



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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Glendale, CA 91206-4311  
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glendaleca.gov

September 5, 2024

Ashot Arutyunyan  
7789 Via Cassano  
Burbank, CA 91504

**RE: 1120 NORTH PACIFIC AVENUE - UNIT 4**  
**CONDITIONAL USE PERMIT NO. PCUP-003510-2024**  
**(Serenity Luxe)**

Dear Applicant:

On August 28, 2024, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application requesting approval of a Conditional Use Permit (CUP) to allow the operation of a new massage establishment (Serenity Luxe) in the "C1" - Neighborhood Commercial zone, described Lot 63, Lot 64, and Portion of lot 65, Tract No. 726 (APN: 5636-003-040) as subject to the standards listed in the Glendale Municipal Code, Chapter 5.64, in the City of Glendale, in the County of Los Angeles.

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED WITH CONDITIONS** the conditional use permit request, based on the following findings:

**ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the California Environmental Quality Act (CEQA) as a Class 1 "Existing Facilities," per Section 15301 of the CEQA Guidelines, because the project involves the operation of a massage establishment without physical expansion of the building or intensification of an existing use.

**REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED WITH CONDITIONS** the conditional use permit request, based on the following 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, particularly the objectives of the Land Use Element. The Land Use Element of the Glendale General Plan designates the subject site as Commercial-Neighborhood. 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 C1 (Neighborhood Commercial) zone, subject to the approval of a Conditional Use Permit. The subject site is located in a multi-tenant shopping center at the intersection of Pacific Avenue (identified as a Minor Arterial in the Circulation Element) and Palm Drive (identified as a local street in the Circulation Element) that are suitable for this type of use. The use is consistent with the Noise Element as there are no anticipated increases to the noise levels contained within the building, and the operator shall be required to comply with the City's Noise Ordinance (GMC Chapter 8.36). No other elements of the General Plan, including the Historic preservation, Open Space and Conservation, Housing, Safety, and Recreation Elements will be impacted as a result of the massage establishment since the site is not located in a designated historic district or does not involve any historic structures surveyed for historic significance, it does not encroach on open spaces or public parks, it does not affect the availability or quality of housing in the area, adheres to all safety regulations and poses no safety risks to the community, and it does not interfere with recreational facilities or activities in the vicinity. 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 applicant's request to allow the operation of a massage establishment in the C1 zone is not anticipated to be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. The use meets the intent of the Zoning Ordinance of providing a personal service use in the commercial neighborhood and will be beneficial and desirable for the public and the community. The facility is located on the southeast corner of Pacific Avenue and Palm Drive. The immediate vicinity of the subject site is developed with multi-family residential uses on the east and south side and commercial uses including restaurant, personal service, office, and retail uses on the north and west side of the site, across Pacific Avenue and Palm Drive.

Previously, a massage establishment (Glendale Massage) was operating at the present location since 2011. Pursuant to Glendale Municipal Code (GMC) Section 5.64.110.8 and GMC Section 5.04.100, the business licenses for the previous massage establishment were revoked recently due to prostitution-related arrests by the Glendale Police Department. Since the revocations of the required licenses, "Glendale Massage" has ceased operations. The proposed massage establishment, Serenity Luxe, is a new owner and is not affiliated with the business owner/operator of the previous establishment. The new massage establishment must comply with all provisions set forth in Chapter 5.64 of the Glendale Municipal Code (Massage Establishments), as well as Chapter 10.5 of Division 2 of the California Business and Professions Code, Sections 4600 through 4621 (Massage Therapy Act), or any successor legislation. Conditions of approval are added to ensure that the massage establishment will operate in a responsible manner.

Neither the Glendale Police Department nor Neighborhood Services Division cited major concerns related to the proposed conditional use permit. The massage establishment is a compatible addition to the local community and neighborhood. The establishment is obligated to employ professionals who hold certification from the California Massage Therapy Council (CAMTC). The CAMTC certification program includes a criminal background check and only approves candidates from a select list of schools. Furthermore, the establishment conducts its own background checks on all prospective employees. The establishment plans to maintain its service hours, which are from 9:00 a.m. to 9:00 p.m., every day, primarily by appointment.

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

Approval of the conditional use permit will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding properties since these properties are already developed and no changes are proposed to the existing 1,350 square-foot tenant space, onsite building, site plan, or parking lot. The subject commercial building is oriented towards Pacific Avenue and no windows face the residential neighborhood directly located on the east and south side of the site. Additionally, section 30.64.020 of the Glendale Municipal code provides provisions for continuing jurisdiction over the use so that any adverse effects will not be allowed.

Public facilities located in the immediate area of the subject site include Temple Sinai of Glendale and Golden Eagle Driving School located with approximately 0.2 miles from the subject site along Pacific Avenue to the north. Herbert Hoover High School is located approximately 0.5 miles from the subject site along Glenwood Road and Saint Peter Armenian Church is located approximately 0.4 miles along

West Stocker Street to the northwest side of the subject site. The First German United Methodist Church is located about 0.3 miles along Glenoaks Boulevard to the southwest of the site. Kaiser Permanente and Glenoaks Convalescent Hospital are located 0.3 miles from the subject site to the south side. To ensure minimal disruption to the surrounding properties, conditions of approval have been added. These conditions aim to mitigate any potential adverse effects on the neighboring properties, thereby ensuring the compatibility of the commercial building with the surrounding land uses.

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

The applicant's request to allow the operation of a massage establishment will not result in inadequate public or private facilities. Adequate public and private facilities such as utilities, landscaping, and traffic circulation measures are provided for the site and the use; and the applicant's request for operation of a massage establishment will not result in inadequate public or private facilities. The establishment is well-equipped with necessary public and private amenities such as utilities and landscaping. There is no anticipation that the applicant's request for operation of a massage establishment will increase traffic or create adverse traffic-related effects on the streets or the surrounding residential areas beyond what is currently experienced. A total of 20 parking spaces are provided in the surface parking lot on the subject property to service the subject use and other tenants. This application does not include any added floor area to the existing building or subject tenant space, so no increase in the parking requirement is being created. The existing utilities, landscaping, parking spaces, and traffic circulation measures are adequate as they are already in place.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of the Conditional Use Permit shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.
2. That any expansion or modification of the facility or use which intensifies the existing use shall require a new Conditional Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, increased

hours of operation, or any physical change as determined by the Director of Community Development.

3. That all necessary licenses, approvals and permits as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
4. That the massage establishment owner or operator shall obtain and maintain a current, active, and valid Massage Establishment Owner Certificate from the City of Glendale Licensing Division.
5. That the massage establishment owner or operator shall obtain and maintain a current, active, and valid Business Registration Certificate from the City of Glendale Licensing Division.
6. That the applicant shall fully comply with, and shall not violate, the provisions in Chapter 5.64 of the Glendale Municipal Code (Massage Establishments), now in effect or as later amended; and Chapter 10.5 of Division 2 of the California Business and Professions Code, Sections 4600 through 4621 (Massage Therapy Act), or any successor legislation.
7. That full access to the premises must be made available to all City of Glendale representatives (including, but not limited to, personnel from the Community Development Department, Neighborhood Services Division, Police Department, and Fire Department); Los Angeles County Department of Health Services representatives; and California Massage Therapy Council representatives— upon request, at any time, of one or more of the representatives, for the purpose of verifying compliance with all laws, or verifying the conditions of this approval, or both.
8. That failure to abide by or fully comply with any and all conditions attached to, or made a part of, this Conditional Use Permit constitutes grounds for its revocation.
9. That sufficient measures shall be enforced to effectively eliminate parking congestion, disturbing noise, disturbing light, disturbing smells, loud conversation, or any other activity that may adversely impact nearby uses.
10. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
11. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

12. That the business shall obey all Glendale Municipal Codes relating to the operation and maintenance of a massage establishment, including all state and local codes that regulate health and safety.
13. That all employees who perform massage must be CAMTC certified.
14. That a massage therapist shall not engage in touching, rubbing or fondling a patron's private parts ("specified anatomical area") and all other prohibited acts contained in GMC section 5.64.190 (and California's Massage Therapy Act).
15. That employees shall not be in possession of or store paraphernalia used for sexual activity at the establishment.
16. That the authorization granted herein shall be valid for a period of **TEN (10) YEARS, UNTIL AUGUST 30, 2034**, at which time, a reapplication must be made.

#### **APPEAL PERIOD**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

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 Planning Commission, 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 so that imperfections/incompleteness may be corrected before the appeal period expires.

Appeals must be filed prior to expiration of the 15-day period, on or before **SEPTEMBER 20, 2024**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner (Alan Lamberg) at 818-937-8158.

***All appeals must be filed using the City's online permit portal: [www.glendaleca.gov/Permits](http://www.glendaleca.gov/Permits). Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before **SEPTEMBER 20, 2024**. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818.548.2115, or contacting the case planner, Aileen Babakhani at [ababakhani@glendaleca.gov](mailto:ababakhani@glendaleca.gov) or 818-937-8331.***

## **GMC CHAPTER 30.41 PROVIDES FOR**

### Termination

Every right or privilege authorized by Conditional Use Permit shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

### Extension

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the Conditional Use Permit.

### Transferability

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

## **VIOLATIONS OF THESE CONDITIONS**

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

## **REVOCAION**

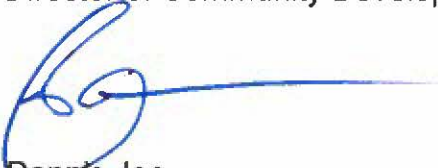
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Conditional Use Permits. Failure to abide by or fully comply with any and all conditions attached to, or made a part of, this Conditional Use Permit constitutes grounds for its revocation. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Conditional Use Permit at least ten (10) days' notice by mail to the applicant or permittee.

## **NOTICE – subsequent contacts with this office**

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

You may contact the case planner, Aileen Babakhani during normal business hours at (818) 937-8331 or via e-mail at [ababakhani@glendaleca.gov](mailto:ababakhani@glendaleca.gov).

Sincerely,  
Bradley Calvert  
Director of Community Development



Dennis Joe  
Senior Planner  
DJ:AB:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section (S.Partamian); Public Works ( S.Hernandez); Traffic & Transportation Section (P.Casanova/Mark Bueno); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (G. Tom/S.Boghosian/R.Takidin/ C.Babakhanlou/D.Scorza); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian/A.Limayo); Neighborhood Services Division; Integrated Waste Management Admin; Maintenance Services Section Admin.; Street and Field Services Admin.; Engineering and Environmental Management; D. Manasserian – consultant on the project; and case planner – Aileen Babakhani.