

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** June 11, 2014

**TO:** Members of the Planning Commission

**FROM:** Lucille T. Breese, AICP, Planning Manager

**RE:** CUP 12-04 – Conditional Use Permit

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**AGENDA ITEM NO. 1**

**CUP 12-04 – Review of Issues Relating to Conditional Use Permit**  
**Continued from May 14, 2014 meeting**

Planning Commission review of issues relating to Conditional Use Permit (CUP 12-04) issued February 13, 2012, for operation of a CrossFit Gym located at 1251 West Laurel Avenue, Units 32 to 37 in the *Industrial (I)* Zoning District (Assessor Parcel Numbers: 89-510-32 to 37). This action is exempt from the California Environmental Quality Act (CEQA).

On March 12, 2014, the Commission directed staff to investigate the alleged complaints on the noise from the gym use and return to the Planning Commission with the results of the investigation.

- The Police Department has record of one report on March 22, 2014 of “Loud Music from Inside the Business” at 9:49 am. An officer responded and discussed the complaint with the gym owner.
- The City had an independent Noise Level Analysis performed over a seven (7) day period from April 21 to April 28, 2014 utilizing a professional sound level meter. The results (see Attachment No. 1) were analyzed by an Acoustician indicate: *“the CrossFit Ohana gym noise levels at the nearest residential yard meets the City’s Noise Element maximum of 60 dBA noise criterion applicable to the project.”*
- Staff has spoken with Mr. & Mrs. Rasmussen regarding the matter.

Recommendation:

At the March 14, 2014 hearing, staff advised the Planning Commission: “Once a permittee has incurred substantial expense and acted in reliance on the Conditional Use Permit, the courts may consider the permittee to have acquired a fundamental vested right. When the permittee has acquired such a vested right, the Conditional Use Permit may be modified, following due process, if the permittee fails to comply with the reasonable terms and conditions in the permit or if there is compelling public necessity.”

Based upon the investigation performed and materials presented, staff recommends no further action be taken at this time to modify CUP 12-04 for the CrossFit Gym.

Attachment: [Noise Level Analysis dated May 7, 2014](#)

Staff Report has been reviewed and approved for submission to the Planning Commission			
<b>Teresa Gallavan</b>	<b>Date</b>	<b>Lucille T. Breese, AICP</b>	<b>Date</b>
<b>Economic Development Director / Assistant City Administrator</b>		<b>Planning Manager</b>	



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May 7, 2014

Ms. Stacy Lawson, Senior Environmental Coordinator  
City of Lompoc  
Economic and Community Development Department  
100 Civic Center Plaza  
Lompoc, CA 93436

***SUBJECT: Results of Exterior Noise Level Analysis  
Cross-Fit Gym  
Lompoc, California***

Dear Ms. Lawson:

Dudek has completed verification noise measurements for the existing CrossFit Ohana, which is located at 1299 West Laurel Avenue, in the City of Lompoc. The purpose of verification noise measurements was to document actual noise levels from the facility operation at nearby noise-sensitive land-uses (i.e., the adjacent residential property line).

This report presents a discussion of the Project Background and Vicinity Conditions (Section 1), Noise Criteria (Section 2), Noise Measurements (Section 3), and Noise Element Policy Compliance Analysis (Section 4).

## **1. PROJECT BACKGROUND AND VICINITY CONDITIONS**

The CrossFit Ohana gym facility occupies the north end of a one-story structure that extends from West Laurel Avenue on the south to Maple Avenue on the north. This structure is located within and along the western boundary of properties zoned industrial ("I"). Industrial and service commercial uses are located to the east of this property; public facility uses exist to the south, across Laurel Avenue; multi-family residences are located on the property immediately west; and multi-family residences exist to the north, across Maple Avenue.

The structure in which CrossFit Ohana gym facility occupies the northern portion was designed and constructed for industrial uses. The construction of the industrial structure consists of concrete block exterior walls, steel framed windows, and steel roll-up loading doors. The roll-up doors are located on the east façade of the building, and are typically open during operating hours to achieve sufficient ventilation for the gym activities.

## ***Cross-Fit Gym Facility Evaluation, City of Lompoc*** ***Results of Exterior Noise Level Evaluation***

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On the immediately adjacent property to the west of the gym, which is zoned "R-2" (multi-family residential), a two-story multi-family residential structure is located within 20 feet of the industrial building housing the gym. The cross-fit gym use involves intermittent percussive noise from weights hitting the floor and medicine balls hitting the wall, which are audible on the adjacent residential property. Classes begin at 5:00 a.m. and continue until after 8:00 p.m. The gym operates seven (7) days a week.

Because the residents on the adjacent property have complained about the noise from gym activities, the City requested sound level measurements in order to document the average noise levels from the gym at the residential property boundary.

### **2. NOISE CRITERIA**

#### *Noise Fundamentals and Terminology*

Sound pressure level (referred to as sound level) is measured on a logarithmic scale in decibels (dB) that represent the fluctuation of air pressure above and below atmospheric pressure. Frequency, or pitch, is a physical characteristic of sound and is expressed in units of cycles per second or hertz (Hz). The normal frequency range of hearing for most people extends from about 20 to 20,000 Hz. The human ear is more sensitive to middle and high frequencies, especially when the noise levels are quieter. As noise levels get louder, the human ear starts to hear the frequency spectrum more evenly. To accommodate for this phenomenon, a weighting system to evaluate how loud a noise level is to a human was developed. The frequency weighting called "A" weighting is typically used for quieter noise levels which de-emphasizes the low frequency components of the sound in a manner similar to the response of a human ear. This A-weighted sound level is called the "noise level" and is referenced in units of dBA.

Since sound is measured on a logarithmic scale, a doubling of sound energy results in a 3 dBA increase in the noise level. The human ear perceives a 10 dBA increase in sound level as a doubling of the sound level (i.e., 65 dBA sounds twice as loud as 55 dBA to a human ear).

An individual's noise exposure occurs over a period of time; however, noise level is a measure of noise at a given instant in time. Community noise sources vary continuously, being the product of many noise sources at various distances, all of which constitute a relatively stable background or ambient noise environment. The background, or ambient, noise level gradually changes throughout a typical day, corresponding to distant noise sources, such as traffic volume, as well as changes in atmospheric conditions.

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Noise levels are generally higher during the daytime and early evening when traffic (including airplanes), commercial, and industrial activity is the greatest. However, noise sources experienced during nighttime hours when background levels are generally lower can be potentially more conspicuous and irritating to the receiver. In order to evaluate noise in a way that considers periodic fluctuations experienced throughout the day and night, a concept termed "community noise equivalent level" (CNEL) was developed, wherein noise measurements are weighted, added, and averaged over a 24-hour period to reflect magnitude, duration, frequency, and time of occurrence. A complete definition of CNEL is provided below.

Different types of measurements are used to characterize the time-varying nature of sound. Below are brief definitions of these measurements and other terminology used in this report.

- **Decibel (dB)** is a unitless measure of sound on a logarithmic scale which indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude. The reference pressure is 20 micropascals.
- **A-weighted decibel (dBA)** is an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Equivalent sound level (Leq)** is the constant level that, over a given time period, transmits the same amount of acoustic energy as the actual time-varying sound. Equivalent sound levels are the basis for both the day–night average sound levels (Ldn) and community noise equivalent level (CNEL) scales.
- **Maximum sound level (Lmax)** is the maximum sound level measured during the measurement period.
- **Minimum sound level (Lmin)** is the minimum sound level measured during the measurement period.
- **Day–night average sound level (Ldn)** is a 24-hour average A-weighted sound level with a 10 dB penalty added to the nighttime hours from 10:00 p.m. to 7:00 a.m. The 10 dB penalty is applied to account for increased noise sensitivity during the nighttime hours.
- **Community noise equivalent level (CNEL)** The City of Lompoc describes community noise levels in terms of the CNEL. The CNEL is the average equivalent A-weighted sound level during a 24-hour day. CNEL accounts for the increased noise sensitivity during the evening hours (7 p.m. to 10 p.m.) and nighttime hours (10 p.m. to 7 a.m.) by adding 5 dB to the sound levels in the evening and 10 dB to the sound levels at night. CNEL and Ldn are often considered equivalent descriptors.

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*Lompoc Noise Element*

The City of Lompoc Noise Element (City of Lompoc General Plan, 1997) identifies the maximum allowable noise exposure limits for each land use category in the City. Table 1 illustrates these adopted noise limits.

**TABLE 1**  
City of Lompoc Noise Standards

LAND USE CATEGORIES		CNEL	
CATEGORIES	USES	INTERIOR <sup>1</sup>	EXTERIOR <sup>2</sup>
Residential	Single Family, Duplex, Multiple Family, Mobile Home	45 <sup>3</sup>	60
Commercial & Industrial	Retail, Restaurant	55	65
	Motel	45	60
	Professional Offices, Movie Theater, Auditorium	45	65
	Manufacturing, Utilities, Warehousing, Agriculture	65	75
Community Facility	Hospital, School, Nursing Home, Church, Library, Civic Offices, Parks	45	65
Open Space	Passive Outdoor Recreation	--	60

Table Notes:

1. Interior areas exclude bathrooms, closets, and corridors.
2. Exterior areas are limited to the following:
  - Private yards or patios of residential uses;
  - Restaurant patios;
  - Motel recreation areas;
  - Office, theater, or hospital patios or assembly areas;
  - School playgrounds;
  - Nursing home, library, or civic office assembly areas; and
  - Park picnic areas.
3. If achievement of the interior noise standards requires that windows and doors remain closed, air conditioning or mechanical ventilation is required.
4. In areas affected by aircraft noise, the standard is 65 CNEL with the stipulation that the noise level exclusive of the aircraft-generated noise cannot exceed 60 CNEL.

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### Application of Standards

In situations of overlapping Noise Standards, the quieter standard shall apply unless it can be found that the circumstances of the project allow for a less conservative interpretation based on the specific type of use, the benefits of the project, and the ability to mitigate the noise impacts.

The CrossFit Ohana gym facility is located in an industrial zone, where exterior noise levels are allowed to reach a maximum of 75 dBA CNEL. However, the property is at the boundary between industrial and residential zoning. The maximum allowable exterior noise exposure for the adjacent residentially zoned property is 60 dBA CNEL. Based upon the application of standards rule above, we interpret that the CrossFit Ohana gym facility must not have operational noise levels at the nearest residential property line which exceeds 60 dB(A) CNEL, in order for compliance with Noise Element Policy to be maintained.

### **3. NOISE MEASUREMENTS**

Dudek monitored noise levels for a week long period from noon on Monday April 21, 2014 to noon on Monday April 28, 2014 at the residential property immediately adjacent to the west of the CrossFit Ohana gym facility. The measurements were taken with a calibrated Soft dB Piccolo (Serial Number 140108013) integrating sound level meter equipped with a ½-inch pre-polarized condenser microphone with pre-amplifier. This sound level meter meets the current American National Standards Institute standard for a Type 2 precision sound level meter.

The sound level meter was positioned at a height of five feet above the ground at a distance of 7.0 feet from the concrete boundary wall at the property line. This measurement distance represents the closest point where free field conditions exist for a sound level measurement. Closer to the solid wall itself, there is a shadow area where sound waves are more completely blocked below the elevation of the top of the wall, leading to an under-estimate of the total sound exposure. At 6 feet or more distance from the face of the wall, the sound levels are representative of the total sound exposure from neighboring sources near ground level. The sound level from the CrossFit Ohana gym facility at all other points within the residential yard area would be equal to or less than at the measurement point, given greater separation distance from the noise source to the receiver location within the yard (the patio area is located no closer than 7 feet from the wall).

Noise levels in terms of slow A-weighted sound pressure level  $L_{eq}$  were recorded continuously across the week-long measurement period. Table 2 below provides the results of the noise measurement, on an hourly average ( $L_{eq}$ ) basis for each hour of the measurement period.

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**Results of Exterior Noise Level Evaluation**

**TABLE 2**

Summary of Measurement Results and Calculation of CNEL and LDN

	Mon/Tues Hourly $L_{eq}$	Tues/Wed Hourly $L_{eq}$	Wed/Thr Hourly $L_{eq}$	Thr/Fri Hourly $L_{eq}$	Fri/Sat Hourly $L_{eq}$	Sat/Sun Hourly $L_{eq}$	Sun/Mon Hourly $L_{eq}$
Noon	51	57	57	54	47	51	51
1 PM	48	61	58	56	45	58	61
2 PM	47	62	59	53	49	53	59
3 PM	47	60	59	51	47	47	51
4 PM	48	59	61	55	50	48	50
5 PM	48	55	53	48	51	55	48
6 PM	47	49	47	50	49	47	49
7 PM	48	49	46	48	52	48	46
8 PM	44	49	43	45	46	46	45
9 PM	39	45	39	45	42	39	42
10 PM	40	49	43	47	45	49	40
11 PM	36	39	38	47	41	38	39
Midnight	41	42	36	43	43	43	42
1 AM	37	37	37	43	43	43	37
2 AM	38	39	38	40	40	39	38
3 AM	37	37	37	41	41	37	41
4 AM	41	42	42	41	41	42	41
5 AM	47	47	48	47	47	47	47
6 AM	56	46	48	50	50	50	50
7 AM	54	48	51	50	50	54	54
8 AM	58	51	55	46	46	51	58
9 AM	59	52	54	46	46	54	52
10 AM	56	55	54	48	48	48	55
11 AM	55	52	52	47	47	47	52
CNEL	<b>55</b>	<b>56</b>	<b>55</b>	<b>53</b>	<b>52</b>	<b>54</b>	<b>54</b>
LDN	<b>55</b>	<b>56</b>	<b>55</b>	<b>53</b>	<b>52</b>	<b>53</b>	<b>54</b>



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Attachment 1 provides the sound level readings from the Piccolo sound level measurement across the one-week period, the summary of which is presented above in *Table 2*. Attachment 2 includes a worksheet for each 24 hour period to calculate the CNEL and LDN values from the recorded hourly average sound levels. The summary results of the CNEL and LDN calculations are also presented in *Table 2*, above. As illustrated in *Table 2*, the CNEL value for the 7-day measurement period ranged from 52 to 56 dBA.

**4. NOISE ELEMENT COMPLIANCE ANALYSIS**

As discussed in Section 3, the sound level meter was placed in the yard area for the residence immediately adjacent to CrossFit Ohana gym. The meter was approximately five feet above ground level, which is in accordance with exterior noise measurement guidelines that are meant to approximate the elevation of the average human ear above ground level (while standing). A person standing in the yard or patio area would therefore experience the sound levels recorded by the meter. Because there is a 7-foot high concrete block wall between the residential yard and the neighboring gym activity, a person sitting in the yard would experience lower sound levels than measured (the wall has a greater relative height above sitting level than standing level, providing greater noise attenuation for areas closer to the ground).

As prescribed in the Lompoc Noise Element, the exterior noise limit is intended to apply to “*Private yards or patios of residential uses.*” The noise element does not specify exterior noise limits for upper level balconies or building facades. In other words, ground level outdoor living areas are to be protected from exposure greater than 60 dBA CNEL, but noise exposure levels may exceed this for upper stories in a residential structure.

As indicated in Attachment 2, and summarized in *Table 2*, the calculated noise level within the yard area of the closest residential property to the CrossFit Ohana gym over the one-week measurement period did not exceed **56 dB(A) CNEL**. The calculated range over the 7-day period was from 52 to 56 dBA CNEL.

The sound level measurements and analysis conducted for this report indicate the CrossFit Ohana gym noise levels at the nearest residential yard meets the City’s Noise Element maximum of 60 dBA CNEL noise criterion applicable to the project. CrossFit Ohana gym is therefore in compliance with applicable portions of the Lompoc Noise Element which govern noise exposure levels for the adjacent residential land uses.

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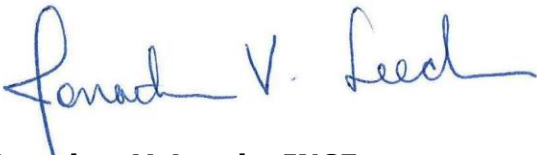
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This completes the verification noise study prepared by Dudek for the CrossFit Ohana gym located at 1299 West Laurel Avenue, in the City of Lompoc.

Should you have any questions regarding the above information, please do not hesitate to contact me at (805) 308-8527 or jleech@dudek.com.

Sincerely yours,

**DUDEK**

A handwritten signature in blue ink that reads "Jonathan V. Leech". The signature is written in a cursive style with a large initial 'J'.

**Jonathan V. Leech, INCE**

Acoustician

Attachments:

**Attachment 1**

**Sound Level Meter Record Log**

**Attachment 2**

**Calculated Daily CNEL and LDN Values**

ATTACHMENT 1  
SOUND LEVEL METER RECORD LOG

Date hh:mm	Slow Response		dBA weighting			2.0 dB resolution stats				
	Leq	LeqPeriod	Lmax	Lmin	L1%	L5%	L10%	L50%	L90%	
4/21/2014 12:00	1.0 hour		51	73.9	41.3	59	55	53	47	43
4/21/2014 13:00	1.0 hour		48.1	74	39.4	55	51	47	43	41
4/21/2014 14:00	1.0 hour		47.4	65.6	39.1	57	53	49	43	41
4/21/2014 15:00	1.0 hour		46.8	65.5	38.1	55	51	49	41	39
4/21/2014 16:00	1.0 hour		47.7	64.7	37.2	57	53	51	43	39
4/21/2014 17:00	1.0 hour		48.3	63.6	37.2	57	53	51	43	39
4/21/2014 18:00	1.0 hour		47.2	67	38.4	55	51	49	43	41
4/21/2014 19:00	1.0 hour		47.9	66.7	35.4	59	53	49	41	37
4/21/2014 20:00	1.0 hour		43.9	66.7	35.4	55	47	43	37	35
4/21/2014 21:00	1.0 hour		38.8	55.9	35.4	47	41	39	37	35
4/21/2014 22:00	1.0 hour		39.8	59.3	35.4	49	43	39	35	35
4/21/2014 23:00	1.0 hour		36.2	55	35.3	39	37	35	35	35
4/22/2014 0:00	1.0 hour		40.8	56.5	35.4	49	45	45	35	35
4/22/2014 1:00	1.0 hour		37.2	55.3	35.4	43	39	37	35	35
4/22/2014 2:00	1.0 hour		38.5	61.8	35.4	43	39	37	35	35
4/22/2014 3:00	1.0 hour		37.4	52.6	35.4	41	39	39	35	35
4/22/2014 4:00	1.0 hour		40.6	60.6	35.4	51	43	41	37	35
4/22/2014 5:00	1.0 hour		47.3	68.6	37.6	55	51	49	43	41
4/22/2014 6:00	1.0 hour		55.9	67.9	39.5	63	61	59	49	41
4/22/2014 7:00	1.0 hour		53.5	66.4	39.1	61	59	57	49	43
4/22/2014 8:00	1.0 hour		57.7	74.3	41.3	67	63	61	53	45
4/22/2014 9:00	1.0 hour		58.8	76	40.2	69	63	61	53	47
4/22/2014 10:00	1.0 hour		55.6	72.2	41.1	65	61	59	49	45
4/22/2014 11:00	1.0 hour		55	71.4	42.5	65	61	57	49	43
4/22/2014 12:00	1.0 hour		57	75.1	43.2	67	63	61	51	45
4/22/2014 13:00	1.0 hour		60.7	78	42.4	71	67	63	53	45
4/22/2014 14:00	1.0 hour		62.2	78.6	42.7	71	67	65	55	47
4/22/2014 15:00	1.0 hour		60.2	76	42.4	69	65	63	53	45
4/22/2014 16:00	1.0 hour		58.5	76.3	40.9	69	65	61	51	43
4/22/2014 17:00	1.0 hour		55	75.6	40.2	67	61	57	47	41
4/22/2014 18:00	1.0 hour		48.9	68.3	37.2	59	53	51	43	39
4/22/2014 19:00	1.0 hour		49	67.1	38.5	59	53	51	43	41

4/22/2014 20:00 1.0 hour	49	67.7	37.1	59	53	51	43	39
4/22/2014 21:00 1.0 hour	44.5	66.8	35.5	55	49	45	39	37
4/22/2014 22:00 1.0 hour	49.3	76	35.4	53	47	43	37	35
4/22/2014 23:00 1.0 hour	38.5	56.6	35.4	47	41	39	35	35
4/23/2014 0:00 1.0 hour	41.5	57.2	35.4	49	47	45	35	35
4/23/2014 1:00 1.0 hour	37.3	56.7	35.1	43	39	37	35	35
4/23/2014 2:00 1.0 hour	38.7	60.9	35.3	47	39	37	35	35
4/23/2014 3:00 1.0 hour	37	46.1	35.4	41	39	37	35	35
4/23/2014 4:00 1.0 hour	41.9	60.2	35.8	51	45	43	39	37
4/23/2014 5:00 1.0 hour	47	68.6	38.5	55	49	47	43	41
4/23/2014 6:00 1.0 hour	46	59.4	39.7	51	49	47	43	41
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4/24/2014 10:00 1.0 hour	53.5	66.9	40.9	61	57	55	51	45
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4/25/2014 1:00 1.0 hour	43	62	32.5	53	49	45	35	35
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4/25/2014 3:00 1.0 hour	40.5	59.3	32.5	49	45	41	37	35
4/25/2014 4:00 1.0 hour	40.6	59	34.1	51	45	41	37	35
4/25/2014 5:00 1.0 hour	47.2	72	37.2	55	49	47	43	39
4/25/2014 6:00 1.0 hour	49.5	64.9	40.1	57	53	51	45	41
4/25/2014 7:00 1.0 hour	50.2	66.6	38.3	61	53	51	47	43
4/25/2014 8:00 1.0 hour	46.4	63.3	37.7	53	49	47	43	41
4/25/2014 9:00 1.0 hour	46	61.2	38.3	53	49	49	43	39
4/25/2014 10:00 1.0 hour	47.9	68.2	38.7	57	51	49	43	41
4/25/2014 11:00 1.0 hour	46.6	63.1	40.1	55	49	49	43	41
4/25/2014 12:00 1.0 hour	47	61.3	40.2	55	51	49	43	41
4/25/2014 13:00 1.0 hour	44.7	63.3	37.4	51	49	47	41	39
4/25/2014 14:00 1.0 hour	48.5	63.6	39.4	57	53	51	43	41
4/25/2014 15:00 1.0 hour	47.2	61.8	38.6	55	51	49	43	41

4/25/2014 16:00 1.0 hour	50.1	66.2	37.2	59	55	53	45	41
4/25/2014 17:00 1.0 hour	51.4	69	39.9	61	57	53	47	43
4/25/2014 18:00 1.0 hour	48.8	64.5	37.2	59	55	51	43	39
4/25/2014 19:00 1.0 hour	51.5	68.4	39.2	61	57	55	45	41
4/25/2014 20:00 1.0 hour	45.8	65	36.9	57	51	45	39	37
4/25/2014 21:00 1.0 hour	41.8	61.1	35.4	51	45	43	37	37
4/25/2014 22:00 1.0 hour	45.3	64.1	35.4	55	49	47	39	35
4/25/2014 23:00 1.0 hour	41.4	61.7	36.7	49	43	41	39	37
4/26/2014 0:00 1.0 hour	43.4	60.9	35.5	51	47	47	39	37
4/26/2014 1:00 1.0 hour	43	62	32.5	53	49	45	35	35
4/26/2014 2:00 1.0 hour	39.8	63.1	32.5	49	41	39	35	35
4/26/2014 3:00 1.0 hour	40.5	59.3	32.5	49	45	41	37	35
4/26/2014 4:00 1.0 hour	40.6	59	34.1	51	45	41	37	35
4/26/2014 5:00 1.0 hour	47.2	72	37.2	55	49	47	43	39
4/26/2014 6:00 1.0 hour	49.5	64.9	40.1	57	53	51	45	41
4/26/2014 7:00 1.0 hour	50.2	66.6	38.3	61	53	51	47	43
4/26/2014 8:00 1.0 hour	46.4	63.3	37.7	53	49	47	43	41
4/26/2014 9:00 1.0 hour	46	61.2	38.3	53	49	49	43	39
4/26/2014 10:00 1.0 hour	47.9	68.2	38.7	57	51	49	43	41
4/26/2014 11:00 1.0 hour	46.6	63.1	40.1	55	49	49	43	41
4/26/2014 12:00 1.0 hour	51	73.9	41.3	59	55	53	47	43
4/26/2014 13:00 1.0 hour	57.8	78.1	42.4	67	63	61	51	45
4/26/2014 14:00 1.0 hour	53.1	69.2	42.5	61	57	55	49	45
4/26/2014 15:00 1.0 hour	47.2	61.8	38.6	55	51	49	43	41
4/26/2014 16:00 1.0 hour	47.7	64.7	37.2	57	53	51	43	39
4/26/2014 17:00 1.0 hour	55	75.6	40.2	67	61	57	47	41
4/26/2014 18:00 1.0 hour	47.2	63.2	38.4	55	51	49	43	41
4/26/2014 19:00 1.0 hour	48	67.8	38.4	57	51	49	43	41
4/26/2014 20:00 1.0 hour	45.8	65	36.9	57	51	45	39	37
4/26/2014 21:00 1.0 hour	38.8	55.9	35.4	47	41	39	37	35
4/26/2014 22:00 1.0 hour	49.3	76	35.4	53	47	43	37	35
4/26/2014 23:00 1.0 hour	37.7	57.9	33.5	47	39	37	35	35
4/27/2014 0:00 1.0 hour	42.7	61.5	32.5	53	47	45	35	35
4/27/2014 1:00 1.0 hour	43	62	32.5	53	49	45	35	35

4/27/2014 2:00 1.0 hour	38.5	61.8	35.4	43	39	37	35	35
4/27/2014 3:00 1.0 hour	37	46.1	35.4	41	39	37	35	35
4/27/2014 4:00 1.0 hour	42.3	58.8	37	51	45	43	39	37
4/27/2014 5:00 1.0 hour	47.2	72	37.2	55	49	47	43	39
4/27/2014 6:00 1.0 hour	49.5	64.9	40.1	57	53	51	45	41
4/27/2014 7:00 1.0 hour	53.5	66.4	39.1	61	59	57	49	43
4/27/2014 8:00 1.0 hour	51	66.3	39.2	59	55	53	47	43
4/27/2014 9:00 1.0 hour	54.2	73.1	38.3	61	57	55	51	43
4/27/2014 10:00 1.0 hour	47.9	68.2	38.7	57	51	49	43	41
4/27/2014 11:00 1.0 hour	46.6	63.1	40.1	55	49	49	43	41
4/27/2014 12:00 1.0 hour	51	73.9	41.3	59	55	53	47	43
4/27/2014 13:00 1.0 hour	60.7	78	42.4	71	67	63	53	45
4/27/2014 14:00 1.0 hour	58.5	77.7	41.3	67	63	61	53	45
4/27/2014 15:00 1.0 hour	50.6	68.7	40.5	59	55	53	47	43
4/27/2014 16:00 1.0 hour	50.1	66.2	37.2	59	55	53	45	41
4/27/2014 17:00 1.0 hour	48.3	63.6	37.2	57	53	51	43	39
4/27/2014 18:00 1.0 hour	48.9	68.3	37.2	59	53	51	43	39
4/27/2014 19:00 1.0 hour	45.7	65.1	37.7	53	49	47	43	39
4/27/2014 20:00 1.0 hour	45.2	62.8	35.5	55	49	47	41	37
4/27/2014 21:00 1.0 hour	41.8	61.1	35.4	51	45	43	37	37
4/27/2014 22:00 1.0 hour	39.8	59.3	35.4	49	43	39	35	35
4/27/2014 23:00 1.0 hour	38.5	56.6	35.4	47	41	39	35	35
4/28/2014 0:00 1.0 hour	41.5	57.2	35.4	49	47	45	35	35
4/28/2014 1:00 1.0 hour	36.8	53	35	43	37	37	35	35
4/28/2014 2:00 1.0 hour	38.4	64.5	33.3	45	37	35	35	35
4/28/2014 3:00 1.0 hour	40.5	59.3	32.5	49	45	41	37	35
4/28/2014 4:00 1.0 hour	40.6	59	34.1	51	45	41	37	35
4/28/2014 5:00 1.0 hour	47.2	72	37.2	55	49	47	43	39
4/28/2014 6:00 1.0 hour	49.5	64.9	40.1	57	53	51	45	41
4/28/2014 7:00 1.0 hour	53.5	66.4	39.1	61	59	57	49	43
4/28/2014 8:00 1.0 hour	57.7	74.3	41.3	67	63	61	53	45
4/28/2014 9:00 1.0 hour	52.3	72.7	41.9	61	57	55	47	43
4/28/2014 10:00 1.0 hour	54.9	75.6	43.3	63	61	59	49	45
4/28/2014 11:00 1.0 hour	51.9	74.1	42.9	57	55	53	49	43



ATTACHMENT 2  
DAILY CNEL AND LDN CALCULATION

Mon-Tues

Leq	Time	Adjustment				
41	Midnight	10	51	51		
37	1	10	47	47		
38	2	10	48	48		
37	3	10	47	47		
41	4	10	51	51		
47	5	10	57	57		
56	6	10	66	66		
54	7am		54	54		
58	8		58	58		
59	9		59	59		
56	10		56	56		
55	11		55	55		
51	noon		51	51		
48	1		48	48		
47	2		47	47		
47	3		47	47		
48	4		48	48		
48	5		48	48		
47	6		47	47		
48	7	5	53	48		
44	8	5	49	44		
39	9	5	44	39		
40	10	10	50	50		
36	11	10	46	46		
			55.3	55.2		
			CNEL	LDN		

Tues-Wed

Leq	Time	Adjustment				
42	Midnight	10	51.5	51.5		
37	1	10	47.3	47.3		
39	2	10	48.7	48.7		
37	3	10	47	47		
42	4	10	51.9	51.9		
47	5	10	57	57		
46	6	10	56	56		
48	7am		48.4	48.4		
51	8		51	51		
52	9		52.3	52.3		
55	10		54.9	54.9		
52	11		52.3	52.3		
57	noon		57	57		
61	1		60.7	60.7		
62	2		62.2	62.2		
60	3		60.2	60.2		
59	4		58.5	58.5		
55	5		55	55		
49	6		48.9	48.9		
49	7	5	54	49		
49	8	5	54	49		
45	9	5	49.5	44.5		
49	10	10	59.3	59.3		
39	11	10	48.5	48.5		
			55.8	55.6		
			CNEL	LDN		

Wed-Thur

Leq	Time	Adjustment				
36	Midnight	10	46.4	46.4		
37	1	10	46.8	46.8		
38	2	10	48.4	48.4		
37	3	10	47	47		
42	4	10	52.3	52.3		
48	5	10	58.1	58.1		
48	6	10	58.4	58.4		
51	7am		51.1	51.1		
55	8		55.4	55.4		
54	9		54.2	54.2		
54	10		53.5	53.5		
52	11		51.9	51.9		
57	noon		56.5	56.5		
58	1		57.8	57.8		
59	2		58.5	58.5		
59	3		58.7	58.7		
61	4		61.2	61.2		
53	5		53.3	53.3		
47	6		47.2	47.2		
46	7	5	50.7	45.7		
43	8	5	47.9	42.9		
39	9	5	43.7	38.7		
43	10	10	53.4	53.4		
38	11	10	47.7	47.7		
			54.9	54.8		
			CNEL	LDN		

Thur-Fri

Leq	Time	Adjustment				
43	Midnight	10	52.7	52.7		
43	1	10	53	53		
40	2	10	49.8	49.8		
41	3	10	50.5	50.5		
41	4	10	50.6	50.6		
47	5	10	57.2	57.2		
50	6	10	59.5	59.5		
50	7am		50.2	50.2		
46	8		46.4	46.4		
46	9		46	46		
48	10		47.9	47.9		
47	11		46.6	46.6		
54	noon		54.1	54.1		
56	1		55.6	55.6		
53	2		53.1	53.1		
51	3		50.6	50.6		
55	4		54.8	54.8		
48	5		48.3	48.3		
50	6		49.9	49.9		
48	7	5	53	48		
45	8	5	50.2	45.2		
45	9	5	49.6	44.6		
47	10	10	57.1	57.1		
47	11	10	57	57		
			53.4	53.2		
			CNEL	LDN		

Fri-Sat

Leq	Time	Adjustment				
43	Midnight	10	53.4	53.4		
43	1	10	53	53		
40	2	10	49.8	49.8		
41	3	10	50.5	50.5		
41	4	10	50.6	50.6		
47	5	10	57.2	57.2		
50	6	10	59.5	59.5		
50	7am		50.2	50.2		
46	8		46.4	46.4		
46	9		46	46		
48	10		47.9	47.9		
47	11		46.6	46.6		
47	noon		47	47		
45	1		44.7	44.7		
49	2		48.5	48.5		
47	3		47.2	47.2		
50	4		50.1	50.1		
51	5		51.4	51.4		
49	6		48.8	48.8		
52	7	5	56.5	51.5		
46	8	5	50.8	45.8		
42	9	5	46.8	41.8		
45	10	10	55.3	55.3		
41	11	10	51.4	51.4		
			52.3	51.8		
			CNEL	LDN		

Sat-Sun

Leq	Time	Adjustment				
43	Midnight	10	52.7	52.7		
43	1	10	53	53		
39	2	10	48.5	48.5		
37	3	10	47	47		
42	4	10	52.3	52.3		
47	5	10	57.2	57.2		
50	6	10	59.5	59.5		
54	7am		53.5	53.5		
51	8		51	51		
54	9		54.2	54.2		
48	10		47.9	47.9		
47	11		46.6	46.6		
51	noon		51	51		
58	1		57.8	57.8		
53	2		53.1	53.1		
47	3		47.2	47.2		
48	4		47.7	47.7		
55	5		55	55		
47	6		47.2	47.2		
48	7	5	53	48		
46	8	5	50.8	45.8		
39	9	5	43.8	38.8		
49	10	10	59.3	59.3		
38	11	10	47.7	47.7		
			53.6	53.4		
			CNEL	LDN		

Sun-Mon

Leq	Time	Adjustment				
42	Midnight	10	51.5	51.5		
37	1	10	46.8	46.8		
38	2	10	48.4	48.4		
41	3	10	50.5	50.5		
41	4	10	50.6	50.6		
47	5	10	57.2	57.2		
50	6	10	59.5	59.5		
54	7am		53.5	53.5		
58	8		57.7	57.7		
52	9		52.3	52.3		
55	10		54.9	54.9		
52	11		51.9	51.9		
51	noon		51	51		
61	1		60.7	60.7		
59	2		58.5	58.5		
51	3		50.6	50.6		
50	4		50.1	50.1		
48	5		48.3	48.3		
49	6		48.9	48.9		
46	7	5	50.7	45.7		
45	8	5	50.2	45.2		
42	9	5	46.8	41.8		
40	10	10	49.8	49.8		
39	11	10	48.5	48.5		
			54.1	54.0		
			CNEL	LDN		



**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** June 11, 2014

**TO:** Members of the Planning Commission

**FROM:** Lucille T. Breese, AICP, Planning Manager

**RE:** **SUPPLEMENTAL INFORMATION No. 1**

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**AGENDA ITEM NO. 1**

**CUP 12-04 – Review of Issues Relating to Conditional Use Permit**  
**Continued from May 14, 2014 meeting**

Planning Commission review of issues relating to Conditional Use Permit (CUP 12-04) issued February 13, 2012, for operation of a CrossFit Gym located at 1251 West Laurel Avenue, Units 32 to 37 in the *Industrial (I)* Zoning District (Assessor Parcel Numbers: 89-510-32 to 37). This action is exempt from the California Environmental Quality Act (CEQA).

Attached please find Supplemental Information for the above referenced Agenda Item:

- Correspondence dated June 10, 2014, from Mr. Thomas E. Shuck of Parker, Milliken, Clark, O'Hara & Samuelian Attorney for Mr. Rasmussen
- Correspondence dated June 10, 2014, from Mr. Brandon Ward, Assistant City Attorney

**PARKER MILLIKEN**

100 YEARS - Est. 1913

PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN  
A PROFESSIONAL CORPORATION

THOMAS E. SHUCK

Direct Dial: (213) 683-6623  
E-mail: TSHUCK@PMCOS.COM

June 10, 2014

**VIA E-MAIL AND U.S. MAIL**

Lucille T. Breese, AICP, Planning Manager  
Lompoc Planning Commission  
100 Civic Center Plaza  
Lompoc, CA 93436  
l\_breese@ci.lompoc.ca.us

Re: CUP 12-04 – CrossFit Gym- Request for Postponement of June 11, 2014 Public Hearing Item No. 1, Review and Recommendation on Noise and Nuisance Issues Relating to Conditional Use Permit

Dear Ms. Breese:

This firm is legal counsel to West Pointe Homes, Inc., owner of 73 Lot Tract No. LOM544, including the residence at 1327 Crown Circle, which is presently the combined residence and tract office of my client's President, James S. Rasmussen. This home is immediately adjacent to the CrossFit gym and is the most severely but not exclusively impacted home in the community. The history of the noise, and vibrations and the structural issues from the gym are well documented in the minutes of recent Planning reports, the press and complaints in your file.

I understand you scheduled and then postponed several meetings to discuss action with my client's representative, Mr. Rasmussen, including one on May 28, 2014 when he specially returned from Lubbock, Texas. In a phone conference on Monday, June 8, 2014, my client was surprised to learn from you that the Planning Department report tentatively proposes to end further inquiry and advise the Planning Commission that the gym is *not* in violation of the CUP.

The purpose of this letter is to urge that the Planning Department not make this recommendation and, instead, make a recommendation that my client and the City have additional time to correct an existing flawed noise study, process additional police department and other complaints, and work on a permanent solution. We suggest 60 to 90 days. Among other problems, the noise study you have is not valid because the gym somehow got notice and

ATTORNEYS AT LAW  
THIRTIETH FLOOR  
555 SO. FLOWER STREET • LOS ANGELES, CA 90071-2440  
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[WWW.PMCOS.COM](http://WWW.PMCOS.COM)

A CENTURY OF SUPERIOR LEGAL SERVICES AND RESULTS

#428442

Lucille T. Breese, AICP, Planning Manager

June 10, 2014

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drastically curtailed normal noise and vibration creating activities until the sound equipment was removed. Obviously, such results are not usable.

**Background to Issuance of CUP 12-04 And the Incompatibility of the CUP with the City's Noise Control Objectives.**

As you know, the CUP for the Ohana CrossFit gym was issued on February 13, 2012. Approval was based in substantial part on the expectation that the industrial center itself, and the block wall that separates my client's tract from the industrial center, would work in conjunction to shed noise created by the concrete batch plant across the street. The City properly recognized that sound mitigation was a critical issue for the couple of hundred Lompoc residents that will eventually inhabit the homes in my client's tract and, in the surrounding apartments. No one expected that uses in the center itself would create excessive noise.

Yet, when the Commission issued the CUP and allowed the Ohana CrossFit gym to move into the industrial center space in March 2012, it appears to have overlooked the overriding sound mitigation goal, and the obviously incompatible proximity of the gym to the homes. This despite the fact that there is a substantial record that CrossFit Gyms have created identical irreconcilable issues in many cities around the country and have been required to mitigate or move. These reports are **attached** to this letter.

When the CUP was issued, 1327 Crown Circle had been completed for nine months. Due to the depressed housing market my client had to rent the residence. The tenant took possession in December, 2011, four months *before* the gym opened. The renter moved out after only a year, in December 2012, because she could not stand the noise and vibration from the gym. The master bedroom is immediately adjacent to the sound wall. The renter, as single woman, never slept in the master bedroom because it was uninhabitable. Instead, she slept in a back room. This amounts to a deprivation of one's use of one's home.

As has been documented in previous meetings and in press reports, the gym runs seven days a week from 5:00 a.m. to at least 9:00 p.m. The excessive noise, the loud music, and the dropping of weights are both continuous and sporadic. There are brief periods of silence unpredictably interrupted by deafening noise and vibration.

You apparently told my client's representative that one reason you were inclined to close the noise investigation, was that he had not created an extensive enough complaint record. Attached are six police event records since January from my client's representative and others. Mr. Rasmussen stopped calling the police because the captain admonished him for drawing on the department for non-emergencies. At the same time, he got assurances from the City Building Official, Ms. Sarah Roane, who met with him on site and acknowledged the problem. She told him that she told the Planning Department that there were serious issues. Mayor Linn himself visited the residence for 1½ hours on about April 26, 2014 and confirmed the excessive noise.

Lucille T. Breese, AICP, Planning Manager

June 10, 2014

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He told Mr. Rasmussen not to worry, that the City was going to take care of it and that the gym would be moved. So imagine our surprise yesterday. After you told him there were not enough complaints, Mr. Rasmussen filed five more reports in the last 36 hours to try and comply with your suggestion. This is not productive.

**Approval of "No Noise Issue" Report Would be Improper; Continuance For Further Investigation Is Required; The Only Permanent Solution is To Move the Gym**

Approval of the CUP on a finding on "no noise issues" would be demonstrably and false, and unsupportable. There is now a two-year history of ceaseless noise and vibration impacting adjacent residences. This will only get worse. A homeowner cannot simply move and pass the problem to someone else; it will persist for each resident.

Aside from the stress of day- to- day habitability, one or more property values will likely be permanently diminished. Approval will possibly trigger ongoing legal actions against the city by my client and one or more homeowners or the homeowners' association to abate the nuisance.

While deferring the proposed recommendation for accurate sound studies is essential, the important thing for the City to realize is that this use is entirely and permanently contrary to the original sound protection concerns and measures that promised compatibility between the homes, the mall and the batch operation, and drove the approvals. The gym use should not have been allowed even on a conditional basis given pre-existing, obvious presence of the immediately adjacent residences in the tract.

As the Commission noted at the March 14, 2014 hearing, the community benefits of the gym are not at issue. Only the location of the gym is in issue. It must be relocated. Since it is apparently well attended and highly regarded, its members will willingly follow it to any more appropriate location.

Please confirm that the Public Hearing on Agenda Item No. 1 for tomorrow night will be continued for reasons stated.

Sincerely,



Thomas E. Shuck  
PARKER, MILLIKEN, CLARK,  
O'HARA & SAMUELIAN

TES/ld  
(continued on next page)

**PARKER MILLIKEN**

100 YEARS - EST. 1913

Attorneys at Law

Lucille T. Breese, AICP, Planning Manager

June 10, 2014

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Attachments

cc: Commissioner Federico Cioni (via e-mail)  
Commissioner Allan Clark (via e-mail)  
Commissioner Ron Fink (via e-mail)  
Commissioner Mary Leach (via e-mail)  
Commissioner Jack Rodenhi (via e-mail)  
The Hon. John Linn (via e-mail)

# Police Complaints

**LOMPOC POLICE DEPARTMENT**

107 CIVIC CENTER PLAZA  
LOMPOC, CA 93436  
(805) 736-2341

EVENT #

1406-0538

6/5/14

2020 PM.

EVENT # 1406-0983

OFF. MILLER

6/9/14

1630 HOURS.

OFFICER: BRIAN GORE

HEARD THE SOUND

WILL TESTIFY

# LOMPOC POLICE DEPARTMENT

107 Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: <b>1301-0749</b>	Date: <b>01/08/13</b>	Final Type: <b>Disturbance Music</b>	Disposition(s): <b>Contacted And Counsel</b>
---------------------------	-----------------------	--------------------------------------	--

Address: **1299 W Laurel Av, Lompoc; Crossfit Ohana Gym**

### Related Events:

Beat:	Sector: <b>149</b>	Fire Area: <b>1</b>	EMS Post:	Parcel:
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### Event Times and Assignment Data

Received By: <b>MPAINE</b>	Primary Unit: <b>SAANERUD</b>	Units Assigned: <b>SAANERUD 05:49</b>
Received: <b>05:46:59</b>	First/Original Unit: <b>SAANERUD</b>	
Dispatched: <b>05:49:19</b>	Priority When Assigned: <b>Not Urgent</b>	
Arrived: <b>06:05:05</b>	Original Type: <b>Disturbance Music</b>	
Cleared: <b>06:07:59</b>		

### Dispatch Notes

Dispatcher ID	Date / Time	Notes
<b>MPAINE</b>	<b>01/08/13 05:47:18</b>	<b>Loud music coming from the gym.</b>
<b>BSCHERER</b>	<b>01/08/13 06:07:54</b>	<b>23 - DOORS CLOSED, MUSIC CANNOT BE HEARD FROM THE STREET</b>
<b>BSCHERER</b>	<b>01/08/13 06:07:58</b>	<b>** Call Disposition set to CAC by BSCHERER **</b>

### Event Unit Log

Date / Time	Unit ID	Status	Location
<b>01/08/2013 05:49:19</b>	<b>23</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>01/08/2013 06:05:05</b>	<b>23</b>	<b>On Scene</b>	<b>1299 W Laurel Av</b>
<b>01/08/2013 06:07:59</b>	<b>23</b>	<b>Cleared</b>	

CONFIDENTIAL POLICE REPORT  
 THIS REPORT WAS RELEASED ON  
 5-30-14 TO J Rasmussen  
 DISTRIBUTION WITHOUT THE PERMISSION OF THE  
 LOMPOC POLICE DEPARTMENT  
 OR LOMPAC PD WILL BE  
 BY LAW IS IT PUBLIC



# LOMPOC POLICE DEPARTMENT

107 Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: 1401-1322	Date: 01/13/14	Final Type: Disturbance Music	Disposition(s): Contacted And Counseld
--------------------	----------------	-------------------------------	--

Address: 1299 W Laurel Av, Lompoc; Crossfit Ohana Gym

Related Events:

Beat:                      Sector: 149                      Fire Area: 1                      EMS Post:                      Parcel:

**Event Times and Assignment Data**

Received By: <b>KKUDRONOW</b>	Primary Unit: <b>ENESBY</b>	Units Assigned: <b>ENESBY 20:13</b>
Received: <b>19:30:50</b>	First/Original Unit: <b>ENESBY</b>	<b>LGARZA 20:13</b>
Dispatched: <b>20:13:21</b>	Priority When Assigned: <b>Not Urgent</b>	
Arrived: <b>20:17:06</b>	Original Type: <b>Disturbance Music</b>	
Cleared: <b>20:19:35</b>		

**Parties**

Name	Phone	Address	Notes
RASMUSSEN, JAMES	(805) 370-0075	1327 Crown Cir	

**Dispatch Notes**

Dispatcher ID	Date / Time	Notes
KKUDRONO	01/13/14 19:31:46	Call location changed from Address: 1327 Crown Cir to Loc: Crossfit Ohana Gym by KKUDRONOWI
RNEUMANN	01/13/14 20:19:32	24 - owner advised and closed the front door

**Event Unit Log**

Date / Time	Unit ID	Status	Location
01/13/2014 20:13:21	24	Dispatched	1299 W Laurel Av
01/13/2014 20:13:22	A5	Dispatched	1299 W Laurel Av
01/13/2014 20:17:06	24	On Scene	1299 W Laurel Av
01/13/2014 20:19:34	A5	Cleared	
01/13/2014 20:19:34	24	Cleared	

CALIFORNIA POLICE REPORT  
 THIS REPORT IS FILED ON  
 5-30-14 BY J. Rasmussen  
 DISTRIBUTION WITH PERMISSION OF THE  
 LOMPOC POLICE DEPARTMENT  
 OTHER THAN AS SET FORTH  
 BY LAW IS PROHIBITED

# LOMPOC POLICE DEPARTMENT

107 Civic Center Plaza, Lompoc, CA 93436  
CA0420200

## Event Record

Event #: 1403-2584	Date: 03/22/14	Final Type: Disturbance Music	Disposition(s): Contacted And Counsel
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Address: 1299 W Laurel Av, Lompoc; Ohana Gym

**Related Events:**

Beat:	Sector: 149	Fire Area: 1	EMS Post:	Parcel:
-------	-------------	--------------	-----------	---------

**Event Times and Assignment Data**

Received By: DCOLEMAN	Primary Unit: BGUERRA	Units Assigned: BGUERRA 09:54
Received: 09:49:14	First/Original Unit: BGUERRA	VMAGALLON 09:54
Dispatched: 09:54:37	Priority When Assigned: Not Urgent	
Arrived: 10:01:41	Original Type: Disturbance Music	
Cleared: 10:11:12		

**Parties**

Name	Phone	Address	Notes
[REDACTED]	[REDACTED]	[REDACTED]	

**Dispatch Notes**

Dispatcher ID	Date / Time	Notes
DCOLEMAN	03/22/14 09:49:27	** Priority set to Not Urgent by DCOLEMAN**
DCOLEMAN	03/22/14 09:49:46	LOUD MUSIC FROM INSIDE THE BUSINESS
DCOLEMAN	03/22/14 09:51:47	** Party record changed from RP: [REDACTED] by DCOLEMAN**
DCOLEMAN	03/22/14 09:51:54	** Call Type changed from 415N to 415MUS by DCOLEMAN**
DCOLEMAN	03/22/14 09:52:03	ONGOING FOR THE LAST HOUR
NJONES	03/22/14 10:10:05	28 - OWNER, DARREN SAVELLA, CAC, ADVISED OF COMPLAINT AND INFORMED THAT LOUD MUSIC
	03/22/14 10:10:05	PLUS ALL ROLL UP DOORS OPEN IS NOT A GOOD IDEA
NJONES	03/22/14 10:11:10	28 - OWNER STATED MUSIC WAS BELOW 90 DECIBELS AND HE BELIEVED THAT WAS WITHIN THE
	03/22/14 10:11:10	REGULATION, HE WAS ADVSD REGARDING 415PC AND DECIBELS ARE NOT A FACTOR

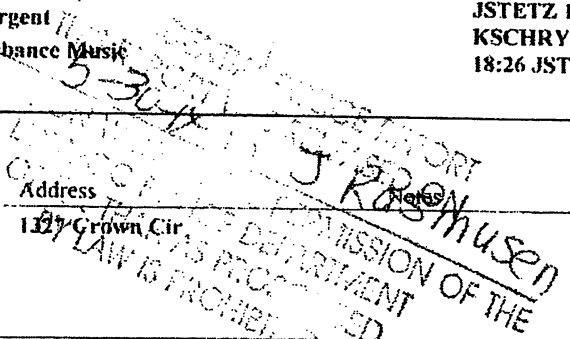
**Event Unit Log**

Date / Time	Unit ID	Status	Location
03/22/2014 09:54:37	28	Dispatched	1299 W Laurel Av
03/22/2014 09:54:39	A6	Dispatched	1299 W Laurel Av
03/22/2014 10:01:41	28	On Scene	1299 W Laurel Av
03/22/2014 10:04:16	A6	On Scene	1299 W Laurel Av
03/22/2014 10:11:11	A6	Cleared	
03/22/2014 10:11:12	28	Cleared	

# LOMPOC POLICE DEPARTMENT

107 Civic Center Plaza, Lompoc, CA 93436  
CA0420200

## Event Record

Event #: <b>1311-0079</b>	Date: <b>11/01/13</b>	Final Type: <b>Disturbance Music</b>	Disposition(s): <b>Contacted And Counseled</b>
Address: <b>1299 W Laurel Av, Lompoc; Crossfit Ohana Gym</b>			
Related Events:			
Beat:	Sector: <b>149</b>	Fire Area: <b>I</b>	EMS Post: Parcel:
<b>Event Times and Assignment Data</b>			
Received By: <b>KBERRY</b>	Primary Unit: <b>JSTETZ</b>	Units Assigned: <b>JSTETZ 16:08</b>	
Received: <b>15:53:34</b>	First/Original Unit: <b>JSTETZ</b>	<b>JSTETZ 16:19</b>	
Dispatched: <b>16:08:13</b>	Priority When Assigned: <b>Not Urgent</b>	<b>JSTETZ 18:23</b>	
Arrived: <b>16:19:55</b>	Original Type: <b>Disturbance Music</b>	<b>KSCHRYVER</b>	
Cleared: <b>18:56:12</b>		<b>18:26 JSTETZ 18:27</b>	
<b>Parties</b>			
Name	Phone	Address	
<b>RASMUSEN, JAMES</b>	<b>(805) 370-0075</b>	<b>1327 Crown Cir</b>	
			
<b>Dispatch Notes</b>			
Dispatcher ID	Date / Time	Notes	
<b>KBERRY</b>	<b>11/01/13 15:55:14</b>	<b>Call location changed from Loc: Ohana House to Loc: OHANA GYM by KBERRY</b>	
<b>KBERRY</b>	<b>11/01/13 15:55:26</b>	<b>FROM THE GYM NEAR HIS RESIDENCE.</b>	
<b>KBERRY</b>	<b>11/01/13 16:09:40</b>	<b>Call location changed from Location: OHANA GYM to Address: 1299 W Laurel Av by KBERRY</b>	
<b>KKUDRONO</b>	<b>11/01/13 16:19:11</b>	<b>S7-OWNER NOTIFIED BY PHONE AND EMAIL-MUSIC SHUT OFF</b>	
<b>LCHASE</b>	<b>11/01/13 18:10:07</b>	<b>** Event Re-Opened **</b>	
<b>LCHASE</b>	<b>11/01/13 18:23:08</b>	<b>RP WILLING TO SIGN- STATES MUSIC IS BACK ON</b>	
<b>LCHASE</b>	<b>11/01/13 18:56:11</b>	<b>S7- MET WITH THE OWNER AND TOOK HIM TO THE RP AND THEY WILL WORK IT OUT</b>	
<b>Event Unit Log</b>			
Date / Time	Unit ID	Status	Location
<b>11/01/2013 16:08:13</b>	<b>S7</b>	<b>Dispatched</b>	<b>OHANA GYM</b>
<b>11/01/2013 16:19:13</b>	<b>S7</b>	<b>Cleared</b>	
<b>11/01/2013 16:19:37</b>	<b>S7</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 16:19:55</b>	<b>S7</b>	<b>ON SCENE</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 16:19:55</b>	<b>S7</b>	<b>ON SCENE</b>	<b>1021</b>
<b>11/01/2013 16:19:58</b>	<b>S7</b>	<b>Cleared</b>	
<b>11/01/2013 18:23:57</b>	<b>S7</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 18:23:58</b>	<b>S7</b>	<b>On Scene</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 18:24:02</b>	<b>S7</b>	<b>On Scene</b>	<b>10-21 RP</b>
<b>11/01/2013 18:26:47</b>	<b>19</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 18:26:58</b>	<b>19</b>	<b>On Scene</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 18:27:05</b>	<b>S7</b>	<b>Cleared</b>	<b>10-21 RP</b>
<b>11/01/2013 18:27:07</b>	<b>S7</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>11/01/2013 18:27:11</b>	<b>19</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>

# LOMPOC POLICE DEPARTMENT

107 Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: 1311-0079	Date: 11/01/13	Final Type: Disturbance Music	Disposition(s): Contacted And Counseled
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Address: 1299 W Laurel Av, Lompoc; Crossfit Ohana Gym

### Related Events:

Beat:	Sector: 149	Fire Area: 1	EMS Post:	Parcel:
11/01/2013 18:29:24	S7	On Scene		1299 W Laurel Av
11/01/2013 18:29:25	19	On Scene		1299 W Laurel Av
11/01/2013 18:29:29	19	ON SCENE		1299 W Laurel Av
11/01/2013 18:29:29	S7	ON SCENE		1299 W Laurel Av
11/01/2013 18:56:12	S7	Cleared		
11/01/2013 18:56:12	19	Cleared		

# Problems with CrossFit Gym in Other Parts of the Country



CrossFit Discussion Board > Community > Running a CrossFit Facility

**Noise complaints**

User Name:  Remember Me?


Password:

[Take Dates](#) [CrossFit 1.6.4](#)

**Running a CrossFit Facility** Tips and guidance on how to open and operate a CrossFit gym.

POST REPLY 1 2 >

**Brian Strump**  
Affiliate



**Profile:**  
Join Date: Sep 2009  
Location: Charlotte NC  
Posts: 2,575

**Noise complaints**

So it's taken 10 months, but I finally got my first real complaint after a few warnings for the noise level. Complaints of banging weights, and loud music. They emailed the landlord a 7 minute audio tape with their complaint, which I'll be listening to shortly to see if it's more music, yellings, weights hitting the ground, etc.

Short of moving, what can anyone recommend that's dealt with this problem before? As far as ways to decrease the noise into a neighbors business

Currently we have nothing besides white boards on the walls, and use 3/4in mats for the flooring.

Thanks.

Brian Strump, D.C., FMS, NKT  
[www.crossfitsteeltrack.com/](http://www.crossfitsteeltrack.com/)

QUOTE

**Jay Adams**  
Member

**Profile:**  
Join Date: Apr 2008  
Location: Rochester NY  
Posts: 173

**Re: Noise complaints**


Quote:

Short of moving, what can anyone recommend that's dealt with this problem before? As far as ways to decrease the noise into a neighbors business.

I trained and worked at an affiliate where this happened. There was nothing we could do right. If you got the complaint after warnings you are in a bit of a mess. We had warnings and dropped music volume, added a 2nd layer of flooring and after they kept up we dropped music volume and had a company come in and spray some insulation and use sound baffles and cork to try and help. The complaints kept up and we just moved. Deads hit the floor hard and that noise is jarring. The music volume got so low it sucked to train there and moving was better. I would talk to him and see if it is certain times are better/worse and work something out, but we had no luck.

QUOTE

**Dane Thomas**  
Member



**Profile:**  
Join Date: Jul 2008  
Location: Stockholm Sweden  
Posts: 62

**Re: Noise complaints**

First, keep in mind that the primary thing to address is their perceptions, both of the noise and of you and your business. Before you start throwing money into noise control measures put a lot of effort into helping them to see you as being reasonable to work with. If you get on the wrong foot there there may not be enough money in the world to make them happy, but if you play it right it can end up being a lot easier.

There are numerous sources of noise to be controlled, but rather than taking a shotgun approach to address them all simultaneously ask the person in question which of the types of noise they find most disturbing. Let them know that their priorities are of great importance to you, so in order to address them most effectively it is important for you to know how you can best please them, and in which order. If the music is the biggest problem, notch it down a bit, maybe adjust the mounting of the speakers and ask them as soon as you can if the changes that you have made have been positive.

Make sure that they know that you are trying, and take every opportunity you can to actively solicit positive feedback. You want them to see you not as a problem, but as part of the solution.

QUOTE

**Brian Strump**

Affiliate



**Profile:**

Join Date: Sep 2009  
Location: Charlotte NC  
Posts: 2,575

**Re: Noise complaints**

Anyone have any luck putting something underneath your rubber flooring to dull the noise, and decrease vibration. We already have 3/4in, so instead of replacing with thicker mats, maybe there's something I can put underneath what I currently use?

Brian Strump, D.C., FMS, NRE  
www.crossfitsteelcreek.com/

QUOTE

**Chris Walls**

Affiliate



**Profile:**

Join Date: Apr 2007  
Location: North Battleford  
SK Canada  
Posts: 1,722

**Re: Noise complaints**

Brian, I used to be a recording engineer and sound proofing is a nasty under taking. Especially considering the types of things you're trying to isolate from your neighbours are the hardest to isolate. Low frequency, thudding impacts... To treat the floor in such a way as to dampen that you'd wind up with a floor that feels bouncy and you wouldn't want to drop things on it because it's no longer "solid".

I don't think there is an elegant or effective solution for sound proofing a CrossFit gym... at least not in any way that will leave it effective for training the way you want, or appease the neighbours...

I'd look at moving, the cost to try and fail at reaching a solution in the sound proofing department would be better spent on a move/upgrade on the location.

Sorry.

Accept no excuses, only results  
CrossFit North Battleford

QUOTE

**Chris Walls**

Affiliate



**Profile:**

Join Date: Apr 2007  
Location: North Battleford  
SK Canada  
Posts: 1,722

**Re: Noise complaints**

Quote:

Originally Posted by **Brian Strump**

*Anyone have any luck putting something underneath your rubber flooring to dull the noise, and decrease vibration. We already have 3/4in, so instead of replacing with thicker mats, maybe there's something I can put underneath what I currently use?*

To answer your question the answer is sort of. Essentially you would need to build a whole new subfloor that is not mechanically coupled to the existing floor, and instead floats (by this I mean it is supported on shock absorbers of some kind), this way the impact and vibrations on your actual floor, don't make it to the structure of the building and thus transferred to your neighbours.

Whether or not it will eliminate enough to please the neighbours, or make for a stable enough surface upon which to train I can't say.

Accept no excuses, only results  
CrossFit North Battleford

Last edited by Chris Walls : 03-12-2011 at 12:13 PM

QUOTE



**ALESHIRE &  
WYNDER LLP**  
ATTORNEYS AT LAW

Respond to Los Angeles  
Brandon D. Ward  
bward@awattorneys.com  
Direct (310) 527-6678

**Orange County**  
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Irvine, CA 92612  
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**Los Angeles**  
2361 Rosecrans Ave., Suite 475  
El Segundo, CA 90245  
P 310.527.6660 • F 310.532.7395

**Inland Empire**  
3880 Lemon Street, Suite 520  
Riverside, CA 92501  
P 951.241.7338 • F 951.300.0985

**Central Valley**  
2125 Kern Street, Suite 307  
Fresno, CA 93721  
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awattorneys.com

June 10, 2014

Thomas E. Shuck, Esq.  
PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN  
A Professional Corporation  
555 S. Flower Street, 30th Floor  
Los Angeles, CA 90071

Re: CUP 12-04- CrossFit Ohana CUP Modification Hearing RE Noise

Dear Mr. Shuck:

Our office represents the City of Lompoc ("City") as City Attorney. The City is in receipt of your June 10, 2014 letter to Lucille Breese, City Planning Manager, sent on behalf of your client West Pointe Homes, Inc.

In your June 10<sup>th</sup> letter, you request that Ms. Breese confirm postponement of Item No. 1 on the June 11, 2014 Planning Commission Meeting Agenda. Please note that an item may only be continued at the discretion of the Planning Commission. Please also note that in compliance with the Ralph M. Brown Act, the agenda and supporting documents for the June 11<sup>th</sup> meeting were noticed, posted and distributed last Friday, June 6, 2014. Accordingly, the Planning Commission and the general public have been provided sufficient time to review relevant materials.

That said, your June 10<sup>th</sup> letter will be made available to the Planning Commission and the general public. Additionally, during City staff's presentation on Item No 1, we will reiterate to the Planning Commission your request for a continuance. You may also address the Planning Commission at the June 11<sup>th</sup> meeting to argue for a continuance. The Planning Commission will then decide whether or not to continue this matter.

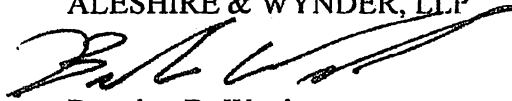


Thomas E. Shuck, Esq.  
June 10, 2014  
Page 2

Please do not hesitate to contact me with any questions.

Very truly yours,

ALESHIRE & WYNDER, LLP



Brandon D. Ward  
Attorney

BDW:ce

cc: James S. Rasmussen  
Lucille T. Breese, AICP, Planning Manager  
Federico Cioni, Planning Commission  
Allan Clark, Planning Commission  
Ron Fink, Planning Commission  
Mary Leach, Planning Commission  
Jack Rodenhi, Planning Commission  
Honorable John Linn, Mayor  
Joseph W. Pannone, City Attorney  
Patrick Weimiller, City Administrator  
Teresa Gallivan, Director of Economic Development

RECEIVED

JUN 11 2014

Planning Division

CUP 12-04 –  
Review of  
Compliance with  
Conditions of  
Approval

**This is our home gym is to the right**



**Left: Our house**

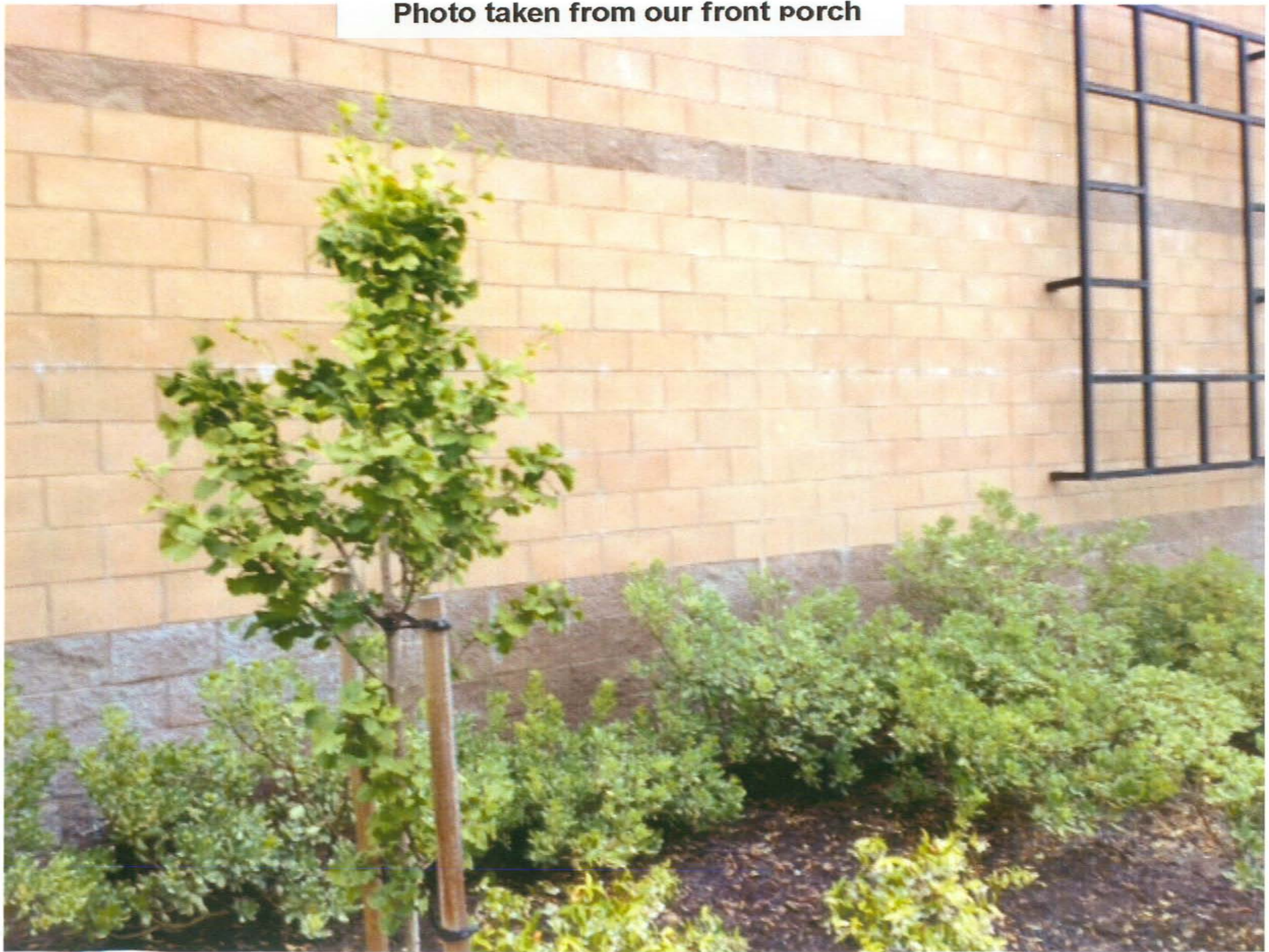
**Right: Gym**



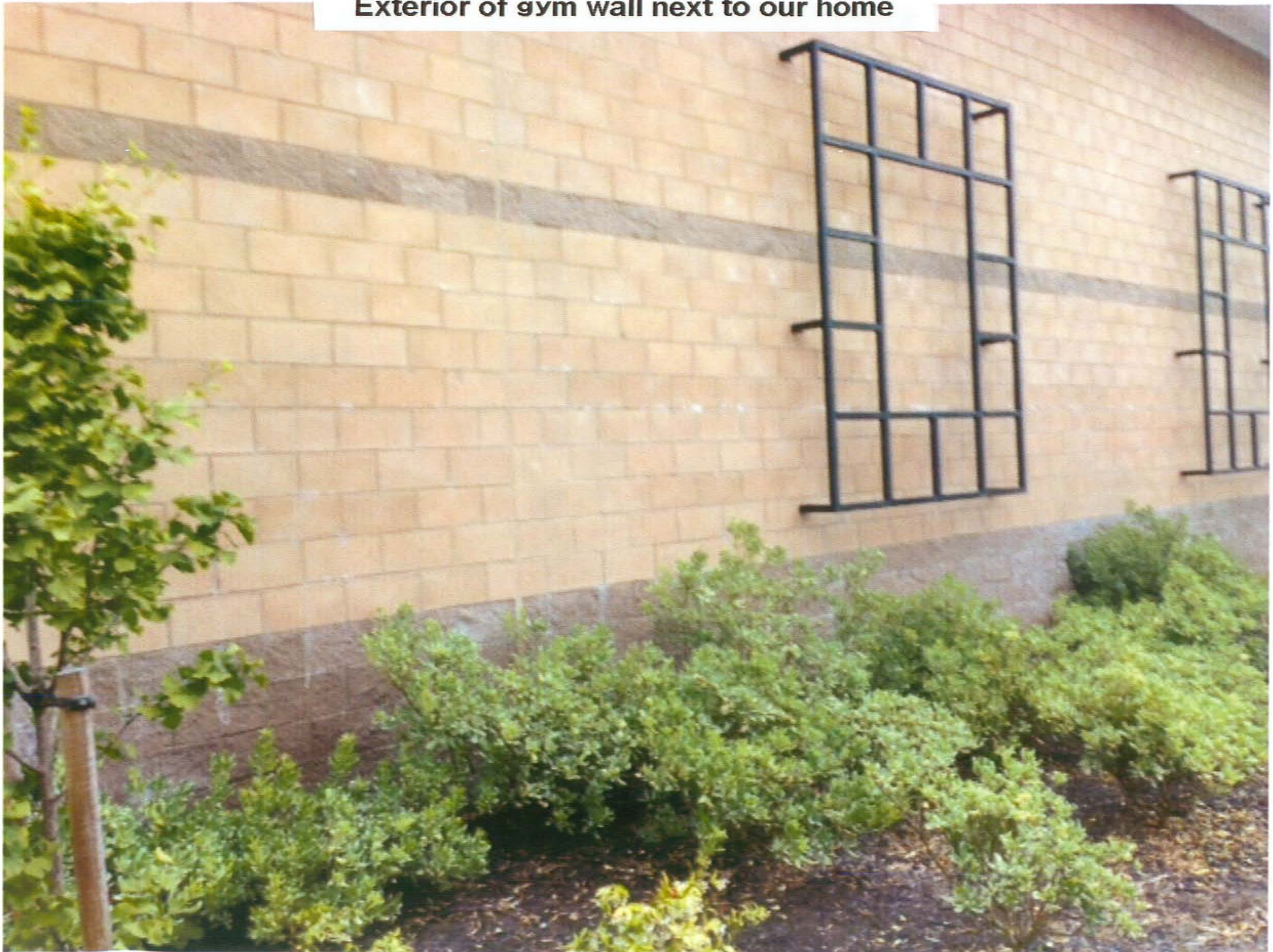
**This shows how close we are to the gym**



Photo taken from our front porch



Exterior of gym wall next to our home



**This is the approx. location that the noise study guy put his tripod.**

**The awning is the entrance to the gym**





**This is some of the cracks in the wall from the vibration**



**More cracks in the wall**



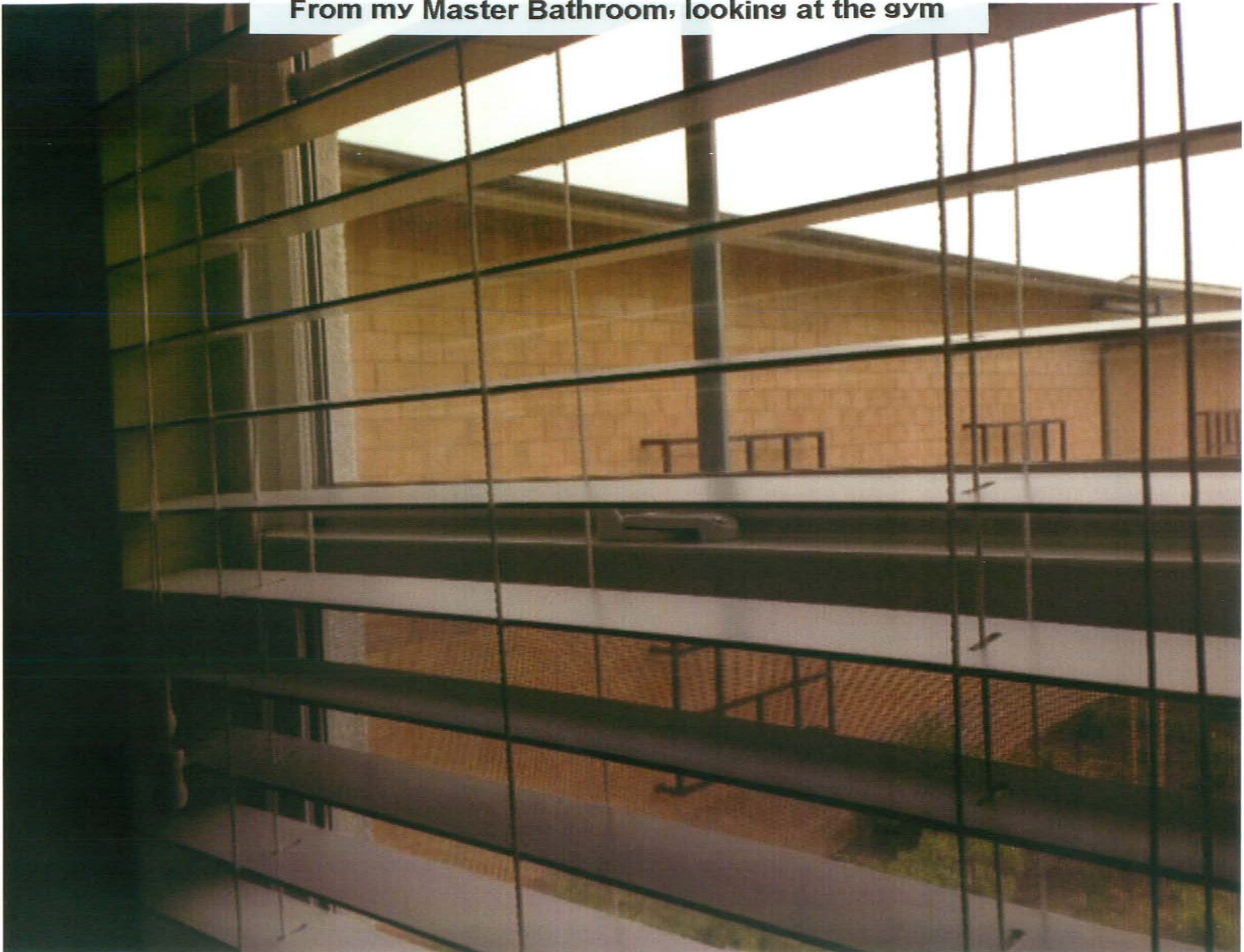
This is a view from my Family Room, looking at the gym wall



This is from my Dining Room, looking at the gym wall



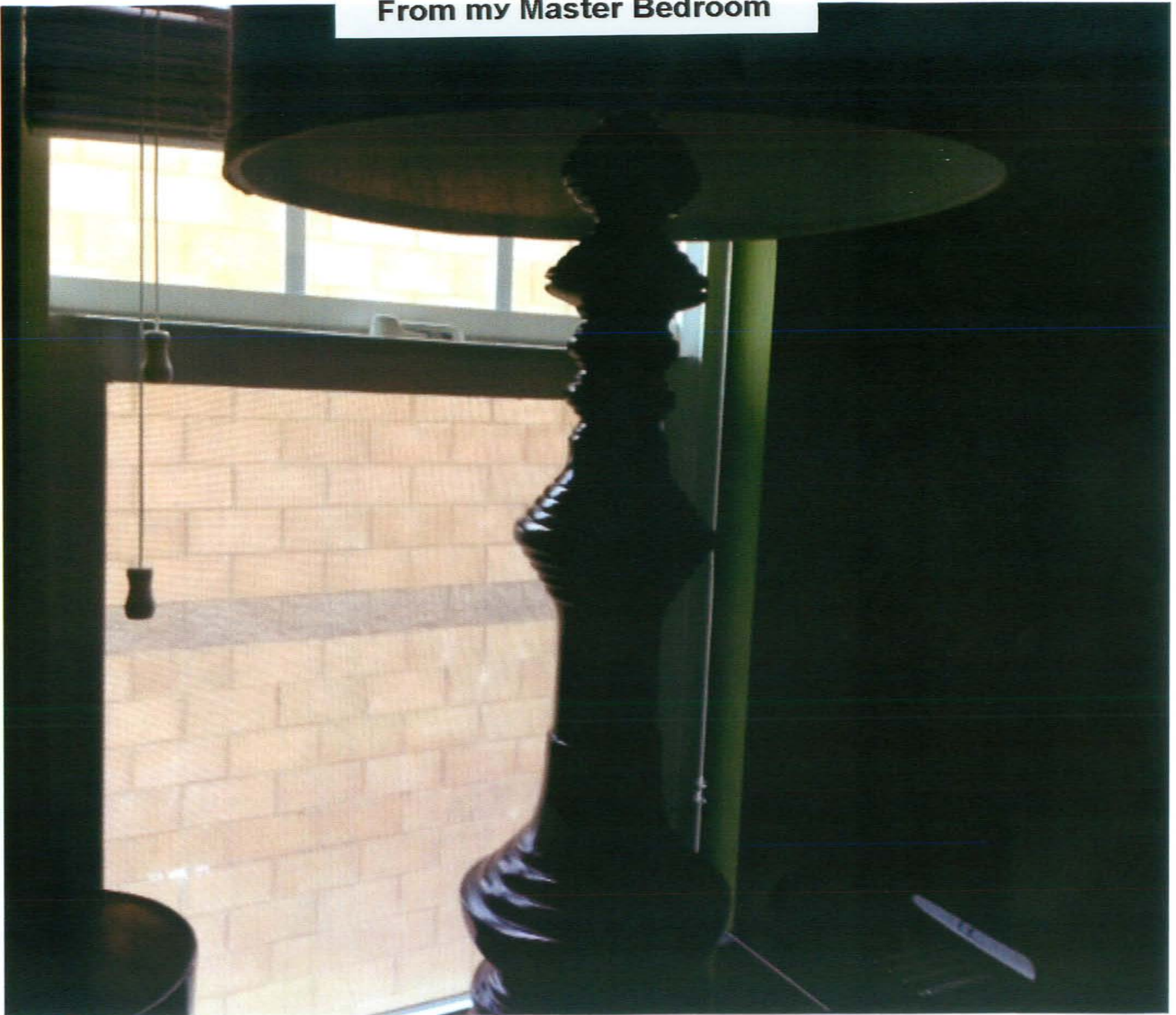
From my Master Bathroom, looking at the gym



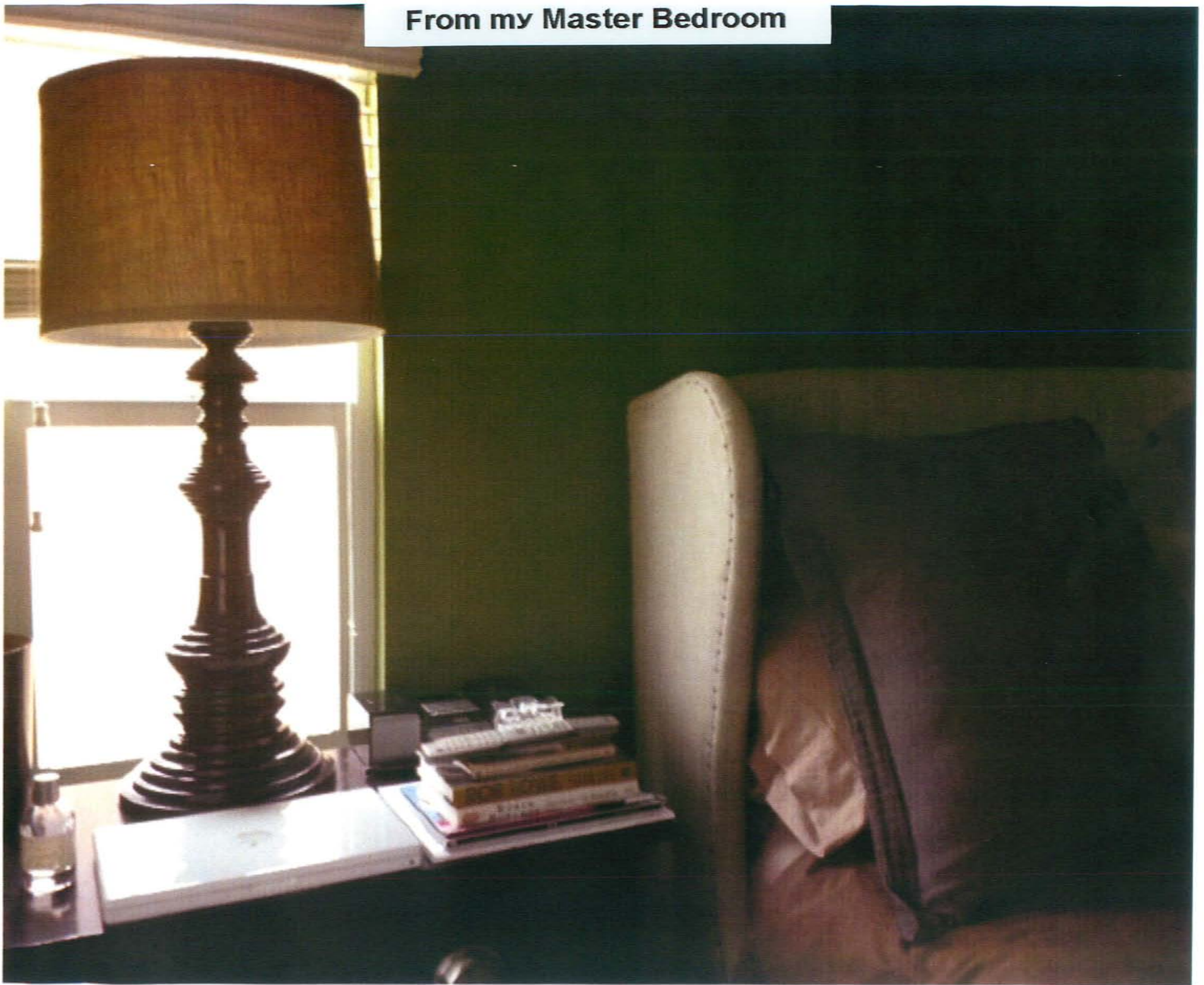
From inside my Master Bedroom, looking at the gym wall



From my Master Bedroom

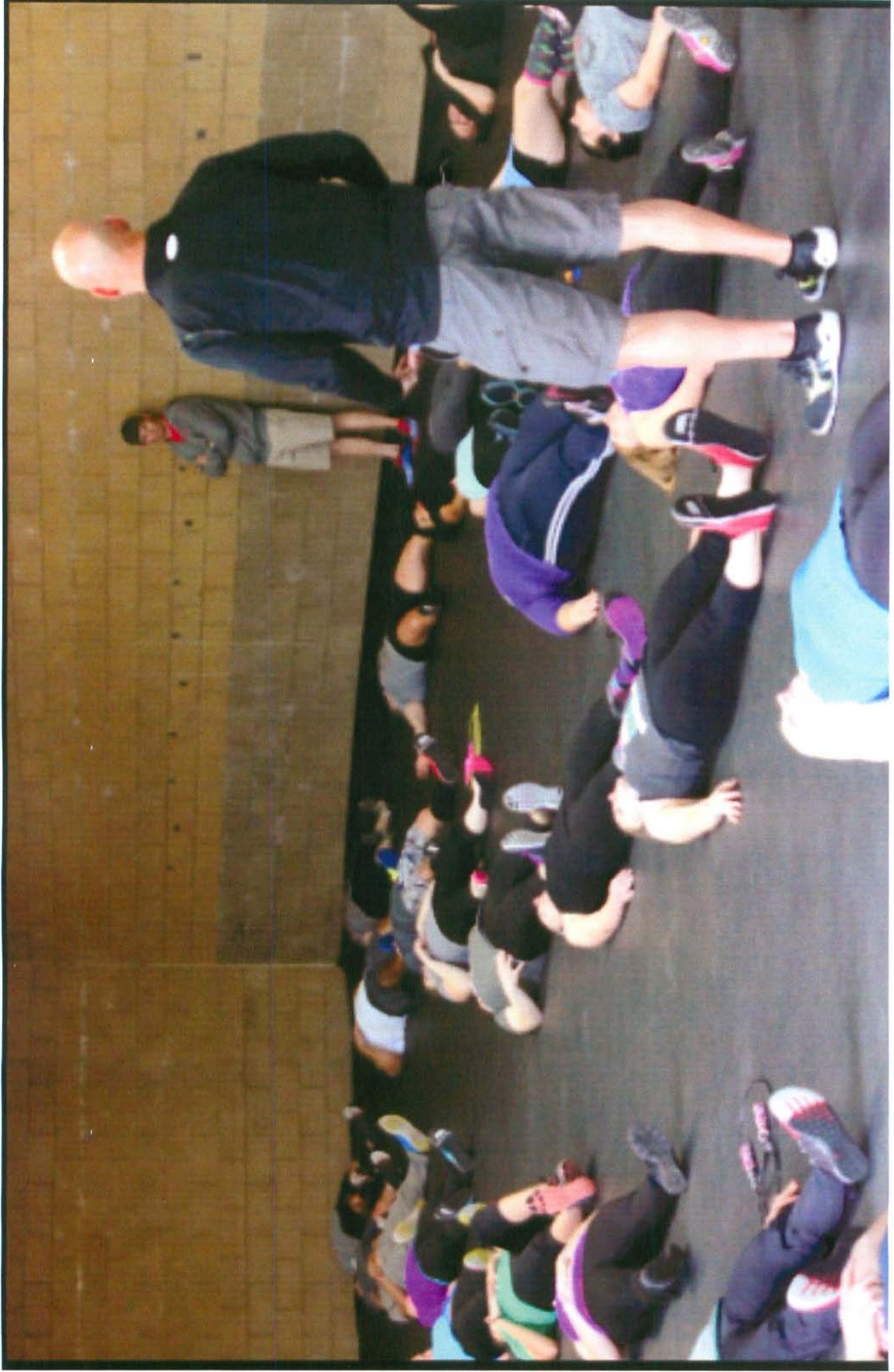


From my Master Bedroom

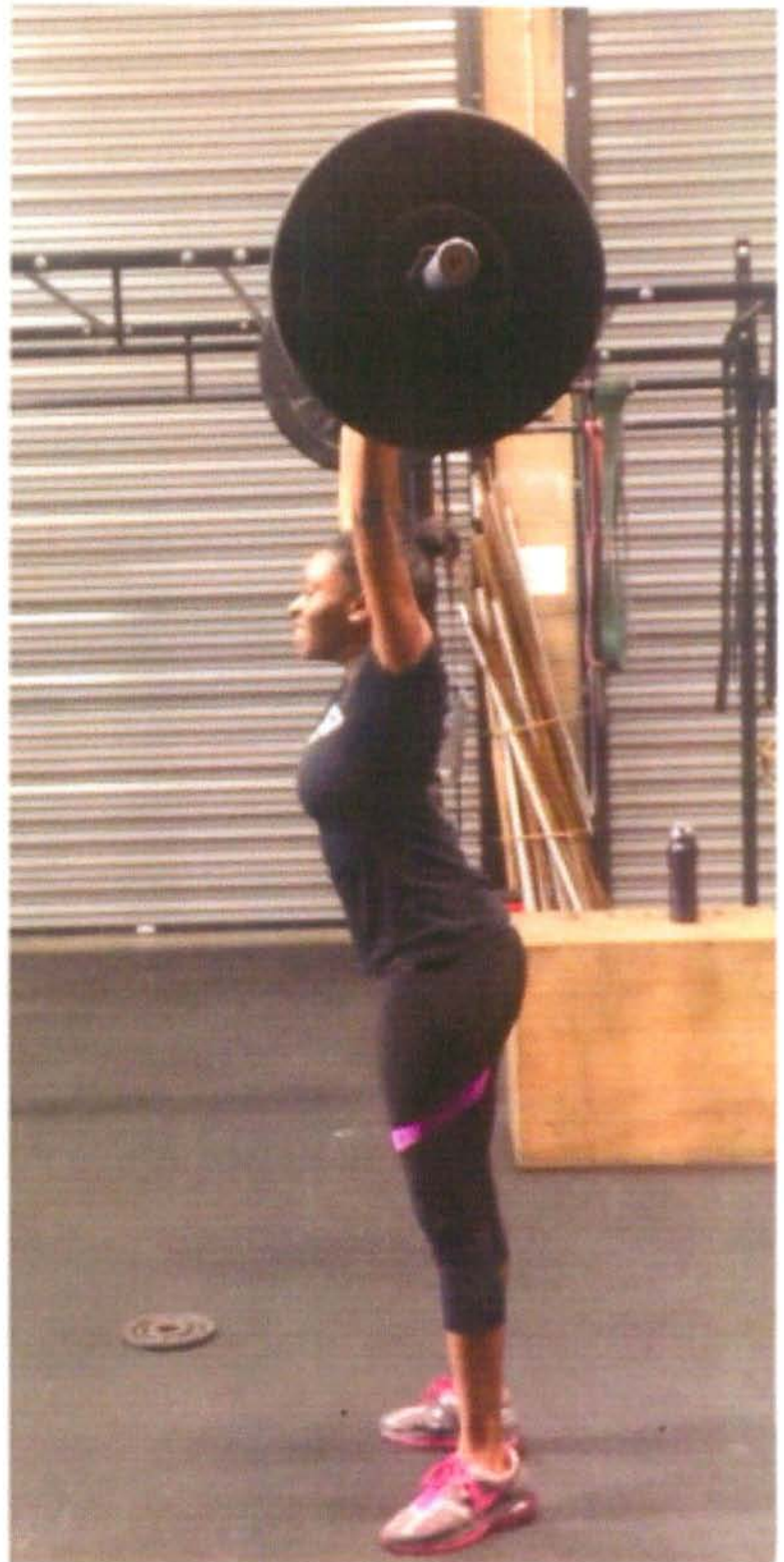




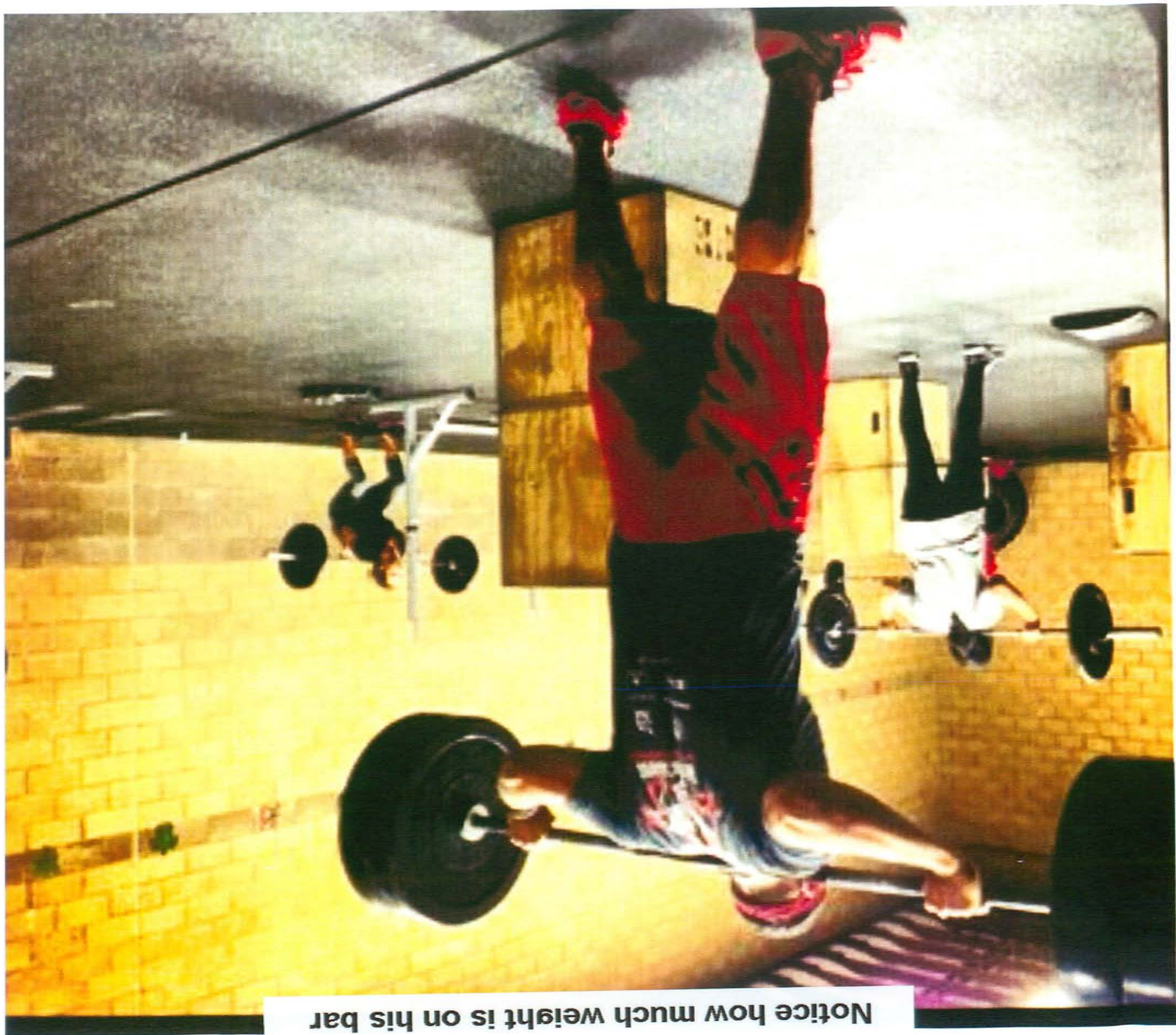
The wall the person is leaning on is the same wall by our home



**This is how they lift the weights.**

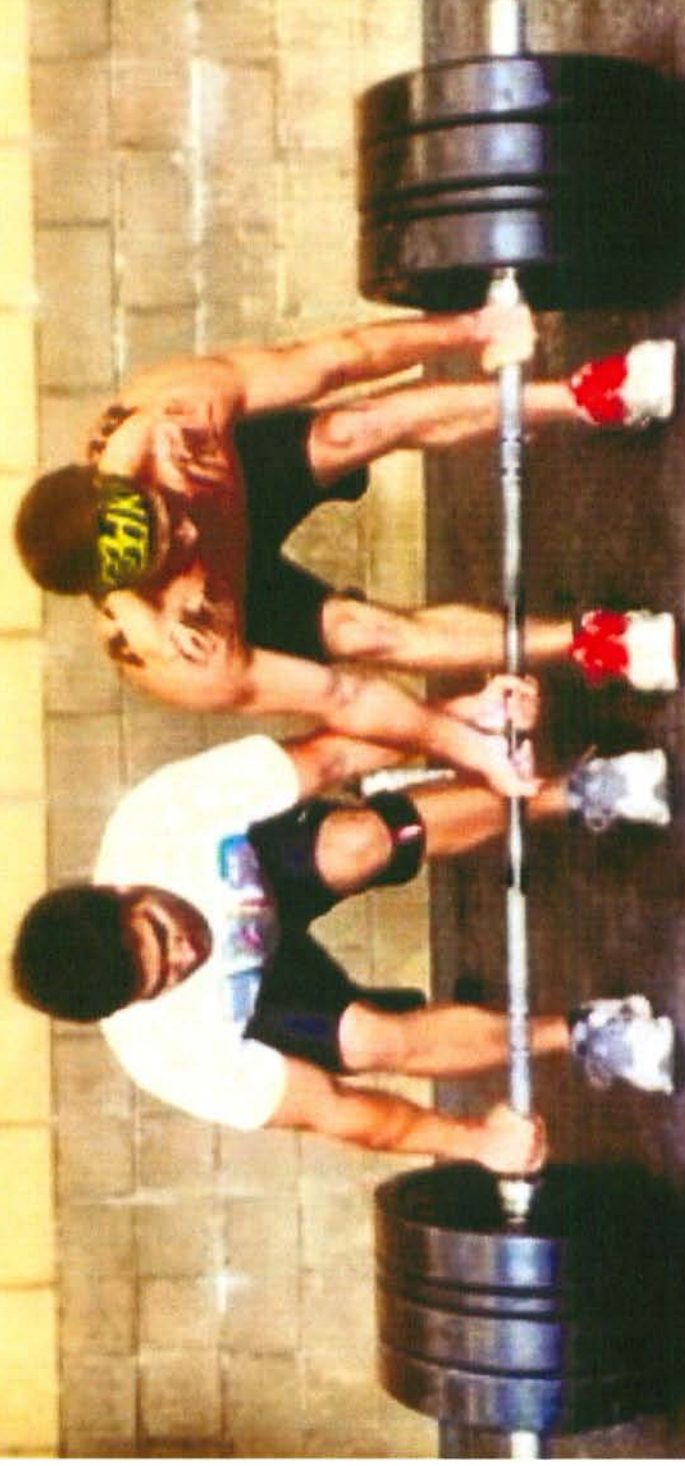


**They drop them from above their head**



Notice how much weight is on his bar

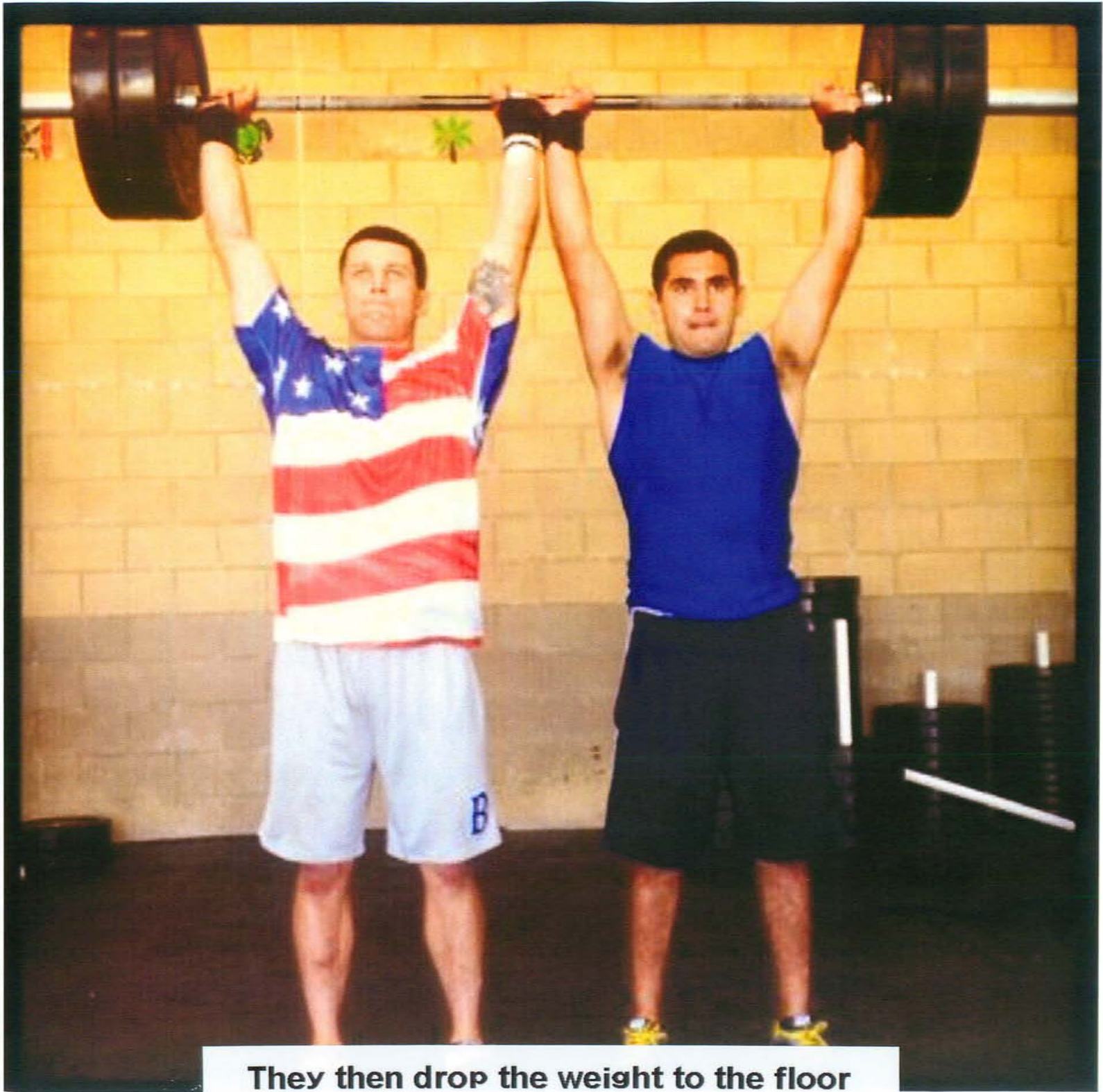
**This is when dropping of the weight is at the loudest**



**The wall behind them is next to our home**

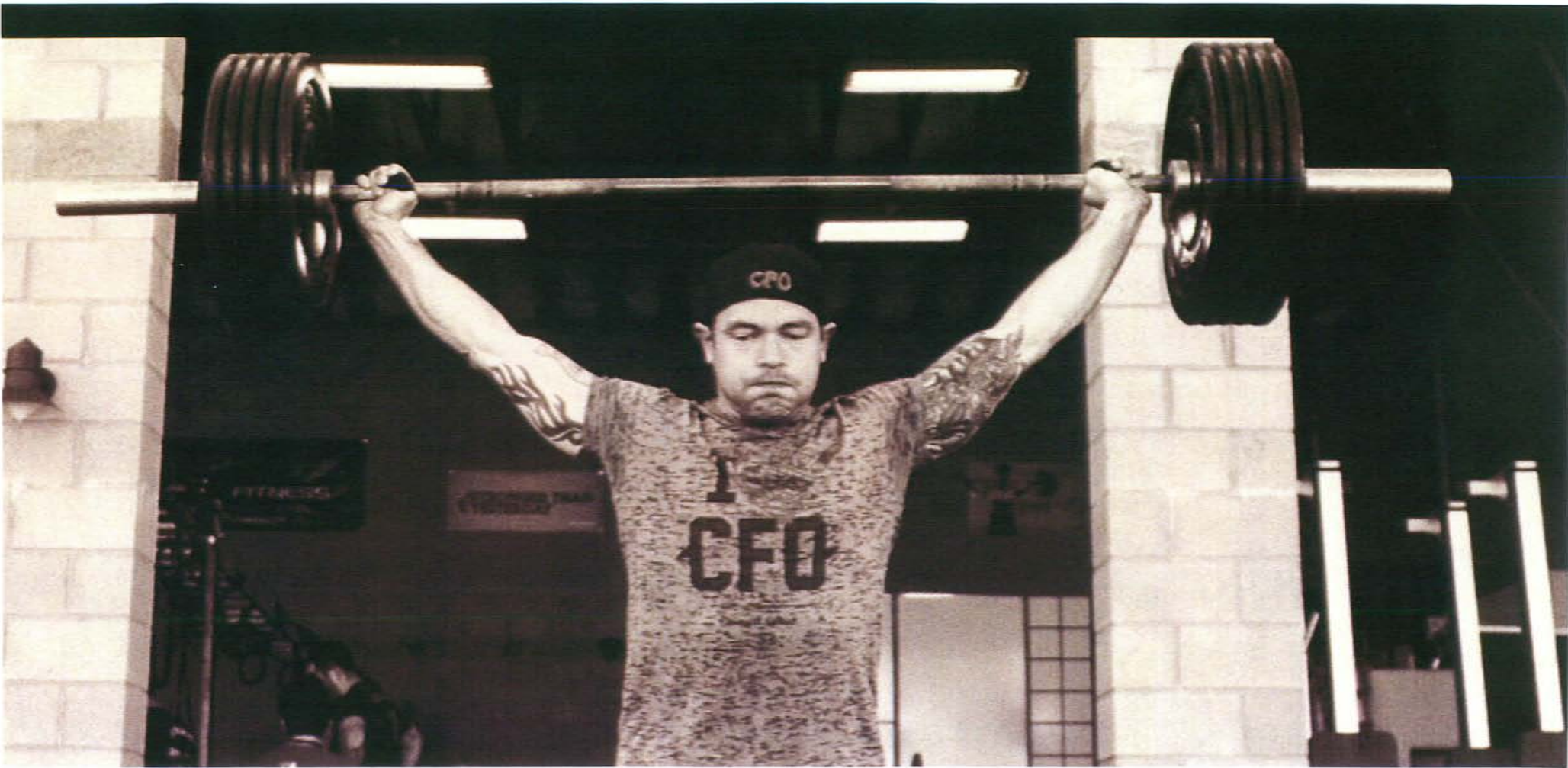
This is the wall next to our house





**They then drop the weight to the floor**

**This person is outside of the gym on the gym's driveway**



**The wall to his side is the wall that backs up to us**





## OHANA CROSS FIT

On the following page please note the date of March 22, 2014.  
This was just 10 days past the date of our last hearing of March  
12, 2014.

Also note the name, phone number, and address is blacked out.  
This is to protect the neighbor that made the call to the police.  
This was not by the Rasmussen's.

Rasmussen  
submittal to PD  
June 11 2014

# LOMPOC POLICE DEPARTMENT

Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: 1403-2584	Date: 03/22/14	Final Type: Disturbance Music	Disposition(s): Contacted And Counselor
--------------------	----------------	-------------------------------	---

Address: 1299 W Laurel Av, Lompoc; Ohana Gym

Related Events:

Beat: Sector: 149 Fire Area: 1 EMS Post: Parcel:

### Event Times and Assignment Data

Received By: DCOLEMAN Primary Unit: BGUERRA Units Assigned: BGUERRA 09:54  
Received: 09:49:14 First/Original Unit: BGUERRA VMAGALLON  
Dispatched: 09:54:37 Priority When Assigned: Not Urgent 09:54  
Arrived: 10:01:41 Original Type: Disturbance Music  
Cleared: 10:11:12

### Parties

Name	Phone	Address	Notes
[REDACTED]	[REDACTED]	[REDACTED]	

### Dispatch Notes

Dispatcher ID	Date / Time	Notes
DCOLEMAN	03/22/14 09:49:27	** Priority set to Not Urgent by DCOLEMAN**
DCOLEMAN	03/22/14 09:49:46	<b>LOUD MUSIC FROM INSIDE THE BUSINESS</b>
DCOLEMAN	03/22/14 09:51:47	** Party record changed from RP: [REDACTED] by DCOLEMAN**
DCOLEMAN	03/22/14 09:51:54	** Call Type changed from 415N to 415MUS by DCOLEMAN **
DCOLEMAN	03/22/14 09:52:03	ONGOING FOR THE LAST HOUR
NJONES	03/22/14 10:10:05	28 - OWNER, DARREN SAVELLA, CAC, ADVISED OF COMPLAINT AND <b>INFORMED THAT LOUD MUSIC</b>
	03/22/14 10:10:05	<b>PLUS ALL ROLL UP DOORS OPEN IS NOT A GOOD IDEA</b>
NJONES	03/22/14 10:11:10	28 - <b>OWNER STATED MUSIC WAS BELOW 90 DECIBELS</b> AND HE BELIEVED THAT WAS WITHIN THE
	03/22/14 10:11:10	REGULATION, HE WAS ADVSD REGARDING 415PC AND DECIBELS ARE NOT A FACTOR

### Event Unit Log

Date / Time	Unit ID	Status	Location
03/22/2014 09:54:37	28	Dispatched	1299 W Laurel Av
03/22/2014 09:54:39	A6	Dispatched	1299 W Laurel Av
03/22/2014 10:01:41	28	On Scene	1299 W Laurel Av
03/22/2014 10:04:16	A6	On Scene	1299 W Laurel Av
03/22/2014 10:11:11	A6	Cleared	
03/22/2014 10:11:12	28	Cleared	

## OHANA CROSS FIT

On the following page please note what the officers say's at 18:44:17 *"you can actually feel the house move when the weights are dropped- music can be heard"*.

# LOMPOC POLICE DEPARTMENT

7 Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: <b>1406-1013</b>	Date: <b>06/09/14</b>	Final Type: <b>Disturbance Music</b>	Disposition(s): <b>Documentation Only</b>
---------------------------	-----------------------	--------------------------------------	---

Address: **1299 W Laurel Av, Lompoc; Ohana Gym**

Related Events:

Beat:                      Sector: **149**                      Fire Area: **I**                      EMS Post:                      Parcel:

### Event Times and Assignment Data

Received By: <b>LCHASE</b>	Primary Unit: <b>BGUERRA</b>	Units Assigned: <b>BGUERRA 18:33</b>
Received: <b>18:31:20</b>	First/Original Unit: <b>BGUERRA</b>	<b>MCALDERON</b>
Dispatched: <b>18:33:36</b>	Priority When Assigned: <b>Not Urgent</b>	<b>18:33</b>
Arrived: <b>18:40:40</b>	Original Type: <b>Disturbance Music</b>	
Cleared: <b>18:54:23</b>		

### Parties

Name	Phone	Address	Notes
<b>RASMUSSEN, JAMES</b>	<b>(818) 419-1655</b>	<b>1327 Crown Cir</b>	

### Dispatch Notes

Dispatcher ID	Date / Time	Notes
<b>LCHASE</b>	<b>06/09/14 18:31:28</b>	<b>** Priority set to Not Urgent by LCHASE**</b>
<b>LCHASE</b>	<b>06/09/14 18:32:19</b>	<b>LOUD MUSIC AND WEIGHTS DROPPING</b>
<b>LCHASE</b>	<b>06/09/14 18:32:36</b>	<b>WANTS CONTACT AND REQ THIS BE NOTED IN THE POLICE REPORT</b>
<b>LCHASE</b>	<b>06/09/14 18:40:29</b>	<b>28- WITH THE RP</b>
<b>LCHASE</b>	<b>06/09/14 18:44:17</b>	<b>28- YOU CAN ACTUALLY FEEL THE HOUSE MOVE WHEN THE WEIGHTS ARE DROPPED-- MUSIC CAN</b>
	<b>06/09/14 18:44:17</b>	<b>BE HEARD</b>
<b>LCHASE</b>	<b>06/09/14 18:54:53</b>	<b>28- CITY TOLD RP THAT SINCE HE HASNT BEEN COMPLAINING ABOUT IT NOTHING WILL BE DONE</b>

### Event Unit Log

Date / Time	Unit ID	Status	Location
<b>06/09/2014 18:33:36</b>	<b>28</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 18:33:37</b>	<b>33</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 18:40:35</b>	<b>28</b>	<b>Dispatched</b>	<b>1327 CROWN CIR</b>
<b>06/09/2014 18:40:38</b>	<b>28</b>	<b>ON SCENE</b>	<b>1327 CROWN CIR</b>
<b>06/09/2014 18:40:40</b>	<b>28</b>	<b>ON SCENE</b>	<b>1327 CROWN CIR</b>
<b>06/09/2014 18:43:46</b>	<b>33</b>	<b>ON SCENE</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 18:50:17</b>	<b>33</b>	<b>Cleared</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 18:54:23</b>	<b>28</b>	<b>Cleared</b>	

**CONFIDENTIAL POLICE REPORT**  
**THIS REPORT WAS RELEASED ON**  
6/10/14 **TO JAMES RASMUSSEN**  
**DISTRIBUTION WITHOUT THE PERMISSION OF THE**  
**LOMPOC POLICE DEPARTMENT**  
**OR ANY AS PROVIDED**  
**BY LAW IS PROHIBITED**

## OHANA CROSS FIT

On the following page please note what the officer says at  
17:22:46

*“while I was at the RP’s residence several weights were dropped  
from inside the gym causing the walls of the house to shake”.*

# LOMPOC POLICE DEPARTMENT

77 Civic Center Plaza, Lompoc, CA 93436

CA0420200

## Event Record

Event #: <b>1406-0983</b>	Date: <b>06/09/14</b>	Final Type: <b>Disturbance Loud Noise</b>	Disposition(s): <b>Documentation Only</b>
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Address: **1299 W Laurel Av, Lompoc; Ohana Gym**

Related Events:

Beat:	Sector: <b>149</b>	Fire Area: <b>I</b>	EMS Post:	Parcel:
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**Event Times and Assignment Data**

Received By: <b>MENGMAN</b>	Primary Unit: <b>MMILLER</b>	Units Assigned: <b>ARUBIO 15:56</b>
Received: <b>15:56:19</b>	First/Original Unit: <b>ARUBIO</b>	<b>MMILLER 16:00</b>
Dispatched: <b>16:00:10</b>	Priority When Assigned: <b>Not Urgent</b>	
Arrived: <b>16:03:48</b>	Original Type: <b>Disturbance Loud Noise</b>	
Cleared: <b>16:41:14</b>		

**Parties**

Name	Phone	Address	Notes
<b>RASMUSSEN, JAMES</b>	<b>(818) 419-1655</b>	<b>1327 Crown Cir</b>	

**Dispatch Notes**

Dispatcher ID	Date / Time	Notes
<b>MENGMAN</b>	<b>06/09/14 15:56:42</b>	<b>** Priority set to Not Urgent by MENGMAN**</b>
<b>MENGMAN</b>	<b>06/09/14 16:00:18</b>	<b>RP STATES THEY ARE MAKING A LOT OF NOISE WITH WIEGHTS AGAIN</b>
<b>MENGMAN</b>	<b>06/09/14 16:01:21</b>	<b>RP REQUEST CONTACT</b>
<b>RNEUMANN</b>	<b>06/09/14 16:28:42</b>	<b>39 - Event number given</b>
<b>RNEUMANN</b>	<b>06/09/14 16:40:15</b>	<b>39 - rp has a meeting with the City Attorney on Wednesday</b>
<b>RNEUMANN</b>	<b>06/09/14 16:41:12</b>	<b>39 - documentation only</b>
<b>MMILLER</b>	<b>06/09/14 17:22:46</b>	<b>Ongoing issues between RP and Ohana Crossfit Gym. RP has video and documentation over</b>
<b>MMILLER</b>	<b>06/09/14 17:22:46</b>	<b>last several months of loud music from the gym and weights dropping. While I was at the</b>
<b>MMILLER</b>	<b>06/09/14 17:22:46</b>	<b>RP's residence several weights werre dropped from inside the gym causing the walls of</b>
<b>MMILLER</b>	<b>06/09/14 17:22:46</b>	<b>the house to shake. RP has meeting with City personnel on Wednesday. Event number provided.</b>

**Event Unit Log**

Date / Time	Unit ID	Status	Location
<b>06/09/2014 15:56:52</b>	<b>42</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 15:57:05</b>	<b>42</b>	<b>Cleared</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 16:00:10</b>	<b>39</b>	<b>Dispatched</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 16:03:48</b>	<b>39</b>	<b>On Scene</b>	<b>1299 W Laurel Av</b>
<b>06/09/2014 16:03:48</b>	<b>39</b>	<b>On Scene</b>	<b>1327 Crown Cir</b>
<b>06/09/2014 16:41:13</b>	<b>39</b>	<b>Cleared</b>	

CONFIDENTIAL POLICE REPORT  
 THIS REPORT WAS RELEASED ON  
6/10/14 TO JAMES RASMUSSEN  
 DISTRIBUTION WITHOUT THE PERMISSION OF THE  
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 OR AN INQUIRY AS PROVIDED  
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**RESOLUTION NO. 720 (12)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A CONDITIONAL USE PERMIT TO OPERATE A GYM/FITNESS STUDIO IN AN EXISTING BUILDING AT 1251 WEST LAUREL AVENUE, UNITS 32-37 (CUP 12-04)**

**WHEREAS**, a request was submitted by Darren Savella of CrossFit Ohana Fitness Studio, for Planning Commission consideration of a proposal for a Conditional Use Permit (CUP 12-04) to operate a gym/fitness studio in an existing building. The project is located at 1251 West Laurel Avenue, Units 32-37 in the *Industrial (I)* Zoning District (Assessor Parcel Number: 89-510-32 to 37); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on March 14, 2012; and

**WHEREAS**, at the meeting of March 14, 2012, Darren Savella of CrossFit Ohana Fitness Studio was present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of March 14, 2012, no one spoke in favor of, or in opposition to, the proposal; and

**WHEREAS**, this project is Categorically Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed gym/fitness studio, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:


- A. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- B. The site of the proposed use, relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- C. The proposed use will have no adverse effect upon the abutting and surrounding property from the permitted uses thereof.

- D. The conditions stated in Exhibit A to this resolution are necessary to protect the public health, safety, and welfare.
- E. The gym/fitness studio use falls within the intent and purpose of the Industrial (I) Zoning District, will not be more obnoxious or detrimental to the public welfare, and is of a comparable nature and of the same class as lodges/clubs identified in Section 17.064.060 subject to obtaining a Conditional Use Permit.

**SECTION 2:** Based upon the foregoing, CUP 12-04 is approved as proposed on March 14, 2012, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner Fink, seconded by Commissioner Gonzales, was adopted at the regular Planning Commission meeting of March 14, 2012 by the following vote:

- AYES:** Commissioners Fink, Gonzales, Clark
- NOES:** Commissioner Leach
- NOT PARTICIPATING:** Commissioner Griffith

  
\_\_\_\_\_  
Lucille T. Breese, AICP, Secretary

  
\_\_\_\_\_  
Nicholas Gonzales, Chair

Attachment: Exhibit A – Conditions of Approval



**CONDITIONS OF APPROVAL  
CUP 12-04 – CROSSFIT GYM/FITNESS STUDIO  
1251 WEST LAUREL AVENUE, UNITS 32-37 – APN: 89-510-32 TO 37**

The following Conditions of Approval apply to the plans for CUP 12-04, received by the Planning Division and stamped on February 13, 2012, and reviewed by the Planning Commission on March 14, 2012.

**I. PLANNING**

**Planning – General Conditions**

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 17.140.010, 17.152.010, and 17.152.020 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Section 1.24.010 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief to specifically enforce the Conditions of Approval. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney's fees.

- P4. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of certificates of occupancy.
- P5. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P6. Any revisions made by the Planning Commission and specified in the planning conditions of approval shall be shown on a revised plan submitted for Building permits.
- P7. Prior to the installation of any signage or sign related construction the applicant shall obtain all appropriate permits. Signs must conform to the existing approved sign program.

**Planning – Conditional Use Permit Conditions**

- P8. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the conditional use permit procedure.
- P9. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.
- P10. The applicant shall consent to all of the conditions in writing.
- P11. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara prior to issuance of a certificate of occupancy.
- P12. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.
- P13. The use permit granted is conditioned upon the rights or privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the Community Development Director shall grant and record a commensurate extension. The Planning Commission may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Secretary of the Planning Commission fifteen (15) days prior to the expiration of the one (1) year.

**Planning – Architectural Conditions**

- P14. If new mechanical, ventilation, and/or utility equipment is proposed, it shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.

- P15. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on-site.

**Planning – Mitigation Monitoring Conditions**

- P16. If new exterior lighting is proposed, two copies of the lighting plan shall be submitted to the Building Division with the building plans. The lighting plan shall be reviewed and approved by the Engineering and Planning Divisions prior to issuance of any permits for the project. The plan shall incorporate the following:
- a. Details for external light fixtures both on and off the building(s), all lighting within private streets (including conduit and wiring), external illuminated signage, and any light fixtures at ground level. All lighting shall be shielded to prevent glare and minimize light intrusion to adjacent properties.

**II. BUILDING**

**Building – General Conditions**

- B1. Improvements, additions, modifications and/or restorations to existing buildings and structures, shall be designed and constructed to comply with the most recently adopted Building/Fire Codes including but not limited to the City's existing building fire sprinkler/alarm requirements.
- B2. Building Tenant Improvement Plans shall be submitted by a California licensed architect and/or engineer.
- B3. Approved fire-resistive assemblies may be provided for each occupancy separation and/or exterior wall protection. Parapets may be required in accordance with the CBC and CFC.
- B4. The Title Sheet of the Tenant Improvement plans shall include:
- a. Scope of work
  - b. Occupancy group
  - c. Description of use
  - d. Type of construction
  - e. Height of the building
  - f. Floor area of building(s)
- B5. California accessibility regulations shall be incorporated within the plans.
- B6. Buildings shall comply with the State's Title-24 Energy Regulations. Title-24 energy forms shall be incorporated within the plans.

**Building – Project Specific Conditions**

- B7. All planning, building approvals and permits must be secured before any demolition or reconstruction can be initiated.
- B8. Accessible parking must be provided for the use of these buildings and be appropriately positioned for the closest possible access to the buildings main entrances.

- B9. Bathroom facilities must be sized from the total square footage of the building served, per 412.3 and table 4-1 CPC. 3880 sq ft requires two gender specific bathrooms.
- B10. Occupancy area separation walls maybe required dependent on adjoining mixed use groups. (A-3 and F-1 or B group)
- B11. Designated areas for exercise, storage and office must be clearly defined for their use.
- B12. Permission must be given from Design Arc to use the preliminary plans that were submitted.

**III. FIRE**

**Fire – General Conditions**

- F1. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance to UFC Standard 10-1.

**IV. POLICE DEPARTMENT**

No General of Project Specific Conditions

**V. ENGINEERING**

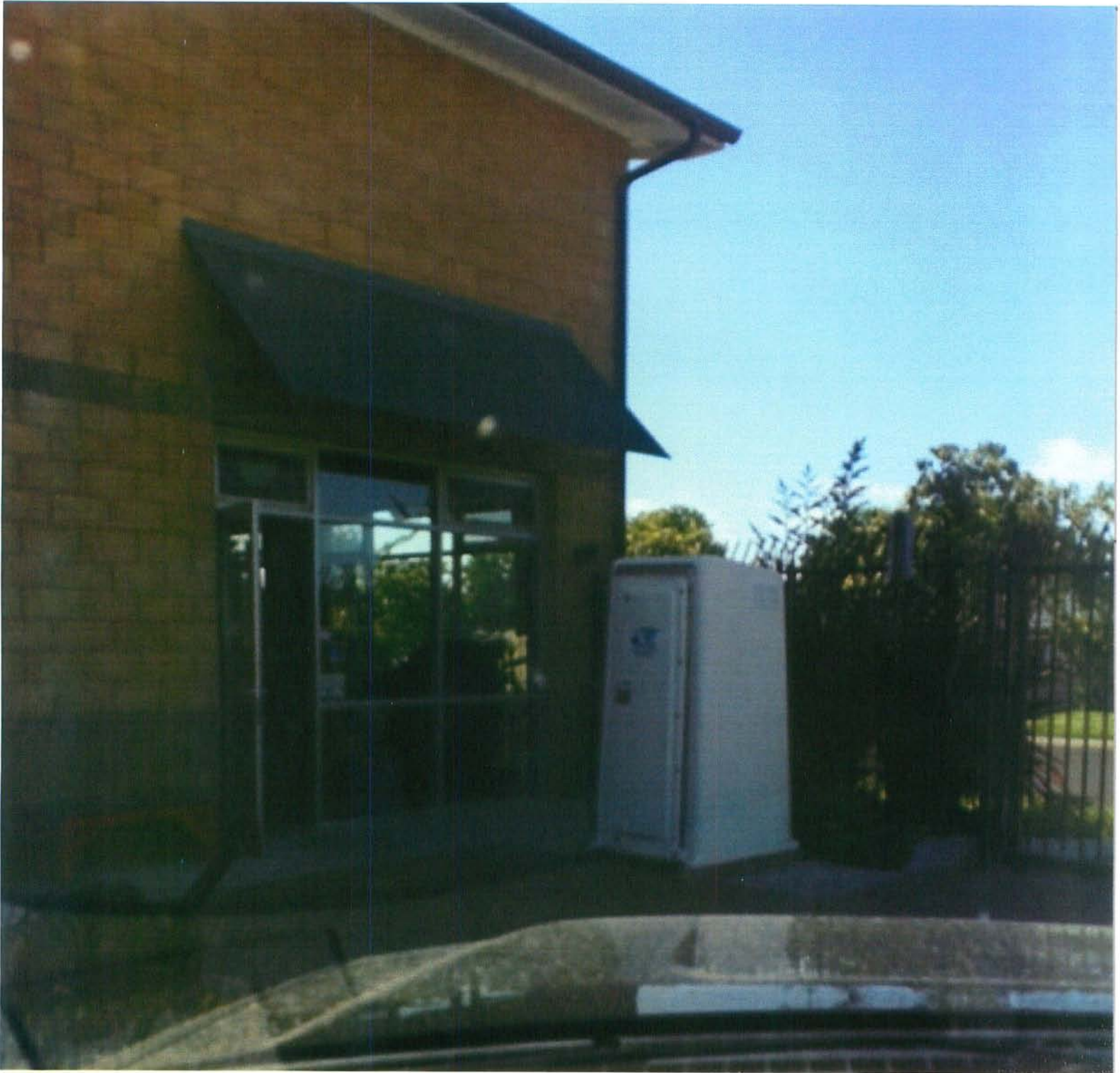
No General or Project Specific Conditions

I, Darren Savella, individually and on behalf of CrossFit Ohana Fitness Studio, the applicant, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the gym/fitness studio. As the applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

CrossFit Ohana Fitness Studio

By:   
Darren Savella

6/1/2012  
Date



## OHANA CROSS FIT

The following page's are from a website about cross fit gyms. They talk about the problems with the noise from dropping weights and music.

## Running a CrossFit Facility

Tips and guidance on how to open and operate a CrossFit gym.

▶ POST REPLY

1 ? > <

### Brian Strump

Affiliate



**Profile:**

Join Date: Sep 2009  
Location: Charlotte NC  
Posts: 2,575

#### Noise complaints

So it's taken 10 months, but I finally got my first real complaint after a few warnings for the noise level. Complaints of banging weights, and loud music. They emailed the landlord a 7 minute audio tape with their complaint, which I'll be listening to shortly to see if it's more music, yellings, weights hitting the ground, etc.

Short of moving, what can anyone recommend that's dealt with this problem before? As far as ways to decrease the noise into a neighbors business.

Currently we have nothing besides white boards on the walls, and use 3/4in mats for the flooring.

Thanks.

Brian Strump, D.C., FMS, NKT  
[www.crossfitsteelecreek.com/](http://www.crossfitsteelecreek.com/)

QUOTE

### Jay Adams

Member

**Profile:**

Join Date: Apr 2008  
Location: Rochester NY  
Posts: 123

#### Re: Noise complaints

Quote:

Short of moving, what can anyone recommend that's dealt with this problem before? As far as ways to decrease the noise into a neighbors business.

I trained and worked at an affiliate where this happened. There was nothing we could do right. If you got the complaint after warnings you are in a bit of a mess. We had warnings and dropped music volume, added a 2nd layer of flooring and after they kept up we dropped music volume and had a company come in and spray some insulation and use sound baffles and cork to try and help. The complaints kept up and we just moved. Deads hit the floor hard and that noise is jarring. The music volume got so low it sucked to train there and moving was better. I would talk to him and see if it is certain times are better/worse and work something out, but we had no luck.

QUOTE

### Dane Thomas

Member

**CrossFit**

**Profile:**

Join Date: Jul 2008  
Location: Stockholm Sweden  
Posts: 62

#### Re: Noise complaints

First, keep in mind that the primary thing to address is their perceptions, both of the noise and of you and your business. Before you start throwing money into noise control measures put a lot of effort into helping them to see you as being reasonable to work with. If you get on the wrong foot there there may not be enough money in the world to make them happy, but if you play it right it can end up being a lot easier.

There are numerous sources of noise to be controlled, but rather than taking a shotgun approach to address them all simultaneously ask the person in question which of the types of noise they find most disturbing. Let them know that their priorities are of great importance to you, so in order to address them most effectively it is important for you to know how you can best please them, and in which order. If the music is the biggest problem, notch it down a bit, maybe adjust the mounting of the speakers and ask them as soon as you can if the changes that you have made have been positive.

Make sure they know that you are trying, and take every opportunity you can to actively solicit positive feedback. You want them to see you not as a problem, but as part of the solution.

QUOTE

## Brian Strump

Affiliate



### Profile:

Join Date: Sep 2009  
Location: Charlotte NC  
Posts: 2,575

### Re: Noise complaints

Anyone have any luck putting something underneath your rubber flooring to dull the noise, and decrease vibration. We already have 3/4in, so instead of replacing with thicker mats, maybe there's something I can put underneath what I currently use?

Brian Strump, D.C., FMS, NKT  
[www.crossfitsteecreek.com/](http://www.crossfitsteecreek.com/)

QUOTE

## Chris Walls

Affiliate



### Profile:

Join Date: Apr 2007  
Location: North Battleford  
SK Canada  
Posts: 1,722

### Re: Noise complaints

Brian, I used to be a recording engineer and sound proofing is a nasty under taking. Especially considering the types of things you're trying to isolate from your neighbours are the hardest to isolate. Low frequency, thudding impacts... To treat the floor in such a way as to dampen that you'd wind up with a floor that feels bouncy and you wouldn't want to drop things on it because it's no longer "solid".

I don't think there is an elegant or effective solution for sound proofing a CrossFit gym... at least not in any way that will leave it effective for training the way you want, or appease the neighbours...

I'd look at moving, the cost to try and fail at reaching a solution in the sound proofing department would be better spent on a move/upgrade on the location.

Sorry.

Accept no excuses, only results  
CrossFit North Battleford

QUOTE

## Chris Walls

Affiliate



### Profile:

Join Date: Apr 2007  
Location: North Battleford  
SK Canada  
Posts: 1,722

### Re: Noise complaints

Quote:

Originally Posted by **Brian Strump**

*Anyone have any luck putting something underneath your rubber flooring to dull the noise, and decrease vibration. We already have 3/4in, so instead of replacing with thicker mats, maybe there's something I can put underneath what I currently use?*

To answer your question the answer is sort of. Essentially you would need to build a whole new subfloor that is not mechanically coupled to the existing floor, and instead floats (by this I mean it is supported on shock absorbers of some kind), this way the impact and vibrations on your actual floor, don't make it to the structure of the building and thus transferred to your neighbours.

Whether or not it will eliminate enough to please the neighbours, or make for a stable enough surface upon which to train I can't say.

Accept no excuses, only results  
CrossFit North Battleford

Last edited by Chris Walls : 03-17-2011 at 12:13 PM.

QUOTE



## Brian Strump

Affiliate 




### Profile:

Join Date: Sep 2009  
Location: Charlotte NC  
Posts: 2,575

### Re: Noise complaints

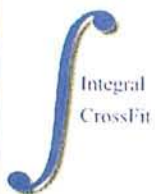
Thanks for the replies guys.

Brian Strump, D.C., FMS, NKT  
[www.crossfitstelecreek.com/](http://www.crossfitstelecreek.com/)

 QUOTE

## Jim Pascucci

Affiliate 



### Profile:

Join Date: Apr 2010  
Location: Longmont CO  
Posts: 45

### Re: Noise complaints

I would very interested in what you find when you listen to the audio. In one of my previous careers I was an engineer.

I agree with Dane that your working with the neighbors is really important. We have a similar problem in that our walls are thin--a med ball went through one!

If it's the music, you may be able to re-arrange the speakers. If it's the weights see if you can find when this is. Is it heavy or light weight.

Involving your neighbors in the solution--rather than the problem--is important, but you know this. It may be that the presenting problem is the noise while the real issue is the parking! I never assume that the problem people present me with is the one that they want solved. That's the Rolfer speaking.

 QUOTE

## Chris Walls

Affiliate 



### Profile:

Join Date: Apr 2007  
Location: North Battleford  
SK Canada  
Posts: 1,722


### Re: Noise complaints

That's true about the presented problem not be the actual one. I had someone tell me her computer screen didn't work, get over there to see what the problem was and turns out it was her internet connection that didn't work. Figure that one out!

Accept no excuses, only results  
CrossFit North Battleford

 QUOTE

## Maximus Lewin

Affiliate 



### Profile:

Join Date: Aug 2006  
Location: Oakland CA  
Posts: 72

### Re: Noise complaints

Hi Brian and All,

I have my eye on a new facility with an Architect right next door. Probably a problem, possibly a deal-killer.

One thing I can tell you is that the "High-Temp" brand of plates are substantially quieter than VTX, Kriaburg or other low density plates:

<http://www.roguefitness.com/rogue-bu...by-hi-temp.php> WFS

Downside is they bounce. A LOT.

A decibel meter reading of 135 pounds, loaded on a high quality needle-bearing bar and dropped from overhead taken 6 ft away, shows the High-Temp at 90db and the VTX at 94db, over twice as loud (a 3db increase is double).

Put another way, 90 db is a Semi going by and 100 db is a jackhammer.

So high-temp plates will effectively halve your noise output, and since they bounce, the transfer of the "thud" into the floor is much less.

<http://crossfiteastbay.com>

"I ran a 3 minute mile, but it was only 1/2 a mile" - Coach on range of motion

QUOTE

POST REPLY

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All times are GMT -7. The time now is 07:39 PM.

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## Running a CrossFit Facility

Tips and guidance on how to open and operate a CrossFit gym.

POST REPLY

Andrew Bueno

Affiliate



**Profile:**

Join Date: Mar 2007  
Location: Seattle WA  
Posts: 221

### Receiving too many noise complaints...

So I was really excited to start up my relocated affiliate. We began as a 300 SF garage, became gymless in February of this year and finally moved into a 1900 SF facility. The box was nice and much larger than anticipated, the rent was cheap (\$1/sf in a metropolitan area), and the floors were already matted! We bought a bunch of new equipment and just had to wait for the insurance and business licenses to come through.

It's been three weeks since I've had keys to the box, about two weeks since I've been moving equipment in and working out with very few clients who've stuck with me. The problem is that there are some businesses located beneath us and the way the building was constructed, sound is amplified to the rooms below us. (I also know part of the feeling because we're on the ground floor and some tenant is above us).

Naturally, the few working out with me did basic CF movements: squats, pushups, kb swings, burpees, broad jumps, med ball movements, bar work, etc. But then in the middle of the first week we started using stuff, we received plenty of noise complaints. I took into consideration what movements were making the big thumps and bangs and cut down on them.

I just received an email from the property manager saying that this cannot continue. We would move out to a better suited facility, but the lease is signed and I'm afraid my business partner (the man with the money, I'm just the trainer) and I don't have the means to afford it since we spent everything on setting the place up. I've tried communicating with the neighbors with the noise issues, but most of them aren't responding to me.

I know back in the day they'd say move into a box, grow and then get kicked out, but what happens when I move into a box and get kicked out before I have time to grow?

What should I do in this situation? 😞

[foundationcrossfit.com](#)  
[facebook.com/foundationcrossfit](#)  
[twitter.com/foundationcf](#)

QUOTE

John S Park

Member

**Profile:**

Join Date: Feb 2008  
Location: Fullerton CA  
Posts: 278

### Re: Receiving too many noise complaints...

Sorry about your situation.

Maybe look into soundproofing the floors? My friend has his gym set up in an upstairs room and had problems with his family because of the noise. He put some kind of vinyl soundproofing over the tiles or hardwood, sealed it, and then put his rubber mats on top. I'm not sure if there is anything between the mats and the soundproofing material. He told me that he runs hard on the treadmill and jumps around with no complaints.. I'm not sure about dropping weights and stuff but maybe it will help you.

QUOTE

Jeffry Gorumba

Affiliate

### Re: Receiving too many noise complaints...

That has happened to us twice so far and have had to move twice because we couldn't resolve the

**Profile:**

Join Date: Oct 2007  
Location: Oceanside Ca  
Posts: 15

situation. Both times we moved out before we thought we were ready but also wanted to get a bigger place to allow more growth.

Although we were not ready and did not have the number of clients needed to pay for the next space it worked out great. Like the fish who grows bigger in a larger fish bowl the same thing happened with us. We grew rapidly each time we moved into a larger space and fortunately have never been in the red leasing space but had always planned on it.

The noise we created ended up being a good thing. Because the issue couldn't be resolved we were let out of our lease and able to find a new place without penalty. With our previous experience we leased a large space away from the masses and had the property manager add what we do and our noise issues on the lease. We have been at our current place for near a year without an issues

QUOTE

**David Long**

Member

**Profile:**

Join Date: Jun 2007  
Location: Ocean City MD  
Posts: 186

**Re: Receiving too many noise complaints...**

We had this BIG TIME! Zoneing made us move in, and condo association called, wrote and complained every day. We worked out with their kids and grandkids for free, moved around, sound dampening foam. Our landlord died and we got out of our lease and moved. I don't know what to tell you, just try and work out some sort of arrangement.

QUOTE

**Jonathan Silverman**

Member

**Profile:**

Join Date: Nov 2007  
Location: Brooklyn NY  
Posts: 171

**Re: Receiving too many noise complaints...**

I'd seek professional legal advice, and bribe the people below with free memberships.

But prepare to go to war. Get a lawyer.

QUOTE

**Chris Santillo**

Member

**Profile:**

Join Date: May 2009  
Location: Seattle WA  
Posts: 109

**Re: Receiving too many noise complaints...**

Man you are screwed. Im a contractor, an based of your noise you make you cant really hide it. You could spend the money on insulated floors, or put insulation in the ceiling below you for sound aborption. BUT, It sounds like it is like structural sounding. Like shaking the joists when everyone works out. Either way its gonna be a pretty penny to try to fix the noise. So if I were you I'd find a new place, yea it sucks but just hurry and get it over with. Sorry man

QUOTE

**Veronica Carpenter**

Affiliate



**Profile:**

Join Date: Feb 2005  
Location: Oroville CA  
Posts: 2,707

**Re: Receiving too many noise complaints...**

Even at our University weight room that is on the bottom floor of a 5 story building, the sound of dropped weight can be heard/felt on the top floor. Go figure.

Good rule of thumb for any facility incorporating o-lifts - don't lease a building more than one story high.

If it's sore - ice it. If it's torn - tape it. If it's heavy - lift it!

QUOTE