

PLANNING COMMISSION OF MONTEREY PARK AGENDA

REGULAR PLANNING COMMISSION MEETING Monterey Park City Hall Council Chambers 320 West Newmark Avenue

**Tuesday
September 24, 2024
6:30 PM**

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

LAND ACKNOWLEDGMENT

We would like to acknowledge that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. We show our respect to the Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future, and honor their labor as original caretakers of this land. We commit to uplift the Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring for this land.

GENERAL INFORMATION

Documents related to an Agenda item are available to the public in the Community Development Department – Planning Division located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter>.

PUBLIC PARTICIPATION

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Chairperson and Planning Commission Members may change the amount of time allowed for speakers. Written Communication will be accepted up to 24 hours before the meeting via email to planningpermitcounter@montereypark.ca.gov

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER FLAG SALUTE ROLL CALL

Chairperson Fung

Commissioner Sam

Chairperson Peter Fung, Vice Chairperson Jack Chiang, Commissioner Tammy Sam, Commissioner Bethelwel Wilson, Commissioner Johnny Kwok

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the Commission to take discuss, deliberate, or take action on any item not on the agenda. The Commission may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the Commission's subject-matter jurisdiction, comment on agenda Items at this time. If you provide public comment on a specific agenda item at this time, however, you cannot later provide comments at the time the agenda Item is considered.

ORAL AND WRITTEN COMMUNICATIONS

[1.] **PRESENTATIONS – None.**

[2.] **CITY OF MONTEREY PARK – CONSENT CALENDAR – None.**

[3.] **PUBLIC HEARING**

3-A. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 24-04 (CUP-24-04), A REQUEST TO ALLOW A MASSAGE ESTABLISHMENT TO OPERATE WITHIN THE NEIGHBORHOOD SHOPPING (N-S) ZONE WITH A PLANNED DEVELOPMENT (“P-D”) OVERLAY ZONE ON PROPERTY LOCATED AT 401 SOUTH GARFIELD AVENUE, SUITE A, ALSO IDENTIFIED BY ASSESSOR’S PARCEL NUMBER 5257-012-170

CEQA: CEQA Guidelines § 15301 (Class 1 - Existing Facilities) exempts existing facilities from further review, including, without limitation, minor alterations of existing buildings, involving negligible or no expansion. This Project will not have a significant effect on the environment because the Project consists of a conditional use permit to establish a massage establishment within an existing building where no exterior improvements or expansions are proposed. Accordingly, this Project is exempt from further review pursuant to CEQA Guideline § 15301.

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence received during the public hearing, adopting a Resolution approving CUP-24-04, subject to conditions of approval contained in Exhibit A of the Resolution; and
- (5) Taking such additional, related, action that may be desirable.

[4.] **OLD BUSINESS - None**

[5.] **NEW BUSINESS - None**

[6.] **COMMISSION COMMUNICATIONS**

[7.] **FUTURE AGENDA ITEMS**

ADJOURN

Next regular scheduled meeting is on October 8, 2024.



Planning Commission Staff Report

DATE: September 24, 2024

AGENDA ITEM NO: 3.A

TO: The Planning Commission
FROM: Jessica Serrano, Director of Community Development
SUBJECT: A public hearing to consider Conditional Use Permit No. 24-04 ("CUP-24-04"), a request to allow a massage establishment to operate within the Neighborhood Shopping ("N-S") zone with a Planned Development ("P-D") overlay zone on property located at 401 South Garfield Avenue, Suite A, (Assessor's Parcel Number 5257-012-170) ("Subject Property").

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence received during the public hearing, adopting a Resolution approving Conditional Use Permit No. 24-04 ("CUP-24-04"), subject to conditions of approval contained in Exhibit A of the Resolution; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the Project under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). CEQA Guidelines § 15301 (Class 1 - Existing Facilities) exempts existing facilities from further review, including, without limitation, minor alterations of existing buildings, involving negligible or no expansion. This Project will not have a significant effect on the environment because the Project consists of a conditional use permit to establish a massage establishment within an existing building where no exterior improvements or expansions are proposed. Accordingly, this Project is exempt from further review pursuant to CEQA Guideline § 15301. A Notice of Categorical Exemption (Class 1) has been prepared for this project.

EXECUTIVE SUMMARY:

Ms. Yuan Lang (the "Applicant") requests approval of a conditional use permit ("CUP") to allow the operation of a new massage establishment at 401 South Garfield Avenue, Suite A, pursuant to the Monterey Park Municipal Code ("MPMC") §§ 5.28.050, 21.10.030, 21.10.040(T)(2) and 21.32.020. The proposed business will occupy a tenant space,

approximately 730 square feet in size, within an existing mixed-use development that contains residential and commercial uses.

Staff finds that the proposed massage establishment is consistent with the City's Municipal Code and the General Plan and recommends approval of CUP-24-04, subject to the conditions contained in Exhibit A of the Resolution.

TYPE OF ACTION (QUASI-JUDICIAL)

The recommended action is to adopt a CUP. In considering such actions, the Planning Commission acts in a quasi-judicial role. In doing so, the Planning Commission acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the Planning Commission can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to:

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

The Planning Commission must base its decisions upon substantial evidence within the record. "Substantial evidence" generally means enough relevant information and reasonable inferences from information gathered during a public hearing that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts does not constitute substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. If the Planning Commission asks irrelevant questions and bases its decision-making on such questions, a court may overturn the Planning Commission's decision and potentially hold the City liable for violating the applicant's constitutionally protected due process rights.

To approve the CUP (per MPMC § 21.32.020), the Planning Commission must find that:

1. The site is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in the MPMC;
2. The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;
3. The proposed use is consistent with the General Plan and any applicable specific plan;

4. The proposed project will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City;
5. That the proposed use will not have an adverse effect on the public health, safety and general welfare; and
6. That the use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to this code.

BACKGROUND:

The Subject Property is within an existing mixed-use development located at the west side of South Garfield approximately 620 feet north of its intersection with Newmark Avenue. It has a zoning designation Neighborhood Shopping ("N-S") zone with a Planned Development ("P-D") overlay zone and a General Plan land use designation of Mixed Use. The Subject Property is a tenant space (i.e. air space and common areas) contained in the 3,311 square feet commercial building within the existing mixed use development. This mixed use development is comprised of 4 detached buildings, including 3 senior housing residential buildings and 1 commercial building, and all share underground parking. The commercial portion of the development is two-stories and comprised of multiple tenant spaces and accessible off South Garfield Avenue (see Figure 1).

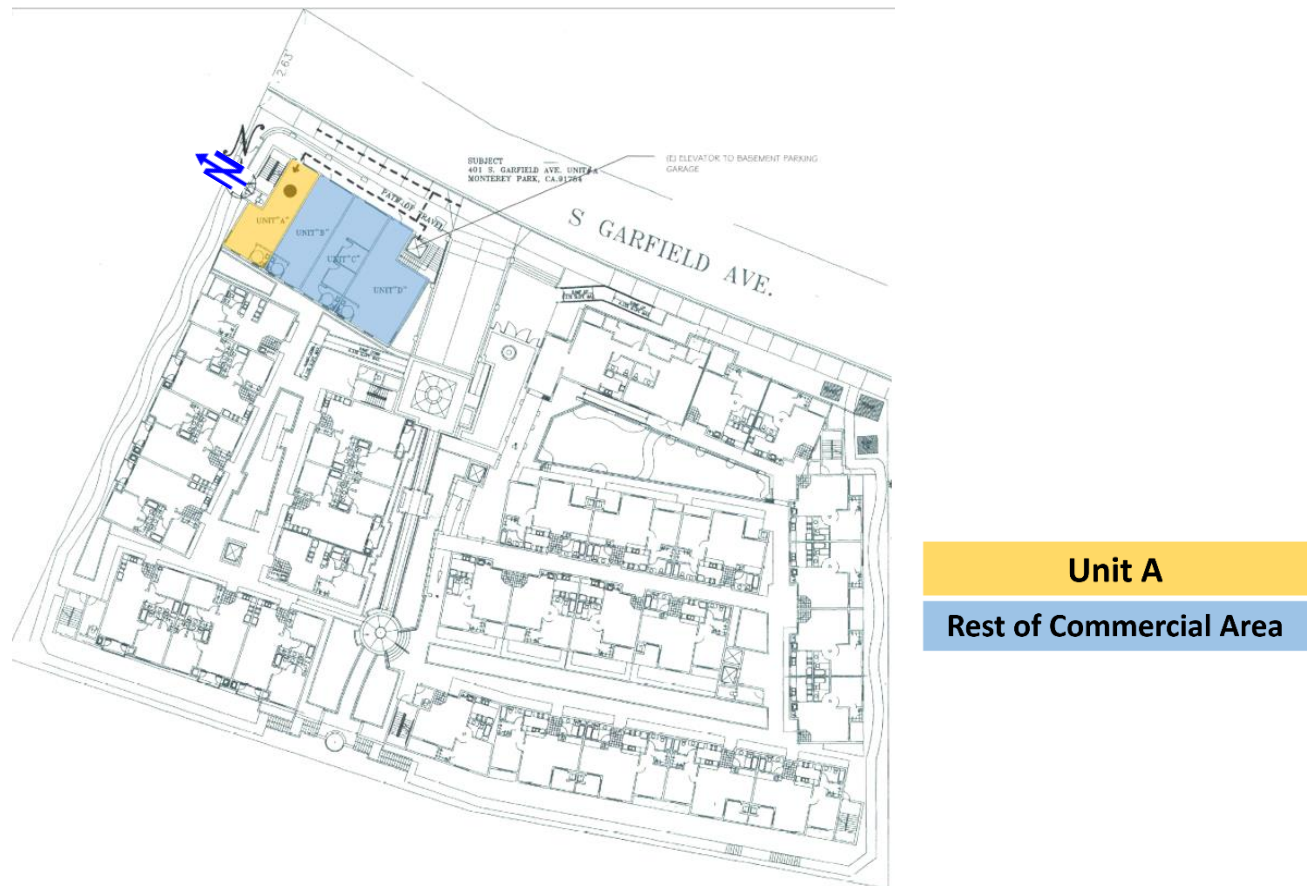


Figure 1: Site Plan

Surrounding land uses include a church to the north, multi-family residential developments to the east (across South Garfield Avenue), and senior housing that is part of the mixed use development to the immediate south and west.

ANALYSIS:

The proposed massage establishment will be located within Suite A of the Subject Property and is a conditionally allowed use in the N-S zone. Suite A is an approximately 730 square foot tenant space. No physical changes are proposed to Suite A other than interior tenant improvements.

As part of the City's review for the proposed use, staff determined that adequate parking exists on the site with the proposed and existing commercial uses. MPMC § 21.22.120 requires five parking spaces per 1,000 square feet of gross floor area for massage establishments. In combination with the other commercial units in the development, the minimum vehicle parking spaces required is 27 and there are 28 off-street parking spaces for the commercial uses. Therefore, existing parking is sufficient to meet the minimum number of required parking spaces for this proposed massage use.

The Applicant proposes to provide foot and body massage services with operating hours Monday through Sunday from 10:00 a.m. to 9:00 p.m. The business anticipates approximately 15 daily customers. The Applicant has represented that there will be three massage therapists that will provide services. The tenant space will have a waiting room, a reception counter, five massage rooms, one employee break room, a washer and dryer, and an all-gender restroom.

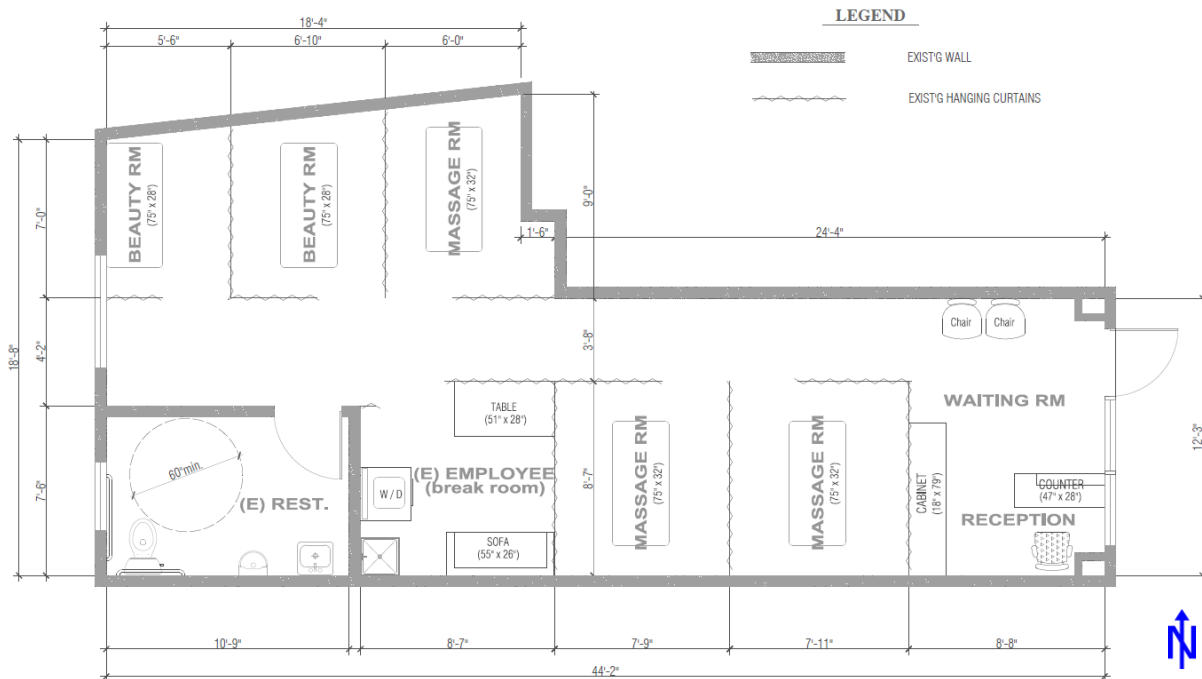


Figure 2: Proposed Floor Plan

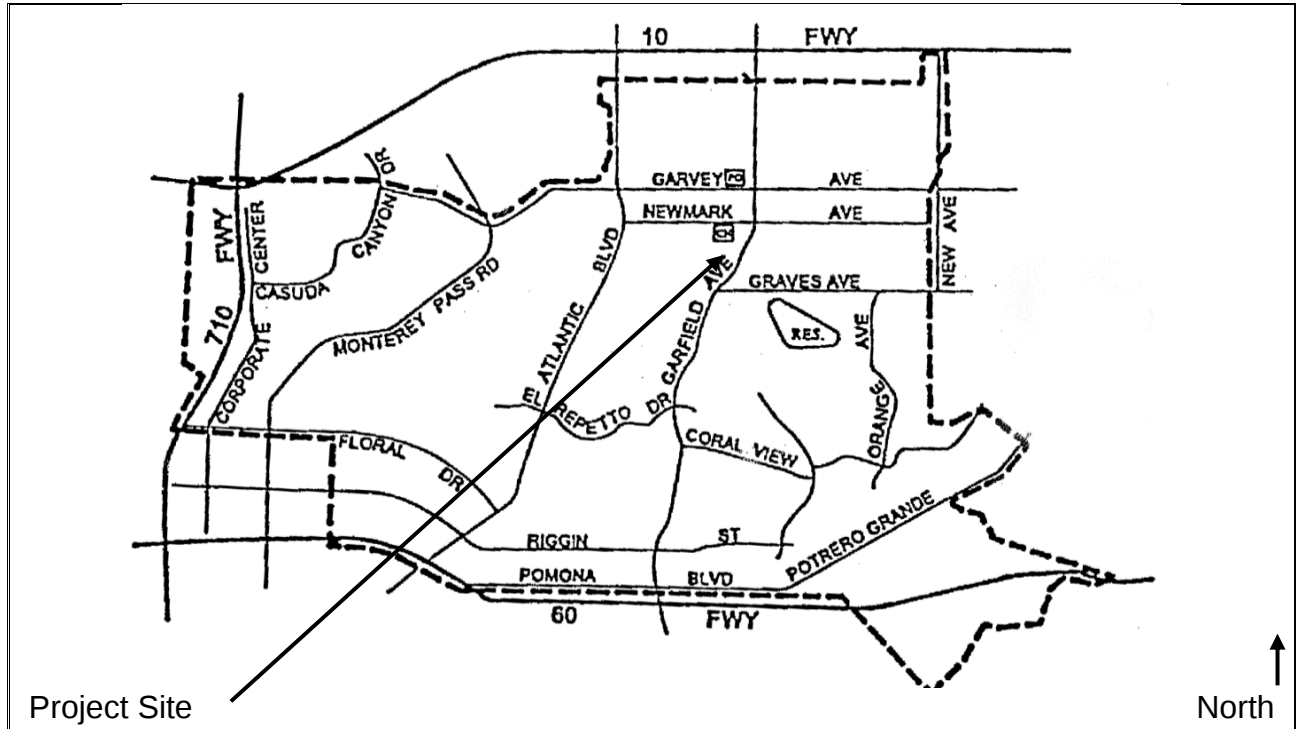
According to MPMC § 21.10.030, a massage establishment is subject to the approval of a CUP and must comply with the regulations in MPMC Chapter 5.28. Specifically, per MPMC § 5.28.110, massage businesses must comply with a list of specified requirements including, without limitation, minimum lighting, necessary ventilation, and the provision of mandatory restrooms, in accordance with the California Building Code.

MPMC Chapter 5.28 also dictates standards for the owners, operators, or employees of massage establishments. The owner or owners, with at least a five-percent interest in the business, must maintain certification from the California Massage Therapy Council ("CAMTC") or pass a background check. Additionally, every person or employee conducting massage services must hold a valid certification with the CAMTC. Overall, the proposed use is consistent with the City's Municipal Code and the General Plan and staff recommends approval of CUP-24-04, subject to the conditions of approval contained in Exhibit A of the Resolution.

Legal Notification

The legal notice of this hearing was published in the Monterey Park Press and posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center on September 12, 2024, with affidavits of posting on file. The legal notice of this hearing was mailed to 132 property owners within a 300-foot radius of the property on September 12, 2024.

Vicinity Map



Aerial Map



FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,

Jessica Serrano
Director of Community Development

Prepared by:

Kevin Tan
Assistant Planner

Reviewed by:

Justin A. Tamayo
Deputy City Attorney

ATTACHMENTS:

1. Resolution, with Exhibit "A"
2. Site & Floor Plans
3. Notice of Exemption

Staff Report, CUP-24-04
September 24, 2024

ATTACHMENT 1

Resolution

RESOLUTION NO. _____

**A RESOLUTION APPROVING CONDITIONAL USE PERMIT NO. 24-04
(CUP-24-04) TO ALLOW A MESSAGE ESTABLISHMENT WITHIN THE
NEIGHBORHOOD SHOPPING (N-S) ZONE WITH A PLANNED
DEVELOPMENT (P-D) OVERLAY ZONE ON PROPERTY LOCATED AT
401 SOUTH GARFIELD AVENUE, SUITE A**

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On July 30, 2024, Ms. Yuan Lang (“Applicant”), submitted an application, pursuant to Monterey Park Municipal Code (“MPMC”) §§ 5.28.050, 21.10.030, 21.10.040(T)(2) and 21.32.020 requesting approval of Conditional Use Permit No. 24-04 (“CUP-24-04”) to allow a message establishment (“Project”) at 401 South Garfield Avenue, Suite A (the “Subject Property”);
- B. The Project is located in the Neighborhood Shopping (N-S) zone with a Planned Development Overlay (P-D) overlay zone, where such message use is permitted with a CUP for the zoning district;
- C. The Project was reviewed by the City of Monterey Park, Community Development Department for, in part, consistency with the General Plan, and conformity with the MPMC and California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA,” and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”));
- D. The Community Development Department completed its review and scheduled a public hearing regarding the Project before the Planning Commission for September 24, 2024;
- E. Notices of Public Hearing before the Planning Commission were duly given and published in the time, form, and manner as required by law;
- F. On September 24, 2024, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the Project including, without limitation, information provided to the Planning Commission by City staff and public testimony; and
- G. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its September 24, 2024 hearing including, without limitation, the staff report submitted by the Director of Community Development Department.

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SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. This Applicant is requesting approval of CUP-24-04 to establish a massage establishment within an existing mixed-use development. Suite A will have a waiting room, a reception counter, five massage areas, one employee break room with a utility (washer and dryer) area, and an all-gender restroom. The business operating hours will be Monday through Sunday from 10:00am to 9:00pm;
- B. The Subject Property located at 401 South Garfield Avenue, Unit A has a zoning designation of N-S with P-D overlay and a General Plan land use designation of Mixed Use. A massage business is a conditionally allowed use in the N-S zone;
- C. The Subject Property is a tenant space (i.e. air space and common areas) contained in the 3,311 square feet commercial building within the existing mixed use development, known as Assessor's Parcel Number 5257-012-170. The Subject Property is located at the west side of South Garfield approximately 620 feet north of its intersection with Newmark Avenue. It is currently developed with a mixed use development comprised of 4 detached buildings, including 3 senior housing residential buildings and 1 commercial building, where the tenant space is located, and all share underground parking;
- D. Located to the north of the Subject Property is a church. Multi-family residential structures are located to the east (across South Garfield Avenue), and senior housing that is part of the mixed use development is located to the immediate south and west; and
- E. The proposed tenant space is 730 square feet, which will generate minimal impacts to traffic and parking demands.

SECTION 3: *Environmental Assessment.* The City reviewed the environmental impacts of the Project under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). CEQA Guidelines § 15301 (Class 1 - Existing Facilities) exempts existing facilities from further review, including, without limitation, negligible expansions of existing uses. This Project will not have a significant effect on the environment because the Project consists of a conditional use permit to establish a massage establishment within an existing building where no exterior improvements or expansions are proposed. Accordingly, this Project is exempt from further review pursuant to CEQA Guideline § 15301.

SECTION 4: *Conditional Use Permit Findings.* Pursuant to MPMC § 21.32.020(B), the Planning Commission finds as follows:

- A. The Subject Property is adequate in size, shape, and topography for the proposed use in that the proposed use is a massage business within an existing commercial development with multiple tenant spaces. The tenant space of approximately 730-square feet is adequate in size and shape to accommodate the operation of the

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proposed massage business. No additional square footage would be added to the building footprint and no physical changes are proposed to the site;

- B. The Subject Property has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. Garfield Avenue will continue to be able to accommodate the amount of traffic generated by the proposed massage use that is to occupy a tenant space within an existing commercial building. The proposed use is not expected to significantly increase traffic;
- C. The proposed use is consistent with the General Plan and conforms to objectives of the General Plan and the MPMC. The Subject Property is designated Mixed Use in the General Plan. The Mixed-Use land use category allows for a broad range of retail and service commercial uses, hospitality, entertainment, medical, professional offices, and residential uses, including the proposed use of a massage establishment within an existing commercial building;
- D. The proposed use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other uses in the City. No improvements to the adjacent principal arterial of Garfield Avenue are required. Pursuant to the Circulation Element of the General Plan, collector streets are generally designed to accommodate 15,000 to 25,000 average daily trips. Therefore, said principal arterial and collector are sufficient and adequate to handle any potential increase in vehicles to and from the proposed use;
- E. The proposed use will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties. Conditions have been included to address concerns relating to safety and security and the massage business will be designed and operated in accordance with City standards. Additionally, the Police Department will monitor the Subject Property relative to safety considerations including, without limitation, hours of operation and required certification; and
- F. MPMC § 21.10.030 specifically allows for a massage establishment in the N-S zone subject to CUP approval.

SECTION 5: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated by reference, the Planning Commission approves Conditional Use Permit (CUP-24-04).

SECTION 6: Notice of Exemption. The Director of Community Development, or designee, is directed to file a Notice of Exemption in accordance with CEQA §§ 15062, and any other applicable law.

SECTION 7: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute

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the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: *Construction*. This Resolution must be broadly construed in order to achieve the purposes stated in this Resolution. It is the Planning Commission's intent that the provisions of this Resolution be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Resolution.

SECTION 9: *Limitations*. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 10: *Severability*. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the Planning Commission intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 11: *Preservation*. This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 12: *Summaries of Information*. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 13: *Electronic Signatures*. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 14: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 15: A copy of this Resolution will be mailed to Yuan Lang and to any other person requesting a copy.

SECTION 16: This Resolution is the Planning Commission's final decision and will become effective immediately upon adoption, and will remain effective unless the action is appealed within ten days pursuant to MPMC § 21.32.060, and MPMC § 1.10.

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SECTION 17: The Planning Commission Chairperson, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the Planning Commission of the City of Monterey Park, and the Planning Commission Secretary is directed to attest thereto.

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF MONTEREY PARK THIS 24TH DAY OF SEPTEMBER 2024.

Peter Fung, Chairperson

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 24th day of September 24, by the following vote of the Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:



Jessica Serrano, Secretary

**APPROVED AS TO FORM:
Karl H. Berger, City Attorney**

By:



**Justin A. Tamayo,
Deputy City Attorney**

CONDITIONS OF APPROVAL

401 SOUTH GARFIELD AVENUE, SUITE A

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Yuan Lang (the "Applicant"), agrees to comply with the following conditions of approval ("Project Conditions") for Conditional Use Permit No. 24-04 ("CUP-24-04").

Unless the contrary is stated or clearly appears from the context, the construction of words and phrases used in the Project Conditions use the definitions set forth in the MPMC.

PLANNING:

1. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of CUP-24-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CUP-24-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. CUP-24-04 expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A total of a one-year extension may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the Community Development Director, or designee.
3. The Applicant is responsible for maintaining the area adjacent to the business location and the site in general, including any parkways and alleys.
4. The Subject Property must be developed and/or used in the manner requested and must be in substantial conformity with the submitted plans date-stamped July 30, 2024, unless revisions and/or additional conditions are specifically required herein.
5. The approval runs with the land. All rights and obligations of this approval, including the responsibility to comply with the Project Conditions, are binding upon Applicant's successors in interest. The Project Conditions may be modified, terminated, or abandoned in accordance with applicable law including, without limitation, the MPMC.
6. Any proposed deviations from the Exhibits, Project Description or Project Conditions must be submitted to the City Planner for review and approval. Any unapproved deviations from the Project approval will constitute a violation of the permit approval.

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7. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions prevail.
8. The effectiveness of the Project will be suspended for the time period that any Project Condition is appealed whether administratively or as part of a legal action filed in a court of competent jurisdiction. If any Project Condition is invalidated by a court of law, the Project must be reviewed by the City and substitute conditions may be imposed.
9. The Applicant must comply with all requirements of this Resolution, the MPMC, policies and regulations of any State, Federal or local agency with jurisdiction over the Project, and any other applicable law.
10. Anything which is not shown on the application/plans, or which is not specifically approved, or which is not in compliance with this section, is not approved. Any application and/or plans which are defective as to, but not limited to, omission, dimensions, scale, use, colors, materials, encroachments, easements, etc., will render any entitlements granted by this approval null and void.
11. Applicant must reimburse the city for all attorneys' fees expended by the City that are directly related to the processing of this Project. The City will not issue a Final Certificate of Occupancy or other final occupancy approval until all attorneys' fees are paid by the Applicant.
12. The property must remain well maintained and free of graffiti. The Applicant's failure to remove graffiti within 24 hours of written notice by the City will result in the City abating the graffiti at the Applicant's cost.
13. A copy of the Project Conditions for CUP-24-04 must be kept on the premises of the establishment and presented to any authorized City official upon request.
14. The Applicant must submit a floor plan reflecting the complete business operations, including the identification of all locations where foot or body massages are proposed, to the Director for review and approval.
15. The massage establishment must maintain the layout and floor plans approved as part of CUP-24-04. The Community Development Director, or designee, is authorized to approve minor modifications to the approved preliminary plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions.
16. A list of all persons providing massage services at the establishment, including each person's full true name and other names used.
17. The permitted hours of operation of the business are from Monday through Sunday from 10:00 am to 9:00 pm. Customers are not allowed within the business outside of these business hours.

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18. No persons other than those receiving a massage and those administering a massage may enter or remain within a room or delineated area where a massage is being given.
19. Massage beds or tables used in conjunction with the business must be a table designed and manufactured for medical and massage uses. No mattresses or sleeping beds are allowed.

LICENSING:

20. Each Massage License technician shall obtain a Business License with the City.

POLICE:

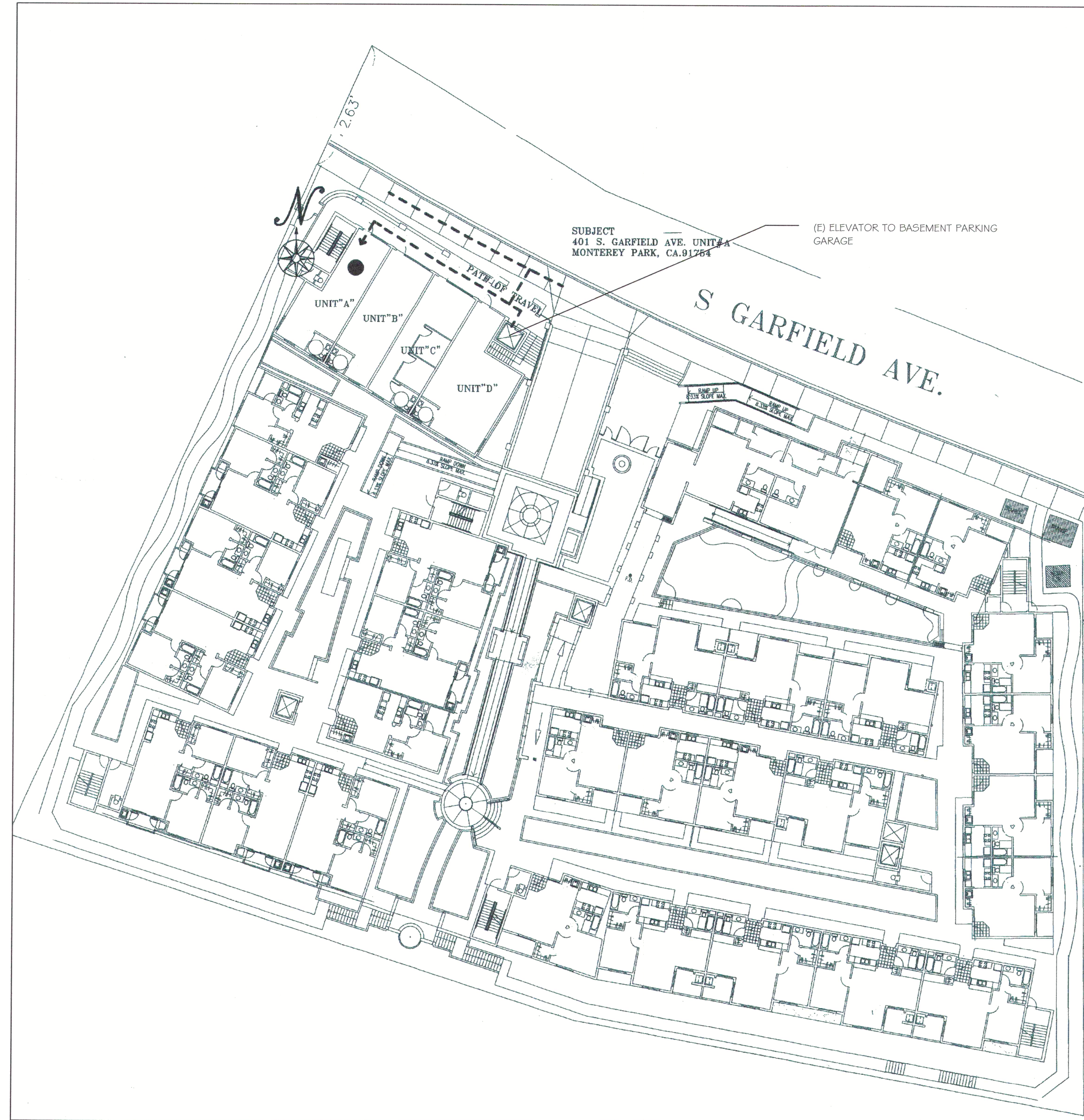
21. The business shall have security video cameras operating during all hours. The video shall be recorded onto a digital storage device and maintained for at least 30 days. The video footage must be made immediately available to any law enforcement officer requesting as a result of official law enforcement business.
22. The video cameras shall be installed and cover all the main areas accessible to the public, including the entrance/exits and all interior(s) of each room. If the Chief of Police determines that it is necessary to have additional security cameras installed, the owner must comply with the request within seven days. The Chief of Police can also require the position of the video cameras to be changed if it is determined that the camera position does not meet security needs. The owner of the business must comply with the request within seven days. The picture quality of the video cameras and recording devices installed must meet the approval of the Chief of Police. High Definition 1080 P is recommended.
23. The business shall have an alarm system covering break-ins and robberies. The alarm must be monitored by an alarm monitoring company, which will notify the Monterey Park Police of any break-ins or robberies. Employees must have access to a hidden button that will trigger a silent alarm, notifying the alarm monitoring company that a robbery is occurring. The manager/owner will obtain an alarm permit from the Monterey Park Police Department. The permit may be obtained by calling the Monterey Park Police Community Services Bureau at (626) 307-1215.
24. The business should participate in the Monterey Park Police Department's Business Watch Program, a free service designed to educate businesses about minimizing criminal activity.
25. The manager/owner shall maintain the property free of litter and graffiti.
26. Adhere to the City of Monterey Park's Business Licenses and Regulations section Chapter 5.28 Massages.

By signing this document, the Applicant, certifies having read and understood the Project Conditions, and agrees to comply with the Project Conditions.

Yuan Lang, Applicant

ATTACHMENT 2

Site & Floor Plans



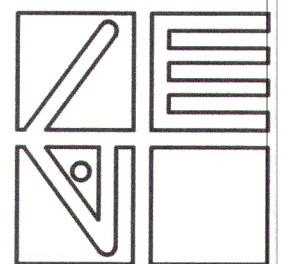
SITE PLAN

NONE



REVISIONS	
11-21-17	Δ
1-20-18	Δ

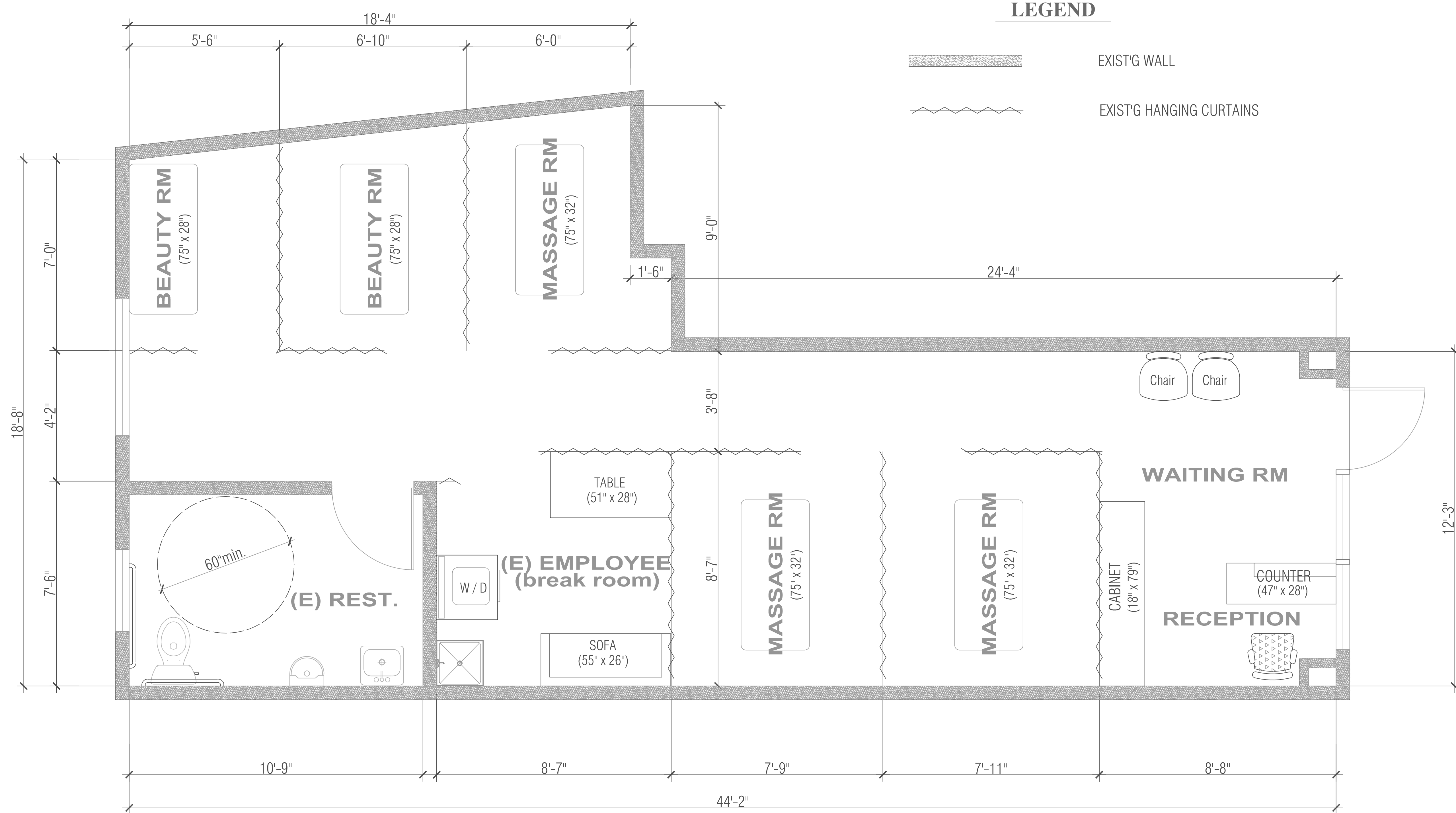
C. Y. WU ARCHITECT INC.
18403 VILLA CLARA STREET
ROWLAND HEIGHTS, CA 91748
TEL: (626) 9123289



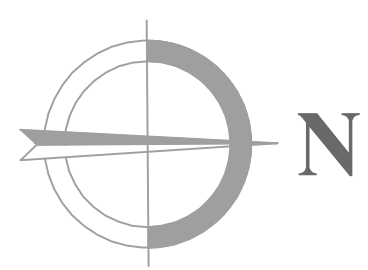
CHANGE OF USE
401 S GARFIELD AVE #A
MONTEREY PARK, CA

PROPOSED FLOOR PLAN

Date: 1/20/18
Scale: NOTED
Drawn: SW
Job: 030617
Sheet: A-1
2 of 4 Sheets



FLOOR PLAN SC : 1/2"=1'-0"



Revisions	By

VARIETY

LJ & ASSOCIATE DESIGN

6710 N. ROSEMEAD BL.
SAN GABRIEL CA 91775
TEL: 626-833-0035

ENGINEER:

PROJECT: FLOOR & DETAIL PLAN

OWNER: LN BEAUTY SPA
401 S GARFIELD AVE STE #A
MONTEREY PARK, CA 91754
TEL: 626-492-1572

Date	7/10/24
Scale	1/2"=1'-0"
Checked	
Drawn	LIFU JU
A - 1	
Of	Sheets

ATTACHMENT 3

Notice of Exemption

Notice of Exemption

From: City of Monterey Park Planning
320 W. Newmark Avenue
Monterey Park, CA 91754

To:

- ☒ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
- ☐ Los Angeles, County Clerk
Environmental Filings
12400 Imperial Highway #1201
Norwalk, CA 90650
Attn: Business Filings and Registration

Project Title: Conditional Use Permit (CUP 24-04)
Project Location - Specific: 401 South Garfield Avenue, Suite A
Project Location - City: Monterey Park
Project Location - County: Los Angeles

Description of Project:
Approval of a massage establishment to operate at 401 South Garfield Avenue, Unit A.

Name of Public Agency Approving Project: City of Monterey Park
Name of Person or Agency Carrying Out Project: City of Monterey Park

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: § 15301 (Class 1 – Existing Facilities)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

This project will not have a significant effect on the environment per CEQA Guidelines § 15301 (Class 1 Existing Facilities) because the proposed project consists of permitting of an existing private structure and therefore involves a negligible expansion of an existing use. The project does not propose any physical improvements to the site or any physical changes to the existing building.

Lead Agency Contact Person: Kevin Tan Telephone (626) 307-1302

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: Assistant Planner

- ☐ Signed by Lead Agency Date received for filing at OPR:
- ☐ Signed by Applicant