



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 11, 2006

SUBJECT: Conditional Use Permit No. 622-06

APPLICANT: Healthee-U Alternative Healthcare
Attention: Val Spirlin
930 E. Dominguez Street, Suite D
Carson, CA 90746

REQUEST: Operation of a full-body massage service at an existing alternative healthcare facility in the CR-D (Commercial, Regional – Design Overlay) zone and within Redevelopment Project Area No. 1

PROPERTY INVOLVED: 930 E. Dominguez Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell - Chairperson			Hudson
		Pulido – Vice-Chair			Saenz
		Diaz			Verrett
		Faletogo			Wilson
		Graber			

Item No. 11B

I. Introduction

Date Application Received

- June 15, 2006: Conditional Use Permit No. 622-06

Applicant

- Healthsee-U Alternative Healthcare; Attention: Val Spirlin; 930 E. Dominguez Street, Suite D; Carson, CA 90746

Property Owner

- Carson Equities; Attn: Sperry Van Ness; 17305 Von Karmon Ave., Ste. 110; Irvine, CA 92614

Project Address

- 930 E. Dominguez Street, Suite D

Project Description

- The applicant proposes to operate a full-body massage service at an existing alternative healthcare facility in the CR-D (Commercial, Regional – Design Overlay) zone.
- Currently, the alternative healthcare facility provides services such as colonics therapy, ear coning, iridology, oxygen bar, yoga, and health lectures. Hours of operation are from Monday to Saturday, 10 a.m. to 6 p.m. The facility is run by three (3) employees.
- The full-body massage service will be administered in five (5) private rooms located in the rear of the lease area. Four (4) of the rooms range in size from approximately 50 to 65 square feet. The fifth and largest room is approximately 120 square feet. The total area reserved for full-body massage service measures 448 square feet, or 16 percent of the total 2,870 square-foot leasable area.
- Massage service will be administered by three (3) massage technicians to be hired if the CUP is approved.
- The facility is expected to increase its revenue by 10% with the addition of the massage service.

II. Background

Current Use of Property

- The subject property is part of a shopping center known as the Carson Commercial Center. The shopping center is comprised of three properties with one building on each property. The building on the subject property is 8,000 square feet and rectangular shaped. The buildings on the southern and eastern properties are connected by a breezeway and are L-shaped. The L-shaped

buildings are approximately 35,900 square feet. A common driveway and parking are located between the rectangular building and the L-shaped buildings.

- The shopping center includes 30 tenant spaces. Tenants include a restaurant, bakery, salon, children's care center, and several office uses.
- The applicant leases the southwestern suite of the northwestern rectangular building. The lease area is 2,870 square feet. The applicant has conducted business at that location since June 2002.

Previously Approved Discretionary Permits

- Design Overlay Review No. 56-78: On November 28, 1978, the Planning Commission approved a series of fascia signs at the Carson Commercial Center. All signs were required to be blue background with white letters. Up to 973 square feet was permitted.
- Design Overlay Review No. 191-82: On August 2, 1982, the Redevelopment Agency approved a 288 square-foot pole sign bringing the total approved sign area for the center to 1,261 square feet.

Public Safety Issues

- The Public Safety Department has not reported any current code enforcement cases associated with this property.

Ordinance for Massage Services

- On June 7, 2006, the City Council approved the Massage Service Ordinance to regulate the use of massage service. The Ordinance became effective on July 7, 2006, and requires businesses to obtain a conditional use permit (CUP) to service full body massage. The CUP process allows the city to regulate a massage establishment by imposing reasonable standards relative to the skill and experience of massage operators and massage technicians. The Planning Commission may require reasonable conditions on the operation of massage establishments to protect the health, safety, and welfare of the public.
- The Ordinance exempts certain uses such as chair massages if those uses are ancillary to a primary use and are conducted in an open area where customers would not have to disrobe. However, businesses that offer ancillary massage services and massage technicians must still have to obtain necessary licensing and permits through the Business License Division.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located in the central part of the City just south of the South Bay Pavilion.
- The project site is part of the shopping center known as the Carson Commercial Center. The shopping center includes a restaurant, bakery, salon, care center, and several office uses.
- The applicant, Healtheee-U Alternative Healthcare, is leasing 2,870 square feet from the property owner, Carson Equities. The business is located in Suite D and is located in the southwestern portion of the 8,000 square-foot building.
- Access to the site is from Dominguez Street to the north and Bonita Street to the west.

Zoning/General Plan/Redevelopment Area Designation

- The subject property and all surrounding properties are zoned CR-D (Commercial, Regional – Design Overlay). The South Bay Pavilion to the north was recently included in the Mixed Use Residential Overlay, making the zoning CR-MUR-D.
- The subject property and all surrounding properties to the south, east, and west have a General Plan land use designation of Regional Commercial. The South Bay Pavilion to the north across Dominguez Street is designated Mixed-Use Residential.
- The subject property and all surround properties are within Redevelopment Project Area No. 1.

Conditional Use Permit

Pursuant to Section 9138.91 of the Carson Municipal Code (CMC), a conditional use permit (CUP) is required for full body massage service. Section 9172.21 (D) of the Zoning Ordinance requires that the Planning Commission, by resolution, render its approval based on the ability to make affirmative findings on the following criteria:

- a. The proposed use and development will be consistent with the General Plan.
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be compatible with the intended character of the area.
- f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

All of the required findings listed above can be made in the affirmative. Specific details are incorporated in the attached resolution.

Issues of Concern / Proposed Condition/Change:

- Issue – Massage Service: On July 7, 2006, the Massage Service Ordinance went into effect. Its purpose and intent are to protect the health, safety, and welfare of the citizens of Carson and regulate massage establishments by imposing reasonable standards relative to the skill and experience of massage operators and massage technicians and reasonable conditions on the operation of massage establishments. It is staff's opinion that the proposed massage service will meet the purpose and intent of the new Ordinance, including all requirements described in Section 9138.91 of the Carson Municipal Code. However, in the event that the business is sold or changes management, conditions of approval must be included to protect Carson citizens and assure that the facility is compatible with the rest of the commercial center.
 - *Proposed Condition/Change:* Staff has included a number of project-specific conditions that regulate future inspections, allow for visibility into rooms designated for massage service, require massage technicians to obtain valid permits from the City Business License Division, limit the hours of operation for massage use, require proper record keeping, and comply with all the requirements of the County Health Department. These conditions can be found in the attached resolution.

IV. Conclusion

Staff believes that the massage use is appropriate for the location and will be compatible with the surrounding area. The proposed use will provide a service to customers that is not widely available within the city at this time. Conditions of approval have been included to ensure that the business is well maintained. Periodic inspections by staff will be conducted to ensure that the facility meets all conditions of approval.

V. Environmental Review

Pursuant to Section 15321(a) of the California Environmental Quality Act (CEQA) Guidelines, the city's approval of a conditional use permit (CUP) for massage service is "Categorically Exempt".

VI. Recommendation

That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 622-06 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson Approving Conditional Use Permit No. 622-06 to Allow Full Body Massage Service for Healthsee-U Alternative Healthcare Located at 930 E. Dominguez Street, Suite D."

VII. Exhibits

1. Proposed Resolution
2. Letter from the applicant, Val Spirlin, dated June 13, 2006
3. Development Plan (Under separate cover)

Prepared by: _____
John F. Signo, AICP, A/Senior Planner

Approved by: _____
Sheri Repp, Planning Manager