

November 15, 2017

Yan Sun  
3221 Vineland Avenue, #37  
Baldwin Park, CA 91706

**RE: 1023 EAST COLORADO STREET – NO. 'B'  
CONDITIONAL USE PERMIT NO. PCUP 1622526  
(GOLD MASSAGE)**

Dear Applicant:

The Planning Commission of the City of Glendale, at its meeting held on November 15, 2017, REVERSED the Planning Hearing Officer's decision and **DENIED** Conditional Use Permit No. PCUP 1622526, to allow the operation of a massage use in a "C3"-Commercial Services zone, located at **1023 East Colorado Street – No. 'B'**, subject to the standards listed in GMC 5.64, and described as Por Lot 24, Block B, Wright & Callender's Wrightlands Tract, in the City of Glendale, County of Los Angeles.

A copy of the motion dated November 15, 2017, adopted by the Planning Commission is attached.

#### **APPEAL PERIOD**

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the City Council if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **NOVEMBER 30, 2017**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

If you need additional advice on filing an appeal, please confer with the City's Building and Safety Division, Room 101 of the Municipal Services Building, 633 East Broadway, or phone (818) 548-3200.

## MOTION

Moved by Planning Commissioner Lee, seconded by Planning Commissioner Shahbazian, that upon review and consideration of all materials and exhibits of current record relative to Conditional Use Permit Case No. PCUP 1622526, located at 1023 East Colorado Street, and after having conducted an appeal hearing on said matter, that the Planning Commission hereby **reverses** the Planning Hearing Officer's decision **DENYING** said Conditional Use Permit Case No. PCUP 1622526 in accord with the findings.

**A. The proposed use will be consistent with the various elements and objectives of the general plan.**

The proposed use will be consistent with the various elements and objectives of the General Plan for the area. The applicant is seeking approval of a conditional use permit to allow the continued operation of a massage establishment. The Land Use Element of the Glendale General Plan designates the subject site as Community Services. Personal service land uses, such as a massage establishment, generally offer a complementary element to surrounding uses. Massage establishments are an allowed use in the C3 – Commercial Services Zone, subject to the approval of a Conditional Use Permit. The subject site is in a commercial area along East Colorado that is suitable for this type of use. Further, Colorado Street is identified as a Major Arterial in the Circulation Element which is a suitable use along a major arterial. The continued operation of the massage establishment shall be required to comply with the City's Noise Ordinance (Chapter 8.36 Noise Control), and, as such, will be consistent with the Noise Element. No other elements of the General Plan, including the Open Space and Recreation and Housing Element will be impacted as a result of the massage establishment. Therefore, the proposed use is in keeping with the various elements and objectives of the General Plan.

**B. The use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.**

The use and its associated structures and facilities will be detrimental to the public health or safety, the general welfare, or the environment. The subject massage establishment violated Penal Code Section 647 and Glendale Municipal Code Section 5.64.190 by offering a prostitution related activity. This is a misdemeanor and would be detrimental to the public health, safety, the general welfare and the environment. The subject business was cited for two incidents by the Glendale Police Department. These incidents took place after the Glendale Police Department had submitted its response to the Planning Department's Request for Comments and after the January 25, 2017 Planning Hearing Officer hearing.

**C. The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.**

The subject massage establishment and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property. No changes are proposed to the existing building as part of the CUP application. There are various types of commercial uses in the surrounding area. Approval of the Conditional Use Permit will not adversely impact nearby uses on this commercial street nor impede the development of surrounding properties since these properties are already developed. The massage use is not anticipated to draw major traffic or create conflicts with the adjacent uses and no substantial evidence was submitted to indicate that the facility would adversely impact existing facilities. The existing establishment has been at the present location since 2012 and no evidence exists that indicates that it has been an issue.

**D. Adequate public and private facilities, such as utilities, parking spaces and traffic circulation measures are provided for the use.**

Adequate public and private facilities such as utilities, landscaping and traffic circulation measures are provided for the site and the use. The use has been in operation at its current location since 2012. The project site is already developed and associated facilities are in place. There are nine on-site parking spaces on the subject site, which has proven to be adequate to serve the existing businesses in this commercial center. Further, the project does not involve a floor area expansion.

**VOTE**

Ayes: Lee, Satoorian, Shahbazian, Astorian  
Noes: None  
Abstain: None  
Absent: Manoukian