# City of Newark Appeal of Fitness 19 Application

5/28/2020

ART INTERIANO

DEPUTY COMMUNITY DEVELOPMENT DIRECTOR



## Application Information

Appellant Request: Appeal Approval of Fitness 19 CUP

**Appellant**: VN Investment Group LLC

Applicant: Mitch Gardner, on behalf of Fitness 19

Subject Property: 6203 Jarvis Ave

**Zoning**: Community Commercial (CC)

**General Plan**: Community Commercial

## Applicant Request

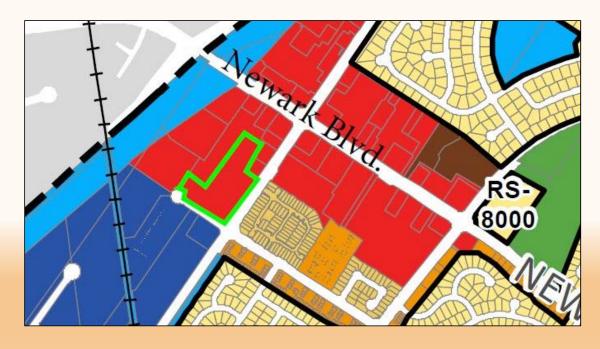
**Request**: Allow a fitness center and health club to lease 28,242 sq.ft. at 6203 Jarvis Ave.

**Zoning Code:** An indoor fitness and recreational use in the Community Commercial Zoning District requires a CUP per N.M.C. Section 17.08.020.

**Business Description**: Fitness 19 is a national chain with over 100 fitness centers. This location would provide:

- Strength training and various aerobic classes
- Free weight rooms
- Approximately 35-40 employees, most being part-time with 5-6 full-time staff.

## Location and Zoning Map



6203 Jarvis Ave is Zoned Community Commercial (CC)

#### Public Hearing Meetings

#### Planning Commission Meeting January 14, 2020

The Commission voted to continue the item to allow staff and applicant to research and address the following questions and comments:

- Provide an sense of Sprouts Farmer's Market support of the CUP
- Research property crime data
- Address items in the opposition letter by adjacent property attorney,
   Nossaman LLP:
  - CEQA
  - Parking Analysis
  - CCR's Restrictions

#### Public Hearing Meetings

#### Planning Commission Meeting February 11, 2020

The Commission took into consideration the following information:

- Sprouts Farmer's Market letter of support for the CUP
- No property crime history at the proposed site in preceding five years
- Project exempt from CEQA
- Peer review of parking analysis
- CC&R's not applicable to City review
- Summary of staff's recommended findings for approval

The Planning Commission voted to approve (3 Yes, 2 Absent) the Fitness 19 CUP.

## Public Hearing Meetings

#### Summary of Findings

Pursuant to Chapter 17.35, Section 17.35.060, the Planning Commission found the Fitness 19 CUP findings could be made, in that the application:

- Is found consistent with the existing Community Commercial zoning district and General Plan
- Is supported by General Plan Policy LU-1.1 and LU-1.6
- Does not have an adverse effect to public heath, safety, or general welfare of the surrounding community
- Occupies an existing commercial storefront that has been vacant for approximately four years.

#### Staff Recommendation

Uphold the Planning Commission decision to approve CUP U-20-1 for an Indoor sports and recreation use, Fitness 19, at 6203 Jarvis Avenue

#### Questions?

**Community Development Department** 

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