



AGENDA REPORT

MEETING DATE: May 21, 2018

TO: Honorable Chair & Planning Commission Members

FROM: Salvador Lopez, Interim Community Development Manager

Subject: Conditional Use Permit No. 38-363 and Development Review Permit No. 41-508 to allow the operation of a gymnasium (Chuze Fitness) within the Community Commercial Zone, pursuant to Section 20.68.100(27) of the City's Zoning Code located at 8017 Atlantic Avenue.

RECOMMENDATION:

Staff recommends that the Planning Commission of the City of Cudahy (the "City"):

1. Approve CUP 38.363 to allow the operation of a gymnasium (Chuze Fitness) within the Community Commercial Zone; and
2. Recommend Approval of Development Review Permit (DRP) No. 41.508 to the City Council, for proposed façade modifications and interior improvements to the former K-mart building within the existing shopping center.

BACKGROUND/PROJECT DESCRIPTION:

The subject property (APN 6224-005-023) is located on an approximately 9-acre (395,000 sq.ft.) parcel currently known as the Cudahy Plaza and is zoned Community Commercial and located on the western side of Atlantic between Elizabeth Street and Santa Ana Street. The site is presently occupied by a variety of retail, commercial and restaurant businesses. The shopping center is located along the Atlantic Avenue corridor providing a mixture of commercial and retail land uses.

The applicant intends to occupy approximately 40,000 square feet of the former K-Mart building that measures approximately 68,267 square feet. The remaining 25,381 sq.ft. and 2,886 sq.ft. are proposed for two potential tenants. The applicant proposes a full tenant improvement of the 68,267 square foot building with new façade improvements, new lighting and new signage. The applicant also proposes to remove the existing 20,770 square foot interior mezzanine in the former K-Mart building. Other improvements include a new loading dock with a sound screening wall, complete interior tenant improvements and additional 36 parking spaces. These spaces will replace the existing truck well located in the alleyway west of the building. A new loading dock screen wall is proposed to be constructed east of the former K-Mart building to attenuate potential noise concerns from loading/unloading trucks.

The architectural style proposed for the project is contemporary modern, incorporating a blend of contemporary and traditional architectural forms and details such as height variation, cornices, metal cladding, composite wood siding, metal canopy, reveals, and storefront windows on cement plaster.

Tenant improvement plans include gutting the interior and installing a state of the art fitness facility with stationary equipment, free weights, circuit training, spin and training classrooms, locker rooms, restrooms and offices. The fitness facility will operate seven days a week, 24-hours a day. Chuze Fitness anticipates having 12 full-time employees and 22 part-time employees. According to the applicant, the facility will offer the following amenities:

- **Child Care:** Our engaging Kids Club staff looks after the little ones while mom and dad enjoy their workout. The facility includes interactive games, organized crafts, and a kids cinema.
- **Cardio Equipment:** State of the art equipment consisting of treadmills, elliptical machines, bikes, rowing machines, and stair climbers. All cardio users can enjoy their workout and watch their favorite TV program using their personal headsets to tune into the audio.
- **Chuze Cinema:** Our cinema is filled with cardio equipment so members can enjoy their workout while watching a great movie in a theater atmosphere.
- **Weight bearing equipment:** Free weights and multiple cable weight machines can be utilized for all major muscle groups.
- **Turf Area:** Our park-like green turf offers the essence of a fun outdoor workout. This indoor area provides miscellaneous workout equipment and serves as a place to gather with friends to warm-up, stretch, or a full body workout.
- **Circuit Room:** This area gives members a time structured workout utilizing stations designed to work all major muscle groups coupled with a cardio workout.
- Our variety of group fitness classes build fitness and community through a fun and social environment. Members benefit from consistent workout schedules and the accountability of our instructors and fellow workout partners.
 - **Group Exercise:** Fun and interactive! Our safe and effectively designed workouts are led by our certified instructors. We have a variety of formats including yoga, Zumba, Les Mills classes, and various high intensity interval training (HIIT) programs.
 - **Spin/Cycle:** For bicycle enthusiasts, an instructor leads this fast-paced class while a video projects exciting places for participants to “ride”.
 - **Team Training:** The Chuze-developed MORE program offers the encouragement of personal training with the reinforcement of a group in a high energy setting. Using heart rate monitor technology, team training is designed to provide a very efficient 50-minute high intensity cardio and strength workout.
- **Pool/Spa:** The lap pool provides opportunity for aquatic exercises, including instructor led water aerobics classes. A jacuzzi is also available for our members to unwind after their workout.
- **Steam Room:** Infused with eucalyptus aromatherapy for health and relaxation in a spa-like setting.
- **Infrared Saunas:** In addition, the wet area includes teak wood saunas that utilize infrared technology. Benefits include cellular health, detoxification, and weight loss.
- **Tanning Beds:** Tanning beds are each located in a private room.
- **HydroMassage Beds:** Relaxing, therapeutic HydroMassage beds provide a full body water jet massage. The pressure of the water jets work to break down the lactic acids that build up in muscles after a workout.

- **Locker Rooms:** Men and Women’s full locker rooms include day lockers, showers, and changing rooms.
- **Smoothie Bar:** Delicious post-workout recovery smoothies, including whole foods, organic, and 100% GMO-free options. This is a convenient way for our members to replenish depleted glycogen levels after a workout, in turn, providing them with the best results.

ANALYSIS & DISCUSSION:

General Plan and Zoning. The newly adopted General Plan 2040 designates the site and surrounding area as “Civic/Mixed-Use” (HDR-G), and as noted above, the property’s zoning is Community Commercial (CC). Table 1 below shows the project site and surrounding area’s zoning and land uses.

**Table 1
Zoning and Land Use**

	ZONING	LAND USE
PROJECT SITE	CC	Cudahy Plaza
NORTH	CC	Medical Offices
EAST	CC	Mixture of retail and commercial uses
SOUTH	CC	Automobile Service Station
WEST	HDR	Multi-Family Residential

As mentioned above, the recent adoption of the new General Plan re-designated the subject property to Civic/Mixed-Use. However, the underlying zoning of the property is Community Commercial. The City is currently in the process of updating the zoning code and zoning map to be consistent with the new General Plan zoning designations. Because this application was submitted and received prior to the General Plan update, the project is being processed under the current and existing zoning code, which requires a conditional use permit approval for a fitness facility (gymnasium) use. Once the zoning code update and zoning map is adopted, the new allowable land uses under the new Civic/Mixed-Use zoning will allow a fitness facility by right and no longer will require approval of a conditional use permit. However, this entitlement (CUP) approval will grant the city discretionary oversight of the project and allow staff to monitor any impacts the use may create.

The General Plan states that the existing buildings on Atlantic Avenue are in need of a “face lift” in order to make them more attractive and welcoming. As a result, the CUP would kickstart economic growth and beautification along Atlantic Avenue by allowing the upgrade of an existing façade and property along a prominent corner of the Atlantic Avenue corridor. The proposed fitness facility would operate 24 hours a day, 7 days a week and would provide a low cost, high value gym model with membership pricing starting from \$9.99 a month up to \$39.99 a month. The applicant asserts the proposed fitness facility would help activate the street during the day and at night, thereby improving public safety. In addition, the general welfare of the City and community would benefit from the proposed project due to the increased sales tax base, increased employment, and increased public activity along the Atlantic Avenue corridor.

DEPARTMENT COMMENTS AND REQUIREMENTS:

Building & Safety – Submit plans directly to the City of Cudahy Building and Safety Division for building permit issuance.

Code Enforcement – Provide proper lighting and continuous security cameras. Provide proper anti-graffiti decorative landscaping such as bushes, trellises, and creeping vines along necessary elevations.

Engineering– If any changes are taking place along the public right-of-way, notify the engineering department.

Los Angeles County Fire Department – Review and approval by the County of Los Angeles Fire Department Fire Prevention Engineering Section Building Plan Check Unit may be required for this project prior to building permit issuance. Submit plans directly to the County of Los Angeles Fire Department Fire Prevention Engineering Section Building Plan Check Unit.

REQUIRED FINDINGS:

CONDITIONAL USE PERMIT

CMC § 20.44.070 Basis for Approval or Denial of a Conditional Use Permit.

- **20.44.070(1) That the site for a proposed conditional use should be adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this chapter, or required by the commission, city council or other authorized agent in order to integrate the conditional use with the land and uses in the neighborhood.**

Support for Finding: The site's existing parking conditions do not comply with today's parking requirements, therefore making the site legal-nonconforming. Along with the proposed use, the applicant is proposing to redesign the existing building. Reducing the existing building footprint to dedicating some of that square footage for parking stalls, the applicant is proposing thirty-six (36) new parking stalls. The applicant is not required to provide any additional parking due to the site being legal non-conforming, and the use not significantly increasing its current density. The site is adequate in size and shape to accommodate the proposed improvements as the improvements will not involve any floor area addition, thus necessitating the need for additional parking.

- **20.44.070(2) That the nature, condition, and development of adjacent uses, buildings, and structures and the effect the proposed conditional use may have on such adjacent uses, buildings and structures.**

Support for Finding: The use is compatible with the City of Cudahy's General Plan because it is located in the Community Commercial Zone. The CC Zone is established to provide for a community commercial's needs. The CC zone permits a business center in areas where a wide range of retail and service establishments is needed to accommodate the surrounding community. The proposed use is consistent with the city of Cudahy general plan and any other plans applicable being that the use is a fitness center, which provides exercising amenities to serve the community. Therefore, the proposed conditional use is compatible with the nature,

conditions and development of adjacent uses, buildings, and structures. Accordingly, the proposed development will not have a negative impact on surrounding uses, buildings, and structures.

- **0.44.070(3) That the site for a proposed conditional use should relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.**

Support for Finding: The site is bounded by Atlantic Avenue to the east which is a major arterial street that serves the commercial uses along the corridor, as well as Santa Ana Street to the south and Elizabeth Street to the north, which are considered collector streets. The proposed use will be in an existing commercial building, and should not dramatically increase or impact the daily traffic counts to negatively impact the roads capacity.

DEVELOPMENT REVIEW PERMIT

CMC § 20.40.040, Basis for Approval or Denial of a Development Review Permit.

- **20.40.040(2)(a) The project is compatible with the City of Cudahy General Plan, any applicable specific plan, and any plan of another governmental agency made applicable by statute or ordinance.**

Support for Finding: The project is compatible with the City of Cudahy's General Plan because it is located in the CC Zone. The CC Zone is established to provide for the community's commercial needs. The proposed development is consistent with the city of Cudahy general plan and any other plans applicable. Additionally, the re-demising of the existing facility, former K-Mart, into three new tenant spaces may be established in community commercial zone.

Pursuant to CMC Section 20.40.030, a development review permit shall be required for any project which requires a building permit under Chapter 20.36 CMC and which is located: (2) In the commercial, manufacturing or industrial zone, except for fences/walls, windows, and stucco improvements;

The project is consistent with the City of Cudahy general plan and any other plans applicable plan being that it is zoned community commercial, and such improvements are appropriate for this site.

- **20.40.040(2)(b) The height, bulk, and other design features of structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance.**

Support for Finding: With the added conditions of approval the applicant will be required to (1) provide proper storefronts for the three new tenant spaces, (2) provide articulation on the north, east, and south elevations of the building, (3) provide proper decorative landscaping such as bushes, trellises, and creeping vines where necessary.

The project is proposing the re-demising of a former 68,267-square foot K-Mart building into three individual tenants spaces consisting of a 40,000-square foot tenant space for Chuze Fitness, a 25,361-square foot tenant space, and a 2,886-square foot tenant space. The project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines, providing a unified and uniform look to the subject property. The proposed project

conforms to the required height, bulk, and other design features of structures in proportion to the building site, and external features are balanced and unified so as to present a harmonious and uniform appearance.

- **20.40.040(2)(c) The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses.**

Support for Finding: Immediately west, and south of the subject property site is High Density Residential Zone. To the north, and east of the subject property, is Community Commercial Zone. The proposed project is permitted in the Community Commercial Zone and as a conditional use will be compatible with the surrounding uses. The existing surrounding sites include single story single family dwellings to the west and south, and commercial services to the north and west. The project proposes re-demising of a former 68,267-square foot K-Mart building into three individual tenants spaces located in the CC Zone at 8017 Atlantic Avenue; which is consistent with the purpose and intent of the General Plan and Zone designation.

Therefore, the design of the project will provide a design that contributes positively to the physical character of the community, relate harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and will not contribute to excessive variety among neighboring uses.

- **20.40.040(2)(d) The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development.**

Support for Finding: With the added conditions of approval the applicant will be required to (1) provide articulation on the north, east, and south elevations of the building, (2) provide proper decorative landscaping such as bushes, trellises, and creeping vines where necessary, (3) provide proper security system, cameras and lighting throughout the site.

The proposed project will be designed to maximize the use of the space including providing sufficient off-street parking, adequate lighting, new signage, and pedestrian circulation as called for by the CC zone while providing a safe, efficient, and harmonious development that meets design guidelines for any new development in the City.

- **20.40.040(2)(e) The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features.**

Support for Finding: The proposed development will not affect any of the existing vegetation of the site. The site is located in an urbanized flat area and there is little evidence of “natural” terrain. There are no “natural” features on the site. Moreover, the project would add new updated landscaping that will contribute to the overall aesthetics of the shopping center.

- 20.40.040(2)(f) The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site.

Support for Finding: The project will provide new signage associated with the new tenant spaces. Any proposed signage will meet zoning code standards and thus would be in harmony with the general development of the site.

- **20.40.040(2)(g) Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner which is in harmony with the design of the structures and grounds.**

Support for Finding: As a condition of approval the applicant will be required to reconfigure the site plan to provide a trash enclosure, which is screened from public view. Any mechanical equipment associated with the fitness facility will be screened from public view and require approval by the Planning Department. Any mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view. Therefore, the improvements will be in harmony with the design of the structures and grounds.

- **20.40.040(2)(h) The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character or value of such property.**

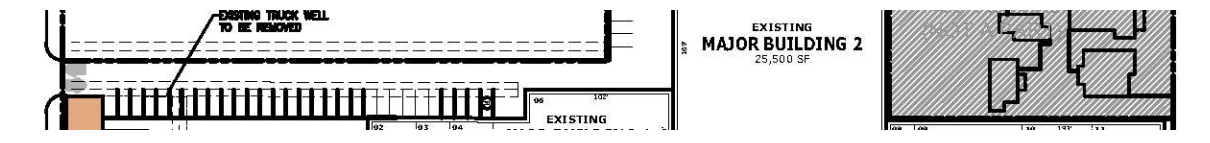
Support for Finding: Immediately west, and south of the subject property site is High Density Residential Zone. To the north and east of the subject property, is Community Commercial Zone. The proposed project is permitted in the Community Commercial Zone and as a permitted use will be compatible with the surrounding uses. The existing surrounding sites include single story single family dwellings and multi-family dwelling units. In fact, the elimination of the rear truck loading area will eliminate the noise associated with the trucks and provide for a quieter atmosphere for the adjacent residentially zoned areas.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

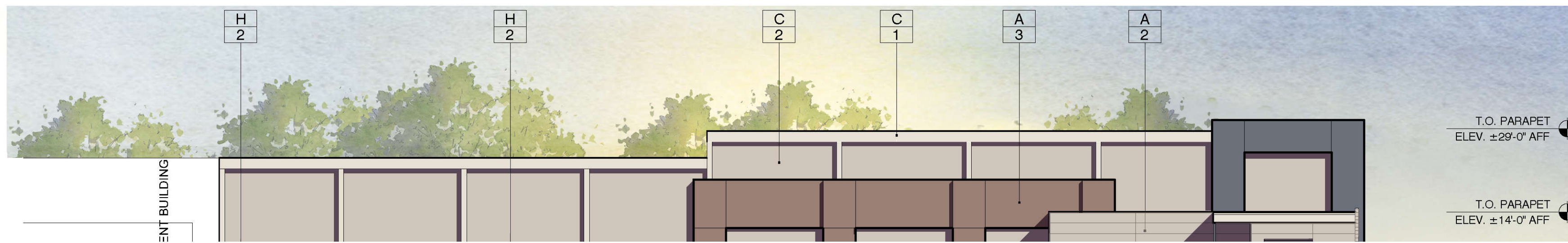
The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq*), and the City's Local CEQA Guidelines. The proposed project is exempt from CEQA pursuant to the CEQA Guidelines Section 15301 – Existing Facilities. The proposed project does not include any new construction beyond interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances, in accordance with CEQA Section 15301(a).

ATTACHMENTS:

1. Location Map
2. Proposed Development Plans
3. PC Resolution 18-17 (provided at the hearing)



SOUTH ELEVATION



- J - REVEALS
- K - LIGHT FIXTURES
- L - SIGNAGE BY OTHERS

- COLORS:**
- SW0053 "PORCELAIN" BY: SHERWIN WILLIAMS
 - 1
 - SW6078 "REALIST BEIGE" BY: SHERWIN WILLIAMS
 - 2
 - SW6046 "SWING BROWN" BY: SHERWIN WILLIAMS
 - 3
 - SW6257 "GIBALTAR" BY: SHERWIN WILLIAMS
 - 4