On October 16, 2009, the application was deemed incomplete because the Neighborhood Notification requirement was not fulfilled. In addition, staff informed the applicant that the proposed project does not comply with the minimum home occupation permit requirements and requested a written response describing how the project would comply. On January 13, 2010 the applicant provided a written response (see Attachment No. 5) and satisfied the Neighborhood Notification requirements on February 13, 2010. Staff reviewed all materials submitted and determined that the proposed home occupation could not be approved as proposed based on the lack of compliance with the required conditions of approval (see Attachment No. 9).

Staff determined that the use is not conducted entirely within one room in a dwelling as it includes utilizing the front, side, and rear yard areas and garage. Specifically, garages cannot be used in connection with home occupations except to park business vehicles. In addition, residency could not be verified because the existing dwelling is utilized as an adult care facility licensed by the State. Further, comments received as a result of the required Neighborhood Notification were not supportive of the proposed home occupation. The comments suggested that the use would increase pedestrian and vehicle traffic in the neighborhood. As a result, the Director denied the request with findings on April 6, 2010 (Attachment No. 6).

On April 16, 2010, an appeal of the Director’s decision was filed by Mr. Campo. The reasons for the appeal include a desire to convert the garage to a second dwelling unit and consideration of the unique size of the property.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	RL-7 – (Residential Low Density – 7 du/acre)	RL (Residential Low Density)	Residential
North (across Sugar Dr.) & East (adjacent) of the Subject Property	RL-7 – (Residential Low Density – 7 du/acre)	RL (Residential Low Density)	Residential
West & South of the Subject Property (across McFadden Ave & I-405 freeway)	M-sp (Mixed-use – specific plan)	SP1 (North Huntington Center SP)	Mixed-use

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

February 13, 2010

MANDATORY PROCESSING DATE(S):

April 13, 2010

The Director denied AP No. 09-019 on April 6, 2010 in compliance with mandatory processing times. The appeal is scheduled for the Planning Commission public hearing on June 22, 2010.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act, because the proposed project consists of the permitting of an existing private structure involving negligible or no expansion of use.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Code Enforcement Division has responded to numerous complaints from the neighborhood related to traffic congestion, noise, and the business operating without a home occupation permit. Code Enforcement's Case Action Summary is provided as Attachment No. 7.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

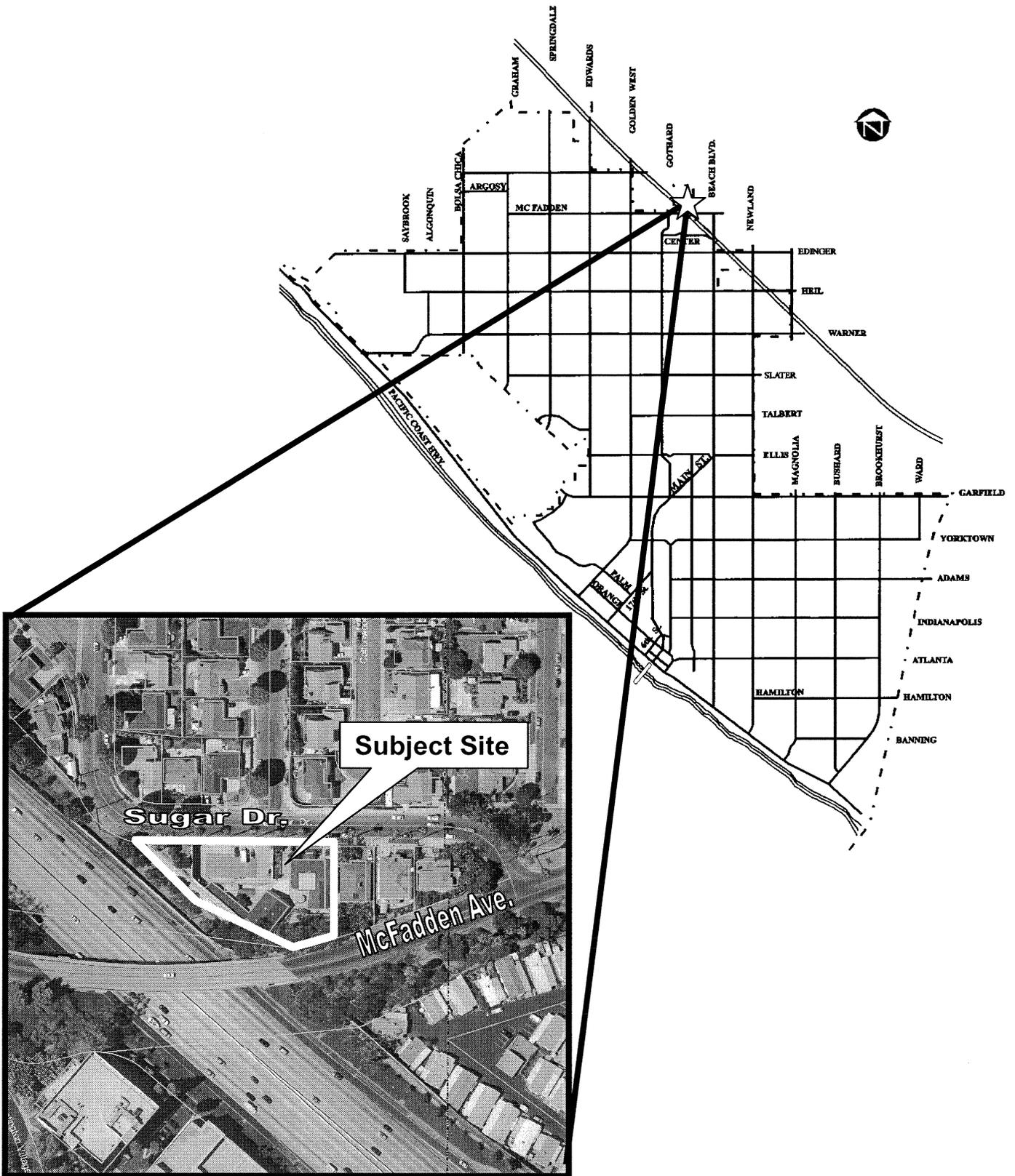
Staff has received a petition and numerous comments from surrounding neighbors regarding concerns with the existing operations and proposed use. Copy of all public comments received to date is provided as Attachment No. 8 of this report.

PLANNING ISSUES

The primary issues for the Planning Commission to consider when analyzing this appeal are potential detrimental impacts to the general welfare of the community or property (noise & traffic impacts) and compliance with the home occupation requirements of the HBZSO (Attachment No. 9).

ATTACHMENTS:

1. Vicinity Map
2. Appeal Letter received and dated April 16, 2010
3. Project Narrative received September 24, 2009
4. Site plan & floor plan received September 24, 2009
5. Applicant's written response January 13, 2010
6. Director's Notice of Action – AP 09-019 dated April 6, 2010
7. Code Enforcement – Case Action Summary dated May 26, 2010
8. Public Comments
9. HBZSO 230.12 (Home Occupation in R Districts)

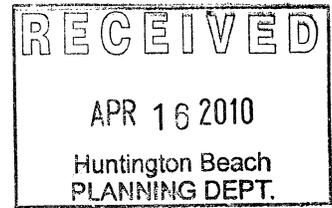


VICINITY MAP
 ADMINISTRATIVE PERMIT NO. 2009-019
 (FITNESS INSTRUCTION – 7736 SUGAR AVE)

Ethan Edwards, AICP

City of H.B. Director of Planning and Building

April 16, 2010



RE: Notice of Denial Permit 2009-19, 7736 Sugar Dr.

I am writing today to appeal the decision of denial for the home occupation permit application 2009-19, 7736 Sugar dr. for the following reasons:

I would like to designate the current garage as a bonus room/gaming area and guest house. I would like to use the adjacent structure as the garage. There are other properties on PCH with detached guest houses. I don't for see those residents being denied for a home occupation permit if they proposed to use the guest house as an office. I understand the code was written with the traditional Single Family Resident with attached garage, no guest house, on a 6000 sqft lot but this property is not the traditional residents. The property is over 26,000 sqft, enough for 4 of the traditional Single Family residents, the property is not zoned R1 but RL7, and can have up to 7 units build on the property.

The code doesn't state against using a guest house for home based business. I will terminate using the yard in conjunction of the activities. I will eliminate the vehicle and pedestrian traffic with another alternative.

Thank you for your time.

Best Regards,


Anthony Campo

Receipt # 176570

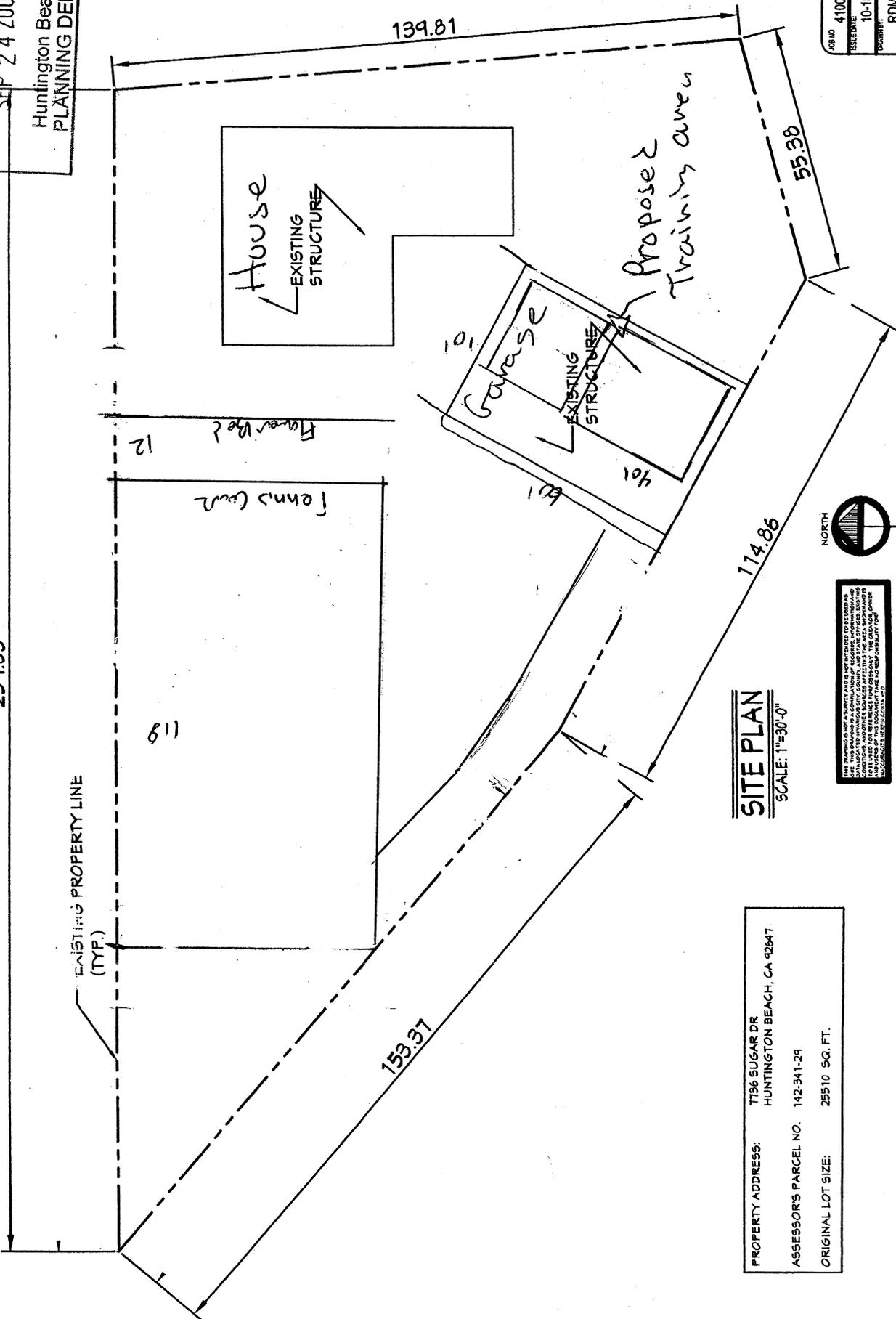
Narrative of Proposed Project



We are proposing to offer small Group exercise classes (4 participants) at 7736 sugar Dr. These classes solely offer the CrossFit strength and conditioning program. In this program, we have group workouts that include cardiovascular training, weight training, and calisthenics. We plan to use 1500sqft of garage space and the 15,000sqft of the lot for our training. This lot is unique because it being 26,000sqft, I only say this to explain the 15,00sqft. We plan to hold classes 6am, 8am, 9am, 5pm, 6pm Monday thru Friday and one class at 9am on sat. My girlfriend and I will be facilitating classes. We are obtaining this permit so that we can operate within the city's requirements. To the north is a street with houses, to the south is the 405 freeway, to the east is the entrance to the tract, to the west is a bend to more houses.

RECEIVED
 SEP 24 2009
 Huntington Beach
 PLANNING DEPT.

SUGAR DR
 259.83



JOB NO.	41008
ISSUE DATE	10-16-05
DRAWN BY	RDM
SHEET NO.	1 of 1



THIS DRAWING IS NOT INTENDED TO BE USED AS A SUBSTITUTE FOR PROFESSIONAL ENGINEERING OR ARCHITECTURAL SERVICES. IT IS THE USER'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE USER'S POWER OF ATTORNEY IS HEREBY GRANTED TO THE ENGINEER OR ARCHITECT FOR THIS PURPOSE.

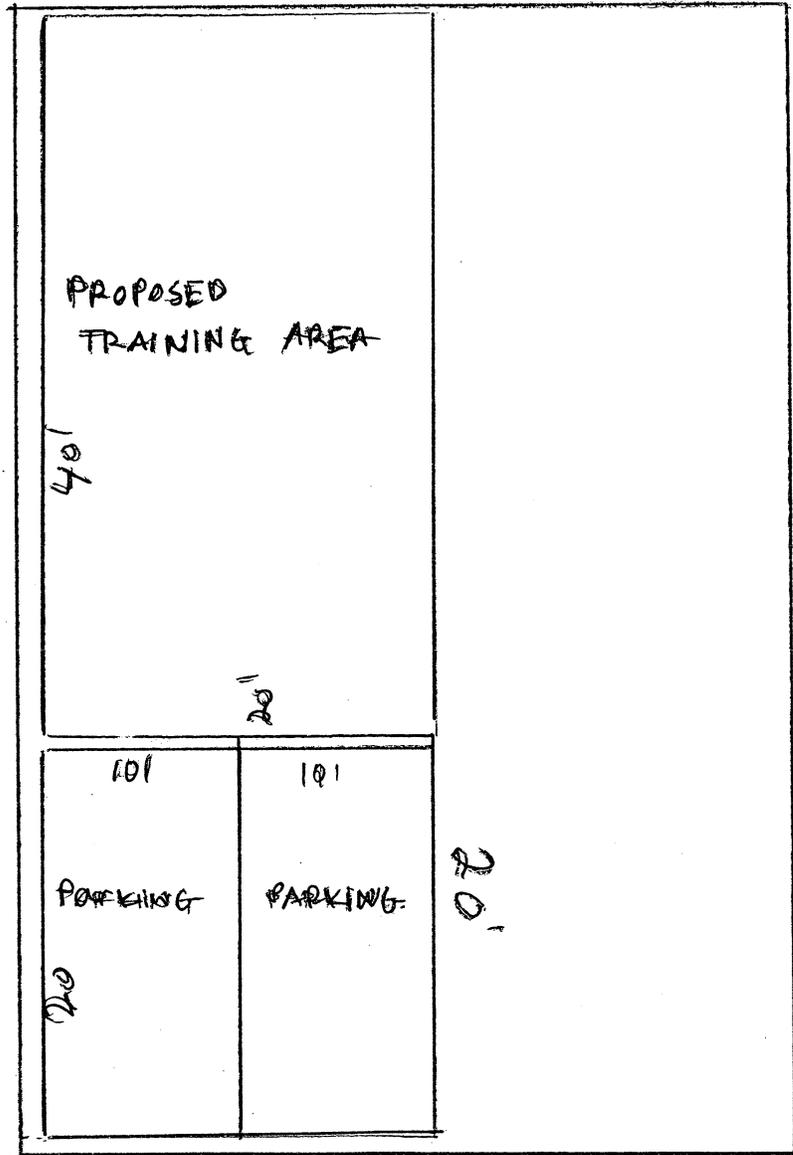
SITE PLAN
 SCALE: 1"=30'-0"

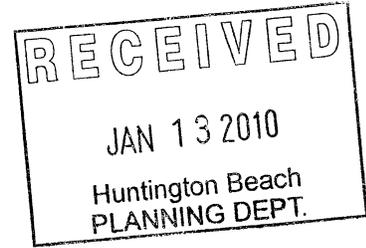
PROPERTY ADDRESS: 7136 SUGAR DR
 HUNTINGTON BEACH, CA 92647
 ASSESSOR'S PARCEL NO. 142-341-29
 ORIGINAL LOT SIZE: 25510 SQ. FT.

7756 Sugar Dr.

40'

60'





City of Huntington Beach

Department of Planning

Ethan Edwards, AICP

January 13, 2010

Re: Notice of Filing Status 7736 Sugar Dr.

1. The garage is 1500sqft and does have enough room to park cars and conduct the operations of my business.
2. I am the only one who will be teaching the classes. I have no employees or independent contractors.
3. I have no merchandise, projects, operations, signs, or name plates visible outside the dwelling. The appearance of dwelling has not been altered.
4. The vehicle or pedestrian traffic will not be increased because of the proposed use.
5. I do not own any commercial equipment or vehicles.
6. Does not apply
7. There is no sales office open to visitors and there is no advertising of such.
8. All Classes are limited to 4 participants and they will carpool so 2 cars shall only be used in transportation.
9. I assert all these points are in compliance with the code.

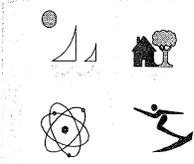
Sincerely,

Anthony Campo

Acampo1@msn.com

714-653-2212

ATTACHMENT NO. 5



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

NOTICE OF ACTION

April 6, 2010

SUBJECT: ADMINISTRATIVE PERMIT NO. 2009-019 (SMALL FITNESS GROUPS)

APPLICANT: Anthony Campo, 7736 Sugar Drive, Huntington Beach, CA 92647

PROPERTY OWNER: Tonya Campo, 7736 Sugar Drive, Huntington Beach, CA 92647

REQUEST: To permit small group fitness classes within a garage.

LOCATION: 7736 Sugar Drive, Huntington Beach, CA 92647

DATE OF ACTION: April 6, 2010

On April 6, 2010, the Planning and Building Department of the City of Huntington Beach took action on your request and **DENIED** your request with findings. Attached to this letter are findings for denial for your application.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Department of Planning and Building is final unless an appeal is filed to the Planning Commission by you or by an interested party. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten calendar days of the date of the Planning and Building Department's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. A filing fee of \$494 shall also accompany the notice of appeal. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. The last day for filing an appeal and paying the filing fee for the above noted application is **Friday, April 16, 2010 at 5:00 p.m.**

ATTACHMENT NO. 6.1

If you have any questions, please contact Ethan Edwards, Associate Planner at (714) 536-5561 (ethan.edwards@surfcity-hb.org) or the Planning and Building Department's Zoning Information Counter at (714) 536-5271.

Sincerely,

Scott Hess, AICP
Director of Planning and Building

by:


Ethan Edwards, AICP
Associate Planner

Attachments: Finding for Denial – Administrative Permit No. 09-019

Cc: Honorable Mayor and City Council
Chair and Planning Commission
Fred A. Wilson, City Administrator
Scott Hess, AICP, Director of Planning & Building
Herb Fauland, Planning Manager
Bill Reardon, Division Chief/Fire Marshal
Terri Elliott, Principal Civil Engineer
Gerald Caraig, Permit-Plan Check Manager
Ed Kerins, Design Review Board Member
Tonya Campo, Property Owner
Project File

ATTACHMENT NO. 1

FINDING FOR DENIAL – ADMINISTRATIVE PERMIT NO. 09-019:

1. The proposed use does not comply with the required conditions for home occupation in residential districts. The use is not conducted entirely within one room in a dwelling as it includes utilizing the yard and garage. Garages cannot be used in connection with such business except to park business vehicles. Residency cannot be verified because the existing dwelling is utilized as an adult care facility and the existing accessory structures are not permitted. Further, comments received as a result of required Neighborhood Notification were not supportive of the proposed home occupation and suggests that the use would increase pedestrian and vehicle traffic in the neighborhood.



City of Huntington Beach
Code Enforcement Division
2000 Main Street
Huntington Beach, CA 92648
(714) 375-5155

OBS = OBSERVED
V = VIOLATION
NI = NOTICE ISSUED
LO-12 = LETTER OUT - 12 DAYS.
C/P = COMPLAINING PARTY.

Case Action Summary

Case Number: 2009-0122-254

Date: 05/26/2010

Violation Address: 7736 Sugar Dr, Huntington Beach, CA

APN: 142-341-29

Date	Action
01/28/2010	V 01/28/10: LO-12 final sent by Cert. mail and First class mail to both Tonya Campo (Property owner) & Anthony Campo (Business Owner)
01/26/2010	V 10/26/09, second NOV (0) issued by personal service to Anthony Campo who signed for the notice.
01/26/2010	V 07/17/09, NI-10 Final for running a business out of the Home without a permits. Final was issued due to this being reoccurring violation. Notice was issued Tonya A Campo by Cert. Mail

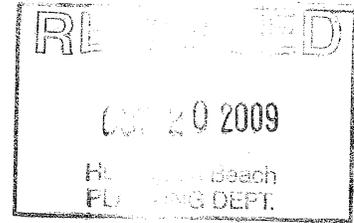
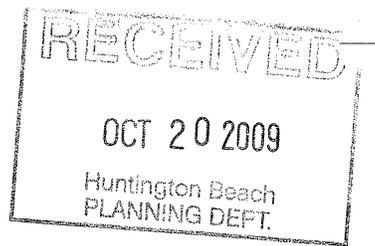
Date	Inspector	Comments
05/24/2010	Hedden, Richard	Obs. no Gym activity. Cont. to monitor.
05/13/2010	Hedden, Richard	Obs. no violation, cont. to monitor.
05/11/2010	Hedden, Richard	Obs. no gym activity.
05/04/2010	Hedden, Richard	I received another complaint about Gym activity on Sugar, from Gary Gonzales. He states that they are working out in the evening and on the weekends. I advised that I will go by again and see if I see any of the activity that he is talking about. I told him that I would have to prove that this activity is business related. Gonzales became upset at me and stated that he has already done all the research and checked the Website. I told him that anyone can advertise on the internet but that is not enough to prove a business that I would have to prove business activity and not friends working out, He told me that all I had to do was check the credit cards being processed on the web. I asked Gonzales how I check that. Gonzales stated that if I could not figure it out that maybe they should get someone smarter to do my job and hung up on me. Obs. no violation, one photo taken.
04/12/2010	Hedden, Richard	Obs. no Gym activity.
03/30/2010	Hedden, Richard	Obs. no Gym Activity, continue to monitor.
03/09/2010	Hedden, Richard	On this day at approx. 2:50, I obs. no Gym activity.
03/03/2010	Hedden, Richard	Obs. no gym activity, I will continue to monitor.

02/25/2010	Hedden, Richard	<p>Officer Rich Massi, members of HBPD and I had an onsite meeting with Anthony & Tonya Campos about the ongoing home occupation complaints and the permit process. We explained our concerns and what we were recommending to the Planning staff. The following is what HBPD & Code Enforcement advised.</p> <p>1 The Permit if issued was subject to an expedited revocation for any violations of the rules.</p> <p>2 All student vehicles to be parked on the property, "No Street Parking"</p> <p>3 HBPD & I have recommending a max. Of 6 students but stated that you may only allow 4 students. (6 students would better)</p> <p>4 7am to 9pm Hours of operation.</p> <p>5 Must live on property.</p> <p>6 Must contain all activities on property, no off-site running originating from or ending on the property.</p> <p>7 2-cars must be able to park in garage. 18' x 19'.</p> <p>8 Business Lic. Must remain current.</p> <p>9 ½ hour of overlap time between classes</p>
02/23/2010	Hedden, Richard	Obs. no gym activity at 3:30 PM.
02/22/2010	Massi, Richard	<p>Supplemental 02/22/10: Spoke to c/p (Mr. Gonzalez) and gave current disposition. Mr. Gonzalez requested meeting with Officer Hedden, Scott Hess, Ethan Edwards and I regarding the status of the "Home Occupation" case.</p>
02/17/2010	Hedden, Richard	Obs. no Gym Activity, I watched from across the street for approx. 20 mins.
02/11/2010	Hedden, Richard	Obs. no gym activity, I cont. to monitor.
01/30/2010	Massi, Richard	<p>Reinspection 01/30/10, 0858 hrs.: Observed property (from Rushmoor) from 0858 to 1000 hrs. with no visible business related activity. RM</p>
01/28/2010	Hedden, Richard	<p>The issue of the License Status of the, Alternative Senior Care facility was brought into question in the meeting between the CP Gary Gonzales and Scott Hess & Rich Massi. Officer Massi asked me to research the License Status of the Alternative Senior Care facility that is operating out of the Sugar Dr. address. I conducted research into the facility and found that the Lic. is current and the facility has been inspected by HBFD in 2008, and had passed the inspection. The state Social Services office also inspected the facility on 06/29/09 and found it to be in compliance with state requirements.</p> <p>LO-12 Final sent to Both Tonya and Anthony Campo.</p>

01/27/2010	Hedden, Richard	Supplemental-Meeting 01/27/10, 1600 hrs.: At the request of c/p the Planning and Building Director (Scott Hess) and myself met with c/p regarding the home occupation complaint at 7736 Sugar Drive.
01/27/2010	Massi, Richard	I conducted an inspection of the property from 8:00am to 9:30am to see if any workout / gym activity was taking place during the period of time listed on the website schedule. I obs. what appeared to be four people, (3 men & 1 woman) exit the property in workout clothing and run up Sugar to McFadden going over the freeway bridge towards Gothard. Several min. later I obs. the same four people running back over the bridge towards Sugar and return the the property. I also obs. the same four people both working out in the driveway as well as the garage.
01/26/2010	Hedden, Richard	I rec. a new complaint for Crossfit activity reported to be taking place on Sat. between the hours of 9:00am and 11:00am and on the weekdays after 6:00pm. I will have the weekend officer monitor to see if any violations are taking place. Officer Massi and I were able to find a Website for, "Crossfit HB" on the computer that listed the location of the Gym as 7736 Sugar Dr. The website also provide the name of the owner of the business, "Anthony Campo" and a workout schedule showing days and times. All material was copied and added to file.
01/05/2010	Hedden, Richard	Obs. no Gym activity, continue to monitor.
12/03/2009	Hedden, Richard	Obs. no gym activity. I will continue to monitor.
11/04/2009	Hedden, Richard	Obs. no gym activity, I will cont. to monitor.
10/26/2009	Hedden, Richard	Had meeting with VP and issued NI-0 for continued cross fit activity without a permit. I had Anthony Campo sign and date the NOV.
09/15/2009	Hedden, Richard	Obs. no Gym activity, I sent an email to both PO and Business Owner asking for an updated.
08/18/2009	Hedden, Richard	I spoke with the PO, Ms. Campo and advised of violation and what was needed to bring into compliance. I will continue to monitor.
08/14/2009	Hedden, Richard	Neg. contact with PO or Business owner. I left v-mail for PO.
07/22/2009	Hedden, Richard	Obs. no violation. Continue to monitor.
07/17/2009	Hedden, Richard	LO-12 sent to the Prop. Owner, "Tonya A Campo" by cert. mail retrun receipt. This was a Final Notice due to the past case history of violations of the same nature.
07/14/2009	Hedden, Richard	Obs. no Gym activity, re-check in one week.
	Massi, Richard	Supplemental 02/11/10, 0805 hrs.: Spoke to c/p (Mrs. Gonzalas) and gave current disposition.

Date	Document Type	Comments
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October 20, 2009



Mr. Ethan Edwards, Planning Department
City of Huntington Beach – 2000 Main Street
P.O. Box 190
Huntington Beach CA 92648

RE: PLANNING APPLICATION NO. 2009-0230

Dear Mr. Edwards:

We, as concerned residents of the Fashion Home tract, located off McFadden/Sugar Drive in Huntington Beach, strongly object to the Planning Application No. 2009-0230 for a fitness class business at 7736 Sugar Drive.

This fitness class brings in an excessive amount of vehicle traffic that park on both sides of Sugar Drive. Residents have noticed that the business is apparently being run out of the existing garage at that address and were concerned regarding the legality of this issue. The Huntington Beach Zoning and Subdivision Ordinance was checked and found that under Section 230.12, C. 1. It states, "A home occupation shall be conducted entirely within one room in a dwelling. No outdoor storage shall be permitted. Garages shall not be used in connection with such business except to park business vehicles."

In addition, 230.12 C.4. states "A home occupation shall not increase pedestrian or vehicle traffic in the neighborhood." This is clearly a Code violation, in that the business increases both pedestrian and vehicle traffic.

There have been numerous reports by residents that participants of the fitness classes, on commencing their run through the neighborhood, dart out into the street without regard for vehicles entering or exiting on Sugar Drive. This has resulted in several close calls of pedestrian/vehicle accidents.

This additional parking on both sides of the street, has created a safety issue in that they block the view of those exiting Rushmore Lane onto Sugar Drive. Those exiting cannot get a clear view of oncoming traffic and often start to pull out, thinking it is safe and most often it is not.

WE, THE FOLLOWING SIGNED RESIDENTS OF THE FASHION HOME TRACT STRONGLY OPPOSE THE ISSUANCE OF PLANNING APPLICATION PERMIT NO. 2009-0230.

ATTACHMENT NO. 8.1

RESIDENT NAME

STREET ADDRESS

RESIDENT NAME	STREET ADDRESS
Dan Ramon	15312 Cascade Ln HB.
Ken Clark	15332 Cascade Ln
Ron & Susan Mondragon	15362 Cascade Lane
Jimmy Small	15379 Cascade Ln. H.B.
P. Jensen	15381 CASCADE LN
ANA FEDERONTO	15441 CASCADE IN. H.B.
ROBERT SCHMIDT	15451 CASCADE LN H.B.
Ortiz & Aunt	15371 Cascade Ln HB.
Man & John Donaldson	15352 CASCADE LN HB
Sally Chase	15261 Cascade Ln HB
John Baker	15241 CASCADE LN HB
William & Stanley	7571 Whitney Dr HB
Renee Frank	7581 Whitney Dr HB
Madrina Bidner	7621 Whitney Dr HB
P.A. Clark	7661 Whitney Dr HB
Cynthia Javadzadeh	7701 Whitney Dr HB
Steve Jones	7711 Whitney Dr HB
Nancy Owen	7721 Whitney Dr HB
Sue Owen	7721 WHITNEY HB
FRANK TAMBURELLI	7722 Whitney DR. HB
ILKER KARAPAP	7712 Whitney Dr HB
Angie Stark	7672 - Whitney Dr G.G. 92642
Steve Wilson	7662 Whitney Dr
Cliff Martin	7662 Whitney Drive 92647
MIKE Campbell	7542 WHITNEY 92647
JOHN BOYD	15271 CASCADE 92647
Sharon Johnson	15287 Cascade 92647
STAN PERRY	15292 CASCADE. 92647
Joshua Loy	15301 Cascade Ln 92647
Cathy Tran	15361 Cascade Lane CA 92647
GARY L. GONZALES	15291 CASCADE LANE CA 92647

RESIDENT NAME

STREET ADDRESS

Quana Le	15391 Cascade Lane HB
Brianne Baldwin	15421 Cascade Lane H.B. 92647
Lore Fesay	15421 Cascade Lane HB 92647
Robin Schmidt	7051 SUGAR DR. HB 92647
Beverly B. Schmidt	7051 SUGAR DR. HB 92647
Thuy Nguyen	7681 Sugar Dr HB 92647
NAM HA	7742 SUGAR DR HB 92647
John Winners	15421 RUSHMORE LANE, HB 92647
Mary Thun	15401 Rushmore Ln HB 92647
John E. Borchert	153601 Rushmoor Ln HB 92647
John Borchert	15323 Rushmoor Ln HB 92647
Anthony & Bernice Zimmers	15291 Rushmoor Ln HB 92647
Chris Cole	15292 Rushmoor Ln H.B. 92647
NICOLE QUAS	7661 EVEREST CIR HB CA 92647
KELLY & ALICIA MANIER	7691 EVEREST CIR HB 92647
DARLENE PATTON	7711 Everest Cir HB 92647
Harriette Ryan	7711 Everest Cr. HB 92647
TAMMY HUGHES	7731 Everest Cir HB 92647
WILLIAM HOLTOM	7731 EVEREST CR H.B. 92647
Kandice Klotenichuk	7682 Everest Cir HB 92647
Deborah Gimer	15371 RUSHMOOR, HB 92647
Deborah Gimer	15491 Rushmoor, HB 92647
Juan A. Mandona	153A1 Cascade Ln. HB. 92647
Barbara Mandona	153A1 Cascade Ln. HB. 92647
Paul	7691 Sugar Dr. HB 92647
Jean Gagnon	15272 Shasta Ln. H.B. 92647
Jim Mal	7551 WHITNEY DR. H.B. CA. 92647
Carl Oest	15271 Shasta Ln. HB.
Stephanie Ericson	15281 SHASTA Lane HB HB 92647
Erin Duval	15282 Shasta Ln HB CA 92647
Douglas Dronney	15322 Shasta Ln H.B. CA 92647

RESIDENT NAME

STREET ADDRESS

RICHARD & BLANCA AHELAN 7661 SUGAR DR. H.B. CA 92647

~~Blanca AheLAN~~

~~Richard AheLAN~~ ↑

Patricia J. Jir 15452 SHASTA LANE H.B., CA 92647

DAVID D. PAOLO 15461 SHASTA LN, HB, CA 92647

Jim S 15301 SHASTA LN HB 92647

Fan Smith 15251 Cascade Lane HB 92647

Diana Tsukamoto 15342 Shasta Lane Huntington Beach CA 92647

Diane Ryan 7701 Etna Cir, Huntington Beach, CA 92647

Jammy Nelson 7711 Etna Circle, HB CA 92647

Reinold Helms 4752915371 Cottonwood Cir 92647

DeAnne Frink 15451 Cottonwood Cir 92647

Multiple blank horizontal lines for additional entries.

October 18, 2009



Ethan Edwards, Planning Department
City of Huntington Beach
2000 Main Street
Huntington Beach, Ca. 92648

Re: Planning Application No. 2009-0230

Dear Mr. Edwards:

I would like to express my concerns about the application from Anthony Campo and his mother Tonya Campo for an administrative permit for small group fitness classes. They have been conducting these classes without a permit for at least a year. During that time, there have been numerous cars parked on both sides Sugar Drive. This is already a fairly narrow street and with cars are on both sides, the visibility is limited especially when making a left hand turn from Rushmoor Lane.

Besides the obstructed visibility and the added traffic to our neighborhood, they appear to be in violation of some of the city codes: Ref. 230.12, C-1, C-2, C-4 and C-7:

- C1- Their fitness classes are conducted in the garage and on other outside areas of the property.
- C2- Anthony Campo and his mother do not live at this address.
- C4- There is considerable increase in the number of vehicles parked along Sugar Drive.
- C7- Their business is listed on a website called Crossfit Surf City with the address and a map showing the Sugar Drive location (see attached).

Tonya Campo also continually parks a motor home alternately on Sugar Drive and Rushmoor Lane . It is moved periodically to stay within the parking codes, however, this adds another vehicle to our neighborhood for someone who does not even live here. Taking all of this into consideration, I would ask that their application be rejected.

Sincerely,

A handwritten signature in cursive script that reads "Diane A. Ryan".

Diane A. Ryan

issuance of building permits. Evidence of such filing shall be submitted to the Director within 30 days of approval. (3710-6/05)

- E. Parkland Dedication In-lieu Fee. A parkland dedication in-lieu fee shall be assessed as set by resolution of the City Council pursuant to Section 230.20 and paid prior to issuance of the building permit. (3710-6/05)

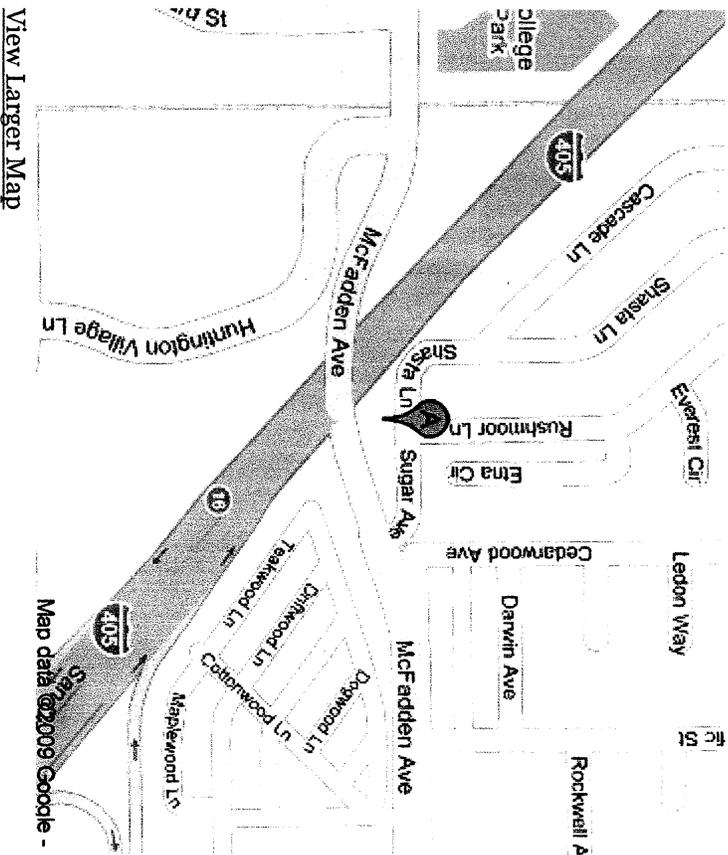
230.12 Home Occupation in R Districts

- A. Permit Required. A home occupation in an R district shall require a Home Occupation Permit, obtained by filing a completed application form with the Director. The Director shall approve the permit upon determining that the proposed home occupation complies with the requirements of this section.
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 2. No one other than a resident of the dwelling shall be employed on-site or report to work at the site in the conduct of a home occupation. This prohibition also applies to independent contractors.
 3. There shall be no display of merchandise, projects, operations, signs or name plates of any kind visible from outside the dwelling. The appearance of the dwelling shall not be altered, or shall the business be conducted in a manner to indicate that the dwelling or its premises is used for a non-residential purpose, whether by colors, materials, construction, lighting, windows, signs, sounds or any other means whatsoever.
 4. A home occupation shall not increase pedestrian or vehicle traffic in the neighborhood.
 5. No commercial vehicle or equipment used in conjunction with the home occupation shall be parked overnight on an adjacent street or in any yard visible from the street.
 6. No motor vehicle repair for commercial purposes shall be permitted.
 7. A home occupation shall not include an office or salesroom open to visitors, and there shall be no advertising of the address of the home occupation.
 8. Neighborhood Notification shall be in compliance with Chapter 241 when a home occupation involves instruction and/or service, e.g. music lessons, beauty shop, swimming lessons. Where a home occupation involves swimming instruction in an outdoor swimming pool, each swimming class shall be limited to 4 students, and no more than 2 vehicles shall be used to transport students to such classes. (3710-6/05)

Crossfit Surf City

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- [Getting Started](#)
- [What is Crossfit?](#)
- [Class Schedule](#)
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Getting started with us is simple – give us a call at 714-653-2212 to schedule your FREE private introduction to CrossFit or email us at info@crossfitsurfcityusa.com Our program requires each athlete to complete an introduction prior to enrollment. This is a one-on-one session during which you'll get a chance to learn a lot more about CrossFit Surf City and actually experience a workout for yourself. It is by appointment only and is a prerequisite for taking a group class. The introductory session allows us to get to know you, find out what your current level of fitness and skill is and discover what your goals are. After your intro, you can choose one of several enrollment options that give you access to classes, private skill lessons, nutrition education, workout journaling, challenges, seminars and events at our School of Elite Fitness.



[View Larger Map](#)

info@crossfitsurfcityusa.com

(714) 653-2212

7736 Sugar Dr.

Huntington Beach, CA 92647

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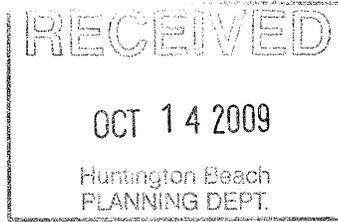
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ATTACHMENT NO. 8.8

October 14, 2009



Mr. Ethan Edwards
City of Huntington Beach
Planning Department
P.O. Box 190
Huntington Beach CA 92648

Dear Mr. Edwards:

I am writing again to oppose the business expansion at 7731 Sugar Drive – it is already not safe to drive in and out due to the volume of vehicles parked on both sides of the street. I was almost hit last week by a vehicle pulling out from Rushmore – she could not see me coming around the curve and thought it was safe to pull out – have heard a couple of similar stories of near misses from other neighbors. The business as it now stands is already impacting the residents of this area – the expansion of the business they are requesting would GREATLY impact the 150 homes in the Fashion area residents coming and going.

Also, the people attending the fitness class periodically run out of the drive at 7731 Sugar Drive and unfortunately do not look both ways for traffic – I have had to stop suddenly more than a couple of times, also something I have heard from other neighbors.

Another problem is the motor home, which is parked on Shasta about 95 percent of the time. It takes up so much space, there is not room for two cars to pass. If you own a motor home, part of the responsibility of being an owner is paying to have it stored – you don't see any other motor homes on the street in our area – and it is not because people don't own motor homes, they are being responsible and paying to have them stored.

ONCE AGAIN, I CANNOT EXPRESS HOW STRONGLY WE ARE OPPOSED TO THE EXPANSION OF THE FITNESS BUSINESS ON SUGAR DRIVE.


Ron and Susan Mondragon
15362 Cascade Lane
(714) 894-4320

October 10, 2009

Ethan Edwards , Planning Dept.
City of Huntington Beach
2000 Main Street
Huntington Beach. Calif. 92648



Re: Planning Application No. 2009-0230

Dear Mr. Edwards,

Anthony Campo and his mother Tonya Campo applied for an administrative permit for 7736 Sugar Drive in Huntington Beach for a small group fitness class. They already have a business at this address which is some type of convalescent home.

It was brought to our attention that they were caught by code enforcement for running a fitness class without a city permit.

In reading the zoning laws in our city they have also violated other city codes; Ref. 230.12, C-1, 2, and 4:

- C1 - Their fitness class is conducted in the **garage and on other outside areas of the property.**
- C2 - Anthony Campo and his mother Tonya Campo **do not live at this address.**
- C4 - As part of their physical fitness class participants **run throughout the neighborhood.**

Their fitness class adds a **huge amount of vehicle traffic** on Sugar. The professional count that was taken showed Sugar Drive alone had 198 vehicles in a twenty-four hour period for only seven houses. Please keep in mind this is the street we all have to use to enter or exit our tract.

Due to these facts their application should be rejected.

Yours Truly,

Edith & Gary Gonzales



Huntington Beach

Map produced by information contained in the City of Huntington Beach Information Services Department Geographic Information System. Information warranted for City use only. Huntington Beach does not guarantee its completeness or accuracy.
 Map Produced on 5/15/2009



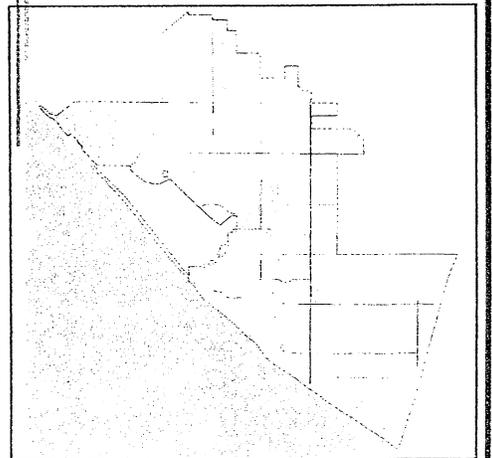
HB
GIS

0 157 314



One inch equals 157 feet

- STREET NAMES
- CITY BOUNDARY
- STREET CENTERLINES (DOTS/DASHES)
 - Small Street
 - Major
 - Collector
 - Primary
 - Secondary
 - Residential
 - Travelsky
 - Alley
- ISOLAYS
- BUILDINGS
- HARBOR
- PARKS
- PARCELS
- PIER



Edwards, Ethan

From: Kelley, Jason
Sent: Thursday, October 01, 2009 3:31 PM
To: Edwards, Ethan
Subject: FW: Anthony Campos Fitness Classes

FYI

Jason Kelley
Senior Planner
City of Huntington Beach - Planning Department
p. (714) 374-1553 f. (714) 374-1540
jkelly@surfcity-hb.org

From: Medel, Rosemary
Sent: Thursday, October 01, 2009 2:47 PM
To: Kelley, Jason
Subject: FW: Anthony Campos Fitness Classes

Who is the project planner on this? Please forward this email to them.

Thanks,

Rosemary Medel, Associate Planner
City of Huntington Beach, CA 92648
Office (714) 374-1684
Fax (714) 374-1540

From: JeanetteGag@aol.com [mailto:JeanetteGag@aol.com]
Sent: Thursday, October 01, 2009 2:17 PM
To: Medel, Rosemary
Subject: Anthony Campos Fitness Classes

City of Huntington Beach
Planning Dept.

As a resident of Shasta Lane I would like to object to the fitness classes being held/proposed to be held at 7736 Sugar Drive. I am not against the classes but what goes along with them, parking. They need to provide the parking on their property. The parking at this time is dangerous for residents. This week I was almost hit by a car coming out of Rushmoor because they could not see my car travelling west on Sugar. I find that I cannot see cars as I am exiting Rushmoor to go east on Sugar and must creep forward usually into the path of cars going west.

Please consider this problem when you make your decision on the permit.

Thank you

Jean Gagnon
15272 Shasta Lane
Huntington Beach, CA 92647.
714 894 2012

10/14/2009

ATTACHMENT NO. 8.12

To: Ethan Edwards

10/4/09

OCT 06 2009

Huntington Beach
PLANNING DEPT.

I am writing to express my concern over what I believe to be a code violation. I live at 7711 Etna Circle in Huntington Beach near Sugar Drive which is the only route into my neighborhood. There apparently has been a business in the form of a gym operating out of 7736 Sugar. I just received a letter from another neighbor indicating that they are now requesting a rezoning of the property. My first concern is we are not commercially zoned in this tract it is zoned for single family dwelling, designated (RL) in the zoning map.

210.02

The RL Low Density Residential District provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven (7) units per acre.

Secondly I have felt the frustration of dealing with this business for the last year, which included groups of people running up and down the middle of the street during the start of my morning commute and especially here lately the massive increase of traffic and parked cars at the mouth of my neighborhood. If you visit the area in the afternoon you will see that vision is severely impaired in and out of the secondary artery of the tract, Rushmore because these gym members are parking along the entire swath of sugar completely obstructing view. This presents a public safety concern which cannot be ignored. If they receive a granting of their expansion request it will only compound matters.

Lastly I am concerned about the increase of traffic in general this new addition in my neighborhood will cause. This is a small tight knit community and with the advent of the new beach corridor project and addition of new business we are all concerned about crime and safety. Increasing the business flow increases the sheer number of people accessing our tract and most assuredly increase the crime in and around Sugar.

Not only do I believe that the owner of 7736 Sugar should not be granted their request I think they should be sited for running a business in a residential.

Thank You,
Garr Nelson



ATTACHMENT NO. 8.13

Edwards, Ethan

From: Rich Phelan [wfo426@msn.com]
Sent: Saturday, October 03, 2009 11:16 AM
To: Edwards, Ethan
Subject: 7736 Sugar Drive Group Fitness Classes
Importance: High

October 3, 2009

Sir :

I am writing this email with great concerns for what is happening in my community and directly across the street from where I reside. I reside at 7661 Sugar Drive, Huntington Beach. As far as I know, this area is zoned as residential, not commercial, yet we have several businesses running out of this residential neighborhood, (two retirement homes, one limo service and now, fitness classes that is run out of one of the retirement homes).

The biggest problem of all of the businesses in our neighborhood is this One Run by Anthony Campo who is offering small group fitness classes at 7736 Sugar Drive (retirement home address). We are hard working blue collar workers and we appreciate our weekends spending our time in our home. We like to go out for breakfast on Saturday mornings and when we return home, there is no parking on our street. There have been times that we have had to park our vehicle in the next block because of the amount of people who use the fitness classes. Oh, and by the way, they have been running this for almost two years without the benefit of a business license. The parking on Sugar Drive is almost non-existent when they are running their classes:

Point one, how are they allowed to run a business out of the retirement home like this without the ability of supplying the proper parking for the people taking these classes.

Point two, since when is a residential area zoned for commercial enterprises.

We were not asked to sign a variance to allow for this to happen. They also continuously park their huge motorhome on Sugar Drive on the street in front of the home but far enough to have their clients to either park in front or behind it. Isn't there a vehicle code that cites vehicles of this type that extends beyond the width of a regular vehicle onto the street to be parked on a residential street?

We are definitely against any and all of this group fitness classes that are being offer out of a private residence. Let them find suitable existence in an approved commercial area. If you feel the need to contact me for any further information, I can be contacted at the Balboa Bay Club at (949) 630-4320, Monday through Wednesday, or at my residence the rest of the time at (714) 893-5649.

Sincerely yours,

Richard Phelan

(Richard & Blanca Phelan, Concern resident, 7661 Sugar Drive, Huntington Beach, CA 92647)

p.s. As far as we know, we are the only people that received Mr. Campo's letter on Sugar Drive.

ATTACHMENT NO. 8.15

September 29, 2009



Mr. Ethan Edwards
City of Huntington Beach
Planning Department
P.O. Box 190
Huntington Beach CA 92648

Dear Mr. Edwards:

I am writing to oppose the business expansion at 7731 Sugar Drive – it is already not safe to drive in and out due to vehicles parked on both sides of the street and makes it especially difficult when the motor home is parked on the street, which it is 95 percent of the time. It does not leave enough street space for two vehicles. I understand that they have a permit to park there, but it is really unsafe to vehicles coming in and out of the neighborhood. There is a sign posted coming into the tract about parking large vehicles, but apparently if you get a permit, it is OK. It is also difficult for drivers to see around the vehicles parked on both sides, when they come out on Rushmore – they have to pull out because they can't see. I have already had three close calls. With the expansion of the fitness business run out of the home on Sugar, it would put residents coming in and out at even more of a safety risk. The residents already are heavily impacted getting out of our tract of homes due to so much traffic in both directions on McFadden. I doubt that very many of us go left – it is just too dangerous – vehicles are coming at a fast rate of speed coming over the hill.

I understand that they want to expand their business, especially in today's economic situation, but that one business at the present time is already heavily impacting the safety of 150 residential homes.

AGAIN, WE ARE STRONGLY OPPOSED TO THE EXPANSION OF THE FITNESS BUSINESS ON SUGAR DRIVE.

Ron + Susan Mondragon

Ron and Susan Mondragon

15362 Cascade Lane

(714) 894-4320

ATTACHMENT NO. 8.16

230.12 Home Occupation in R Districts

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 9. Any authorized City employee may inspect the premises of a home occupation upon 48 hours notice to ascertain compliance with these conditions and any requirements of this code. The permit for a home occupation that is not operated in compliance with these provisions shall be revoked by the Director after 30 days written notice unless the home occupation is altered to comply.