

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 07/25/2023
Agenda Item: 3**

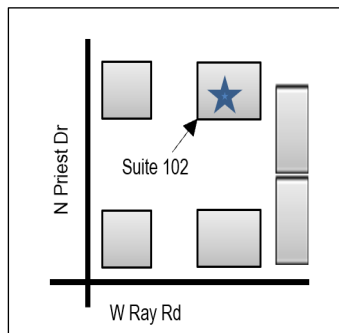
ACTION: Request a Use Permit to allow a massage establishment for RADIANT BEING LLC, located at 9855 South Priest Drive, Suite 102. The applicant is Radiant Being LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: RADIANT BEING LLC (PL230126) is a massage establishment proposing to locate in Suite 102 of an existing commercial office center on the northeast corner of Priest Drive and Ray Road. The request includes the following:

ZUP230031 Use Permit to allow a massage establishment



Property Owner
Applicant
Zoning District

Site Area
Building Area
Vehicle Parking
Hours of Operation

9855 LLC
Jaclyn LaGrivinese, Radiant Being LLC
PCC-2, Planned Commercial Center General and SWOD, Southwest Tempe Overlay District
25,224 s.f.
5,450 s.f.
24 spaces provided (No increase in demand)
Tuesday-Saturday 10:00 a.m.- 3:00 p.m.,
Wednesday 1:00 p.m.- 6:00 p.m.

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lily Drosos, Planner II (480) 350-8245

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Lily Drosos, Planner II

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The site is located in an existing commercial office center on the northeast corner of Priest Drive and Ray Road, on Lot 3 of the Warner Crossings II Subdivision, in the PCC-2 district. Adjacent uses include single-family residences to the north and east, restaurant and retail uses to the west and south. The adjacent suites and buildings contain medical and commercial office suites, as well as clinic uses. The proposed location of the massage establishment is in Office #9 (157 s.f.) in Suite 102. The business will provide clients with stress relief, pain reduction, immune support, nervous system regulation, and therapeutic massage as a licensed massage establishment. The owner is the sole proprietor and employee at Radiant Being LLC and is licensed by the State of Arizona.

PUBLIC INPUT

No comments have been received since the writing of this report.

POLICE INPUT

A security plan is not required for the proposed use.

USE PERMIT

The proposed use requires a Use Permit to allow a massage establishment within the PCC-2 zoning district.

Section 6-308(E) Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic*; the business is not expected to contribute to an increase in traffic, since it is located in an existing commercial office center and there is ample parking provided on site for the proposed use.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; all business will be conducted indoors and will not be a nuisance in operational nature.
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan*; massage establishments are a permitted use subject to a Use Permit in the PCC-2 District.
4. *Compatibility with existing surrounding structures and uses*; this site is in an existing commercial center with several businesses and office operating in adjacent suites, therefore the use is compatible with the existing surroundings.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the massage establishment is not expected to create any disruptive behavior inside or outside the premises.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received and the above analysis staff supports approval of the requested Use Permit. This request meets the required criteria and will conform to the conditions.

SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.

CONDITION(S) OF APPROVAL: (Non-standard conditions are identified in bold)

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. The Use Permit is valid only after a Building Permit has been obtained, the required inspections have been completed and a Final Inspection has been passed, if applicable.
2. The Use Permit is or valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during the building plan check process.

- Hours of operation to be from 10:00 a.m.- 3:00 p.m on Tuesday through Saturday, and 1:00 p.m.- 6:00 p.m. on Wednesday.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

USE PERMIT:

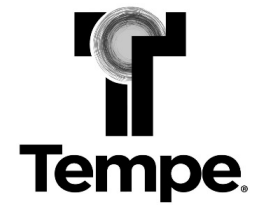
- The Use Permit is valid for Radiant Being LLC and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.)The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.
- Any intensification or expansion of use shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

HISTORY & FACTS:

None pertinent to this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

[Section 3-202, Permitted Uses in Commercial and Mixed-Use Districts](#)
[Section 6-308, Use Permit](#)



DEVELOPMENT PROJECT FILE

for

RADIANT BEING LLC
(PL230126)

ATTACHMENTS:

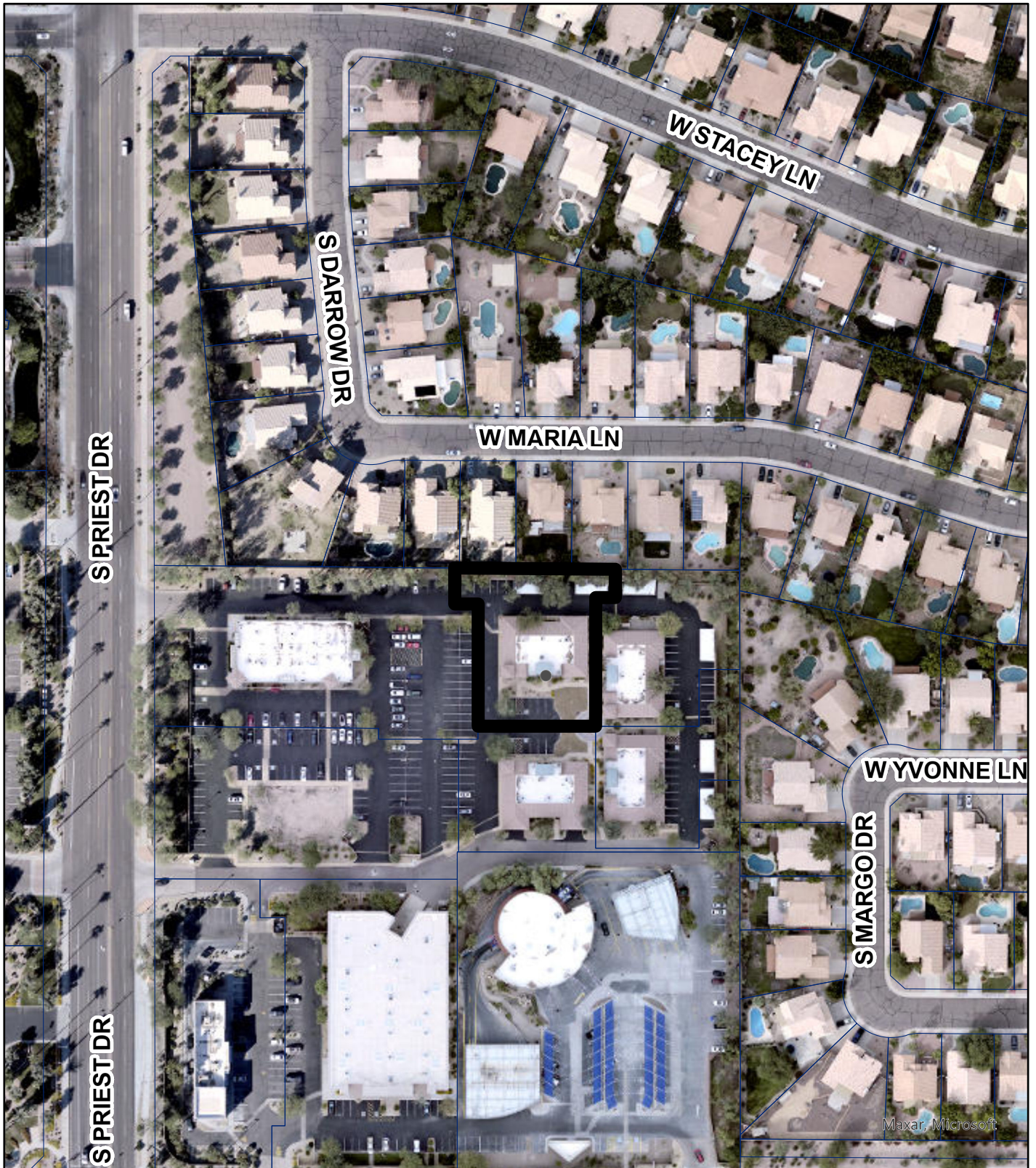
- 1-8. Site Context (Location Map, Aerial and Site Context Photos)
- 9. Applicant's Letter of Explanation
- 10-14. Site Design (Approved Suite Map, Floor Plan)



Tempe

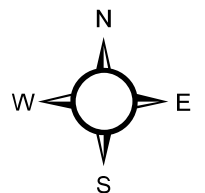
PL230126

RADIANT BEING LLC

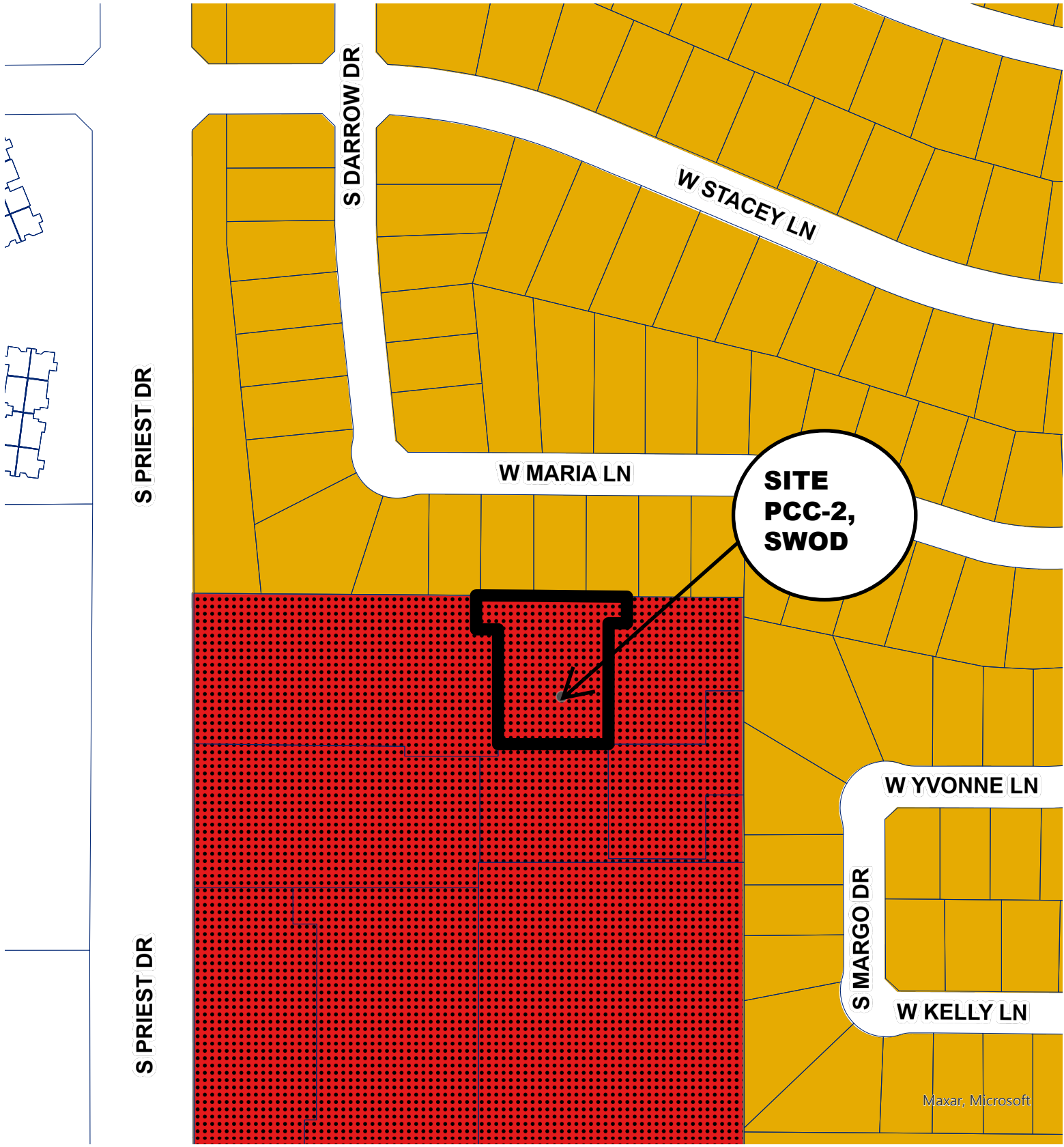




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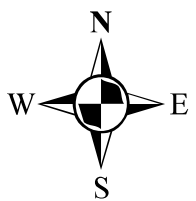
Aerial Map



RADIANT BEING LLC



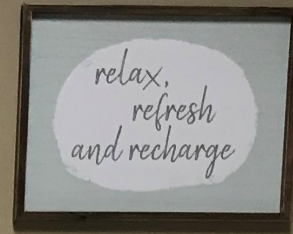
-  Planned Commercial Center General (PCC-2)
-  Single-Family Residential (R1-6)



Maxar, Microsoft

Enjoy this day





refresh
and recharge





Enjoy this day

grateful

GIVE
YOURSELF
TIME TO
GROW



Letter of Explanation
Radiant Being, LLC
9855 S Priest Dr. St. 102
Tempe, AZ 85284

My name is Jaclyn LaGravinese, and I am the owner, sole proprietor, and AZ licensed massage therapist of Radiant Being, LLC. I work within the scope of my license to provide clients with stress relief, pain reduction, immune support, and nervous system regulation. This letter of explanation for a use permit is so Radiant Being, LLC may offer therapeutic massage as a licensed massage establishment at the above-listed address Tuesdays, Thursdays, Fridays, and Saturdays 10 am – 3 pm and Wednesdays 1 pm – 6 pm. The proposed number of clients in a week is between 16-20. As I am the only massage therapist within my business and operate out of a single room, only one person will be in my office at the time of their appointment.

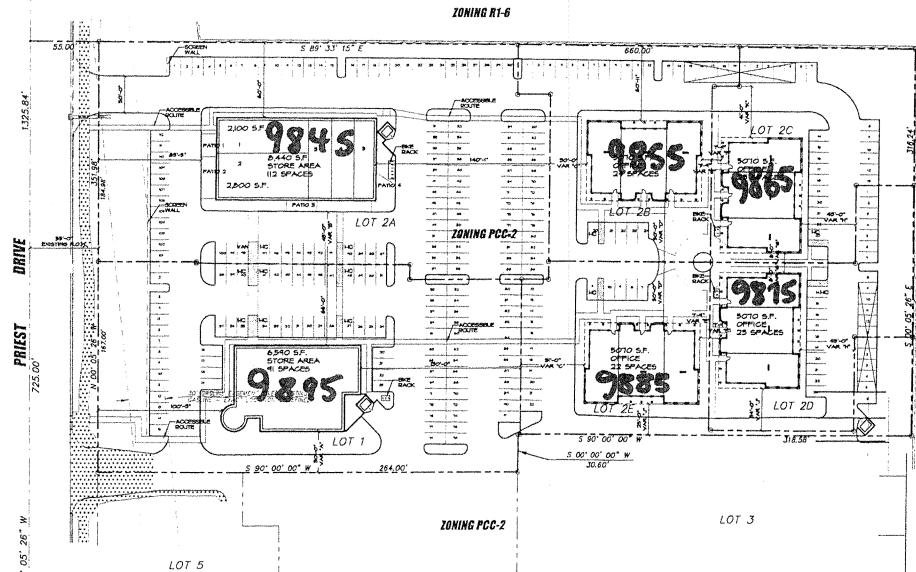
I do not believe Radiant Being proposes any potential impacts, disturbances, or to be detrimental to its adjacent properties or businesses within the building. My goal within my business practice is to create a space of peace and relaxation for my clients.

Thank you,

A handwritten signature in black ink, appearing to read 'JL', is positioned below the 'Thank you,' text.

Jaclyn LaGravinese
(480) 510-5352
Jaclynlagravinese@gmail.com

NOV 9 2001



LEGAL DESCRIPTION (LOT #1 AND LOT #2)
 LOTS 1 AND 2, TEMPE CROSSING II, ACCORDING TO THE PLAN OF RECORD IN THE OFFICE OF THE COUNTY RECORDER
 OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 443 OF MAPS, PAGE 64.

SITE PLAN

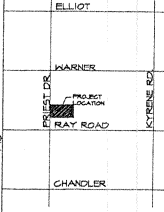


*9845-9895 Site Plan
 S. Priest Dr.*

PROJECT DATA

PROJECT NO.	9845-9895
DATE	11/9/01
CLIENT	BARNDSON ARCHITECTURAL GROUP
PROJECT NAME	TEMPE CROSSING II
ADDRESS	8000 N. BROADWAY ROAD, SUITE 401, TEMPE, ARIZONA 85282
PHONE	(480) 461-1771
FAX	(480) 461-1771
EMAIL	BARNDSON@BARNDSONARCH.COM
WEBSITE	WWW.BARNDSONARCH.COM
DESIGNER	BARNDSON ARCHITECTURAL GROUP
DATE	11/9/01
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VICINITY MAP



TEMPE CROSSING II
 LAWRENCE E. BARNDSON
 8000 N. BROADWAY ROAD, SUITE 401
 TEMPE, ARIZONA 85282
 PHONE: (480) 461-1771
 FAX: (480) 461-1771
 WWW.BARNDSONARCH.COM

barndson architectural group

A1

SITE PLAN

9865, LLC
Executive Suites

Radiant Being, LLC

