

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #20-05

AGENDA ITEM: 4.4

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: May 6, 2020

PREPARED BY: Francisco Mendoza-Gonzalez,
Associate Planner

SUBJECT: **Conditional Use Permit #1240**, initiated by Weiben Chen, applicant for Promenade Center, Limited Partnership, property owner. This application involves a request to allow a new massage establishment with multiple massage technicians (5 technicians), located at 755 E. Yosemite Avenue, Suite E, within the Promenade Shopping Center. The subject site is generally located at the northwest corner at Yosemite Avenue and Paulson Road, with a zoning classification of Planned Development (P-D) #48 and a General Plan designation of Neighborhood Commercial (CN). *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #20-06 (Categorical Exemption)
- 2) Conditional Use Permit #1240

SUMMARY

The applicant is requesting conditional use permit approval to operate a massage establishment within the Promenade Shopping Center located at 755 E. Yosemite Avenue, Suite E (Attachment A). The existing 1,104-square-foot suite would be modified to add four rooms to allow a maximum of 5 massage technicians working during the largest shift (Attachments B and C). The subject site is located within Planned Development (P-D) #48 with a General Plan designation Neighborhood Commercial (CN), which requires massage establishments with more than one technician to obtain conditional use permit approval from the Planning Commission. City staff, including the Police Department, have reviewed this request and are recommending approval with conditions.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #20-06 (Categorical Exemption) and Conditional Use Permit #1240 (including the adoption of the Resolution at Attachment F), subject to the following conditions:

- 1) The proposed project shall be constructed/designed as shown on Exhibit 1 (floor plan) -- and Exhibit 2 (elevations) -- Attachments C and D, except as modified by the conditions.
- 2) All conditions contained in Resolution #1249-Amended ("Standard Conditional Use Permit Conditions"—except for Condition #16 which has been superseded by Code) shall apply.

- 3) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 4) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
- 5) All signing shall comply with the City's Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.
- 6) Tenant Improvement Plans shall be submitted by a design professional prior to issuance of a building permit. Plans shall meet Federal Emergency Management Agency (FEMA) requirements if substantial improvements are required.
- 7) This approval allows a total of 5 massage technicians to operate within this tenant space. Any increase in the number of massage technicians at this location shall be subject to review by the Director of Development Services, or if deemed necessary, the Planning Commission.
- 8) All existing landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 9) The premises shall remain clean and free of debris and graffiti at all times.
- 10) The applicant shall install interior and exterior video surveillance cameras that continuously record outside activities 24 hours a day, 7 days a week (locations to be worked out with the Police Department). Any video related to criminal investigations must be accessible immediately for viewing by the Merced Police Department or any other law enforcement agency. A recorded copy of surveillance video, requested in connection with

a criminal investigation, must be reasonably accessible and available within 24 hours when requested by law enforcement. The business owner is responsible for maintaining the video surveillance equipment in an operable manner at all times.

- 11) The Police Department reserves the right to enter the site and conduct inspections with a 24 hour notice.
- 12) The massage establishment shall not operate past 10:30 p.m.
- 13) The applicant shall comply with Merced Municipal Code Section 5.44 – Massage Establishments.

PROJECT DESCRIPTION

The applicant is requesting conditional use permit approval to operate a massage establishment within the Promenade Shopping Center at 755 E. Yosemite Avenue, Suite E (Attachment A). The applicant is requesting approval for a maximum of 5 massage technicians working during the largest shift. All massage technicians would be required to obtain a license from the California Massage Therapy Council, a State level agency that verifies proper massage training requirements, conducts health screening, and provides individual background checks. This would be verified by Planning staff prior to opening the business. The business would operate daily, generally between the hours of 9:30 a.m. and 9:30 p.m. (see Condition #12). The business would take both walk-ins and appointments. Massage technicians would provide a variety of massages ranging from foot massages to full-body massages. Security measures are being provided by the applicant, such as installing video cameras inside their business. (see Condition #10).

Surrounding Zones and Land Uses (Attachment A):

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential	R-1-6	Low Density (LD) Residential
South	Residential/Commercial Office (across Yosemite Avenue)	R-2/PD #26	Low-Medium Density (LMD)/Commercial Office (CO)
East	Vacant Lot/Residential (across Paulson Road)	R-1-6	Low Density (LD) Residential
West	St. Patrick’s Church	R-1-6	Low Density (LD) Residential

BACKGROUND ON THE PROMENADE SHOPPING CENTER

The Planning Commission approved the Promenade Shopping Center in 2003. The subject site is located within Planned Development (P-D) #48 and has a General Plan designation of Neighborhood Commercial (CN). The shopping center was approved to have a mixture of uses with approximately 35,994 square feet of retail space, 24,015 square feet of office space, and 15,350 square feet of medical type uses.

BACKGROUND ON MASSAGE ESTABLISHMENTS

Previous State Law did not allow local jurisdictions to treat massage establishments differently from other personal services such as barber shops, beauty salons, estheticians, nail salons, etc. On August 2014, Assembly Bill No. 1147 (“Massage Therapy Act of 2014”) was passed by the California Legislature and signed by the Governor. This new legislation went into effect on January 1, 2015. Soon after the City Council updated the Zoning Ordinance (and all other relevant sections) to reflect changes in State Law. New massage technicians were required to obtain background check approval and health screening approval at the State level, instead of working with local jurisdiction such as the City’s Police Department and the Merced County Environmental Health Department. After going through this new State process, massage technicians are given a license number that is verified by Planning staff through the California Massage Therapy Council monitoring website (camtc.org).

In general, new massage establishments operated by sole practitioners (1 technician) are principally permitted within most commercial zones and processed with a standard City Business License Application. Conditional use permits are not needed for sole practitioners. However, new massage establishments with multiple technicians (more than 1 one technician) require a conditional use permit reviewed and approved by the Planning Commission. The conditional use permit process gives the City’s Police Department an opportunity to review the proposal and recommend conditions regarding security measures, video camera installation, access to video footage, etc. This is the first massage establishment conditional use permit reviewed by the Planning Commission since adopting the new land use policy in 2015.

FINDINGS/CONSIDERATIONS:

General Plan/Zoning Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Neighborhood Commercial (CN) and the zoning classification of Planned Development (P-D) #48 with approval of a Conditional Use Permit.

Merced Police Department

- B) The Police Department has reviewed this request and is recommending that the applicant install interior and exterior video cameras, as required by the Police Chief during the building permit stage. This footage shall be made available to the Police Department upon their request (Condition #10). In addition, the Police Department shall be granted access to all portions of the building with a 24-hour notice (Condition #11). All new massage technicians shall obtain a proper license from the California Massage Technician Council, which would have been approved by the State with a background check and health screening. Should there be any issues relating to this establishment that result in increased number of incident calls the City reserves the right to revoke this conditional use permit as allowed by the Merced Municipal Code.

Parking

- C) In 2016, the Site Plan Review Committee reviewed and approved a parking lot expansion at the Promenade Shopping Center to accommodate the parking requirements for future tenants. A 65-space parking lot was added to the northwest portion of the shopping center. The parking requirement for personal service, such as massage establishments, is 1 parking space per 250 square feet of floor space, or 1 parking space per employee working during the largest shift. In this case the 1,104-square-foot tenants and 5 massage technicians, require 5 parking spaces for this establishment. With the approved parking lot expansion, the Promenade Shopping Center has adequate parking to serve this business and other businesses within the shopping center.

MMC 5.44 Massage Establishments

- D) The massage establishment shall be required to comply with all associated regulations outlined under Merced Municipal Code Section 5.44 – Massage Establishments (Condition #13).

Signage

- E) The applicant is not proposing any signage with this conditional use permit application. A formal request for permanent signage shall be reviewed with a building permit application and shall require compliance with the North Merced Sign Ordinance.

Neighborhood Impact/Public Comments

- F) Staff mailed a public hearing notice to property owners within 300 feet of the subject site, and published the public hearing notice in the Merced County Times. As of the time this report was prepared, (4/30/2020), Planning staff did not receive any formal comments from any residents or business owners.

Conditional Use Permit

- G) A conditional use permit (CUP) is required to allow a message establishment with multiple massage technicians within a Neighborhood Commercial (CN) General Plan designation. In order for the Planning Commission to approve or deny a CUP, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.68.020 (E) Findings for Approval for Conditional Use Permits.

MMC 20.68.020 (E) Findings for Approval.

- 1. The proposed use is consistent with the purpose and standards of the zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

The proposed project complies with the General Plan designation of Neighborhood Commercial (CN) and the zoning designation of Planned Development (P-D) #48 with approval of this Conditional Use Permit.

2. *The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

The applicant is not proposing any significant changes to the building, besides installing signs for their business. All signs shall be required to comply with the North Merced Sign Ordinance standards and requirements found in Merced Municipal Code Section Article III – Regulations for North Merced ensuring consistent signs standards with signs located on surrounding commercial buildings.

3. *The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

To ensure the proposal is not detrimental to the public health, safety, and welfare of the City, the applicant shall subsequently apply for building permits with the City's Building Department. Plans shall be submitted by a design professional and building modification shall be done by a licensed contractor (license type as required by the California Building Code).

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The applicant is proposing to utilize an existing building that is located within the City and can be adequately served by City services and infrastructure.

Distance Requirements

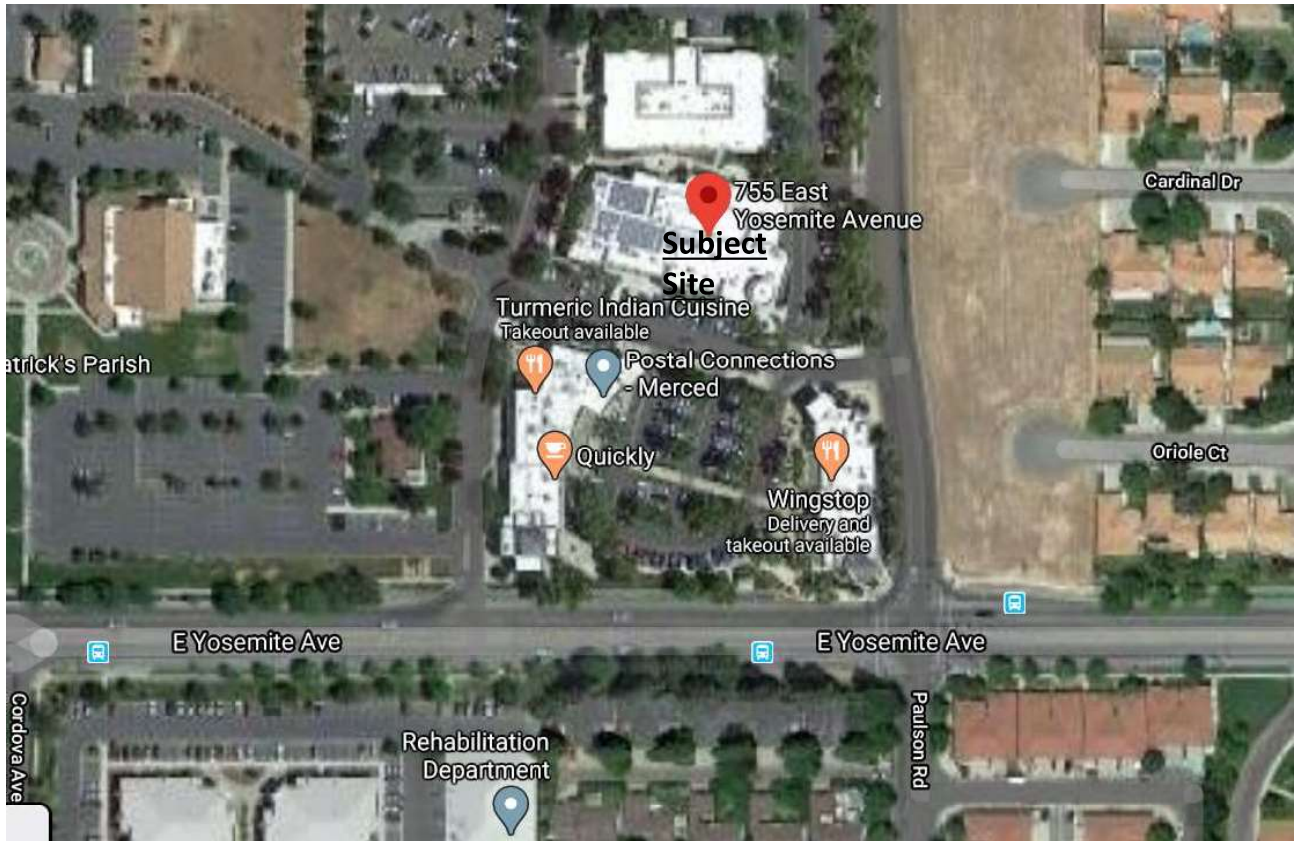
- H) The Zoning Ordinance does not establish distance requirements between massage establishments and any other businesses, sensitive uses, Zoning designations, or General Plan designations.

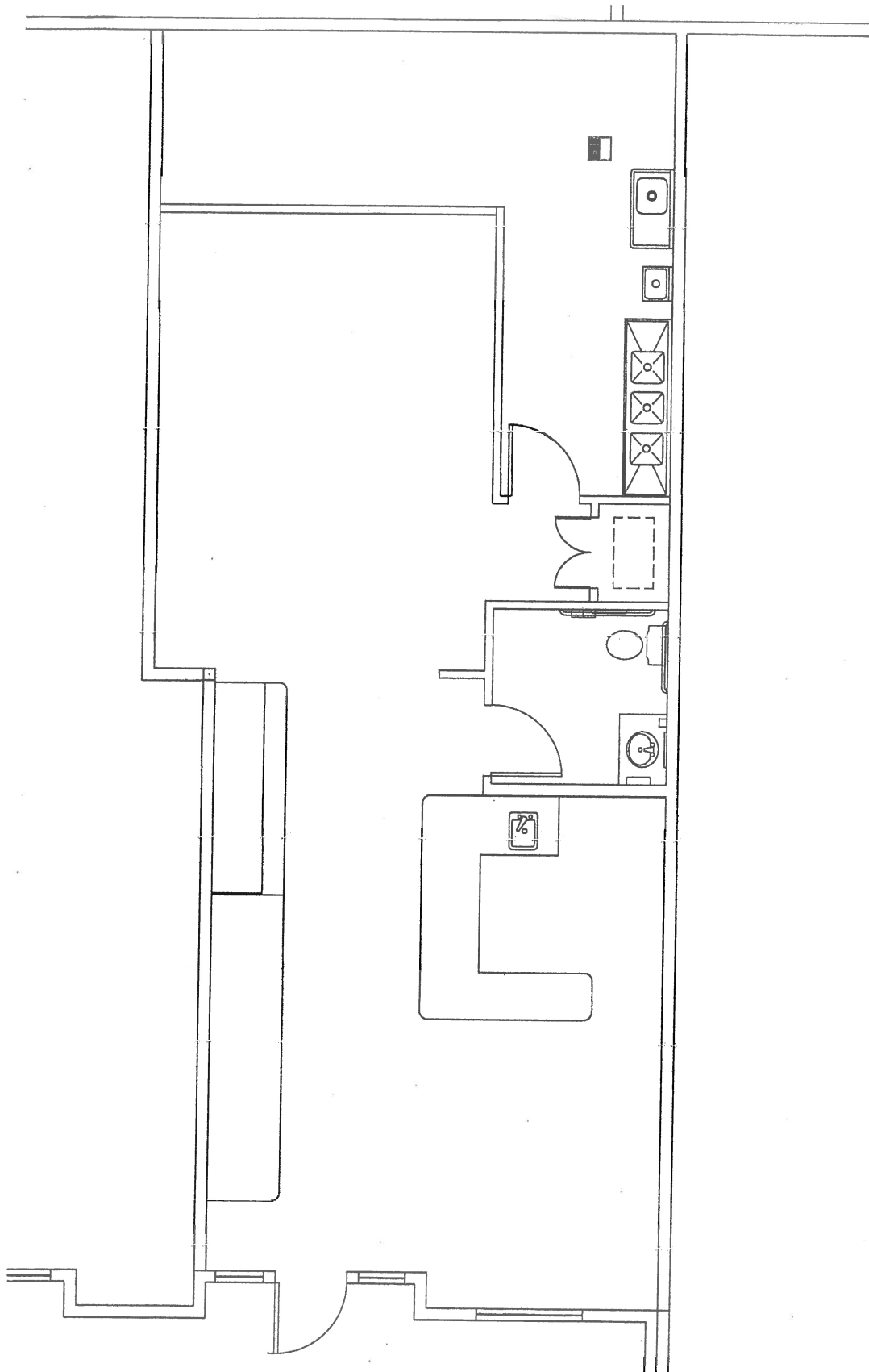
Environmental Clearance

- I) Planning staff has conducted an environmental review (#20-06) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment F).

Attachments:

- A) Location Map
- B) Existing Floor Plan
- C) Proposed Floor Plan
- D) Elevations
- E) Categorical Exemption
- F) Draft Planning Commission Resolution
- G) Presentation





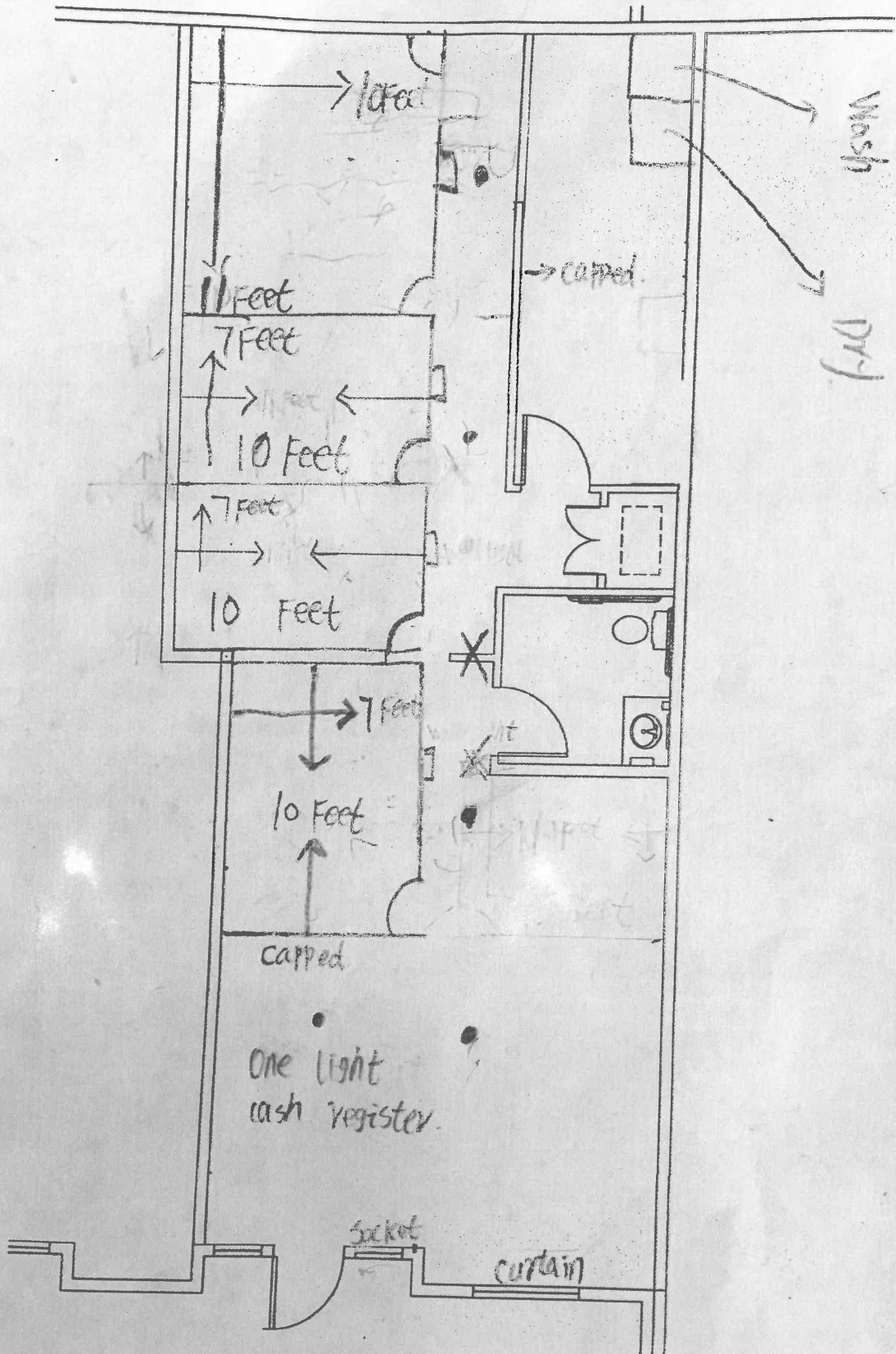
FLOOR PLAN

THE PROMENADE
755 E. YOSEMITE AVE, SUITE E

L Street Architects, Limited

7-07-2015

Scale: 1/4" = 1'-0"



one socket per room
 one wall light per room
 and corridor with four wall lights

FLOOR PLAN

THE PROMENADE
 755 E. YOSEMITE AVE, SUITE E
 L Street Architects, Limited
 7-07-2013
 Scale: 1/4" = 1'-0"



ATTACHMENT D

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: CUP #1240 (Environmental Review #20-06)

Project Applicant: Weiben Chen for Promenade Center, Limited Partnership

Project Location (Specific): 755 E. Yosemite Ave., Ste. E **APN:** 231-180-003

Project Location - City: Merced **Project Location - County:** Merced

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Weiben Chen for Promenade Center,
Limited Partnership

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 (a)
- Statutory Exemptions. State Code Number: _____.
- General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project consists of minor interior/exterior alterations for a massage establishment, such as adding rooms within an existing suite, which are considered to be exempt under the CEQA Guidelines per Section 15301 (a).

Lead Agency: City of Merced
Contact Person: Francisco Mendoza-Gonzalez **Area Code/Telephone:** (209) 385-6858

Signature: Francisco Mendoza-Gonzalez **Date:** 4-14-2020 **Title:** Associate Planner

X Signed by Lead Agency Date Received for Filing at OPR: _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code

**CITY OF MERCED
Planning Commission**

Resolution #4037

WHEREAS, the Merced City Planning Commission at its regular meeting (held via teleconference) of May 6, 2020, held a public hearing and considered **Conditional Use Permit #1240**, initiated by Weiben Chen, on behalf of Promenade Center, Limited Partnership, property owner. This application involves a request to allow a new massage establishment with multiple massage technicians (5 technicians), located at 755 E. Yosemite Avenue, Suite E, within the Promenade Shopping Center. The subject site is generally located at the northwest corner at Yosemite Avenue and Paulson Road, with a zoning classification of Planned Development (P-D) #48 and a General Plan designation of Neighborhood Commercial (CN); said property being more particularly described as a Portion of Parcel C as shown on that certain Parcel Map for Pearson Scott, LLC, recorded in Volume 100, Page 24 of Merced County Records; also known as Assessor's Parcel Number (APN) 231-180-003; and,

WHEREAS, the Merced City Planning Commission concurs with Findings/Considerations A through I (Exhibit B) of Staff Report #20-05; and,

WHEREAS, the Merced City Planning Commission concurs with the Findings for Conditional Use Permits in Merced Municipal Code Section 20.68.020 (E) and other Considerations as outlined in Exhibit B; and,

NOW THEREFORE, after reviewing the City's Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #20-06, and approve Conditional Use Permit #1240, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #4037

Page 2

May 6, 2020

Adopted this 6th day of May 2020

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Conditions of Approval

Exhibit B - Findings

Conditions of Approval
Planning Commission Resolution #4037
Conditional Use Permit #1240

1. The proposed project shall be constructed/designed as shown on Exhibit 1 (floor plan) – and Exhibit 2 (elevations) -- Attachments C and D of Staff Report #20-05, except as modified by the conditions.
2. All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”—except for Condition #16 which has been superseded by Code) shall apply.
3. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
4. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws

and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.

5. All signing shall comply with the City's Sign Ordinance. Building permits shall be obtained prior to installing any permanent signing. A Temporary Sign Permit shall be obtained prior to installing any temporary signs or banners. Temporary freestanding or A-frame signs are not allowed.
6. Tenant Improvement Plans shall be submitted by a design professional prior to issuance of a building permit. Plans shall meet Federal Emergency Management Agency (FEMA) requirements if substantial improvements are required.
7. This approval allows a total of 5 massage technicians to operate within this tenant space. Any increase in the number of massage technicians at this location shall be subject to review by the Director of Development Services, or if deemed necessary, the Planning Commission.
8. All existing landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
9. The premises shall remain clean and free of debris and graffiti at all times.
10. The applicant shall install interior and exterior video surveillance cameras that continuously record outside activities 24 hours a day, 7 days a week (locations to be worked out with the Police Department). Any video related to criminal investigations must be accessible immediately for viewing by the Merced Police Department or any other law enforcement agency. A recorded copy of surveillance video, requested in connection with a criminal investigation, must be reasonably accessible and available within 24 hours when requested by law enforcement. The business owner is responsible for maintaining the video surveillance equipment in an operable manner at all times.
11. The Police Department reserves the right to enter the site and conduct inspections with a 24 hour notice.
12. The massage establishment shall not operate past 10:30 p.m.
13. The applicant shall comply with Merced Municipal Code Section 5.44 – Massage Establishments.

**Findings and Considerations
Planning Commission Resolution # 4037
Conditional Use Permit #1240**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The proposed project complies with the General Plan designation of Neighborhood Commercial (CN) and the zoning classification of Planned Development (P-D) #48 with approval of a Conditional Use Permit.

Merced Police Department

- B) The Police Department has reviewed this request and is recommending that the applicant install interior and exterior video cameras, as required by the Police Chief during the building permit stage. This footage shall be made available to the Police Department upon their request (Condition #10 from Planning Commission Staff Report #20-05). In addition, the Police Department shall be granted access to all portions of the building with a 24-hour notice (Condition #11 from Planning Commission Staff Report #20-05). All new massage technicians shall obtain a proper license from the California Massage Technician Council, which would have been approved by the State with a background check and health screening. Should there be any issues relating to this establishment that result in increased number of incident calls the City reserves the right to revoke this conditional use permit as allowed by the Merced Municipal Code.

Parking

- C) In 2016, the Site Plan Review Committee reviewed and approved a parking lot expansion at the Promenade Shopping Center to accommodate the parking requirements for future tenants. A 65-space parking lot was added to the northwest portion of the shopping center. The parking requirement for personal service, such as massage establishments, is 1 parking space per 250 square feet of floor space, or 1 parking space per employee working during the largest shift. In this case the 1,104-square-foot tenants and 5 massage technicians, require 5 parking spaces for this establishment. With the approved parking lot expansion, the Promenade Shopping Center has adequate parking to serve this business and other businesses within the shopping center.

MMC 5.44 Massage Establishments

- D) The massage establishment shall be required to comply with all associated regulations outlined under Merced Municipal Code Section 5.44 – Massage Establishments (Condition #13 from Planning Commission Staff Report #20-05).

Signage

- E) The applicant is not proposing any signage with this conditional use permit application. A formal request for permanent signage shall be reviewed with a building permit application and shall require compliance with the North Merced Sign Ordinance.

Neighborhood Impact/Public Comments

- F) Staff mailed a public hearing notice to property owners within 300 feet of the subject site, and published the public hearing notice in the Merced County Times. As of the time this report was prepared, (4/30/2020), Planning staff did not receive any formal comments from any residents or business owners.

Conditional Use Permit

- G) A conditional use permit (CUP) is required to allow a message establishment with multiple massage technicians within a Neighborhood Commercial (CN) General Plan designation. In order for the Planning Commission to approve or deny a CUP, they must consider the following criteria and make findings to support or deny each criteria per MMC 20.68.020 (E) Findings for Approval for Conditional Use Permits.

MMC 20.68.020 (E) Findings for Approval.

1. *The proposed use is consistent with the purpose and standards of the zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

The proposed project complies with the General Plan designation of Neighborhood Commercial (CN) and the zoning designation of Planned Development (P-D) #48 with approval of this Conditional Use Permit.

2. *The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

The applicant is not proposing any significant changes to the building, besides installing signs for their business. All signs shall be required to comply with the North Merced Sign Ordinance standards and requirements found in Merced Municipal Code Section Article III – Regulations for North Merced ensuring consistent signs standards with signs located on surrounding commercial buildings.

3. *The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

To ensure the proposal is not detrimental to the public health, safety, and welfare of the City, the applicant shall subsequently apply for building permits with the City's Building Department. Plans shall be submitted by a design

professional and building modification shall be done by a licensed contractor (license type as required by the California Building Code).

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The applicant is proposing to utilize an existing building that is located within the City and can be adequately served by City services and infrastructure.

Distance Requirements

- H) The Zoning Ordinance does not establish distance requirements between massage establishments and any other businesses, sensitive uses, Zoning designations, or General Plan designations.

Environmental Clearance

- I) Planning staff has conducted an environmental review (#20-06) of the project in accordance with the requirements of the California Environmental Quality Act (CEQA), and a Categorical Exemption is being recommended (Attachment F from Planning Commission Staff Report #20-05).




Conditional Use Permit #1240
 755 E. Yosemite Ave., Ste. E
 Weiben Chen
 Massage Establishment

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1

City-Scale Context



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2

Location Map




Surrounding Uses:
North: UC Offices (but across shopping center are single-family homes)
South: Residential (across Yosemite Avenue)
West: St. Patrick's Catholic Church
East: Residential (across Paulson Road)

DRAFT

3

South Elevation



*Signage tbd but must comply with Sign Code
 *No modifications to the exterior

DRAFT

4

Existing v.s. Proposed Floor Plan

- Building footprint to remain.
- Adding 4 rooms.
- Electrical and plumbing modifications.

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5

Applicant's Operation Plan

- 1) Operate daily from 11 a.m. to 9:30 p.m.
- 2) Provide full-range massage services. Ranging from foot massages to full-body massages.
- 3) Have a maximum of 5 massage technicians working during largest shift.
- 4) All massage technicians would be licensed by the State of California Massage Therapy Council (conducts background check and health screening)
- 5) Install surveillance cameras.

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Conditions of Approval:

- **Condition #6:** The applicant shall comply with MMC 5.44 – Massage Establishments.
- **Condition #10:** Surveillance camera locations to be reviewed and approved by the Police Department.
- **Condition #11:** Massage establishment may operate until 10:30 p.m.

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Planning Staff recommends approval of:

- Environmental Review #20-06 (Categorically Exempt)
- Conditional Use Permit #1240 (subject to Conditions of Approval)

Questions? Comments? Concerns?
Open Public Hearing

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