

Hearing Officer Transmittal Checklist

Hearing Date 8/4/15
Agenda Item No. .5

Project Number: R2009-00936-(4)
Case(s): Conditional Use Permit Case No. 201100068
Planner: Steve Mar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Conditional Use Permit No. 00-030 Conditions
- Hacienda Heights Improvement Association Letter – May 20, 2015
- Sheriff Department Correspondence – March 2, 2015 to March 3, 2015

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER

R2009-00936-(4)

HEARING DATE

August 4, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201100068

PROJECT SUMMARY

OWNER / APPLICANT

South Hacienda Boulevard 1010, Inc. / Royal Health Spa

MAP/EXHIBIT DATE

2/23/11

PROJECT OVERVIEW

The applicant, Royal Health Spa, is requesting a Conditional Use Permit (CUP) for the continued operation and new expansion of an existing health spa with accessory massage services located in an existing shopping center in the C-2 (Neighborhood Business) zone. The project site was previously zoned C-3 (Unlimited Commercial) before being rezoned to C-2 in June 2011. Massage uses are allowed in the C-3 zone with a CUP but are not allowed in the C-2 zone. However, the applicant submitted their CUP request before the zone change became effective and is allowed to apply for a CUP to operate the spa with massage services under C-3 zone requirements pursuant to Los Angeles County Code Section 22.28.210. The health spa will add three (3) attached storage rooms and one laundry room (544 sq. ft. total) at the rear of the business and will acquire two (2) additional storefronts incorporating a massage parlor and foot massage establishments.

LOCATION

1014-1018 S. Hacienda Blvd., Hacienda Heights

ACCESS

via Hacienda Blvd. & Gale Ave.

ASSESSORS PARCEL NUMBER(S)

8245-012-016, -018, -019

SITE AREA

1.82 Acres

GENERAL PLAN / LOCAL PLAN

Hacienda Heights Community Plan

ZONED DISTRICT

Hacienda Heights ZD

LAND USE DESIGNATION

CG – General Commercial

ZONE

C-2-BE (Neighborhood Business – Billboard Exclusion)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Hacienda Heights Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.28.220 (C-3 Zone Development Standards)

CASE PLANNER:

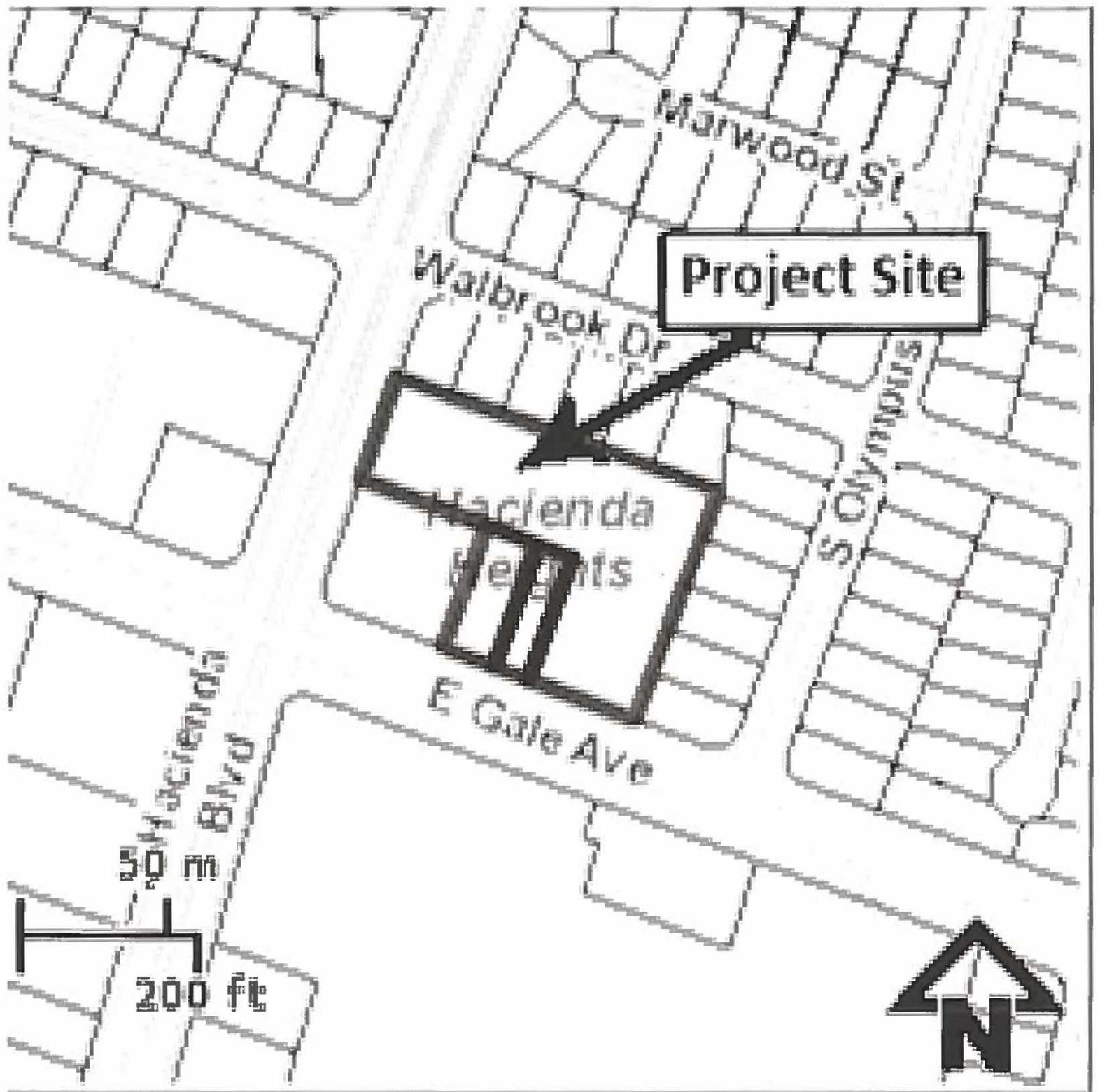
Steve Mar

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the continued operation and new expansion of an existing health spa with accessory massage services located in an existing shopping center in the C-2 Zone under C-3 Zone requirements pursuant to County Code Section 22.28.210.

PROJECT DESCRIPTION

The applicant, Royal Health Spa, is requesting a Conditional Use Permit (CUP) for the continued operation and new expansion of an existing health spa with accessory massage services located in an existing shopping center in the C-2 (Neighborhood Business) zone. The project site was previously zoned C-3 (Unlimited Commercial) before being rezoned to C-2 in June 2011 when the Board of Supervisors adopted the Hacienda Heights Community Plan and zone changes. Massage uses are allowed in the C-3 zone with a CUP but are not allowed in the C-2 zone. However, the applicant submitted their CUP request before the zone change became effective and is allowed to apply for a CUP to operate the spa with massage services under C-3 zone requirements pursuant to Los Angeles County Code Section 22.28.210. The health spa will add three (3) attached storage rooms and one laundry room (544 sq. ft. total) at the rear of the business and will acquire two (2) additional storefronts incorporating a massage parlor and foot massage establishments.

SITE PLAN DESCRIPTION

The site plan depicts the existing spa with proposed expansion occupying a total of 8,093 sq. ft. in a multi-tenant shopping center with an adjoining parking lot. Three attached storage rooms and one laundry room will be built at the rear of the business and will add an additional 544 sq. ft. of space.

EXISTING ZONING

The subject property is zoned C-2 (Neighborhood Business).

Surrounding properties are zoned as follows:

North: R-1 (Single-family Residence)

South: C-2 (Neighborhood Business)

East: R-1 (Single-family Residence), C-1 (Restricted Business)

West: C-2 (Neighborhood Business), CPD (Commercial Planned Development), R-1 (Single-family Residence)

EXISTING LAND USES

The subject property is developed with a multi-tenant shopping center with an adjoining parking lot.

Surrounding properties are developed as follows:

North: Single-family Residences

South: Shopping Center, Commercial, Retail

East: Single-family Residences, Retail, Commercial

West: Retail, Commercial, Single-family Residences

PREVIOUS CASES/ZONING HISTORY

The previous zoning history of the subject parcel is as follows: A1-10,000 (May 1948), C4 (December 1953), C-3-BE (August 1982), C-2 (June 2011).

Conditional Use Permit No. 00-30-(4) – Approved January 10, 2001, for the establishment and operation of a health club with acupressure massage services. This permit expired on January 10, 2005.

Conditional Use Permit No. 201200017 – Approved September 19, 2012, for the sale of beer and wine for on-site consumption at a new bar/tavern in the shopping center. A minor parking deviation was also granted to allow 111 parking spaces despite the fact that the tenant makeup of the shopping center required 151 parking spaces.

The project site contains various other Business Permit and Plot Plan approvals for the other commercial and retail tenants of the site's shopping center.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project proposes to continue the existing operation of a spa with massage services and proposes a small expansion of their facility. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the CG – General Commercial land use category of the Hacienda Heights Community Plan. This designation is intended for local serving commercial, office and professional businesses, retail and service establishments. The spa with accessory massage services is a locally serving business and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls (Policy 9).*

The project will allow the continued operation of an existing spa with accessory massage services in the community. The spa is appropriately located in a multi-tenant shopping center near a major intersection.

The following policies of the Hacienda Heights Community Plan are applicable to the proposed project:

- *Maintain and improve existing commercial areas (Policy LU2.3).*

The project will continue the operations of the existing spa business at its current location in a multi-tenant shopping center.

Zoning Ordinance and Development Standards Compliance

The project site was previously zoned C-3 before being rezoned to C-2 in June 2011. The applicant submitted their CUP request before the zone change became effective and is allowed to apply for a CUP to operate the spa with massage services under the previous C-3 zone

requirements. Pursuant to Section 22.28.220 of the County Code, establishments in the C-3 Zone are subject to the following development standards:

- Parking – The project requires a total of 34 parking spaces. Based on the current tenant makeup of the shopping center, a total of 146 parking spaces are required. A minor parking deviation granted for the project site under Conditional Use Permit No. 201200017 allows for 111 parking spaces to be provided for the site. The shopping center currently provides 117 parking spaces and fulfills the site's parking requirement.
- Outside Display – The project is not proposing any outside display.
- Outside Storage – The project proposes three new attached outside storage rooms to be located at the rear of the building. These storage rooms will only be accessible from outside of the building and will not be accessible from within the business. The storage buildings will be 9-ft. in height and constructed of 2x4 wood wall studs with wood siding and shingle roofs. Although the proposed storage rooms do not comply with the required materials or height restrictions under County Code Section 22.28.220, the storage rooms will adequately comply with the intent and provisions of the Code by being completely enclosed and secured with solid building materials and does not exceed the height of the adjoining building.

Neighborhood Impact/Land Use Compatibility

The health spa with accessory massage services on the subject property is compatible with the surrounding neighborhood and provides a valuable commercial service to the community. The health spa with accessory massage services is a permitted use in the C-3 Zone and is consistent with the scale of surrounding development.

The applicant carries the Burden of Proof to substantiate all facts as follows:

- A. That the requested use at the location proposed will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The continuation of the existing health spa in the existing shopping center will not adversely impact the health, peace, welfare or comfort of any person residing or working in the area. The CUP is a request to continue the existing use with a small expansion incorporating neighboring tenant spaces and the addition of storage rooms and a laundry room.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

As currently developed, the site is adequate to accommodate the proposed use. The addition of three additional storage rooms and a laundry room is a minor addition to the existing building and complies with the ordinance requirements as prescribed in Title 22.

- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

2. By other public or private service facilities as are required.
All streets and highways in the immediate area are adequate to accommodate the proposed use. Public services are also adequate to accommodate the proposed use.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Department

The County of Los Angeles Sheriff's Department, Industry Station, reviewed the calls for service history for the project site for the past five years. Although there were 51 calls for service to the site over the past five years, none of the calls were related to the subject health spa. The Sheriff's Department expressed no concerns for the project.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Hacienda Heights Improvement Association

The Hacienda Heights Improvement Association reviewed the proposed project and voted to unanimously support the project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2009-00936-(4), Conditional Use Permit Number 201100068, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201100068 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Steve Mar, Regional Planning Assistant II, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:
Draft Findings, Draft Conditions of Approval

PROJECT NO. R2009-00936-(4)
CONDITIONAL USE PERMIT NO. 201100068

STAFF ANALYSIS
PAGE 5 OF 5

Applicant's Burden of Proof statement
Correspondence
Site Plan, Land Use Map

MM:SM
8/4/15

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2009-00936-(4)
CONDITIONAL USE PERMIT NO. 201100068**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201100068 ("CUP") on August 4, 2015.
2. The permittee, Royal Health Spa ("permittee"), requests the CUP to authorize the continued operation and new expansion of an existing health spa with accessory massage services located in an existing shopping center on a property located at 1014-1018 S. Hacienda Blvd. in the unincorporated community of Hacienda Heights ("Project Site") in the C-2 (Neighborhood Business) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210. The project site was previously zoned C-3 (Unlimited Commercial) before being rezoned to C-2 in June 2011 when the Board of Supervisors adopted the Hacienda Heights Community Plan and zone changes. Massage uses are allowed in the C-3 zone with a CUP but are not allowed in the C-2 zone. However, the applicant submitted their CUP request before the zone change became effective and is allowed to apply for a CUP to operate the spa with massage services under C-3 zone requirements. The health spa will add three (3) attached storage rooms and one laundry room (544 sq. ft. total) at the rear of the business and will acquire two (2) additional storefronts incorporating a massage parlor and foot massage establishments.
3. The Project is located at 1014-1018 S. Hacienda Blvd., in the unincorporated community of Hacienda Heights.
4. The Project Site is 1.82 acres in size and consists of three legal lots. The Project Site is irregular in shape with flat topography and is developed with a multi-tenant shopping center with a parking lot.
5. The Project Site is located in the Hacienda Heights Zoned District and is currently zoned C-2 (Neighborhood Business). The project site was previously zoned C-3 (Unlimited Commercial) before being rezoned to C-2 in June 2011. The applicant is allowed to apply for a CUP under C-3 zone requirements because their CUP application was submitted before the zone change became effective.
6. The Project Site is located within the CG – General Commercial land use category of the Hacienda Heights Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1 (Single-family Residence)
 - South: C-2 (Neighborhood Business)
 - East: R-1 (Single-family Residence), C-1 (Restricted Business)
 - West: C-2 (Neighborhood Business), CPD (Commercial Planned Development), R-1 (Single-family Residence)
8. Surrounding land uses within a 500-foot radius include:
 - North: Single-family Residences
 - South: Shopping Center, Commercial, Retail

East: Single-family Residences, Retail, Commercial
West: Retail, Commercial, Single-family Residences

9. The Project Site was zoned A1-10,000 in 1948, C4 in December 1953, and C-3-BE in 1982. In June 2011, the site was rezoned from C-3-BE to its current zoning of C-2 as part of the adoption of the Hacienda Heights Community Plan. On January 10, 2001, Conditional Use Permit No. 00-30-(4) was approved for the establishment and operation of a health club spa with acupressure massage services. This permit expired on January 10, 2005. The spa has been operating without a legal CUP since that time. Conditional Use Permit No. 201200017 was approved September 19, 2012, for the sale of beer and wine for on-site consumption at a new bar/tavern in the shopping center. The permit also granted a minor parking deviation to allow 111 parking spaces despite the fact that the tenant makeup of the shopping center required 151 parking spaces

The site contains various other Business Permit and Plot Plan approvals for the other commercial and retail tenants of the site's shopping center.

10. The site plan for the Project depicts the existing spa with proposed expansion occupying a total of 8,093 sq. ft. in a multi-tenant shopping center with an adjoining parking lot. Three attached storage rooms and one laundry room will be built at the rear of the business and will add an additional 544 sq. ft. of space.
11. The Project Site is accessible via driveways off of Hacienda Blvd. to the west and Gale Blvd. to the south.
12. The project requires a total of 34 parking spaces. Based on the current tenant makeup of the shopping center, a total of 146 parking spaces are required. A minor parking deviation granted for the project site under Conditional Use Permit No. 201200017 allows for 111 parking spaces to be provided for the site. The shopping center currently provides 117 parking spaces and fulfills the site's parking requirement.
13. The County of Los Angeles Sheriff's Department, Industry Station, reviewed the calls for service history for the project site for the past five years. Although there were 51 calls for service to the site over the past five years, none of the calls were related to the subject health spa. The Sheriff's Department expressed no concerns for the project.
14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project proposes to continue the existing operation of a spa with massage services and proposes a small physical expansion of their facility.
15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. Prior to the Hearing Officer's public hearing, the Hacienda Heights Improvement Association reviewed the proposed project and voted to unanimously support the project.

17. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
18. The Hearing Officer finds that the project site is located within the CG – General Commercial land use category of the Hacienda Heights Community Plan. This designation is intended for local serving commercial, office and professional businesses, retail and service establishments. The spa with accessory massage services is a locally serving business and is therefore consistent with the permitted uses of the underlying land use category.
19. The Hearing Officer finds that the project site was previously zoned C-3 before being rezoned to C-2 in June 2011. The applicant submitted their CUP request before the zone change became effective and is allowed to apply for a CUP to operate the spa with massage services under the previous C-3 zone requirements.

The project requires a total of 34 parking spaces. Based on the current tenant makeup of the shopping center, a total of 146 parking spaces are required. A minor parking deviation granted for the project site under Conditional Use Permit No. 201200017 allows for 111 parking spaces to be provided for the site. The shopping center currently provides 117 parking spaces and fulfills the site's parking requirement

The project proposes three new attached outside storage rooms to be located at the rear of the building. These storage rooms will only be accessible from outside of the building and will not be accessible from within the business. The storage buildings will be 9-ft. in height and constructed of 2x4 wood wall studs with wood siding and shingle roofs. Although the proposed storage rooms do not comply with the required materials or height restrictions under County Code Section 22.28.220, the storage rooms will adequately comply with the intent and provisions of the Code by being completely enclosed and secured with solid building materials and does not exceed the height of the adjoining building.

20. The Hearing Officer finds that the continuation of the existing health spa in the existing shopping center will not adversely impact the health, peace, welfare or comfort of any person residing or working in the area. The CUP is a request to continue the existing use with a small expansion incorporating neighboring tenant spaces and the addition of storage rooms and a laundry room.
21. The Hearing Officer finds that as currently developed, the site is adequate to accommodate the proposed use. The addition of three additional storage rooms and a laundry room is a minor addition to the existing building and complies with the ordinance requirements as prescribed in Title 22.
22. The Hearing Officer finds that all streets and highways in the immediate area are adequate to accommodate the proposed use. Public services are also adequate to accommodate the proposed use.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
24. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Hacienda Heights community. On June 29, 2015, a total of 106 Notices of Public Hearing were mailed to all

property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Hacienda Heights Zoned District and to any additional interested parties.

25. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 201100068, subject to the attached conditions.

ACTION DATE: August 4, 2015

MM:SM
8/4/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**[DRAFT] CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2009-00936-(4)
CONDITIONAL USE PERMIT NO. 201100068**

PROJECT DESCRIPTION

The project is a Conditional Use Permit to authorize the continued operation and new expansion of an existing health spa with accessory massage services subject to the following conditions of approval:

GENERAL CONDITIONS

- 1) Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
- 2) This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
- 3) Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
- 4) The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
- 5) In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

- 6) If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
- 7) Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
- 8) **This grant shall terminate on August 4, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
- 9) This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the health spa and satisfaction of Condition No. 2 shall be considered use of this grant.
- 10) The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall

be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

- 11) Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
- 12) All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
- 13) All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
- 14) All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
- 15) The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
- 16) All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

- 17) The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **October 4, 2015**.
- 18) In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

- 19) This grant shall authorize the continued operation and new expansion of an existing health spa with accessory massage services.
- 20) A business license shall be obtained for the massage parlor use and for all massage technicians prior to the establishment of said uses required by Chapter 7.54 of the Los Angeles County Business License Code.
- 21) The permittee shall post within the facility in a visible location to all employees the telephone numbers for the local law enforcement agency and the County of Los Angeles Zoning Enforcement Section to call in the event of any problems at the establishment. This information shall be provided in both English and the predominant language of the community.
- 22) No adult programming shall be aired on any television or other electronic device within the establishment.
- 23) All patrons (non-staff) must enter and exit the facility through the two south (front) entrances for men and women. Patrons shall not enter or exit through the rear entrance.
- 24) All acupuncture/massage treatment rooms remain without doors as shown on the floor plan.
- 25) The applicant shall obtain a State Cosmetology License for any cosmetology services that may be provided, such as skin care services by a technician. Further, all State cosmetology regulations shall be complied with if applicable.
- 26) The permittee shall comply with all requirements of Chapter 7.54 of the Los Angeles County Business License Code which includes, but is not limited, to the following:
 - a. No massage or massage service shall be given within any room or other area which is fitted with a door capable of being locked. The premises' exterior doors and the doors separating the waiting or reception area from the remainder of the premises shall remain unlocked during business hours (including electric locking devices).
 - b. A recognizable and readable sign shall be posted at the main entrance, identifying the establishment. Such sign shall comply with all requirements of all County ordinances. In addition, the business license and picture-identification for each employee shall be posted at the main entrance.
 - c. Minimum lighting shall be provided in accordance with the building code, and, in addition, at least one artificial, non-colored light of not less than a 40 watt incandescent light bulb equivalent shall be provided in each enclosed room or booth where massage services are being performed on a patron. Minimum ventilation shall be provided in accordance with the building code.
 - d. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
 - e. Hot and cold running water shall be provided at all times.

- f. Separate closed cabinets shall be provided for the storage of clean and soiled linen and shall be plainly marked "clean linen" or "dirty linen."
- g. Adequate bathing, dressing, locker and toilet facilities shall be provided for patrons. A minimum of one tub or shower, one dressing room containing a separate locker for each patron to be served, which locker shall be capable of being locked, as well as a minimum of one toilet and one washbasin, shall be provided. Separate massage rooms, separate dressing and separate toilet facilities shall also be provided for male and female patrons if served simultaneously at the facility.
- h. A minimum of one separate washbasin shall be provided for the use of employees, which basin shall provide soap or detergent and hot and cold running water at all times, and shall be located within or as close as practicable to the area devoted to the performing of massage services. In addition, sanitary towels placed in permanently installed dispensers shall be provided at each washbasin.
- i. The massage parlor shall not operate between the hours of 9:00 p.m. and 7:00 a.m. of any day, and shall exclude all customers, patrons, and visitors therefrom between these hours.
- j. No part of the building where massage or massage services are being conducted shall be equipped with any electronic, mechanical, or artificial device used, or capable of being used, for recording or videotaping, for monitoring the activities, conversation, or other sounds in the treatment room or room used by customers.
- k. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.
- l. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs shall be thoroughly cleaned after each use.
- m. Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
- n. Standard or portable massage tables shall be used with a durable, washable plastic or other waterproof material as a covering. Foam pads more than four (4) inches thick or more than four (4) feet wide may not be used. Beds, mattresses and water beds may not be used in the administration of a massage.
- o. A person shall not enter, be or remain in any part of the massage parlor or premises licensed as such while in the possession of, consuming, or using any alcoholic beverage or drugs. The licensee, manager, and every supervising employee, shall not permit any such person to enter or remain upon such premises.
- p. No massage or massage services may be administered unless the patron wears clothing which covers the patron's genitals, and, if the patron is female, also the breasts. The massage technician shall at all times while on the premises of the

- establishment, be clean, and wear nontransparent outer garments covering the body from knee to neck.
- q. All massage technicians must wear a picture I.D. issued by the Treasurer and Tax Collector while working in the establishment.
 - r. A responsible person licensed under Section 7.54.210 of the Business License Code acting as manager shall be on the premises at all times the business is open. The manager shall be familiar with the requirements of Chapter 7.54 of the County Business License Code and be capable of communicating these provisions to employees and patrons of the establishment. Further, this person shall meet the following qualifications:
 - (1) Shall be at least twenty-one (21) years of age.
 - (2) Shall possess on the premises his/her California Department of Motor Vehicles (DMV) identification.
 - (3) Shall have the ability to effectively communicate with any County regulatory officials.

This person shall introduce him/herself to any County regulatory official (Sheriff, Fire, Health, Business License, Building, Regional Planning, etc.) immediately upon notification of that official's presence at the business. This person and all staff members shall cooperate with any County regulatory official's investigation.

- 27) The entire premises are subject to inspection by the County Sheriff's Department at any time. Any locked or otherwise secured doors shall be opened immediately upon request. Any keys, combinations or other access materials necessary to gain entry in such secured rooms shall be available.
- 28) The approved floor plan and/or room use shall be not changed without prior approval of the Sheriff's License Detail Division of the County Sheriff's Department.
- 29) All valid licenses, permits, and a copy of the final Business License Commission's adopted conditions shall be posted in immediate public view upon entry into the reception area.
- 30) All staff members, whether employees or independent contractors, shall possess at the site, a valid DMV identification. All such staff members shall present such identification immediately upon the request of the Sheriff's Department.
- 31) No person, other than staff members and the clients, shall be allowed in any area other than the reception area and the main office at any time.
- 32) All massage technicians shall be maintained as "employees" as defined by State and federal labor law. If said employees are deemed "independent contractors" as defined by the same laws, they shall be assigned a specific permanent treatment room and a written sub-lease shall be executed by the parties. Each such independent contractor shall obtain a separate massage parlor business license prior to commencing operation.
- 33) The permittee shall comply with any other requirements subsequently adopted by the Business License Commission with respect to the operation of this facility.

- 34) The Business License Commission shall revoke any license issued pursuant to Part 1 and Part 2 of Chapter 7.54 upon receiving satisfactory evidence that either:
- a) The licensee has been convicted of or entered a plea of guilty or nolo contendere to any violation of Penal Code Section 647 (b), 266 (h), 266 (l), 315, or 316; or
 - b) The licensee has violated any provision of Chapter 7.54 of the County Code on two separate occasions within a 12-month period.
 - c) Whenever a license has been revoked, the former licensee, whether a person, partnership, or corporation, shall not be granted a new license for a period of three years from the date of revocation.



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

- A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The continuation of the existing use in an existing shopping center , including incorporation of two additional storefronts into the existing health spa will not adversely impact the health, peace, welfare or comfort of any person residing or working in the area. it is a request to continue the existing use, substitute uses in an existing building and to add a very small laundry room for the use of the spa operator, as well as a minor amount of storage. the center itself and the spa have existed for decades as an asset to the community, well used, well maintained and without history of complaint.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

As currently developed, this site is adequate to accommodate the existing use. The only construction proposed is the addition of three small storage units and one small laundry facility. the 544 square feet proposed to be added is minor when compared to the existing 24,946 sf of existing building and the site will still meet ordinance requirements for parking, walls and landscaping.

- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.

all streets and highways in the immediate area and general vicinity are in and adequate to accommodate the existing use. all other public services are in and adequate to accommodate the existing use.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant. The affidavit shall be submitted within thirty (30) days of the receipt of this letter.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within two (2) years from the date of approval. A one year time extension may be requested in writing and with the appropriate fee before the expiration date.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. This grant will terminate *January 10, 2005*. The permittee shall reapply for a new conditional use permit no later than six (6) months prior to the expiration date in the event of continued operation. Refer to condition #29 for the required re-evaluation public hearings schedule.

Entitlement to use the property for a massage parlor/health center thereafter shall be subject to the regulations then in effect.

8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
9. The permittee shall deposit with the County of Los Angeles the sum of \$500 at the time of acceptance of these conditions. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for **five (5) annual inspections**.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
14. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
15. That the subject facility shall be developed and maintained in compliance with all requirements of the Los Angeles County Department of Health Services.
16. That the subject massage parlor/health center shall be developed and maintained in substantial compliance with the plans on file marked "Exhibit A". The written authorization of the property owner shall accompany any future revised exhibits.
17. That all site signage be submitted and approved by the Department of Regional Planning under Exhibit A review prior to installation.
18. That the permittee shall contact the Los Angeles County Fire Department to determine what measures may be necessary to protect the property from fire hazard. Any required measures shall be provided by the permittee to the satisfaction of the Fire Department.
19. This grant authorizes a massage parlor/health center in conformance with the "Exhibit A," dated 7/31/00, subject to the following restrictions:
 - a. That no less than forty-three (43) on-site parking spaces be provided for the massage parlor/health center.
 - b. That a business license be obtained for the massage parlor use and for all massage technicians prior to the establishment of said uses as

required by Chapter 7.54 of the Los Angeles County Business License Code.

- c. The permittee shall post within the facility in a visible location to all employees the telephone numbers for the local law enforcement agency and the County of Los Angeles Zoning Enforcement Section to call in the event of any problems at the establishment. This information shall be provided in both English and the predominant language of the community.
- d. That no adult programming be aired on any television or other electronic device within the establishment.
- e. That all patrons (non-staff) must enter the facility through the two south entrances for men and women (not rear entrance).
- f. That no acupuncture/massage services be provided in the room labeled as "Sleep Room" on the floor plan.
- g. That all acupuncture treatment rooms remain without doors as shown on the floor plan.
- h. That the applicant shall obtain a State Cosmetology License for any cosmetology services that may be provided, such as skin care services by a technician. Further, that all State cosmetology regulations be complied with if applicable.
- i. That the permittee shall comply with all requirements of Chapter 7.54 of the Los Angeles County Business License Code which includes but is not limited to the following:
 - 1.) No massage or massage service shall be given within any room or other area which is fitted with a door capable of being locked. The premises' exterior doors and the doors separating the waiting or reception area from the remainder of the premises shall remain unlocked during business hours (including electric locking devices).
 - 2.) A recognizable and readable sign shall be posted at the main entrance, identifying the establishment. Such sign shall comply with all requirements of the all County ordinances. In addition, the business license and picture-identification for each employee shall be posted at the main entrance
 - 3.) Minimum lighting shall be provided in accordance with the building code, and, in addition, at least one artificial, non-colored

light of not less than 40 watts shall be provided in each enclosed room or booth where massage services are being performed on a patron. Minimum ventilation shall be provided in accordance with the building code.

- 4.) Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
- 5.) Hot and cold running water shall be provided at all times.
- 6.) Separate closed cabinets shall be provided for the storage of clean and soiled linen and shall be plainly marked "clean linen" or "dirty linen."
- 7.) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities shall be in good repair.
- 8.) Adequate bathing, dressing, locker and toilet facilities shall be provided for patrons. A minimum of one tub or shower, one dressing room containing a separate locker for each patron to be served, which locker shall be capable of being locked, as well as a minimum of one toilet and one washbasin, shall be provided. Separate massage rooms, separate dressing and separate toilet facilities shall also be provided for male and female patrons if served simultaneously at the facility.
- 9.) A minimum of one separate washbasin shall be provided for the use of employees, which basin shall provide soap or detergent and hot and cold running water at all times, and shall be located within or as close as practicable to the area devoted to the performing of massage services. In addition, there shall be provided at each washbasin sanitary towels placed in permanently installed dispensers.
- 10.) The massage parlor shall not operate between the hours of 9:00 p.m. and 7:00 a.m. of any day, and shall exclude all customers, patrons and visitors therefrom between these hours.
- 11.) No part of the building where massage or massage services are being conducted shall be equipped with any electronic, mechanical or artificial device used, or capable of being used, for recording or videotaping, for monitoring the activities, conversation, or other sounds in the treatment room or room used by customers.

- 12.) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.
- 13.) Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs shall be thoroughly cleaned after each use.
- 14.) Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
- 15.) Standard or portable massage tables shall be used with a durable, washable plastic or other waterproof material as a covering. Foam pads more than four (4) inches thick or more than four (4) feet wide may not be used. Beds, mattresses and water beds may not be used in the administration of a massage.
- 16.) A person shall not enter, be or remain in any part of the massage parlor or premises licensed as such while in the possession of, consuming or using any alcoholic beverage or drugs. The licensee, manager, and every supervising employee, shall not permit any such person to enter or remain upon such premises.
- 17.) No massage or massage services may be administered unless the patron wears clothing which covers the patron's genitals, and, if the patron is female, also the breasts. The massage technician shall at all times while on the premises of the establishment, be clean, and wear nontransparent outer garments covering the body from knee to neck.
- 18.) All massage technicians must wear a picture I.D. issued by the Treasurer and Tax Collector while working in the establishment. ***That the Los Angeles County Sheriff's Department shall conduct background checks for all massage parlor personnel prior to the issuance of a picture I.D. by the Los Angeles County Treasurer and Tax Collector.***
- 19.) That a responsible person licensed under Section 7.54.210 of the Business License Code acting as manager shall be on the premises at all times the business is open. The manager shall be familiar with the requirements of Chapter 7.54 of the County

Business License Code and be capable of communicating these provisions to employees and patrons of the establishment.

20. That the entire premises are subject to inspection by the County Sheriff's Department at anytime. Any locked or otherwise secured doors shall be opened immediately upon request. Any keys, combinations or other access materials necessary to gain entry in such secured rooms shall be available.
21. That the approved floor plan and/or room use shall not be changed without prior approval of the Sheriff's License Detail Division of the County Sheriff's Department.
22. That all valid licenses, permits and a copy of the final Business License Commission's adopted conditions shall be posted in immediate public view upon entry into the reception area.
23. That all staff members, whether employees or independent contractors, shall possess at the site, a valid California Department of Motor Vehicle (DMV) identification. All such staff members shall present such identification immediately upon the request of the Sheriff's Department.
24. That a responsible person shall be present on the premises at all times while the business is open to the Public. This person shall be familiar with the County massage parlor laws and the adopted conditions. Further, that this person shall meet the following qualifications:
 - a. Shall be at least twenty-one (21) years of age.
 - b. Shall possess on the premises his/her California (DMV) identification.
 - c. Shall have the ability to effectively communicate with any County regulatory officials.

This person shall introduce himself to any County regulatory official (Sheriff, Fire, Health, Business License, Building, Regional Planning , etc.) immediately upon notification of that officials presence at the business. This person and all staff members shall cooperate with any County regulatory official's investigation.

25. That no person, other than staff members and the clients shall be allowed in any area other than the reception area and the main office at any time.

26. That all massage technicians shall be maintained as "employees" as defined by State and federal labor law. That if they are deemed "independent contractors" as defined by the same laws, they shall be assigned a specific permanent treatment room and a written sub-lease shall be executed by the parties. Each such independent contractor shall obtain a separate massage parlor business license prior to commencing operation.
27. That the permittee shall comply with any other requirements subsequently adopted by the Business License Commission with respect to the operation of this facility.
28. That the Business License Commission shall revoke any license issued pursuant to Part 1 and Part 2 of Chapter 7.54 upon receiving satisfactory evidence that either:
- The licensee has been convicted of or entered a plea of guilty or nolo contendere to any violation of Penal Code Section 647 (b), 266 (h), 266 (l), 315, or 316; or
 - The licensee has violated any provision of Chapter 7.54 of the County Code on two separate occasions within a 12-month period.
 - Whenever a license has been revoked, the former licensee, whether a person, partnership, or corporation, shall not be granted a new license for a period of *three* years from the date of revocation.
29. That this conditional use permit shall be re-evaluated by the Regional Planning Commission at public hearings held at least *six months after the date the permitted use begins operation and annually thereafter*, and at the conclusion of each hearing, the Commission may either modify the permit or impose additional conditions of approval as may be required to ensure the project's compliance with the provisions of Los Angeles County Code Section 22.56.040. A report from the County Sheriff's Department and the Zoning Enforcement Division will be submitted to the Commission prior to the hearing. Further, the applicant shall notify planning staff at least two (2) months prior to the six month date and subsequent dates to allow staff ample time to schedule this item and secure the status reports from the County Sheriff's Department and Zoning Enforcement Division. Further, the applicant shall submit the appropriate filing fee at the time of giving notification to staff for the six-month and each of the annual public hearing reviews



HACIENDA HEIGHTS IMPROVEMENT ASSOCIATION, INC
POST OFFICE BOX 5235 • HACIENDA HEIGHTS, CA 91745

May 20th, 2015

Mr. Steve Mar
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, CA 90012

Dear Mr. Mar,

The Hacienda Heights Improvement Association is a California chartered, mutual benefit corporation dealing in matters concerning Hacienda Heights. We serve as an advisory board to Supervisor Knabe on issues relating to Hacienda Heights. We have been serving the community for over 60 years.

At our regular monthly Board of Directors meeting on May 18th, 2015, Mr. Fred Balderrama representing the Royal Health Spa, made a presentation and asked for our support for the CUP for continued operation. The project number is R2009-00936(4) with CUP No. 201100068. The Spa is located at 1014-1018 S. Hacienda Blvd, Hacienda Heights, CA.

The Board voted unanimously to support this conditional use.

We appreciate the opportunity to input to the CUP application process for the Royal Health Spa. If you have any questions, please feel free to contact me at (626) 536-3407 or email at mikewilliamsinhh@roadrunner.com.

Sincerely,

A handwritten signature in cursive script, which appears to read 'Mike Williams', is positioned above the typed name.

Michael J. Williams
Vice President, HHIA
Presiding at referenced Board Meeting

cc: HHIA Board
Ms. Angie Valenzuela, Field Deputy, 4th Supervisorial

Steven Mar

From: Gill IV, Henry A. [HGill@lasd.org]
Sent: Tuesday, March 03, 2015 1:55 PM
To: Steven Mar
Subject: FW: CUP No. 201100068 - Consultation for a spa w/massage

Steve,

Please see the info below. Looks good from our end.

IV

From: Sanford, Brian E.
Sent: Tuesday, March 03, 2015 1:54 PM
To: Gill IV, Henry A.
Subject: RE: CUP No. 201100068 - Consultation for a spa w/massage

All good from my end...

From: Gill IV, Henry A.
Sent: Monday, March 2, 2015 2:40 PM
To: Sanford, Brian E.
Subject: FW: CUP No. 201100068 - Consultation for a spa w/massage

Any additional input on the renewal for this location?

From my end, from 03/02/2010 to 03/02/2015 (5 years):

- No reports at the location area (1014 to 1018 Hacienda Blvd)
- Calls-for-Service: 51 total calls to the plaza (1012 to 1018 Hacienda Blvd); no calls specific to the request business.

IV

From: Steven Mar [mailto:smar@planning.lacounty.gov]
Sent: Monday, March 02, 2015 2:11 PM
To: Gill IV, Henry A.
Subject: CUP No. 201100068 - Consultation for a spa w/massage

TO	Industry Sheriff Station	FROM	Steve Mar Current Planning Division Regional Planning 213-974-6435
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The Department of Regional Planning is processing a request for the following permit and is requesting your feedback regarding criminal activity at said business site:

Date Sent: 3/2/15

Comments Due: 4/2/15

Subject: Conditional Use Permit (CUP) Consultation for a spa with massage

Project No.: R2009-00936-(4)

CUP Permit No.: 2011000068

Establishment: Royal Health Spa

Location: 1014-1018 Hacienda Blvd., Hacienda Heights

Description: CUP for the continued operation and expansion of an existing spa with accessory massage services.

Please use the attached form to provide any comments on or recommendation for the proposed project by the date specified above. Please attach a service call and crime history report for the project site over the last five years.

Thank you.

Steve Mar

County of Los Angeles | Department of Regional Planning

Zoning Permits East Section

320 West Temple Street, Room 1346

Los Angeles, CA 90012

Phone: (213) 974-6435 | FAX: (213) 626-0434

smar@planning.lacounty.gov