

Vacant, Chair
Jeff Ortiz, Vice Chair
Leo Barrera, Commissioner
Gracie Retamoza, Commissioner
Kenneth Tang, Commissioner
Jackie Rubio, Commissioner



Guillermo Arreola,
Executive Director/ Director of
Community Development
Renee Reyes,
Secretary
Adrian De Leon,
Interim Assistant City Attorney

**CITY OF SOUTH EL MONTE
REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION**

AGENDA

February 25, 2025, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/87142342038>

Webinar ID: 871 4234 2038

Or Call In: 1 669 444 9171, when prompted, enter 87142342038#

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 652-3180 or (626) 652-3121 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email reyes@soelmonte.org or call (626) 652-3175 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The Planning Commission holds regular meetings on the Third Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting
(Government Code Section 54954(a)(1))

Agenda and Cancellation Notices can be viewed online (at the link below) and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/373/Agendas-Minutes> or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Renee Reyes, Commission Secretary
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Barrera, Tang, Retamoza, Rubio and Vice Chair Ortiz

2. PLEDGE OF ALLEGIANCE

Commissioner Tang

3. PRESENTATIONS – NONE

4. APPROVAL OF AGENDA

By motion of the Planning Commission, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

5. PUBLIC COMMENT

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Planning Commission, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Commission objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Planning Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

6. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously pulled by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items pulled shall be individually considered immediately after taking action on the Consent Calendar.

6.a. Approval of the Regular Planning Commission Meeting Minutes for January 21, 2025.

RECOMMENDATION: Staff recommends the Planning Commission approve Minutes for the January 21, 2025, regular Planning Commission meeting.

7. PUBLIC HEARING

7.a. Consideration of Time Extension Request (TX 24-03) for Conditional Use Permit (CUP) No. 20-06 to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-02, approving Time Extension No. 24-03 for Conditional Use Permit No. 20-06 for the proposed development of a 2.54 acre site with a 65,084 square foot warehouse, office, and retail building.

7.b. Public Hearing – Revocation of Conditional Use Permit No. 22-03, which allows for the operation of a massage establishment.

RECOMMENDATION: Approve Resolution 24-11 revoking Conditional Use Permit 22-03, allowing the operation of a massage establishment within an existing commercial center located at 1648 Tyler Avenue, Suite A, Zoned C (Commercial).

7.c. Public hearing – Revocation of Conditional Use Permit No. 23-03, which allows for the establishment of a special event facility in conjunction with a Party Rental business

RECOMMENDATION: Approve Resolution 24-12 revoking Conditional Use Permit 23-03, which allows the operation of a special event facility (banquet facility) located at 1703 Floradale Avenue, Zoned M (Manufacturing).

8. GENERAL BUSINESS

8.a. Selection of Chair

The Planning Commission will consider appointing a Chair from among its members. The term of office shall be for one-year.

RECOMMENDATION: Staff recommends that the Planning Commission select a Chair from among its members for a one-year term.

8.b. Selection of Vice Chair

The Planning Commission will consider appointing a Vice Chair from among its members. The term of office shall be for one-year.

RECOMMENDATION: Staff recommends that the Planning Commission select a Vice Chair from among its members for a one-year term.

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., Conferences, seminars, training etc.) at the next regular meeting of the legislative body.

10. CORRESPONDENCE – NONE

11. COMMISSIONERS AGENDA – NONE

12. STAFF MEMBER COMMENTS -

13. ADJOURNMENT

Tuesday, March 25, 2025 at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 20th day of February 2025.

Renee Reyes
Secretary

CITY OF SOUTH EL MONTE
REGULAR PLANNING COMMISSION MEETING MINUTES
Tuesday, January 21, 2024, 6:00 P.M.

1. **ROLL CALL** – Vice Chair Ortiz called the meeting to order at 6:00 p.m.

PRESENT: Commissioner(s): Barrera, Lares, Vice Chair Ortiz and the Chair is vacant.

ABSENT: Commissioner(s): Tang

STAFF PRESENT: Adrian De Leon, Interim Assistant City Attorney; Guillermo Arreola, Director of Community Development; Gerardo Marquez, Planning Manager; Renee Reyes, Secretary.

Zoom was provided for the Public to participate during public comment via teleconference.

2. **PLEDGE OF ALLEGIANCE** – Commissioner Barrera led the Pledge of Allegiance.
3. **PRESENTATIONS** – NONE
4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Lares, seconded by Commissioner Barrera, to approve the agenda. Motion passed 3-0-1 by the following vote:

AYES: Commissioner(s): Barrera, Lares, and Vice Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Tang

5. **PUBLIC COMMENT**

Vice Chair Ortiz opened and closed Public Comment seeing no one wishing to speak.

6. **CONSENT CALENDAR**

A motion was made by Commissioner Lares, seconded by Commissioner Barrera, to approve the agenda. Motion passed 3-0-1, by the following vote:

6.a. Approval of the Regular Planning Commission Meeting Minutes for December 19, 2024

RECOMMENDED ACTION: Staff recommends the Planning Commission approve the Minutes for the December 19, 2024, Regular Planning Commission meeting.

AYES: Commissioner(s): Barrera, Lares, and Vice Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Tang

7. PUBLIC HEARING

7.a. Public hearing regarding the revocation of Conditional Use Permit No. 22-03 allowing for the operation of a massage establishment.

RECOMMENDED ACTION: Pursuant to Government Code Section 54955.1 this hearing has been continued to February 25, 2025.

7.b. Public hearing regarding the revocation of Conditional Use Permit No. 23-03 allowing for the establishment of a special event facility in conjunction with a Party Rental business.

RECOMMENDED ACTION: Pursuant to Government Code Section 54955.1 this hearing has been continued to February 25, 2025.

8. GENERAL BUSINESS

8.a. Master Affordable Housing Covenant and Density Bonus Agreement – 2540 Rosemead Boulevard.

Community Development Director, Guillermo Arreola provides an overview of the subject site. This project aims to comply with municipal requirements by incorporating a mix of housing units dedicated to moderate, low and very low-income households. Additionally, it outlines the approval process, which involves recommendations from the Planning Commission and final approval by the City Council. The allocation ensures compliance with local affordable housing regulations.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-01, recommending approval of Master Affordable Housing Covenant and Density Bonus Agreement to the City Council.

A motion was made by Commissioner Barrera, seconded by Commissioner Lares, to adopt Resolution No. 25-01, recommending approval of Master Affordable Housing Covenant and Density Bonus Agreement to the City Council. Motion passed 3-0-1 by the following vote:

AYES: Commissioner(s): Barrera, Lares, and Vice Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Tang

9. **COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS – NONE**
10. **CORRESPONDENCE – NONE**
11. **COMMISSIONERS’ AGENDA – NONE**
12. **STAFF MEMBER COMMENTS**

Community Development Director, Guillermo Arreola stated that Staff has been researching and surveying neighboring cities’ business incentive programs to identify the best options for South El Monte.

13. ADJOURNMENT

At 6:18 p.m., there being no more business before the Commission, Vice Chair Ortiz adjourned the meeting to a regular Planning Commission Meeting on Tuesday, February 25, 2025, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 20th day of February 2025.


Secretary



Planning Commission Agenda Report

**Agenda
Item No.
7.a.**

DATE: February 21, 2025

TO: Honorable Chairman and Members of the Planning Commission

FROM: Guillermo Arreola, Director of Community Development

PREPARED BY: Charlize Hernandez, Planning Assistant

SUBJECT: Consideration of Time Extension Request (TX 24-03) for Conditional Use Permit (CUP) No. 20-06 to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

PUBLIC NOTICE: Notice of Public Hearing was posted on February 13, 2025.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15332 Class 32 – In Fill Development.

LOCATION: Address: 2512 Rosemead Blvd.
 Project Applicant: JWDA-MS Architects
 Property Owner: Golden Trinity, LLC.
 Zone: C-M (Commercial-Manufacturing)
 Lot Size: 110,612 square feet (2.54 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Retail
South	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
East	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Previous Starlite Drive-In
West	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale

BACKGROUND: On July 21, 2020, The Planning Commission adopted Resolution No. 20-06 approving a conditional use permit to develop the vacant 2.54 acre site for the construction of a 65,084 warehouse, office, and retail building at 2512 Rosemead Boulevard. On February 6, 2023, the Applicant submitted a one year extension of their Project. The Planning Commission approved and granted the extension on February 21, 2023. The applicant submitted a second one year

extension of their Project on January 16, 2024. The Planning Commission approved and granted the extension on February 20, 2024. The applicant has been working with external agencies to acquire all clearances but is pending Regional Water Quality Control Board clearance and thus requested additional time. On October 28, 2024, the Applicant submitted a third one year extension for their Project. The applicant has been working with the Regional Water Quality Control Board to acquire clearance, and have commenced work on the following; drilling and test work and soil vapor mitigation design. There are subsequent steps that must be completed and is thus requesting additional time. Staff requested additional info regarding the process and the applicant was not able to provide a timeline due to long response times from the Board.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-02, approving Time Extension No. 24-03 for Conditional Use Permit No. 20-06 for the proposed development of a 2.54 acre site with a 65,084 square foot warehouse, office, and retail building.

ANALYSIS: JWDA-MS Architects (“Applicant”) has requested a third Time Extension for a CUP that was approved by Planning Commission on July 21, 2020. Per South El Monte Municipal Code (“SEMMC”) Section 17.03.060, a CUP shall automatically become null and void if not utilized within 24 months from the date of approval. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit. The latest extension that was granted expires on February 21, 2025. The applicant has submitted plans for Building Plan Check, which has been deemed complete and is ready for issuance. Approval of the Time Extension will allow the Applicant to move forward with construction of the Project.

Disapproval of the current request would create an undue hardship onto the property owner, in that the Applicant has invested time and money to prepare the necessary construction plans to develop the site with a 65,084 sq. ft. building. The Applicant has indicated that the Regional Water Quality Control Board requested an analysis of the site due to potential brownfield contamination, however, according to the Applicant, due to complications between the Los Angeles Regional Water Quality Control Board and Fulcrum Resources Environmental, the applicant requires additional time to complete the Remedial Action Plan. Approval of this request will not be detrimental to the health, safety and general welfare of the public, in that the approval will allow the development of a 2.54 acre parcel of land that has been vacant for many years.

ENVIRONMENTAL REVIEW: This proposed Project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Project falls within the criteria of consisting of less than five acres and falls within city limits.

ATTACHMENTS:

- A – Draft Resolution No. 25-02
- B – Request from Applicant
- C – Approved Resolution (No. 20-06)
- D – Copy of Original Staff Report

PLANNING COMMISSION

RESOLUTION NO. 25-02

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A TIME EXTENSION (TX 24-03) FOR CONDITIONAL USE PERMIT (CUP 20-06) TO CONSTRUCT A NEW 65,084 SQ. FT. WAREHOUSE, OFFICE, AND RETAIL BUILDING ON PROPERTY LOCATED AT 2512 ROSEMEAD BOULEVARD.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. JWDA-MS Architects (“Applicant”) was approved for a Conditional Use Permit (CUP 20-06), to construct a new 65,084 sq. ft. warehouse, office, and retail building (“Project”) at 2512 Rosemead Boulevard (“Property”) on July 21, 2020 and submitted the request for extension on February 6, 2023. The Planning Commission approved the extension on February 21, 2023. On January 16, 2024, the applicant submitted a request for an additional extension. The Planning Commission approved the extension on February 20, 2024. A third extension was necessary and on October 28, 2024, the applicant submitted another request for an additional extension.

SECTION 2. Pursuant to the South El Monte Municipal Code Section 17.03.060, a proposed project’s CUP approval shall automatically become null and void if not utilized within 24 months from date of approval. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit Staff determines that the termination of approval will cause an undue hardship on the Applicant since they are currently in the Building Department Plan Check process and will be starting construction later this year. Denying the extension will delay the project for a large amount of time and push back the construction.

SECTION 3. The Planning Commission hereby finds that the adoption of Resolution 24-01 is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 4. The Planning Commission hereby approves Time Extension (TX 24-03) for Conditional Use Permit (CUP 20-06) for the construction of a 65,084 square foot building for twelve months from the date of this approval.

ADOPTED this 25th day of February, 2025.

Chairman

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 25-02 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 25th day of February 2025.

AYES:
NOES:
ABSENT:
ABSTAIN:

Secretary

12/09/2024

Planning Department

1415 Santa Anita Avenue

South El Monte, CA 91733

Subject: Request for Extension for Project at 2512 Rosemead Blvd, South El Monte, CA 91733

To Whom It May Concern,

I am writing to respectfully request an extension related to the ongoing project located at 2512 Rosemead Blvd, South El Monte, CA 91733.

Due to requirements set by the Regional Water Quality Control Board, we have been tasked with completing three key assignments. Of these, two tasks have already been approved, and we have commenced work on the following:

Drilling and test work.

Soil vapor mitigation design.

Once these tasks are completed, the Regional Water Board will provide further instructions on the subsequent steps.

We have been working diligently and maintaining consistent communication with the Board to expedite approvals; however, the process has been protracted due to their response timelines. This situation has also been communicated to the City Mayor, who is aware of the complexities involved.

I kindly request your approval for an extension to allow the necessary time to complete these critical tasks and obtain final authorization from the Regional Water Board. I am committed to advancing the project as swiftly as possible and initiating construction once all required approvals are secured.

Thank you for your understanding and consideration. Please feel free to contact me if further details are needed.

Sincerely,

Kelly Deng

DocuSigned by:

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PLANNING COMMISSION

RESOLUTION NO. 20-06

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT (NO. 20-06) ALLOWING FOR THE CONSTRUCTION OF A 65,084 SQUARE FOOT WAREHOUSE AND OFFICE BUILDING AT 2512 ROSEMEAD BOULEVARD

WHEREAS, JWDA-MS Architects (“Applicant”), filed an application for a Conditional Use Permit (“CUP”) to construct a 65,084 square foot warehouse, office, and retail building (“Project” or “proposed Project”) located at 2512 Rosemead Boulevard, South El Monte, CA 91733 (“Property” or “project site”); and

WHEREAS, pursuant to South El Monte Municipal Code (“SEMMC”) Section 17.16.040(A), the Project requires Planning Commission review and approval because the Project is being developed on a property one acre or larger in size and the building is 25,000 square feet or more; and

WHEREAS, a public hearing was held before the Planning Commission on July 21, 2020, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The Planning Commission hereby finds that the adoption of Resolution 20-06 is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 2: A record of the public hearing indicates the following:

A. With regard to the application for a CUP, SEMMC Section 17.68.040 requires that the Planning Commission find that the proposed Project shall not be detrimental to persons or properties in the immediate vicinity nor to the City in general. State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is “Commercial-Manufacturing.” The Zoning Code designation is “C-M” (Commercial-Manufacturing).

C. The proposed Project promotes the City’s goals and objectives stated in the General Plan. No goal or policy will be impaired.

D. The construction and operation of the warehouse, office, and retail building should

not become a nuisance to surrounding properties.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated July 21, 2020, which is hereby incorporated into this Resolution 20-06 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project meets the requirements of SEMMC Chapter 17.16 and will not be detrimental to the public health, safety, or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. The conditions that are included in this resolution, as well as the fact that many of the surrounding parcels are industrial uses, ensures that this will hold true in the future.

B. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is because the Project will be required to operate in a way that does not negatively impact the area through conditions imposed.

C. As conditioned, the Project represents a quality establishment that will be compatible with surrounding commercial and manufacturing uses, the surrounding area, and the goals of the City. The proposed Project will contribute to the general well-being of the City in that the Project benefits neighboring uses and will be an asset to the surrounding area, as well as to the rest of the City. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

D. As conditioned, the proposed Project is consistent with the City's General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

- (1) Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This Project will serve the area by creating a single location for storage, wholesale, operations, and retail for a company that is expanding operations within the area;
- (2) Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility* by creating a mixed use retail/wholesale development along State Route 19 (Rosemead Blvd) that sees a high volume of vehicle trips every day;
- (3) Policy 2.2: *Expand development opportunities along Rosemead Boulevard by allowing for a broader range of commercial, as well as office uses.* This is accomplished through the development of a multi-unit retail establishment that faces Rosemead Boulevard and offices;

- (4) Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses* by allowing for the establishment of a warehouse, office, and retail that fits with the surrounding uses;
- (5) Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties* by developing a property that has lain vacant for many years and has been underdeveloped; and

Economic Development Element

- (6) Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing a mixed use development that will allow for warehouse, office, and retail uses.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby **approves** CUP (No 20-06) to construct a 65,084 square foot warehouse, office, and retail building, subject to the following conditions:

General Conditions

1. The Applicant and the business entity allowed for hereunder shall indemnify, defend, and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits, or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation, or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits, or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant and the business entity allowed for hereunder shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within two years from the date of this approval.
4. Applicant and its employees, agents and contractors shall comply with all Municipal Code provisions.

Planning Conditions

5. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or notice from the City.

6. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large discarded items that may have collected in the Property's parking area and public right-of-way.
7. The Applicant shall maintain all required permits and licenses in good standing.
8. The Applicant understands that any violation of the foregoing conditions shall be grounds for the suspension or revocation of the CUP.
9. The construction site shall always be kept in a clean manner prior, during, and after construction.
10. The Applicant shall develop the Property as shown in the site plan and landscaping plan approved by the Planning Commission.
11. The Applicant shall provide a detailed landscape and irrigation plan, prepared by a registered Landscape Architect to the Community Development Director for review and approval prior to submitting the plans to the Building Division.
12. The Applicant shall install drought tolerant landscaping in strict compliance with a landscape plan prepared by a Landscape Architect drawn at a minimum scale of 1"=10' which will include all proposed softscape elements (included areas of ornamental plantings and turf areas), with the perimeter planting design for the exterior of building. The Applicant shall incorporate the following into the landscape plan:
 - a. Enclose all planters within parking lot areas with raised six-inch P.C.C. curbs, except at sidewalks.
 - b. Provide an automated underground irrigation system for all landscaped areas.
 - c. Provide adequate landscaping to screen all ground mounted mechanical equipment
13. All exterior doors shall be lit with a minimum of one-foot candle power of intensity and constructed of tamper-resistant fixtures.
14. The Applicant shall have no outside storage of material or equipment during or after hours in the required parking lot areas or near the front entrance of the Property visible from Rosemead Boulevard.

Building Conditions

15. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
16. School Developmental Fees shall be paid to School District prior to the issuance of the building permit.

17. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
18. The building shall be addressed as 2512 Rosemead Blvd. and an application to assign unit numbers for each tenant space shall be filed with City prior to plan check submittal.
19. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
20. Structural calculations prepared under the direction of an architect, civil engineer, or structural engineer shall be provided.
21. A geotechnical and soils investigation report is required. The duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a. Observation of cleared areas and benches prepared to receive fill;
 - b. Observation of the removal of all unsuitable soils and other materials;
 - c. The approval of soils to be used as fill material;
 - d. Inspection of compaction and placement of fill;
 - e. The testing of compacted fills; and
 - f. The inspection of review of drainage devices.
22. The Applicant shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
23. A grading and drainage plan shall be approved by Public Works Department Engineering Division prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
24. Prior to submitting grading plans to Engineering Department, LID review shall be completed and approved.
25. All State of California disability access regulations for accessibility and adaptability shall be complied with.
26. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines per Section 11B-206.2.4 of the California Building Code.
27. The building permit will not be issued until the Property has been surveyed and the

boundaries marked by a land surveyor licensed by the State of California.

28. Foundation inspection will not be made until setback on all sides of the proposed building have been surveyed and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
29. Electrical plan check is required.
30. Mechanical plan check is required.
31. Plumbing plan check is required.
32. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
33. Floor plan shall be revised to provide code compliant restroom for customers. The plumbing code requires that each building or structure shall be provided with toilet facilities for employees and customers. (CPC 422.4) Access to the required toilet facilities for customers shall not pass through areas designated as for employee use only such as kitchens, food preparation areas, storage rooms, closets, or similar spaces. (CPC 422.4.1)
34. Unconditioned enclosed spaces that are greater than 5,000 square feet and that are directly under a roof with ceiling heights greater than 15 feet shall comply with minimum daylighting requirement per Section 140.3(c) of the California Energy Code.
35. Project shall comply with the CalGreen Non-Residential mandatory requirements.
36. Demolition permit is required for any existing buildings which are to be demolished.
37. Separate plan review and permit is required for each detached retaining wall.
38. Fire-resistance rating requirements for exterior walls based on fire separation distance of 5 to 10 feet shall comply with Table 602 of the Building Code.
39. Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 5 to 10 feet shall comply with Table 705.8 of the Building Code.
40. Prior to the issuance of building permit, a written consent shall be obtained from the current easement holder(s) for any proposed development encroaching into existing easement(s).
41. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
42. Separate permit is required for Fire Sprinklers

43. City records indicate the Property is a combination of lots under common ownership. The two lots shall be combined and shall be processed prior to issuance of the building permit.
44. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.

Engineering Conditions

45. LID review shall be completed prior submitting grading plans for plan review. Grading plans shall be submitted including the proof of approval of LID or exemption of LID.
46. Install new driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
47. Close existing driveway apron, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.
48. Install new concrete sidewalk along the length of the Property frontage in accordance with SPPWC Standard Plan 113-2, and as directed by the City Engineer and/or his/her designee.
49. Remove and replace broken off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
50. Rehabilitate existing AC street pavement along the length of the Property frontage to the centerline of the street as directed by the City Engineer or his/her designee:
51. Underground all utility services to the Property.
52. Project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits.

Traffic Conditions

53. Trip Generation of Proposed Project and justification that this Project is eligible for Project Type VMT Screening and is primarily assumed to be local serving.
54. Due to the median island, both driveways will be limited to right turn in and right turn out.
55. Truck Turning Templates will be submitted to the City showing how trucks will turn in and out of the driveway. Trucks will need to be able to make the right turn into Property driveways from the curb lane to prevent cars passing on the right. This will need to be submitted to Traffic Engineering for review and approval.
56. On-site Truck Turning Templates will be submitted to the City showing how trucks will enter from each driveway and back into proposed loading docks. This will need to be submitted to Traffic Engineering for review and approval.
57. Description of gate entrances with explanation of if there is enough room for trucks to queue on site in order to avoid any queuing on Rosemead Boulevard, and if the gates will

remain open during business hours so trucks do not queue or wait on-street for gate to be opened.

58. Currently there is no on-street parking in front of the Property. If this changes, then a clear line of sight calculation focusing on any needed red curb, following AASHTO guidelines, at the driveway will need to be submitted for review.
59. Each side of Project driveways will have clear corner sight distance with low vegetation or walls that do not obscure the view of exiting vehicles or trucks.
60. Identification of Truck or Trailer parking on-site.

Fire Department Condition

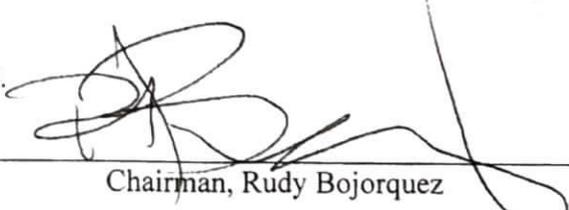
61. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit may be required for this Project prior to building permit issuance.

Planning Commission Condition

62. All commercial vehicles approaching the property for deliveries or the like, shall approach the property coming from Rosemead Boulevard driving in the North direction. When exiting the property, all commercial vehicles shall be required to travel in the North direction towards the 10 freeway. No right turns shall be allowed on Garvey Avenue or Bruin Avenue.

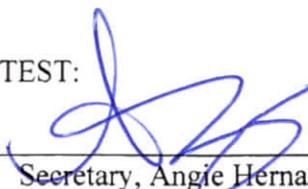
SECTION 5: Any interested party may appeal this decision to the City Council pursuant to SEMMC Section 17.74.050.

ADOPTED this 21st day of July, 2020.



Chairman, Rudy Bojorquez

ATTEST:



Secretary, Angie Hernandez

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 20-06 was duly passed and

adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 21st day of July 2020.

AYES: Bojorquez, Rodriguez, Ortiz and Barrera
NOES: Yepez
ABSENT: None
ABSTAIN: None



Secretary, Angie Hernandez



Planning Commission Agenda Report

**Agenda
Item No.
7.a.**

DATE: July 21, 2020

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Rachel Barbosa, City Manager

REVIEWED BY: Rene Salas, Public Works Director

PREPARED BY: Ian McAleese, Assistant Planner

SUBJECT: Adoption of Resolution No. 20-06 approving a Conditional Use Permit (CUP) (No. 20-06) to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

PUBLIC NOTICE: Notice of public hearing was posted on July 9, 2020.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15332 Class 32 – In Fill Development.

PROJECT

LOCATION: Address: 2512 Rosemead Boulevard
 Project Applicant: JWDA-MS Architects
 Property Owner: Kelly Deng (A&A Medical Supplies Inc.)
 Zone: "C-M" (Commercial-Manufacturing)
 Lot Size: 110,612 square feet (2.54 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Retail
South	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
East	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Starlite Swap Meet
West	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale

BACKGROUND: The property located at 2512 Rosemead Boulevard (“Property”) is currently made up of two separate parcels measuring approximately 110,612 square feet on the east side of Rosemead Boulevard midway between Rush Street and Garvey Avenue in the City of South El Monte (“City”). The Property was originally developed for manufacturing that operated from the 1960s through 1991 when most of the structures, along with subterranean tanks, were demolished. In years past, the Property was utilized as storage of metals, and manufacturing of hydraulic forklifts with the Property being utilized for parking until laying vacant. The proposed warehouse, office, and a portion of the retail will be utilized for A&A Medical Supplies which is currently operating in two buildings located on Loma Avenue.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 20-06, approving Conditional Use Permit (No. 20-06, as conditioned).

ANALYSIS:

General Plan/Zoning Consistency

The Property is designated as “Commercial-Manufacturing” in the City’s General Plan and is zoned “C-M” (Commercial-Manufacturing) in the City’s Zoning Code. The construction of a 65,084 square foot warehouse, office, and retail building (“Proposed use” or “Project”) falls within the scope of the General Plan’s “Commercial-Manufacturing” land use designation and is also a conditionally permitted use in the “C-M” zone. When considering consistency with the General Plan, staff determined that the Project will help further the City’s goals and objectives found in the General Plan and satisfy all development requirements within the Zoning Code.

Land Use Element

Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This project will serve the area by creating a single location for storage, wholesale, operations, and retail for a company that is expanding operations within the area.

Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility by creating a mixed use retail/wholesale development along State Route 19 (Rosemead Blvd) that sees a high volume of vehicle trips every day.*

Policy 2.2: *Expand development opportunities along Rosemead Boulevard by allowing for a broader range of commercial, as well as office uses.* This is accomplished through the development of a multi-unit retail establishment that faces Rosemead Boulevard and offices.

Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses by allowing for the establishment of a warehouse, office, and retail that fits with the surrounding uses.*

Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties by developing a property that has lain vacant for many years and has been underdeveloped.*

Economic Development Element

Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing a mixed use development that will allow for warehouse, office, and retail uses.

The establishment of a medical supply office and warehouse, as well as proposed retail units has the potential to be a viable asset to the City's economy. The Project will also promote a balanced and dynamic economic growth in the area as well as the City as a whole. Considering all of the above, the Project is consistent with both the General Plan and the Zoning Code.

Conditional Use Permit (CUP)

In order to grant a CUP, the Commission must make the following finding pursuant to South El Monte Municipal Code ("SEMMC") Section 17.68.040:

The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general.

The parcels directly adjacent to the Property are developed with warehouses that perform retail or wholesale, as well as the undeveloped Starlight Swap Meet. Staff believes the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general because of the conditions that are included in the resolution, as well as many of the surrounding parcels being utilized as industrial.

Proposed Project

The Applicant is proposing to build a 65,084 square foot warehouse, office, and retail building. The operations on the Property will entail receiving, storing, and selling medical equipment, as well as retail units that will be leased out. Once the Project is complete, 15 employees will be utilized for the medical supply business. The business will operate Monday through Friday from 8:00 a.m. to 6:00 p.m., with truck deliveries taking place during operating hours.

Floor Plan

The building will mainly be utilized as a warehouse with 46,172 square feet being dedicated to this use. The west side of the building that faces the street will be comprised of a second story office with a mezzanine and total of 8,562 square feet, and a small office at the east end of the building measuring 874 square feet. The first floor on the west end of the building is dedicated to a total of 8,562 square feet of retail space.

Off-Street Parking

As the majority use of the building is warehousing, SEMMC Section 17.60.020 states that parking shall be provided at one parking space for every one thousand square feet and retail required one parking space per three hundred square feet. The building's interior square footage of 64,210 square feet requires the following number of parking spaces:

Proposed Use	Size of Area	Required
Warehouse with office	55,628 sq. ft.	56

Retail	8,582 sq. ft.	29
	Total Proposed	90
	Total Required	85

Landscaping

The Project provides landscaping along the Property’s frontage, near the retail entrance, along the south of the building and Property, and all along the north and northeast portion of the Property. This is sufficient to satisfy the City’s landscaping requirements found in SEMMC Section 17.16.180. This section requires the front five feet of the Property and five percent of the parking area to be landscaped. The parking lot area is approximately 21,632 square feet in size, which requires 1,082 square feet of landscaping in the parking lot area. The Applicant has proposed to landscape 2,070 square feet or 9.6 percent of the parking lot area exceeding the required amount, and providing a total of 5,655 square feet of landscaping throughout the Property.

Circulation and Loading

Pursuant to SEMMC Section 17.16.160, the Project is required to provide on-site truck maneuvering and loading areas, if possible. As indicated, the Project will provide sufficient on-site circulation due to the size of the Property. On-site loading is provided by three loading docks. The Traffic Engineer requires truck turning templates as well as queuing information as required in Conditions #55 and #56 which will ensure that traffic will not be impacted on Rosemead Boulevard. Thus, it is anticipated that the Project will continue to be consistent with the City’s Zoning Ordinance.

Impacts on Surrounding Uses and Properties

The Property is surrounded by a mixture of industrial uses and underdeveloped land. The Project will not significantly increase the amount of industrial activities and therefore the Project’s potential impact on surrounding properties would be slight. Truck traffic generated by the Project could possibly impact this stretch of Rosemead Boulevard, but should be mitigated by the Focused Traffic Analysis required by the Traffic Engineer.

ENVIRONMENTAL REVIEW: This proposed Project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Project falls within the criteria of consisting of less than five acres and falls within city limits.

CONCLUSION: Staff has reviewed the Applicant’s request and has determined that the Project meets all of the development standards as set forth in SEMMC Chapters 17.16 and 17.60. Approval of the Conditional Use Permit, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution 20-06 to approve Conditional Use Permit No. 20-06 for the proposed 65,084 square foot building.

ATTACHMENTS:

- A – Draft Resolution No. 20-06
- B – Relevant Code Sections
- C – Vicinity Map/Aerials
- D – Project Plans



Planning Commission Agenda Report

Agenda
Item No.
7.b

DATE: February 25, 2025

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Public hearing regarding the revocation of Conditional Use Permit No. 22-03 allowing for the operation of a massage establishment

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Approve Resolution 24-11 revoking Conditional Use Permit 22-03, allowing the operation of a massage establishment within an existing commercial center located at 1648 Tyler Avenue, Suite A, Zoned C (Commercial).

BACKGROUND: This Project was first presented to the Planning Commission on December 20, 2022, for a proposed massage establishment to be located at 1648 Tyler Avenue, Suite A, South El Monte, CA 91733. The Planning Commission (“Commission”) recommended that the public hearing be continued and directed staff to conduct additional research on other massage establishments that the owner stated she owned. Additionally, the Commission recommended that the hours of operation change from 10:00 am to 10:00 pm, with the last massage starting at 9:00 p.m., to 9:00 a.m. to 9:00 p.m., with the last massage starting at 8:00 p.m., and that the conditional use permit be brought back for Commission review six (6) months after the opening date or issuance of the certificate of occupancy. Lastly, the Commission requested that staff reach out to the Epiphany Church and School located to the east of the subject site informing them of the proposed application.

- Staff contacted the local jurisdictions for information on the two (2) out-of-state massage establishments owned by the applicant. Specifically, staff was able to contact both local police departments, however, they both indicated that they did not have any specific “calls-for-service” for either one of the massage establishments.
- **Condition No. 14** was amended to reflect the recommended hours of operation (9:00 a.m. to 9:00 p.m., with the last massage starting at 8:00 p.m.)
- **Condition No. 37** was added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business or issuance of the certificate of occupancy.

On January 11, 2023, staff contacted Epiphany Church, and they did not express any concern over the proposed massage establishment.

At the January 17, 2023, meeting, the Planning Commission adopted Resolution No. 22-03 that allowed for the operation of a massage establishment (“Project”). Conditional Use Permit (“CUP”)

No. 22-03 detailed all conditions applicable to the business, the massage establishment (to be known as Sunny Spa) in Suite A of an existing commercial building at 1648 Tyler Avenue. (“Property”). The requirement for a six (6) month review was established to allow for the Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On May 15, 2024, at approximately 11:45 AM Code Enforcement was contacted by Los Angeles County Sheriff’s Deputies along with Detectives from their Human Trafficking bureau regarding an operation at 1648 Tyler Avenue occupied by Sunny Massage/Spa. During the operation, two (2) females were detained and cited by Sheriff’s Deputies for solicitation of prostitution. Code Enforcement along with the City’s Building Inspector were present to conduct an inspection of the premises. During Code Enforcements investigation it was found that the two (2) women detained were unlicensed massage therapists operating out of the massage parlor. There was also a small closet within the building that appeared to be constructed without permits. Once Code Enforcement concluded its investigation and inspection of the location, each woman was issued an administrative citation for not having a business license and solicitation of prostitution.

ANALYSIS: After consideration of the incident that occurred on May 15, 2024, staff was directed by the Planning Commission to provide a resolution revoking CUP 22-03, which is attached as Resolution No. 24-11.

FINDINGS: Staff conducted a review of CUP 22-03 and Resolution No. 22-03 and found that the operator of the massage establishment was in violation of the following conditions:

9. The massage establishment operator or any partner with a 5% or more interest in the business, who are not CAMTC certified, is required to submit an application for a background check. The application must be submitted fully completed by all persons required to pass a background check. Additionally, every background check must be renewed every 2 years.
10. If ownership of the establishment changes, operators of the massage establishment, and any partner with a 5% of more interest in the business, must hold CAMTC certification or are required to submit an application for a background check. This condition must be met prior to new ownership taking control or possession of the establishment.
11. The operator shall provide and continue to maintain an updated list of all massage therapists and copies of their licenses quarterly to the Community Development Department to ensure full compliance.
12. A list of all persons providing massage services at the establishment, including each person’s full true name and other names used, photograph, and certificate from the California Massage Therapy Council must be provided to the Community Development Director prior to issuance of a Business License. Any changes in practitioners must be reported to Community Development Director within two weeks of the change.
13. All employees performing massages shall be certified massage therapists in good standing by the California Massage Therapy Council, pursuant to the Massage Therapy Act (Cal. Bus. & Prof. Code § 4600 et seq.). The massage establishment shall not operate until and shall hold at all times a valid business license and massage establishment permit from the

City, pursuant to South El Monte Municipal Code Title 5 and Chapter 5.22.

16. The massage establishment and all employees performing massages shall comply with all applicable State, Federal and local laws and regulations, including without limitation the Massage Therapy Act (Cal. Bus. and Prof. Code § 4600 et seq.) and South El Monte Municipal Code Title 5 and Chapter 17.41.
18. Any alteration to the interior of the massage establishment must be brought to the City for approval before improvements may take place. If applicable, building permits or the like will be required.
32. Each customer's genitals must be fully covered at all times. No person shall massage the genitals of any customer. No person shall massage any female customer whose breasts are not covered by a sheet or other opaque clothing. No person shall massage any female customer's breasts.
35. The massage establishment must maintain compliance with all provisions of the South El Monte Municipal Code, as it relates to the operation of massage establishments.

The Planning Commission, as noted in Condition No. 8 of Resolution No. 22-03, reserves the right to revoke CUP 22-03.

8. The Planning Commission reserves the right to revoke or modify this approval if the proposed use becomes a public nuisance, finds the permit or business license was obtained by fraud, the approved use is operated in violation of the terms and conditions contained herein, the use is in violation of any law, rule, regulation or policy, or the approved use ceased or for three consecutive months or for six months during any calendar year consistent with SEMMC section 17.68.100.

CONCLUSION: Staff recommends the Planning Commission adopt Resolution No, 24-11 revoking CUP 22-03.

- Attachments:
- 1) CUP Resolution 22-03
 - 2) Revocation Resolution No. 24-11
 - 3) January 17, 2023, Planning Commission Staff Report
 - 4) December 20, 2022, Planning Commission Staff Report
 - 5) Public Hearing Notice

PLANNING COMMISSION

RESOLUTION NO. 22-03

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT (NO. 22-03) TO ALLOW THE OPERATION OF A MASSAGE ESTABLISHMENT WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 1648 TYLER AVENUE, SUITE A, ZONED C (COMMERCIAL).

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: Xiaoping Chen (Xiaoping Chen LLC), (“Applicant”), filed an application for a Conditional Use Permit (CUP) to allow for the operation of a full-body massage establishment (“Project” or “proposed Project”) in an existing commercial center located at 1648 Tyler Avenue, Suite A, South El Monte, CA 91733 (“Property” or “project site”).

Pursuant to South El Monte Municipal Code (“SEMMC”) Sections 17.14.040, 17.41.020, and 5.04.055 the Project requires Planning Commission review and approval because the Project consists of operation of a massage establishment.

SECTION 2: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act, the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project proposes to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 3: A public hearing was held before the Planning Commission on December 20, 2022, to consider the application. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making their determination. On that date, the Commission voted to continue this matter to January 17, 2023.

SECTION 4: The public hearing was continued to the January 17, 2023 Planning Commission meeting to allow staff the opportunity to conduct a background check on two out-of-state massage establishments which the applicant stated she owned. In addition, the Commission recommended that Condition No. 14 be amended to reflect new hours of operation and that a new condition be added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business.

SECTION 5: Based on the record of the hearing, including all information presented at the hearing, including the Staff Reports dated December 20, 2022 and January 17, 2023, which are hereby incorporated into this Resolution 22-03 by reference, the Planning Commission hereby finds:

1. The proposal for a massage establishment as conditioned should not become a nuisance to surrounding properties.2. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is so because the Project is mostly surrounded by industrial uses and the operation is herein conditioned and required to operate in a way that does not negatively impact the area.

3. As conditioned, the Project meets the requirements of SEMMC Sections 17.14.040, 17.41.020, and 5.04.055 and will not be detrimental to the public health, safety or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. This is because the project is compatible with the surrounding uses.

4. As conditioned, the proposed Project is consistent with the City's General Plan. No goal or policy will be impaired. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

- Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte;*
 - (a) Policy 1.4 seeks to create opportunities for commercial uses that meet the retail and service needs of the local resident and employee population.
- Goal 2.0: *Focus new revenue-generating development in those areas of the City with high visibility;* and
- Goal 3.0: *Attract local-serving retail and service commercial businesses.*

5. A record of the public hearing indicates the following:

A. The proposed use is not detrimental to persons or properties in the immediate vicinity, or to the City in general.

A. The General Plan Land Use designation for the Property is "C" (Commercial). The proposed project is compatible with both the land use designation and zoning uses surrounding the Property.

B. The proposed Project promotes the City's goals and objectives stated in the General Plan. The goas and policies will be promoted as provided in the Section 4 above.

C. The site abuts a street adequate in width and improvements to carry traffic generated by the proposed use. The subject site is located on Tyler Avenue, an arterial highway capable of handling the additional vehicle trips per day that may be generated by the Project. The subject site is near the intersection of Santa Anita Avenue, which is more than adequate in size to accommodate any additional vehicle trips generated by the

proposed use.

D. SEMMC Chapter 17.41 requires massage establishments obtain a conditional use permit to operate in the City. Pursuant to SEMMC Section 17.41.020(G)(10), no massage establishment may be sited within five hundred feet of an existing or otherwise approved massage establishment. The proposed location is not within five hundred feet of any other known massage establishment.

Based on the aforementioned findings, the Planning Commission hereby approves CUP 22-03 (Resolution No. 22-03) to allow the establishment of a massage establishment subject to the following conditions:

General Conditions

1. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and save harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized herein is not utilized and/or business operations have not commenced. The applicant may request an extension from the Community Development Director based on specific circumstances.
4. The Project shall be subject to an appeal period of 14 calendar days. A written appeal of a decision of the Planning Commission for City Council review may be filed by the Applicant or any person. or the City Council may call any decision for review by filing a written request consistent with section 17.74.050(B).

Community Development Department/Planning Conditions

5. The approval of Conditional Use Permit (CUP) (No. 22-03) permits the operation of a full body massage establishment at 1648 Tyler Avenue.
6. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of South El Monte Municipal Code shall apply.

7. The Community Development Director or his designee is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
8. The Planning Commission reserves the right to revoke or modify this approval if the proposed use becomes a public nuisance, finds the permit or business license was obtained by fraud, the approved use is operated in violation of the terms and conditions contained herein, the use is in violation of any law, rule, regulation or policy, or the approved use ceased or for three consecutive months or for six months during any calendar year consistent with SEMMC section 17.68.100.
9. The massage establishment operator or any partner with a 5% or more interest in the business, who are not CAMTC certified, is required to submit an application for a background check. The application must be submitted fully completed by all persons required to pass a background check. Additionally, every background check must be renewed every 2 years.
10. If ownership of the establishment changes, operators of the massage establishment, and any partner with a 5% or more interest in the business, must hold CAMTC certification or are required to submit an application for a background check. This condition must be met prior to new ownership taking control or possession of the establishment.
11. The operator shall provide and continue to maintain an updated list of all massage therapists and copies of their licenses quarterly to the Community Development Department to ensure full compliance.
12. A list of all persons providing massage services at the establishment, including each person's full true name and other names used, photograph, and certificate from the California Massage Therapy Council must be provided to the Community Development Director prior to issuance of a Business License. Any changes in practitioners must be reported to Community Development Director within two weeks of the change.
13. All employees performing massages shall be certified massage therapists in good standing by the California Massage Therapy Council, pursuant to the Massage Therapy Act (Cal. Bus. & Prof. Code § 4600 et seq.). The massage establishment shall not operate until and shall hold at all times a valid business license and massage establishment permit from the City, pursuant to South El Monte Municipal Code Title 5 and Chapter 5.22.
14. The permitted hours of operation of the business are Monday through Sunday from 9:00 a.m. to 9:00 p.m. with the last massages starting at 8:00 p.m. Customers shall not be allowed within the business outside of these business hours.
15. No person shall give, or assist in giving of, any massage to any other person under the age of eighteen (18) years, unless the parent or guardian of such minor person has given consent thereto in writing.
16. The massage establishment and all employees performing massages shall comply with all

applicable State, Federal and local laws and regulations, including without limitation the Massage Therapy Act (Cal. Bus. and Prof. Code § 4600 et seq.) and South El Monte Municipal Code Title 5 and Chapter 17.41.

17. The City must be notified on any change in employment of massage therapists at the property, whether the employment of new therapists or when therapists cease to work at the above-mentioned massage establishment.
18. Any alteration to the interior of the massage establishment must be brought to the City for approval before improvements may take place. If applicable, building permits or the like will be required.
19. The applicant must allow a minimum of two inspections a year by the City and its agents to ensure compliance of all conditions of approval.
20. Remove litter daily from the premises, adjacent sidewalks and parking lots under permittees control and sweep/clean these areas daily.
21. Remove graffiti from Suite A of the property and parking lot in front of Suite A within 48 hours (2 days) of application.
22. There shall be provided in each room, or portion of a room, where massage services are provided, sufficient lighting of a minimum of 40 watts within each room that is providing massage services and ventilation as required by the Massage Therapy Act.
23. There shall be provided and maintained adequate dressing, and toilet facilities for patrons at all times. Physical facilities for the massage establishment shall be maintained in good repair and in a clean and sanitary condition. Showers, if any, and toilets utilized in the operation shall be cleaned each day.
24. Any new signage shall require separate permits and must comply with the Planned Sign Program for this commercial center and any applicable SEMMC.
25. All exterior doors shall remain unlocked during business hours from the interior side; and the exterior side should remain unlocked in the event that any City or any first responders require the doors to remain unlocked from the exterior (said requirement may be by county or state codes or otherwise requested for any City or first responder needs).
26. In accordance with the Zoning Code, no covering of windows shall exceed 25% of the window. The remaining seventy-five (75%) percent of the window shall remain un-tinted and unobscured. (As directed by Commissioner Ortiz and amended by Assistant City Attorney)
27. Massage tables in each of the four massage rooms must be a table designed and manufactured for medical and massage uses. No mattresses or sleeping beds are allowed.
28. Each employee must be provided individual lockers on the premises of the massage establishment.
29. Operators of massage establishments must obtain a business license from the City of South

El Monte before commencing any commercial activity within the City.

30. Massage Practitioners operating as independent contractors, not employees, within an establishment must obtain a business license from the City of South El Monte before commencing any commercial activity within the City.
31. All employees must be dressed in clean and opaque clothing from neck to knee, excepting hands and arms, at all times while on the premises.
32. Each customer's genitals must be fully covered at all times. No person shall massage the genitals of any customer. No person shall massage any female customer whose breasts are not covered by a sheet or other opaque clothing. No person shall massage any female customer's breasts.
33. Any changes to the services provided or business plan must be submitted to and approved by the Community Development Director prior to any change taking effect. If the proposed change significantly alters the use as described and approved through this CUP, the change may be referred to the Planning Commission for review.
34. No persons other than those receiving a massage, parents or guardians of a minor who is receiving a massage, and those administering a massage shall enter or remain within a room where a massage is being given.
35. The massage establishment must maintain compliance with all provisions of the South El Monte Municipal Code, as it relates to the operation of massage establishments.
36. A copy of this resolution shall be prominently posted on the premises at all times. The applicant shall make available said copies upon request by any Sheriff's Department Deputy or City official charged with the enforcement of the City's laws, ordinances or regulations.
37. This conditional use permit shall be brought back to the Planning Commission for review six months after the issuance of the certificate of occupancy or the opening date of the massage establishment, with such hearing date determined at the discretion of the City. At that time, the Commission may consider amendments or revocation to this conditional use permit consistent with the SEMMC including but not limited to section 17.68.070.

Building

38. All construction shall comply with the most recent adopted City and State building codes: California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, and California Green Code.
39. Special Inspections – If applicable, per California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.

40. The Title Sheet of the plans shall include Occupancy Group, Occupant Load, Description of Use, Type of Construction, Height of Building, Floor area of building(s) and/or occupancy group(s).
41. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.
42. If applicable, a design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
43. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. As applicable, site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

Fire

44. The proposed occupancy use (e.g. massage services) shall comply with code requirements for building's use as a Business Group B occupancy adhering to requirements for egress, egress sizing, occupant load, egress/emergency illumination, building addressing, Knox box installation, and any other code requirements for the occupancy type and use.

Sheriff (based on comments and suggestions from Sheriff's Department)

45. Security Cameras and Building Lights: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras and building lights with motion sensors for the exterior of the massage establishment. In addition, the plan shall identify locations of exterior building security cameras in areas where they can adequately identify vehicle license plates upon entry and exit into the parking lot. Lighting shall be adequate to enhance visibility. The plan shall have installation of low-level site security lighting throughout the site as approved by the Sheriff's Department. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.
46. Interior Security Cameras/Video Monitoring: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras inside the massage establishment at each entry/exit points. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

SECTION 6: Any interested party may appeal this decision to the City Council pursuant to Section 17.74.050 and 17.68.090 of the South El Monte Municipal Code.

ADOPTED this 17th day of January, 2023.

Chairman

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 22-03 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 17th day of January 2023.

AYES: Ortiz, Rodriguez and Tang (Pass 3-1)
NOES: Barrera
ABSENT: None (Vacant Seat: Diaz)
ABSTAIN: None

Secretary

PLANNING COMMISSION

RESOLUTION NO. 24-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE REVOKING CONDITIONAL USE PERMIT NO. 22-03, TO ALLOW THE OPERATION OF A MASSAGE ESTABLISHMENT WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 1648 TYLER AVENUE, SUITE A, ZONED C (COMMERCIAL).

WHEREAS, Xiaoping Chen (Xiaoping Chen LLC), (“Applicant”), filed an application for a Conditional Use Permit (CUP) to allow for the operation of a full-body massage establishment (“Project”) in an existing commercial center located at 1648 Tyler Avenue, Suite A, South El Monte, CA 91733 (“Property” or “project site”); and

WHEREAS, Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act, the Project as categorically exempt from environmental review and a Notice of Exemption was prepared. The Project qualified for a Class 1 Categorical Exemption for the Project to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission found that the Project was exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development; and

WHEREAS, the Planning Commission held a duly noticed public hearing on December 20, 2022, at which time all interested persons were given full opportunity to be heard and to present evidence, and at which time the Planning Commission continued the Project to January 17, 2023, and directed staff to conduct additional research on other massage establishments that the Applicant stated she owned; and

WHEREAS, the public hearing was continued to the January 17, 2023 Planning Commission meeting to allow staff the opportunity to conduct a background check on two (2) out-of state massage establishments which the Applicant stated she owned. In addition, the Commission recommended that Condition No. 14 be amended to reflect new hours of operation and that a new condition be added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business; and

WHEREAS, in May 2024, the Los Angeles County Sheriff’s Department (“LASD”) conducted an operation at the massage establishment and detained and cited two (2) women for solicitation of prostitution; and

WHEREAS, during LASD’s operation, the City’s Code Enforcement was contacted. During Code Enforcement’s investigation, Code Enforcement Officers and the City’s Building

Inspector found that the two (2) women detained were unlicensed massage therapists operating out of the massage parlor and there was a small closet within the building that was constructed without permits. Accordingly, both women were issued administrative citations for not having a business license and solicitation of prostitution; and

WHEREAS, a public hearing was held before the Planning Commission on November 19, 2024, to consider revoking the Project. The public hearing was opened and the item was then continued to the December 17, 2024 meeting; and

WHEREAS, a public hearing was held before the Planning Commission on December 17, 2024, to consider revoking the Project. The public hearing was opened and the item was then continued to the January 21, 2025 then subsequently continued to the February 25, 2025 meeting; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 25, 2025, at which time all interested persons were given a full opportunity to be heard and present evidence; and

WHEREAS, prior to taking action, the Planning Commission has heard, been presented with, and/or review all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, now the Planning Commission desires, by this Resolution, to revoke CUP No. 22-03.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1: The above recitals are all true and correct and are incorporated herein by this reference.

Section 2: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated February 25, 2025, which are hereby incorporated into this Resolution 24-11 by reference, the Planning Commission hereby finds that the Applicant and operator of the business is in violation of the following conditions in Resolution No. 22-03:

9. The massage establishment operator or any partner with a 5% or more interest in the business, who are not CAMTC certified, is required to submit an application for a background check. The application must be submitted fully completed by all persons required to pass a background check. Additionally, every background check must be renewed every 2 years.
10. If ownership of the establishment changes, operators of the massage establishment, and any partner with a 5% of more interest in the business, must hold CAMTC certification

- or are required to submit an application for a background check. This condition must be met prior to new ownership taking control or possession of the establishment.
11. The operator shall provide and continue to maintain an updated list of all massage therapists and copies of their licenses quarterly to the Community Development Department to ensure full compliance.
 12. A list of all persons providing massage services at the establishment, including each person's full true name and other names used, photograph, and certificate from the California Massage Therapy Council must be provided to the Community Development Director prior to issuance of a Business License. Any changes in practitioners must be reported to Community Development Director within two weeks of the change.
 13. All employees performing massages shall be certified massage therapists in good standing by the California Massage Therapy Council, pursuant to the Massage Therapy Act (Cal. Bus. & Prof. Code § 4600 et seq.). The massage establishment shall not operate until and shall hold at all times a valid business license and massage establishment permit from the City, pursuant to South El Monte Municipal Code Title 5 and Chapter 5.22.
 16. The massage establishment and all employees performing massages shall comply with all applicable State, Federal and local laws and regulations, including without limitation the Massage Therapy Act (Cal. Bus. and Prof. Code § 4600 et seq.) and South El Monte Municipal Code Title 5 and Chapter 17.41.
 18. Any alteration to the interior of the massage establishment must be brought to the City for approval before improvements may take place. If applicable, building permits or the like will be required.
 32. Each customer's genitals must be fully covered at all times. No person shall massage the genitals of any customer. No person shall massage any female customer whose breasts are not covered by a sheet or other opaque clothing. No person shall massage any female customer's breasts.
 35. The massage establishment must maintain compliance with all provisions of the South El Monte Municipal Code, as it relates to the operation of massage establishments.

Section 3: Based on the findings set forth above, and all written and oral testimony presented at the public hearing on February 25, 2025, which are all incorporated herein by this reference, the Planning Commission hereby **revokes** Conditional Use Permit No. 22-03.

Section 4: The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions,

sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 5: Any interested party may appeal this decision to the City Council pursuant to Section 17.03.130 of the South El Monte Municipal Code.

Section 6: The Chairperson shall sign, and the Secretary shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 25th day of February 2025.

Chairperson

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 24-11 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 25th day of February 2025.

AYES:
NOES:
ABSENT:
ABSTAIN:

Renee Reyes, Secretary



Planning Commission Agenda Report

Agenda
Item No.
7.a.

DATE: December 20, 2022

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Planning Manager

PREPARED BY: James Funk, Planning Consultant

SUBJECT: Adoption of Resolution No. 22-03 approving a Conditional Use Permit (CUP) (No. 22-03), to allow for the operation of a massage establishment (to be known as Sunny Spa) in Suite A of an existing commercial building at 1648 Tyler Avenue.

PUBLIC NOTICE: Notice of Public Hearing was posted on December 8, 2022.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15301 Class 1 – Existing Facilities, California Environmental Quality Act Guidelines.

PROJECT

LOCATION:

Address:	1648 Tyler Avenue, Suite A
Project Applicant:	Xiaoping Chen, Xiaoping Chen LLC
Property Owner:	Stephen Lee and Tracy Hsu Lee
Zone:	“C” (Commercial)
Lot Size:	Approximately 30,400 square feet (0.7acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	“C” (Commercial)	Commercial	Commercial
South	“C” (Commercial)	Commercial	Commercial
East	P-F (Public Facilities)	Public Facilities	Public Facilities
West	“C” (Commercial)	Commercial	Commercial

BACKGROUND: The applicant, Xiaoping Chen (Xiaoping Chen LLC), (“Applicant”), submitted a conditional use permit request to allow the operation of a full-body massage establishment in an existing commercial center on property located at 1648 Tyler Avenue, Suite A.

The subject site is developed with a single-story multi-tenant commercial center and is located on the east side of Tyler Avenue.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 22-03, approving Conditional Use Permit (No.22-03), as conditioned.

ANALYSIS:

General Plan/Zoning Consistency

The property identified as 1648 Tyler Avenue is currently developed as a commercial retail center. The center is in the “C” (Commercial) Zone. The site is designated as “Commercial” in the City’s General Plan. Therefore, the proposed use is in conformance with zoning and the General Plan, subject to approval of a conditional use permit (“CUP”). Further, the proposed massage establishment satisfies the following City objectives:

Land Use Element

Goal 1.0: Maintain a balanced mix and distribution of land uses throughout South El Monte.

Policy 1.4: Create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.

Goal 2.0: Focus new revenue-generating development in those area of the City with high visibility.

Economic Development Element

Goal 3.0: Attract local-serving retail and service commercial businesses.

The proposed use will strengthen the existing commercial center and will be a viable commercial asset to the City’s economy. The proposed project will also promote balanced and dynamic economic growth for the area and the City as a whole because this use will address the growing needs of its customers. Considering all of the above, the proposed Project is consistent with both the General Plan and the Zoning Code.

Conditional Use Permit (CUP)

The proposed massage establishment is subject to the requirements for approval of a CUP.

Effective January 1, 2015, the State of California restored the ability of cities to impose local regulations on massage establishments. However, the enabling legislation (“AB 1147”) did include some limitations on cities’ regulation of massage establishments. For example, a city may not define or regulate massage establishments as adult entertainment businesses. Next, a city may not require such establishments to post any notice in an area that may be viewed by clients that contains explicit language describing sexual acts or mentions genitalia or specific contraception devices. Further, a city may not impose more stringent client draping rules than what the statutes require. As it pertains to facilities, a city may not obligate a massage establishment to have internal physical structures, such as windows looking into massage rooms or walls that do not extend from the floor to the ceiling, which interfere with any client’s reasonable expectation of privacy, and a city may not prevent a one (1) person business from locking its external doors.

In early 2015, the City of South El Monte amended the South El Monte Municipal Code (“SEMMC”) with the adoption of Chapter 17.41 (MESSAGE ESTABLISHMENTS), in Title 17 (ZONING), which established the requirements for a CUP for the establishment of any massage establishment. The Zoning Code was amended to ensure that all massage establishments comply with the City’s requirements to ensure the health and safety of the employees and residents of the City. Requirements pursuant to the Zoning Code include, but are not limited to the following:

- “In granting a conditional use permit, the Planning Commission may impose conditions if the Planning Commission determines such conditions are necessary to minimize any adverse effect of the proposed use on properties and uses in the area and the rest of the city.” SEMMC 17.41.020(C)
- “A massage establishment shall not operate under any name or conduct business under any designation not specified in the application for the conditional use permit, which shall be identical as the name listed in the applications for the city business license and massage establishment permit.” SEMMC 17.41.020(D)
- “A description of all physical changes proposed to the property, whether permanent or impermanent, both inside and outside of the building.” SEMMC 17.41.020(G)(5)
- “The separation distance from other existing massage establishments shall be shown on an updated site plan or map.” SEMMC 17.41.020(G)(6)
- “No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.” SEMMC 17.41.020(G)(10)
- “No massage establishment shall be sited in a zone where it is not permitted.” SEMMC 17.41.020(G)(11)

To grant a CUP, the Commission must make the following findings pursuant SEMMC Section 17.68.040, 17.41.020 (B) and 17.41.020 (G)(8)-(12) respectively:

- “The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general. If it fails to make these findings, the request shall be denied.”
- “In considering applications for massage establishments, the planning commission shall be guided by the provisions of Chapter 17.68 and this section. However, in the event of any inconsistency in said standards, the provisions of this section shall govern.”
- “In addition to any standards for consideration of conditional use permit applications pursuant to Chapter 17.68 of this Code, the planning commission shall consider the following factors in determining whether to issue a conditional use permit, although the planning commission may waive or reduce the burden on the applicant of one or more of these criteria if the planning commission determines that the goals of this section are better served thereby.
- “No massage establishment shall be sited in a location where the applicant cannot produce proof of legal title or a possessory or leasehold interest in that real property and a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.”
- “No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.”
- “No massage establishment shall be sited in a zone where it is not permitted.
- “No massage establishment shall violate any provision regarding facility requirements within Chapter 5.22 of this Code.”

The commercial center and the parcels directly surrounding the subject property are developed as commercial uses and/or nonresidential uses. Staff believes the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general because of the conditions referenced in the resolution, as well as most of the surrounding parcels being utilized for commercial and nonresidential activities.

Proposed Project/Use

As submitted by the Applicant, the proposed use consists of remodeling the interior of Suite A in the commercial center for operations of a massage establishment. The business will eliminate one (1) of the three (3) vacancies and add to the vitality of the commercial center.

The proposed project is a conversion of a suite previously occupied by a rehabilitation center into a massage establishment. The proposed project involves the installation of a 27” unitized electric stack pair washer and dryer unit, modifications to the existing restroom, installation of a partition wall to create a new office, electrical upgrades, and building and site accessibility upgrades (for example, ADA pavement markings, approach ramp improvements, pictorial signs, accessible door operating hardware, smooth surface doors).

The existing commercial center contains approximately 8,317 square feet of floor area in two (2) buildings on a site of approximately 30,400 square feet. Currently, there are eight (8) tenant spaces in the two (2) buildings in the commercial center. Three (3) of the tenant spaces are vacant and have posted “For Rent” signs in the windows of each of the vacant spaces. The remaining five (5) spaces are occupied by the following tenants: Ying’s Chinese Food Café, Modern Pooch Dog Grooming, Los Chilitos Restaurant, Ajos Y Cebollas Restaurant, and Blooming Flowers and Gifts.

The commercial center has 39 parking spaces, including two (2) ADA stalls. Occupancy of the now vacant 1,264 square foot space (Suite A) will not detrimentally impact parking. The previous tenant in Suite A was Treatment Clinic, with a City of South El Monte Business License Designation of Herbal Clinic, Business Type – Retail Registration, Standard Industrial Classification (SIC) – Health Food Store/Retail. The parking requirement for both the former and proposed use is 1 space for each 300 square feet of floor area. The change in tenants will not significantly alter the demand for parking in the commercial center and no additional parking is required by the SEMMC.

Floor Plan

The proposed massage establishment would occupy approximately 1,264 square feet of interior floor area. The floor plans illustrate four (4) massage rooms, a restroom, a storage cabinet accessible from the interior hallway, an office and a waiting room. The waiting room is separated by a wall and door from the hallway leading to the four (4) private massage rooms. The office is exterior from the four (4) private massage rooms and restroom.

Proximity to Sensitive Areas

The proposed massage establishment is required to be located 500 feet away from other massage establishments. As of November 29, 2022, Code Enforcement/Public Safety Supervisor Joe Martinez reported: “There are currently no licensed, legitimate massage establishments within the City. We are currently in the process of investigating three possible illegal massage parlor operations within the City...”

The proposed massage establishment is not located near possible sensitive uses such as parks and areas zoned for residential uses. A religious institution and school, Epiphany Catholic Church and Epiphany Catholic School (though not residentially zoned) could possibly be considered sensitive uses. The church and school are located to the east in the immediate vicinity at 10911 and 10907 Michael Hunt Drive, however there is no direct pedestrian or vehicular access between the subject site and the properties on the other side of the block.

The Facilities Planning Bureau of the Sheriff's Department generally subscribes to the principles of Crime Prevention Thru Environmental Design (CPTED). The goal of CPTED is to reduce opportunities for criminal activities by employing physical design features that discourage anti-social behavior, while encouraging the legitimate use of the site. Staff has incorporated in the proposed conditions of approval for Planning Commission's consideration:

- Installation of security cameras and building lights with motion sensors on the exterior of the massage establishment; and
- Installation of security cameras in areas where the cameras can adequately identify vehicle license plates upon entering and exiting into the parking lot of the proposed project, installation of low-level site security lighting at sites to be approved by the Sheriff's Department; and
- Installation of security cameras inside the massage establishment to cover the entry and waiting area lobby and hallways.

Staff is proposing that the Planning Commission require these features to be reflected in the set of plans to be approved by the Sheriff's Department and installed prior to issuance of building permits.

ENVIRONMENTAL REVIEW: This proposed project (the remodel of the interior of Suite A and massage establishment use) is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines. The proposed project satisfies the criteria for the Class 1 categorical exemption for existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project falls within the criteria of operation of an existing building and is only utilizing interior space of an existing facility/building.

CONCLUSION: Staff has reviewed the applicant's request and has determined that the proposed project meets all of the development standards as set forth in SEMMC. Approval of the CUP, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution No. 22-03 to approve CUP No. 22-03 for the proposed massage establishment.

ATTACHMENTS:

- A - Draft Resolution No. 22-03
- B – Relevant Code Sections
- C - Location Maps and Site Aerials
- D - Project Plans



Planning Commission Agenda Report

Agenda
Item No.
6.a.

DATE: January 17, 2023

TO: Honorable Chairman and
Members of the Planning Commission

FROM/PREPARED BY: Guillermo Arreola
Planning Manager

SUBJECT: Adoption of Resolution No. 22-03 approving a Conditional Use Permit (CUP) (No. 22-03), to allow for the operation of a massage establishment (to be known as Sunny Spa) in Suite A of an existing commercial building at 1648 Tyler Avenue.

PUBLIC NOTICE: Notice of Public Hearing was posted on December 8, 2022.

ENVIRONMENTAL DETERMINATION: A Categorical Exemption, Section 15301, Class 1 of the California Environmental Quality Act (CEQA) – Existing Facilities

BACKGROUND/DISCUSSION:

During the December 20, 2022 Planning Commission public hearing for a proposed massage establishment to be located at 1648 Tyler Avenue, Suite A, the Planning Commission recommended that the public hearing be continued to the January 17, 2023 Commission meeting to allow Staff to conduct a background investigation on the two out-of-state massage establishments the owner stated she owned. In addition, the Commission also recommended that the hours of operation change from 10:00 am to 10:00 pm, with the last massage starting at 9:00 p.m., to 9:00 a.m. to 9:00 p.m., with the last massage starting at 8:00 p.m., and that the conditional use permit be brought back for Planning Commission review six (6) months after the opening date or issuance of the certificate of occupancy. Lastly, the Commission requested that staff reach out to the Epiphany Church and School located to the east of the subject site informing them of the proposed application.

Per the Commission's request, staff contacted the local jurisdictions for information on the two out-of-state massage establishments. Specifically, staff was able to contact both local police departments, however, they both indicated that they did not have any specific "calls-for-service" for either one of the massage establishments.

As indicated above, the attached draft Resolution was amended to incorporate the Commission's recommended changes. Condition No. 14 was amended to reflect the recommended hours of operation, and Condition No. 37 was added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business or issuance of the certificate of occupancy.

On January 11th, staff contacted Epiphany Church, and they did not express any concern over the proposed massage establishment.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 22-03, approving Conditional Use Permit (No. 22-03), as conditioned.

ATTACHMENTS:

A – Draft Resolution 22-03

B – Planning Commission Packet – December 20, 2022



**CITY OF SOUTH EL MONTE
COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Commission
NOTICE OF PUBLIC HEARING**

**Conditional Use Permit (CUP 22-03)
Review of the operation of a massage establishment
located at 1648 Tyler Avenue**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South El Monte will reopen the public hearing for a previously approved Conditional Use Permit No. 22-03 and based on the details provided will provide either additional conditions to rectify the violations or revoke the conditional use permit, located at 1648 Tyler Avenue, South El Monte, CA **per SEMMC Section 17.03.060**.

Said public hearing will be held before the Planning Commission of the City of South El Monte in the Council Chambers, located at 1415 Santa Anita Avenue, South El Monte, CA, and remotely by logging on to <https://us02web.zoom.us/j/87142342038> or by dialing **669-444-9171** and using access code **871 4234 2038** on **Tuesday, November 19, 2024 at 6:00 p.m.**, at which time proponents and opponents of the proposed interim rules and requirements will be heard. Additional information on this item, including Staff Reports, and other pertinent documents are available for review with the Planning Division.

Any interested party or their representative may appear at the meeting and comment on the project. Written comments may also be mailed, delivered to the City no later than 5:00 pm November 18, 2024 at the address provided below or emailed to rreyes@soelmonte.org. If you challenge the matter in Court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City at, or prior to, the public hearing. The file can be viewed at City Hall, 1415 Santa Anita Avenue, Monday through Thursday from 7:00 am to 5:30 pm except for major holidays. Digital copies can be requested via email at rreyes@soelmonte.org.

DATED THIS 7th DAY OF November, 2024

Gerardo Marquez
Planning Manager



Planning Commission Agenda Report

Agenda
Item No.
7.c

DATE: February 25, 2025

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Public hearing regarding the revocation of Conditional Use Permit No. 23-03 allowing for the establishment of a special event facility in conjunction with a Party Rental business

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Approve Resolution 24-12 revoking Conditional Use Permit 23-03, which allows the operation of a special event facility (banquet facility) located at 1703 Floradale Avenue, Zoned M (Manufacturing).

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review and it voted to uphold the Planning Commission’s decision approving the CUP.

On March 19, 2024, staff provided an update on the progress of the project and found that the applicant had fulfilled the following:

- Parking agreement with the school district
- Established payment plan to pay-off fines
- Submit plans to finalized proposed improvements to the facility
- Removed parking lot equipment.

On October 15, 2024, staff provided an update on the progress of the project and presented tasks that the applicant has not completed and not in compliance with the established conditions of approval:

- Building permits have not been issued for the tenant improvements. The applicant has received approval for improvements but has yet to pull permits to commence work. At the Planning Commission meeting the applicant stated that they are working with the landlord to secure a long-term lease before they invest the money in making the improvements.

- Business license – The banquet facility lacks a City business license. The L.A. County Fire Department will not sign off on the business license application until all the required improvements have been made.
- Condition of Approval #29: There is a balance of \$3,000 remaining on the citations they have been issued. The original amount was approximately \$16,500. They indicated that they would be paying a \$1,000 a month, with final payment in December. According to the business owner, prior to the approval of the CUP, they have not operated in 11 months, which is why they haven't continued with paying off the remaining balance. The applicant stated that the time that they were closed prior to conditional use permit approval caught up to them financially and they have not been able to recover.
- Condition of Approval #30. The business has not submitted a security plan approved by Los Angeles Sherriff's Department (LASD). On October 29th, the applicant submitted a rough draft of a security plan, however, staff returned the plan with required revisions and comments. The plans were returned to staff and are currently being reviewed by the Los Angeles County Sheriffs Department.

Staff was directed by the Planning Commission to provide additional information regarding the project at the next Planning Commission meeting. The requested information included:

- Provide a timeline of plan check of project;
- Provide outstanding fees for plan check and citations;
- Provide code enforcement route taken on daily or is enforcement route based off complaints.

On November 19, 2024, Staff provided an update on the progress of the project and presented updates to the planning commission pertaining to:

- Plan Check Approvals and Fees (Plans Approved)
- Outstanding Citations (Paid)

Fees and Citations

For the building permit (tenant improvements and alterations), the total fees due are \$1,787.06. A total of \$794.34 are due for plumbing permit fees.

The applicant was provided a payment plan for outstanding citation fees assessed at \$16,500. Fees were to be paid in full within one year of planning commission approval. Staff reached out to Code Enforcement to check on the progress on the payment of the citation balance and as of November 14th, 2024 there is an outstanding balance of \$3,000 dollars that has yet to be paid. There were four citations issued to the applicant citation No. 2754 was a \$3,000 citation that has been paid in full. Citation No. 2913 carries a balance of \$4,500 which has yet to be paid. Citation No. 2996 carried a balance of \$4,500 and has been paid in full. Finally, citation No. 2998 carried a balance of \$4,500 and has been partially paid off with a remaining balance of \$1,500. The latest payment received was for the sum of \$3,000 which was paid on November 13th, 2024. On November 18th, 2024 Code Enforcement staff indicated that the applicant had fully paid off all outstanding citations.

ANALYSIS: Staff was directed by the planning commission to provide a resolution revoking CUP 23-04, which is attached as Resolution No. 24-12.

After the November commission meeting the applicant reached out to staff on December 3, 2024 requesting that the item be moved to the January meeting due to emergency circumstances.

The applicant stated that they would not be able to attend the December 17th planning commission meeting. The Planning Commission continued the item to the January 21, 2025 meeting which was then continued to February 25, 2025.

FINDINGS: The revocation would take place given that the applicant has not been able to satisfy certain conditions of approval per Resolution No. 23-04. These conditions include:

- **CONDITION 11.** The applicant shall maintain all required permits and licenses in good standing.
 - The applicant has not acquired building permits to commence construction to convert the existing warehouse into a special event facility although all plans have been approved and permits are ready to be issued. The applicant has been operating without proper building safety approvals. Additionally, the applicant has not completed the business license process which includes receiving Los Angeles County Fire Department clearance.

- **CONDITION 20.** The business website shall reflect the adopted conditions of approval, and shall reflect the maximum number of attendees, hours of operation, and that the business does not sell, store or serve alcoholic beverages.
 - After reviewing the applicants website, the adopted conditions of approval were not available online.

- **CONDITION 30.** The applicant shall be required to submit a security plan to the Sheriffs Department for review and approval.
 - The applicant submitted a safety plan which staff forwarded over to the Los Angeles County Sheriffs Department for review on November 14, 2024. Comments were provided and forwarded to the applicant to address on December 16, 2024. The applicant has not resubmitted updated plans.

CONCLUSION: Staff recommends the Planning Commission revoke CUP 23-03 via Resolution No. 24-12.

- Attachments:
- 1) Conditional Use Permit Resolution No. 23-04
 - 2) CUP Revocation Resolution 24-12
 - 3) November 19, 2024 Planning Commission Staff Report
 - 4) October 15, 2024 Planning Commission Staff Report
 - 5) March 19, 2024 Planning Commission Staff Report
 - 6) Public Hearing Notice

RESOLUTION NO. 23-04

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT FOR A SPECIAL EVENT FACILITY IN CONJUNCTION WITH A PARTY RENTAL BUSINESS AT 1703 FLORADALE AVENUE, OPERATING AS RUSTIC & CHIC

WHEREAS, Jazmin Mora (“Applicant”), filed an application for a Conditional Use Permit (“CUP”) for a special event facility in conjunction with an existing party rental business (“Project” or “proposed Project”) located at 1703 Floradale Avenue, South El Monte, CA 91733 (“Property” or “project site”); and

WHEREAS, pursuant to South El Monte Municipal Code (“SEMMC”) Section 17.18.050(L), the Project requires Planning Commission review and approval because the Project is not specifically permitted or prohibited, which is determined to be compatible with the permitted uses in the manufacturing zone; and

WHEREAS, a public hearing was held before the Planning Commission on September 19, 2023 to consider the application. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making its determination. On September 19, the Commission voted to continue the public hearing to the October 17, 2023 Planning Commission meeting to allow staff time to conduct additional research regarding the operation of the Applicant’s same business in other cities and request additional information from the Department of Alcoholic Beverage Control; and

WHEREAS, the public hearing was continued to the October 17, 2023 to allow the Planning Commission to further review the application and additional information provided by staff. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making its determination to continue the matter.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA), the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project because the proposed Project is to be operated within existing facilities. The criteria for a Class 1 Categorical Exemption is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission finds that the proposed Project meets this criteria and is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the

Department of Community Development and are in the custody of the Director of Community Development

SECTION 2: A record of the public hearing indicates the following:

A. With regard to the application for a CUP, SEMMC Section 17.68.040 requires that the Planning Commission find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity or to the City in general. State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is “Industrial.” The Zoning Code designation is “M” (Manufacturing).

C. The proposed Project promotes the City’s goals and objectives stated in the General Plan. No goal or policy will be impaired with the conditions included in this resolution.

D. The special event facility should not become a nuisance to surrounding properties with the proposed conditions.

SECTION 3: Based on the record of the hearing, including all information presented at the hearings on September 19, 2023 and October 17, 2023, including the Staff Report dated September 19, 2023 and October 17, 2023, which are hereby incorporated into this Resolution 23-03 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project represents a quality establishment that will be compatible with surrounding uses, the surrounding area, and the goals of the City. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

B. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity or to the City in general, as conditioned. This is so because the conditions included will prevent the proposed Project from becoming a detriment through operational limits expressed in the Conditions of Approval.

C. The proposed Project, as conditioned, is consistent with the City’s General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

- (1) Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte* by allowing for the establishment of a use that does not currently exist in the area that can serve residents and businesses within the community; and
- (2) Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte” and “create opportunities for two types of*

commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base. This will serve the area by providing a special event facility that can serve private parties or businesses for small to medium sized events in the City; and

Economic Development Element

- (3) Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing special event facility which is uncommon for the area.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby approves CUP (No 23-03) to operate special event facility subject to the following conditions:

General Conditions

1. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized is not within two years from the date of this approval.
4. Applicant and its employees, agents and contractors shall comply with all laws, policies, rules and regulations including but not limited to the Municipal Code provisions.

Planning Conditions

5. The hours of operation shall be as follows:

The operation of the party rental business are as follows:

- Monday – Friday: 8:00 a.m. – 5:00 p.m.

The proposed hours of operation for the Special Event business are as follows:

- Friday: 6:00 p.m. – 12:00 a.m.
 - Saturday and Sunday: 4:00 p.m. to 12:00 a.m.
6. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or within 24 hours of notice from the City and shall be removed or painted over in compliance with all SEMMC requirements.
 7. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large discarded items that may have collected in the Property's parking area and public right-of-way.
 8. The Applicant shall not permit any loitering including any loitering on any property adjacent to the Property under control of the Applicant.
 9. Noise associated with the special event business shall not negatively impact the surrounding properties, including those residential properties located on Cogswell Road.
 10. The Applicant and all operators shall each take all necessary steps to ensure the orderly conduct of employees, patrons, and visitors when they are present on the Property.
 11. The Applicant shall maintain all required permits and licenses in good standing.
 12. This CUP limits the use of the facility to private events, and shall comply with the following:
 - That there is no sale of an alcoholic beverage.
 - That the premises are not open to the general public during the time alcoholic beverages are served, consumed or otherwise disposed of (private events only).
 - That the premises are not maintained for the purpose of keeping, serving, consuming or otherwise disposing of alcoholic beverages (storage of alcoholic beverages is prohibited).
 13. All Rustic & Chic employees shall enroll and pass the State Department of Alcoholic Beverage Control LEAD program prior to working any future event at Rustic & Chic.
 14. The maximum number of people at the Property shall not exceed 120 attendees.
 15. The maximum occupancy of the premise of 384 shall be prominently posted and monitored at all times. The maximum number of attendees at each event shall not exceed 120.
 16. The front of the exterior of the premises, as well as all parking areas under control of the Applicant, shall be illuminated at all times while the premises is open for business. This shall be done in such a manner that persons standing outdoors at night are identifiable by

law enforcement personnel while balancing the lighting so as not to unreasonably spill into and illuminate the window area of nearby properties.

17. All crimes occurring inside or outside of the location shall be reported to the Sherriff Department at the time of the occurrence.
18. At any time when the Applicant is absent from the premises, a responsible party shall be designated who can facilitate any Sherriff Department inquiries.
19. A copy of this approved resolution shall be kept on the premises at all times and presented to any Sheriff, or Business License or Planning Staff person.
20. The business' website shall reflect the adopted conditions of approval, and shall reflect the maximum number of attendees, hours of operation, and that the business does not sell, store, or serve alcoholic beverages.
21. The Applicant understands that any violation of these conditions or any operation that constitutes a nuisance shall be grounds for the suspension or revocation of the Conditional Use Permit.
22. There shall be no exterior speakers and no live entertainment outside the building (including the parking lot) unless a Temporary Use Permit (TUP) is obtained from the City.
23. The temporary valet booth shall be removed and stored, hidden from public view, at the conclusion of each event.
24. The City shall review the conditions of the premises and business operations approved herein in approximately three months from the date of the City's approval.
25. The parking agreement must be maintained, and any change to the parking agreement shall be brought before the Director of Community Development for approval before execution.
26. The valet service (Black Diamond Valet) shall:
 - Carry all necessary insurance certificates;
 - All drivers shall have satisfactory driving records;
 - Comply with all traffic safety laws;
 - Comply with the City's noise ordinance.
 - Limit access to the off-site parking area to Black Diamond Valet personnel only and security personnel associated with Rustic & Chic.
 - There will be five attendants for valet parking operations at each event, one attendant at the valet booth, three runners, and one shuttling the parking attendants.
27. The Applicant shall obtain a full Alcoholic Beverage Control ("ABC") license applicable to beer, wine, and spirits within two years.

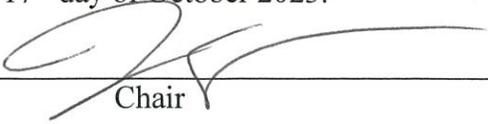
28. The Applicant shall maintain full banquet/event hall insurance or like insurance to the satisfaction of the City. Applicant shall submit proof of insurance upon City's request.
29. The Applicant shall pay all citations in full within one year absent another agreement with the City.

Sheriff Department Conditions

30. The applicant shall be required to submit a security plan to the Sheriff's Department for review and approval, and shall contain the following:
 - The installation of security cameras for a video monitoring system. Security cameras shall be required inside, as well as outside the building at each entry/exit point. Security cameras shall be in constant working order and directed towards ingress/egress points of the business. Recordings shall be retained for 60 days and allow to be reviewed by the Sheriff's Department.
 - Security lighting shall be installed, include motion sensors, and shielded to avoid light spillage onto adjacent properties.
 - Appropriate gate hardware such as keypad/keycard access and automatic gate closers shall be implemented where feasible to limit unauthorized access as well as for easy monitoring of the site;
 - Security guards shall be present during each event at the event facility and at the off-site parking area (Monte Vista Elementary School).
 - The special event business shall include a minimum of three security guards, one along the exterior of the Property, one within the venue, and one at the off-site parking area as required in this CUP.
31. Allow access to Sheriff's Department and City Code Enforcement Personnel to the Property, building, and parking lot at all times including when business operation are occurring including special event activities.
32. The Sheriff's Department shall be allowed to modify the security plan should there be any future issues on site with notice to the permittee.

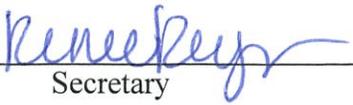
SECTION 5: Any interested party may appeal this decision to the City Council pursuant to SEMMC Section 17.74.050.

PASSED, APPROVED AND ADOPTED this 17th day of October 2023.



Chair

ATTEST:



Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
SS CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 23-04 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 17th day of October 2023.

AYES: Sanchez, Tang, Vice Chair Barrera, Chair Ortiz
NOES: Rodriguez



Secretary

PLANNING COMMISSION

RESOLUTION NO. 24-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE REVOKING CONDITIONAL USE PERMIT NO. 23-03, TO ALLOW FOR ESTABLISHMENT OF A SPECIAL EVENT FACILITY IN CONJUNCTION WITH A PARTY RENTAL BUSINESS LOCATED AT 1703 FLORADALE AVENUE, ZONED M (MANUFATURING).

WHEREAS, Jazmin Mora (“Applicant”), filed an application for a Conditional Use Permit for a special event facility in conjunction with an existing party rental business (“Project”) located at 1703 Floradale Avenue, South El Monte, CA 91733 (“Property”); and

WHEREAS, Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act, the Project as categorically exempt from environmental review and a Notice of Exemption was prepared. The Project qualified for a Class 1 Categorical Exemption for the Project to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission found that the Project was exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development; and

WHEREAS, a public hearing was held before the Planning Commission on September 19, 2023, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination. On that date, the Commission voted to continue the public hearing to the October 17, 2023, Planning Commission meeting to allow staff time to conduct additional research regarding the operation of the same business in other cities and request additional information from the Department of Alcoholic Beverage Control; and.

WHEREAS, the public hearing was continued to the October 17, 2023, Planning Commission meeting to consider the application and additional information provided by staff. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination to approve Conditional Use Permit No. 23-03 (“CUP”); and

WHEREAS, on November 14, 2023, on appeal, the CUP was brought before the City Council for review and was voted to uphold the Planning Commission’s decision approving the CUP; and

WHEREAS, on November 19, 2024, the Planning Commission directed staff to provide

a resolution revoking the CUP after a review of progress regarding compliance with the established conditions of approval in Resolution No. 23-04; and

WHEREAS, a public hearing was held before the Planning Commission on December 17, 2024, to consider revoking the Project. The public hearing was opened and the item was then continued to the December 17, 2024 meeting; and

WHEREAS, a public hearing was held before the Planning Commission on December 17, 2024, to consider revoking the Project. The public hearing was opened and the item was then continued to the January 21, 2025 and subsequently to the February 25, 2025 meeting; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 25, 2025, at which time all interested persons were given a full opportunity to be heard and present evidence; and

WHEREAS, prior to taking action, the Planning Commission has heard, been presented with, and/or review all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, now the Planning Commission desires, by this Resolution, to revoke CUP No. 23-03.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1: The above recitals are all true and correct and are incorporated herein by this reference.

Section 2: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated February 25, 2025, which are hereby incorporated into this Resolution 24-12 by reference, the Planning Commission hereby finds that the Applicant and operator of the business is in violation of the following conditions in Resolution No. 23-04:

- **CONDITION 11.** The applicant shall maintain all required permits and licenses in good standing.
 - The applicant has not acquired building permits to commence construction to convert the existing warehouse into a special event facility although all plans have been approved and permits are ready to be issued. The applicant has been operating without proper building safety approvals. Additionally, the applicant has not completed the business license process which includes receiving Los Angeles County Fire Department clearance.

- **CONDITION 20.** The business website shall reflect the adopted conditions of approval, and shall reflect the maximum number of attendees, hours of operation, and that the business does not sell, store or serve alcoholic beverages.
 - After reviewing the applicant's website, the adopted conditions of approval were not available online.

- **CONDITION 30.** The applicant shall be required to submit a security plan to the Sheriffs Department for review and approval.
 - The applicant submitted a safety plan which staff forwarded over to the Los Angeles County Sheriff's Department for review on November 14, 2024. Comments were provided and forwarded to the applicant to address on December 16, 2024. The applicant has not resubmitted updated plans.

Section 3: Based on the findings set forth above, and all written and oral testimony presented at the public hearing on February 25, 2025, which are all incorporated herein by this reference, the Planning Commission hereby **revokes** Conditional Use Permit No. 23-03.

Section 4: The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 5: Any interested party may appeal this decision to the City Council pursuant to Section 17.03.130 of the South El Monte Municipal Code.

Section 6: The Chairperson shall sign, and the Secretary shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 25th day of February 2025.

Chairperson

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 24-12 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 25th day of February 2025.

AYES:
NOES:
ABSENT:
ABSTAIN:

Renee Reyes, Secretary



Planning Commission Agenda Report

Agenda
Item No.
7.d

DATE: November 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Public hearing regarding the review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review and it voted to uphold the Planning Commission’s decision approving the CUP.

On March 19, 2024, staff provided an update on the progress of the project and found that the applicant had fulfilled the following:

- Parking agreement with the school district
- Established payment plan to pay-off fines
- Submit plans to finalized proposed improvements to the facility
- Removed parking lot equipment.

On October 15, 2024, staff provided an update on the progress of the project and presented tasks that the applicant has not completed and not in compliance with the established conditions of approval:

- Building permits have not been issued for the tenant improvements. The applicant has received approval for improvements but has yet to pull permits to commence work. At the Planning Commission meeting the applicant stated that they are working with the landlord in order to secure a long-term lease before they invest the money in making the improvements.
- Business license – The banquet facility lacks a City business license. The L.A. County Fire Department will not sign off on the business license application until all the required improvements have been made.
- Condition of Approval #29: There is a balance of \$3,000 remaining on the citations they have been issued. The original amount was approximately \$16,500. They indicated that they would be paying a \$1,000 a month, with final payment in December. According to the

business owner, prior to the approval of the CUP, they have not operated in 11 months, which is why they haven't continued with paying off the remaining balance. The applicant stated that the time that they were closed prior to conditional use permit approval caught up to them financially and they have not been able to recover.

- Condition of Approval #30. The business has not submitted a security plan approved by Los Angeles Sherriff's Department (LASD). On October 29th, the applicant submitted a rough draft of a security plan, however, staff returned the plan with required revisions and comments. The plans were returned to staff and are currently being reviewed by the Los Angeles County Sheriffs Department.

Staff was directed by the Planning Commission to provide additional information regarding the project at the next Planning Commission meeting. The requested information included:

- Provide a timeline of plan check of project;
- Provide outstanding fees for plan check and citations;
- Provide code enforcement route taken on daily or is enforcement route based off complaints.

RECOMMENDATION: Staff recommends that the Planning Commission provide direction to staff to leave the conditions of approval unchanged, modify to the existing conditions of approval to address outstanding concerns, or direct staff to provide a resolution revoking Conditional Use Permit 23-03.

ANALYSIS: Staff has followed up with the Rustic & Chic regarding the conditions of approval, and have found the following:

Plan Check Approvals and Fees

After conducting a review of the plan check process for this project staff found:

- 4/1/2024: 1st Plan Check Submission
- 4/29/2024: 1st Corrections Delivered
- 6/6/2024: 2nd Plan Check Submission
- 6/25/2024: Plans Approved

Fees and Citations

For the building permit (tenant improvements and alterations), the total fees due are \$1,787.06. A total of \$794.34 are due for plumbing permit fees.

The applicant was provided a payment plan for outstanding citation fees assessed at \$16,500. Fees were to be paid in full within one year of planning commission approval. Staff reached out to Code Enforcement to check on the progress on the payment of the citation balance and as of November 14th, 2024 there is an outstanding balance of \$3,000 dollars that has yet to be paid. There were four citations issued to the applicant citation No. 2754 was a \$3,000 citation that has been paid in full. Citation No. 2913 carries a balance of \$4,500 which has yet to be paid. Citation No. 2996 carried a balance of \$4,500 and has been paid in full. Finally, citation No. 2998 carried a balance of \$4,500 and has been partially paid off with a remaining balance of \$1,500. The latest payment received was for the sum of \$3,000 which was paid on November 13th, 2024.

Additionally, staff was directed to indicate whether Code Enforcement conducted inspections based on established routs or if inspections were solely conducted under complaints received. After

discussing this matter with Code Enforcement staff, it was concluded that there are no established routes for officers and inspections are based on a complaint basis.

Since the last Planning Commission meeting, the applicant has shown cooperation by submitting a draft safety plan to staff which is part of their conditions of approval. Staff is awaiting the Sheriff's Department response to the safety plan submittal.

CONCLUSION: If the Planning Commission review concludes that there is a need to modify the existing conditions of approval, the Commission may make those modifications to Resolution No. 23-04. The Planning Commission may also direct staff to present a resolution revoking CUP 23-03 for their consideration at the next scheduled Planning Commission meeting.

Attachments: 1) Conditional Use Permit Resolution No. 23-04
 2) October 15, 2024 Planning Commission Staff Report
 3) March 19, 2024 Planning Commission Staff Report



Planning Commission Agenda Report

Agenda
Item No.
8.b

DATE: October 15, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review and it voted to uphold the Planning Commission’s decision approving the CUP.

On March 19, 2024, staff provided an update on the progress of the project and found that the applicant had fulfilled the following:

- Parking agreement with the school district
- Established payment plan to pay-off fines
- Submit plans to finalized proposed improvements to the facility
- Removed parking lot equipment.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff’s report addressing the business’ compliance with the CUP.

ANALYSIS: Staff has followed up with the Rustic & Chic regarding the conditions of approval, and have found the following:

1. Once plans are approved, all permit fees paid, and all required documentation submitted, they can begin construction.
 - a. Plans for the required building remodel have been approved, but additional documentation is required, as well as permit fees.
 - b. Plumbing plans associated with building remodel are pending plan check fees and plan check review.

2. Business license – The banquet facility lacks a city business license. The L.A. County Fire Department will not sign off on the business license application until all the required improvements have been made.
3. Condition of Approval #29: There is a balance of \$6,000 remaining on the citations they have been issued. The original amount was approximately \$16,500. They indicated that they would be paying a \$1,000 a month, with final payment in December. The applicant indicated that being closed prior to the issuance of the CUP has caught up to them financially and they have not been able to catch up.
4. Condition of Approval #30. The business has not submitted a security plan approved by Los Angeles Sherriff’s Department (LASD).

CONCLUSION: If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modifications or revocation.

Attachments: A. Conditional Use Permit Resolution No. 23-04
 B. March 19, 2024 Planning Commission Staff Report



Planning Commission Agenda Report

Agenda
Item No.
8.c

DATE: March 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review, and voted to uphold the Planning Commission’s decision approving the CUP.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

ANALYSIS: Staff has been working closely with the Applicant regarding the conditions of approval, and more specifically, the following:

- Parking Agreement with the School District

On February 21, 2024, the applicant submitted a signed parking agreement with the School District. In order to operate the rental facility, the parking agreement must be in good standing. The parking agreement is in effect for two years from the date of execution (02/21/24), and the contract can be extended up to a maximum of four (4) years total. The applicant will be required to submit proof of the extension and will have to enter into another contract prior to the expiration of the existing contract, otherwise, the applicant may not operate the rental facility.

- Payment Plan

The applicant had accumulated at total of \$16,500 in total fines. The applicant began paying off those fines starting in November, with a \$3,000 payment. On March 4th, the applicant paid an additional \$4,500, bringing the remaining balance to \$9,000.00. The applicant has agreed to pay \$1,000 a month, with the plan to pay off the balance by December 2024.

- Plan Submittal

Plans were submitted for building plan check on January 30th and they are currently under review.

- Removal of parking lot equipment.

Parking lot equipment was removed to make room for the required parking area.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in Resolution No. 23-04, then it should not negatively impact the area. If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.



**CITY OF SOUTH EL MONTE
COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Commission
NOTICE OF PUBLIC HEARING**

**Conditional Use Permit (CUP 23-03)
To allow for the operation for a special event (banquet) facility
located at 1703 Floradale Avenue**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South El Monte will reopen the public hearing for a previously approved Conditional Use Permit No. 23-03 and based on the details provided will provide either additional conditions to rectify the violations or revoke the conditional use permit, located at 1703 Floradale Avenue, South El Monte, CA **per SEMMC Section 17.03.060.**

Said public hearing will be held before the Planning Commission of the City of South El Monte in the Council Chambers, located at 1415 Santa Anita Avenue, South El Monte, CA, and remotely by logging on to <https://us02web.zoom.us/j/87142342038> or by dialing **669-444-9171** and using access code **871 4234 2038** on **Tuesday, November 19, 2024 at 6:00 p.m.**, at which time proponents and opponents of the proposed interim rules and requirements will be heard. Additional information on this item, including Staff Reports, and other pertinent documents are available for review with the Planning Division.

Any interested party or their representative may appear at the meeting and comment on the project. Written comments may also be mailed, delivered to the City no later than 5:00 pm November 18, 2024 at the address provided below or emailed to rreyes@soelmonte.org. If you challenge the matter in Court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City at, or prior to, the public hearing. The file can be viewed at City Hall, 1415 Santa Anita Avenue, Monday through Thursday from 7:00 am to 5:30 pm except for major holidays. Digital copies can be requested via email at rreyes@soelmonte.org.

DATED THIS 7th DAY OF November, 2024

Gerardo Marquez
Planning Manager