



**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 08/08/2023
Agenda Item: 7**

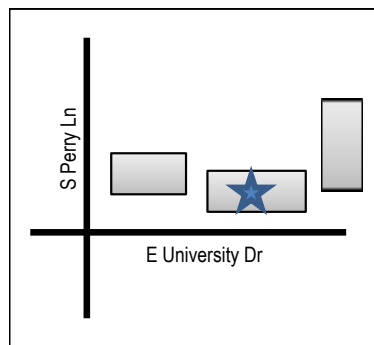
ACTION: Request a Use Permit to allow a massage establishment for FIRST CLASS REFLEXOLOGY, located at 1938 East University Drive. The applicant is First Class Reflexology.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: FIRST CLASS REFLEXOLOGY (PL230145) is a massage establishment proposing to locate in an existing commercial building on the North side of University Drive between Perry Lane and Smith Road. The request includes the following:

ZUP230036 Use Permit to allow a massage establishment



Property Owner
Applicant
Zoning District
Building Area
Vehicle Parking
Hours of Operation

SCGIX-FORT KNOX LLC
Gordon Meng, First Class Reflexology
CSS, Commercial Shopping and Services
1,170 s.f.
No increase in demand
10:00 a.m. to 9:00 p.m. daily

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Ty Templeton, Planner I (480) 350-8690

Department Director: Jeff Tamulevich, Community Development Director
Legal review by: N/A
Prepared by: Ty Templeton, Planner I
Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The site is located in an existing commercial building on the North side of University Drive between Perry Lane and Smith Road, in the CSS zoning district. Nearby uses include multi-family residences to the south, and restaurant, retail, and office uses to the west. The adjacent suites and buildings contain restaurant and retail space. Previously, First Class Reflexology has operated in an approved suite at 725 South Rural Road since 2019 and wishes to relocate to the property at 1938 East University Drive. Massage and full-body services will be offered identical to those at the previously operating location.

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 CSS 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 as 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 CSS District.
4. *Compatibility with existing surrounding structures and uses*; this site is in an existing commercial center with several other businesses, 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.
3. Hours of operation to be from 10:00 a.m.- 9:00 p.m daily.

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 First Class Reflexology 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.

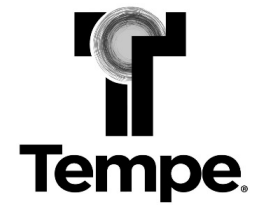
HISTORY & FACTS:

First Class Reflexology has been operating in an existing suite at 725 South Rural Road, Suite 109 since 2019.

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
FIRST CLASS REFLEXOLOGY
(PL230145)

ATTACHMENTS:

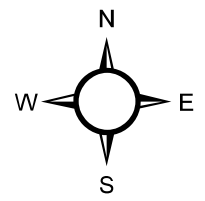
- 1-4. Site Context (Location Map, Aerial and Site Context Photos)
- 5. Applicant's Letter of Explanation
- 6-8. Site Design (Site Plan, Approved Suite Map, Floor Plan)

FIRST CLASS REFLEXOLOGY

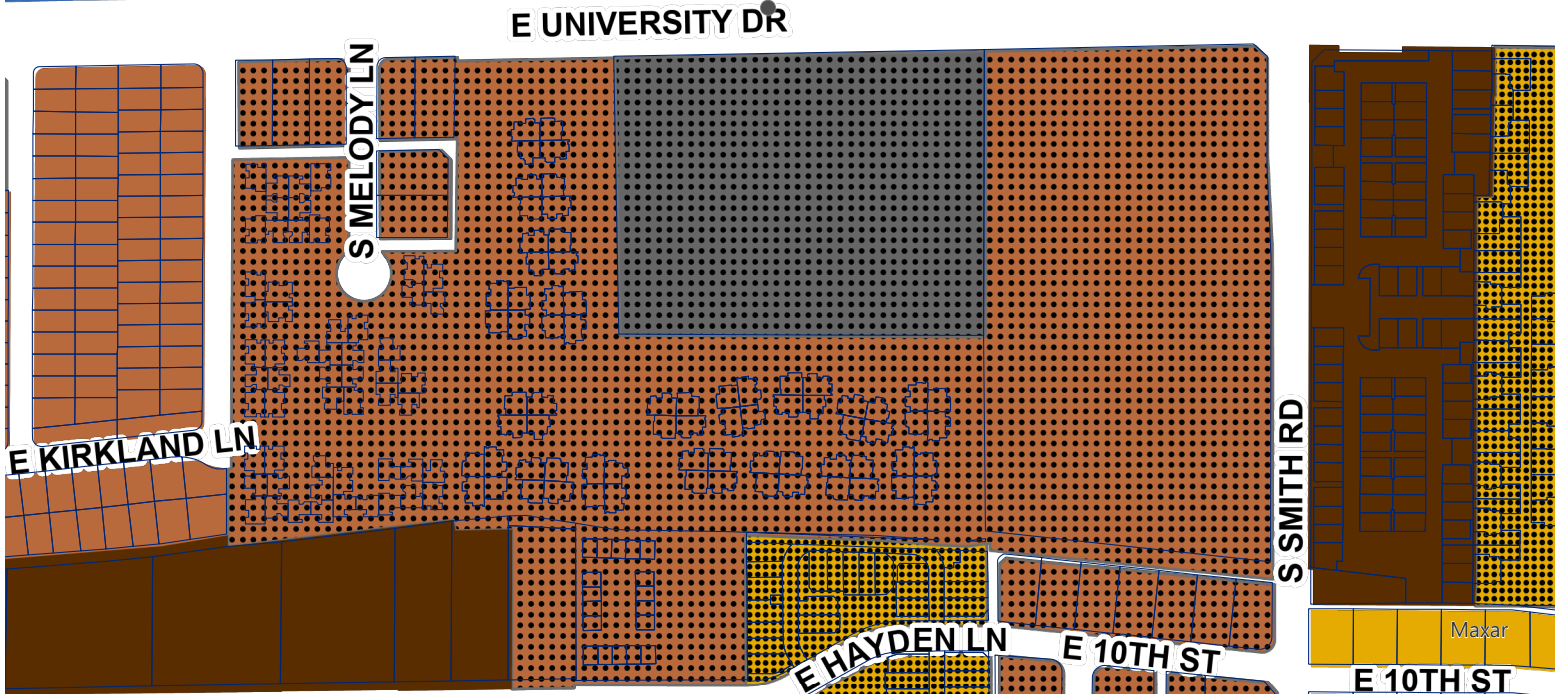
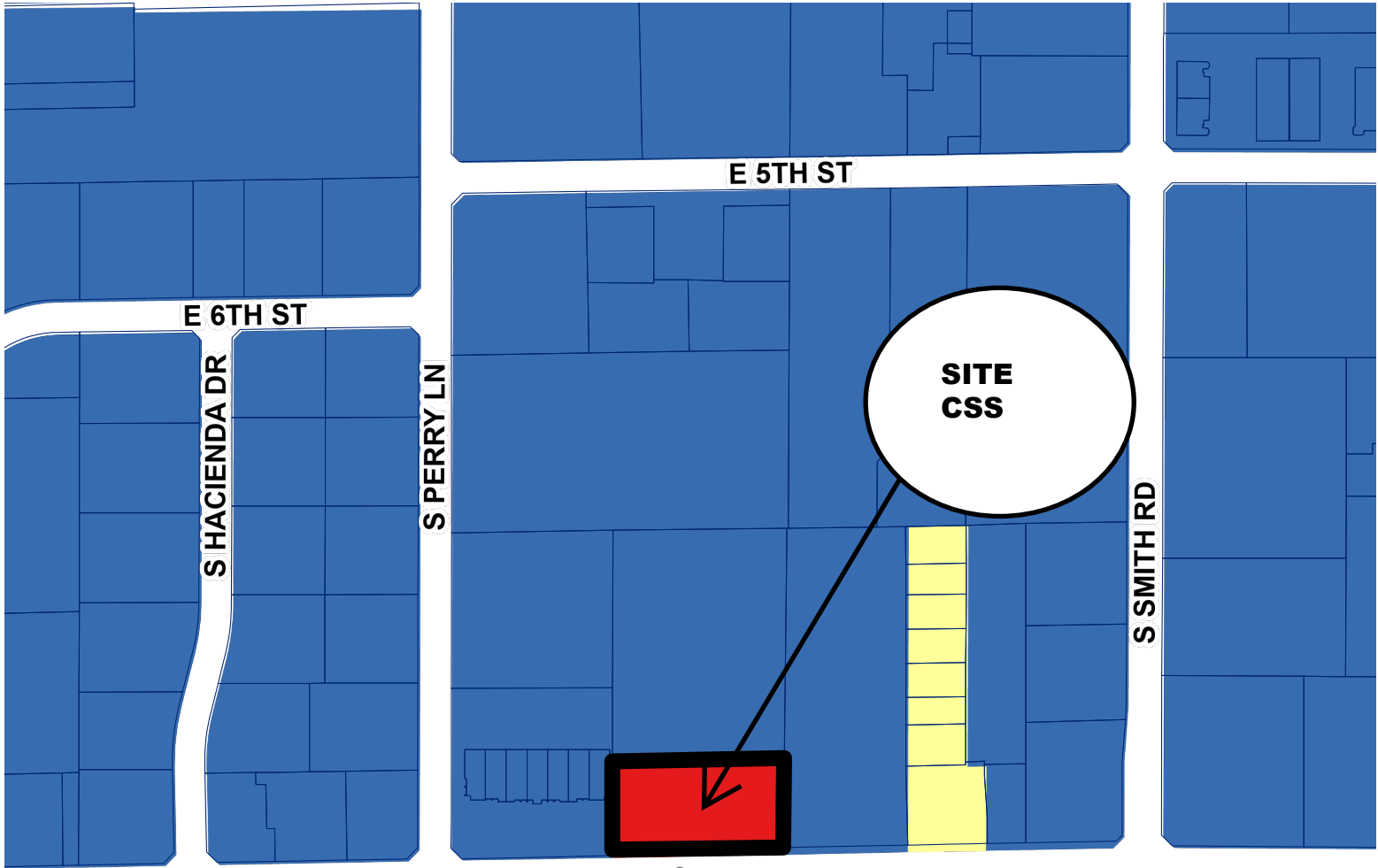
PL230145



Aerial Map

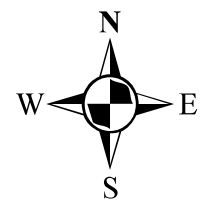


FIRST CLASS REFLEXOLOGY



- General Industrial District (GID)
- Mixed Use High (MU-4)
- Commercial Shopping and Services (CSS)
- Planned Commercial Center Neighborhood (PCC-1)
- Agricultural (AG)
- Single-Family Residential (R1-6)
- Single-Family Residential Planned Area Dev (R1-PAD)
- Multi-Family Residential (R-2)
- Multi-Family Residential Limited (R-3)
- Multi-Family Residential General (R-4)
- Parcels Parcels

- Twelve Point**
CenterlineSubType
- ADOT
 - Canal
 - Monument
 - Private



Founded in 2010, First Class Reflexology (www.FirstClassReflexology.com) has become the largest provider of reflexology service in the Metro Phoenix Area.

One of our currently running locations is 725 S Rural RD #109, Tempe AZ 85281. This location will be relocated to 1938 E University DR Tempe AZ 85281.

For this project located at 1938 E University Dr Tempe AZ 85281, we will provide reflexology massage and Full body services by appointment only, open 7 days a week from 10am to 9pm, We will have about 5-7 employees, we will have around 15-20 customers per day.

We will not have any significant vehicular or pedestrian traffic in adjacent areas. Definitely no nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at any level exceeding that of ambient conditions. Absolutely zero effect to the deterioration of the neighborhood or to the downgrading of property values, also not conflict with the goals, objectives or policies of the city's adopted plans for General Plan; Definitely no changes to existing surrounding structures and uses; Our space will not create any disruptive behavior both inside and outside the premises, therefore we will not create any nuisance to the surrounding area or general public.

Urban Bloom
CURL STUDIO

WHISPER
WAX & LASH BAR

Holy Cow
SMOKE & VAPE

Holmes
SMOKE & VAPE

BRITISH BAKING

OPEN



Urban Bloom
CURL STUDIO

Chicago's
HICKEN
SHACK

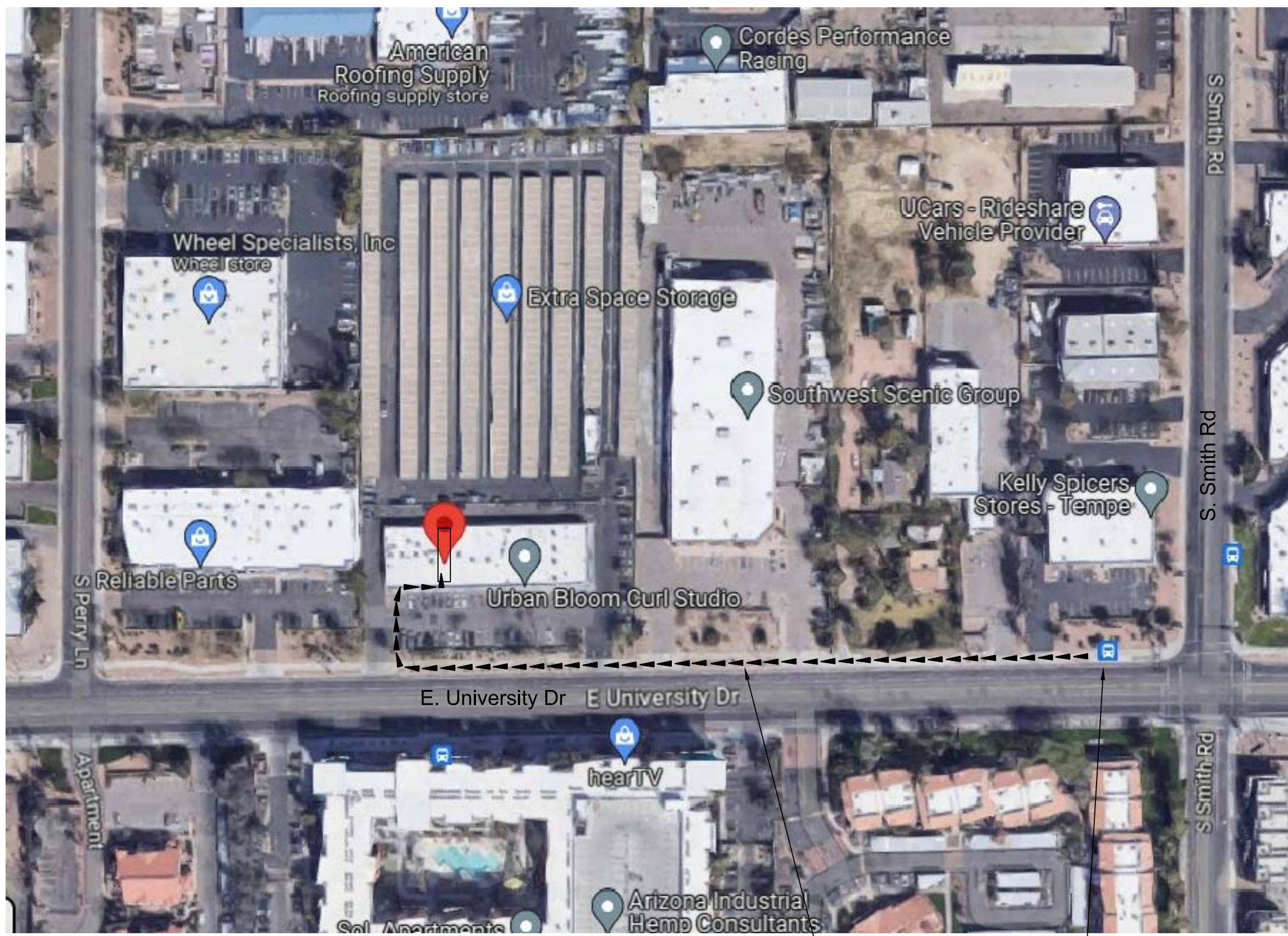
Chicago's
HICKEN
SHACK

Chicago's
HICKEN
SHACK

1938

BRA

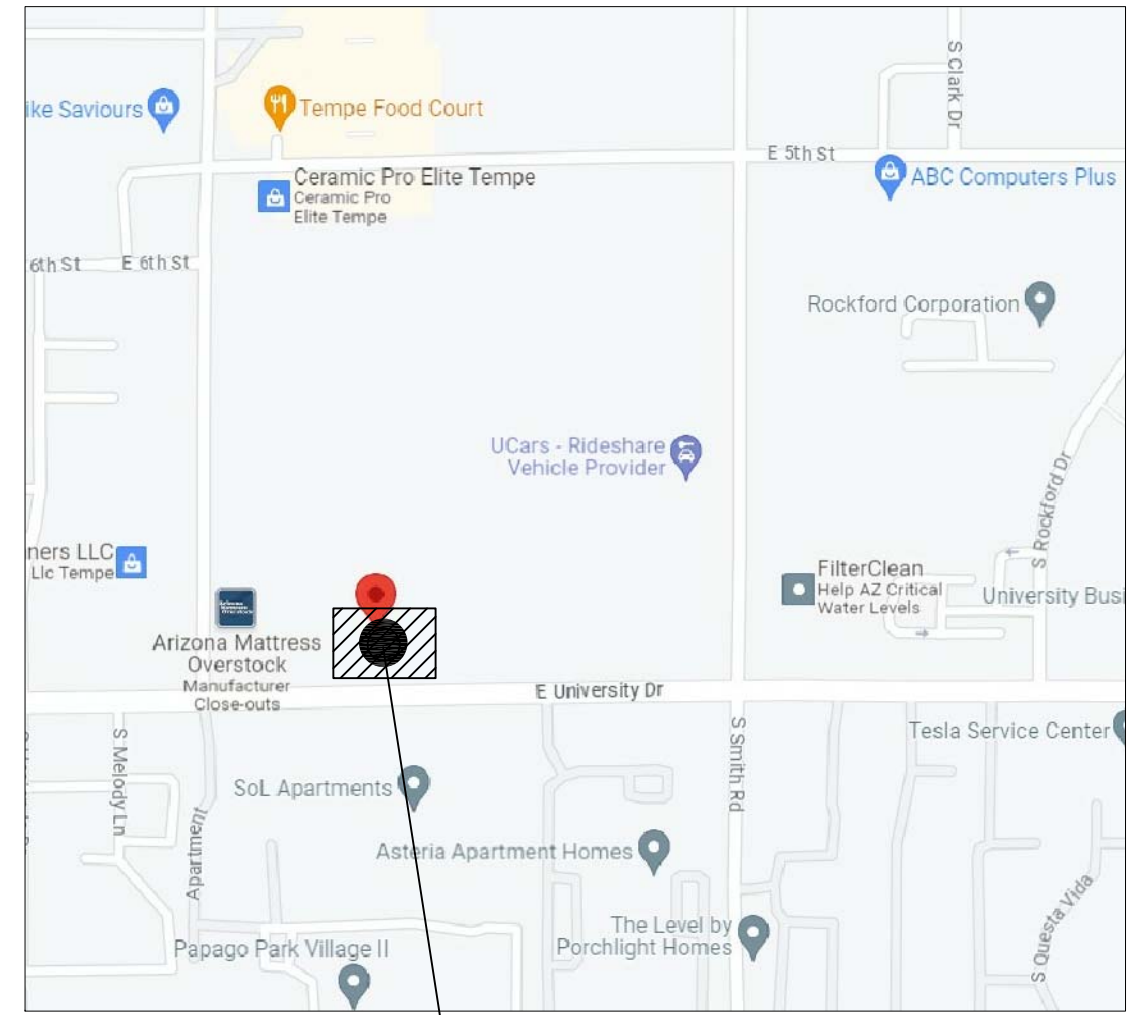
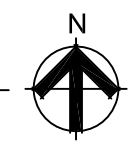




(E) ACCESSIBLE PATH OF TRAVEL w/ NO ROUTE BARRIERS FROM PUBLIC STREET OR SIDEWALKS (E) BUS STOP

SITE PLAN / ACCESSIBILITY PLAN

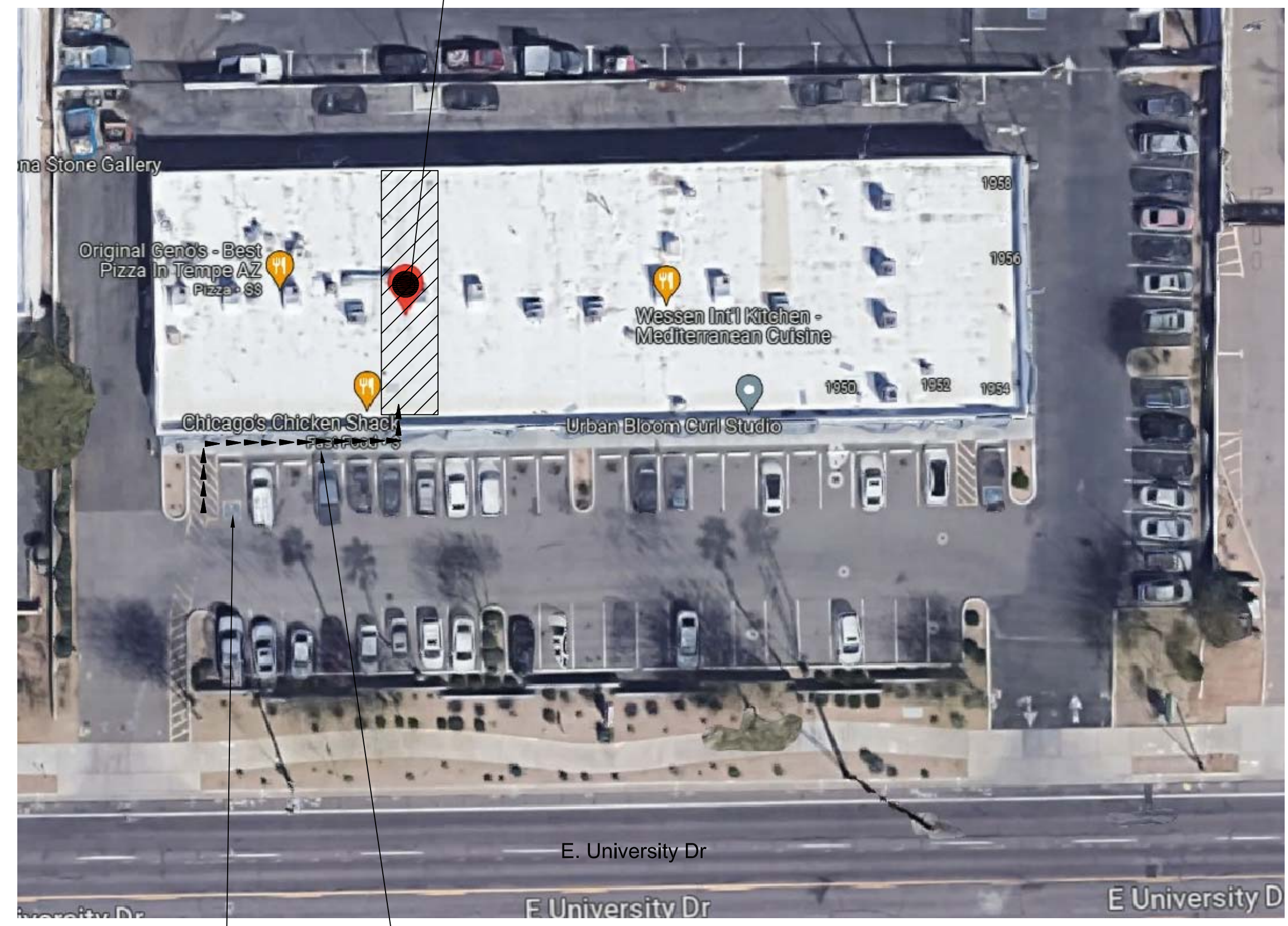
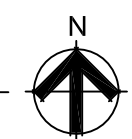
SCALE: NTS



SITE LOCATION (APN 132-39-009C)

VICINITY MAP

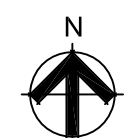
SCALE: NTS



(E) ADA PARKING STALLS TYP. ADA PATH OF TRAVEL

ENLARGED SITE PLAN

SCALE: NTS



PROJECT DATA:

TENANT / OWNER:	First Class Reflexology 1938 E University Dr. Tempe, AZ 85281	
OCCUPANCY GROUP:	B	
ZONING:	CSS	
APN#:	132-39-009C	
CONSTRUCTION TYPE:	V-B / NON-SPRINKLERED	
OCCUPANCY SEPARATION:	SEPARATED	
SQUARE FOOTAGE:	1,170 S.F.	
OCCUPANT LOAD:	BUSINESS AREA	1170 S.F. / 150 = 8
	TOTAL OCCUPANT LOAD	8
REQUIRED PLUMBING FIXTURES:	TOTAL OCCUPANT IS 8. (1) LAV. & (1) W.C. FOR UNISEX (1) MOP SINK	
PROVIDED PLUMBING FIXTURES:	(1) LAV. & (1) W.C. FOR UNISEX (1) MOP SINK	
NUMBER OF STORIES:	1	
FIRE SPRINKLER:	NO	
NUMBER OF EXITS REQUIRED:	1	
NUMBER OF EXITS PROVIDED:	1	
BUILDING CODE:	2018 International Building Code (IBC) 2018 International Energy Conservation Code (IECC) 2018 International Fire Code (IFC) 2018 International Fuel Gas Code (IFGC) 2018 International Mechanical Code (IMC) 2018 International Plumbing Code (IPC) 2017 National Electrical Code (NEC) 2009 ICC/ANSI A117.1 & 2010 ADAAG	

SHEET INDEX:

- A1.0 SITE PLAN
- A1.1 EXISTING/DEMO PLAN
- A2.0 FLOOR PLAN
- A2.1 ARCHITECTURAL NOTES & DETAILS
- A3.0 REFLECTED CEILING PLAN
- M0.0 MECHANICAL SPECIFICATIONS
- M1.0 MECHANICAL PLAN
- P0.0 PLUMBING SPECIFICATIONS
- P1.0 SEWER PLAN
- P1.1 SEWER ISOMETRIC PLAN
- P2.0 HOT/COLD WATER PLAN
- P3.0 PLUMBING DETAILS & SCHEDULES
- E1.0 ELECTRICAL PLAN
- E1.1 ELECTRICAL CALCULATION
- E2.0 LIGHTING PLAN

NARRATIVE:

EXISTING SPACE IS A PREVIOUS HAIR SALON USE. RESTROOM, ELECTRICAL PANEL, HVAC ROOF TOP UNIT, HVAC DUCTWORK AND PLUMBING ARE EXISTING TO REMAIN. WE ARE ADDING NON-BEARING WALLS ONLY. MINOR ELECTRICAL, LIGHT & RELOCATION OF MECHANICAL DIFFUSERS ARE ALSO A PART OF WORK BEING DONE UNDER THE PERMIT.

A COMPLETED & SIGNED SPECIAL INSPECTION FORM & OBSERVATION IS REQUIRED FOR SMOKE DETECTORS FOR AIR DISTRIBUTION SYSTEM INSTALLED IN ACCORDANCE CODE SECTIONS REFERENCE ON SHEET M0.0.

ADA ACCESSIBLE PATH:

THERE IS AN ADA ACCESSIBLE PATHS FROM SOUTHERN AVENUE WITH NO BARRIERS FROM THE PUBLIC STREET BY USE OF SIDEWALK AND STRIPED PATHS TO REACH ALL AREAS OF PROJECT INCLUDE SUITE THAT WORK IS BEING PERFORMED. PER 2010 ADA SECTION 206.2.1 AT LEAST ONE PATH OF ROUTE SHALL BE PROVIDED WITHIN THE SITE FROM ACCESSIBLE PARKING SPACES, PUBLIC STREETS AND FROM PUBLIC TRANSPIRATION WHICH HAS BEEN OUTLINED ON THE SITE PLAN ON THIS SHEET AND MEETS ALL REQUIREMENTS.

Tenant Improvement for:
First Class Reflexology
 1938 E University Dr.
 Tempe, AZ 85281

PROJECT NAME AND ADDRESS

No.	REVISION / ISSUE	DATE

PDC
PARAMOUNT DESIGN & CONSULTING, LLC
 8160 E Butherus Dr., Suite #3
 Scottsdale, AZ 85260
 T: 602-882-5608 F: 480-478-0617
 Contact: Howard Li Email: hwrldi@aol.com

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TITLE
SITE PLAN

RON MAZZEO
ARCHITECT, LLC
 ARCHITECTURE/PLANNING
 130 WEST 2ND STREET
 SALIDA, COLORADO 81201

SCALE: AS NOTED
 DATE: 06.08.23
 CHK. BY: H.L. DWG. BY: W.Y.

DWG. No. **A1.0**

REF. No. PROJECT

AVAILABLE SPACE


SUITE 1932	SUITE 1934	SUITE 1936	SUITE 1938	SUITE 1940	SUITE 1942	SUITE 1946	SUITE 1948	SUITE 1950	SUITE 1952
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STE 1932	GENO'S PIZZA	2,000 SF
STE 1934	AMS SPORTS CARDS	1,167 SF
STE 1936	A WING AND A FRY	1,167 SF
STE 1938	AVAILABLE	1,200 SF
STE 1940	ALLIED CASH ADVANCE	1,167 SF

STE 1942	HOLY COW SMOKE SHOP	2,334 SF
STE 1946	MEDITERRANEAN CUISINE	1,167 SF
STE 1948	URBAN BLOOM OPENING 2023	1,167 SF
STE 1950	URBAN BLOOM OPENING 2023	1,200 SF
STE 1952	360 PHYSICAL THERAPY	3,800 SF

PROJECT NAME AND ADDRESS

First Class Reflexology
1938 E University Dr.



PDC
PARAMOUNT DESIGN & CONSULTING
8160 E. Parkbank Dr., Suite #3, Scottsdale, AZ 85260
T: 602-882-5608 F: 480-478-0617

