

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 02/26/2019
Agenda Item: 4**

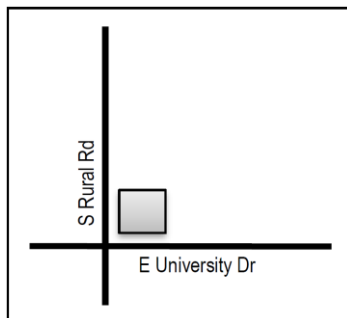
ACTION: Request approval to operate a massage establishment for FIRST CLASS REFLEXOLOGY, located at 725 South Rural Road, Suite 109. The applicant is First Class Reflexology.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: First Class Reflexology (PL190008) is requesting a Use Permit to operate a massage establishment at 725 South Rural Road, Suite 109, within the PCC-1, Planned Commercial Center Neighborhood District. First Class Reflexology has two different locations in the east valley and is looking to expand to Tempe. The request includes the following:

ZUP190003 Use Permit to allow a massage establishment



Property Owner
Applicant
Zoning & Overlay Districts
Vehicle Parking
Bicycle Parking
Hours of Operation

Cornerstone Retail, LLC
Gordon Meng, First Class Reflexology
PCC-1, RSOD, TOD
No change in demand
No change in demand
Mon-Sat 10am-9pm, Sun 11am-9pm

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Dalton Guerra, Planner I

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

First Class Reflexology is moving in to an existing suite of the Cornerstone Shopping Center. The suite is vacant and was parked for a retail use at 1 space per 300 s.f. The new use does not change the demand for parking.

PUBLIC INPUT

To this date, no public input has been received.

USE PERMIT

The proposed use requires a Use Permit to operate a massage establishment within the PCC-1 zoning and RSOD, TOD overlay districts.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed use will not create an increase in traffic because it is going into an existing suite within an existing plaza.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; the proposed use is indoors and will not create a nuisance exceeding the ambient conditions.
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 permitted within the PCC-1 zone with a Use Permit.
4. *Compatibility with existing surrounding structures and uses*; the proposed location is within the Cornerstone Plaza, surrounded by commercial uses.
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 proposed use is not expected to create disruptive behavior on the premise.

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:

1. The Use Permit is valid only after a Building Permit has been obtained and the required inspections have been completed and a Final Inspection has been passed. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
2. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.
3. All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained or the Use Permit is void.
4. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.
5. Any intensification or expansion of use shall require a new Use Permit.

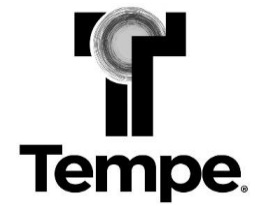
CODE/ORDINANCE REQUIREMENTS:

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.

- 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.
- 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.
- 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.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts
Section 6-308 Use Permit



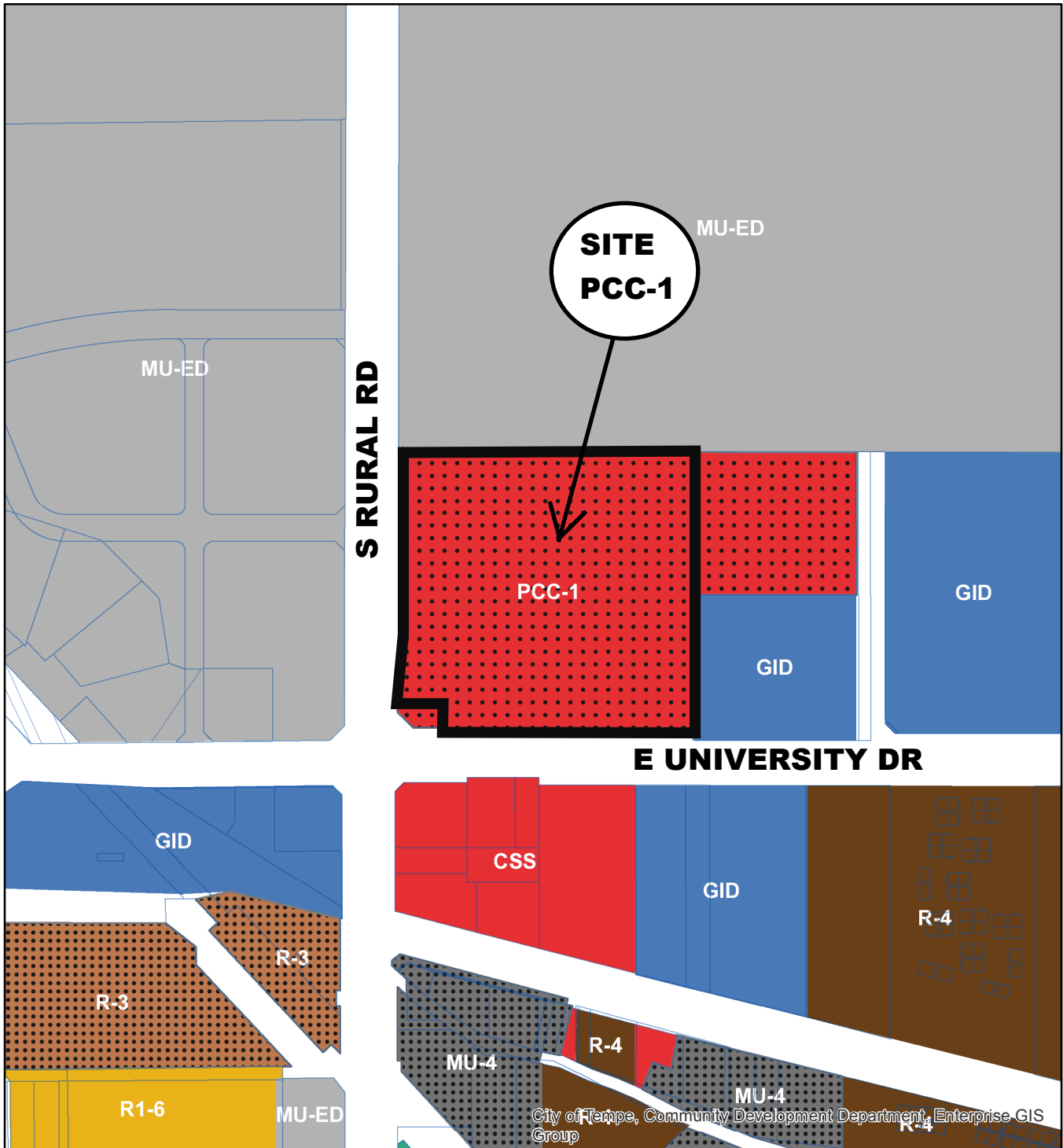
DEVELOPMENT PROJECT FILE
for
FIRST CLASS REFLEXOLOGY
(PL190008)

ATTACHMENTS:

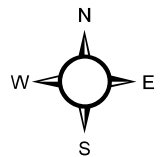
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan

First Class Reflexology

PL 190008



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|  General Industrial District (GID) |  Residential/Office (RO) |
|  Mixed Use High (MU-4) |  Single-Family Residential (R1-6) |
|  Mixed Use Educational (MU-ED) |  Multi-Family Residential Limited (R-3) |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential General (R-4) |
|  Planned Commercial Center Neighborhood (PCC-1) | |

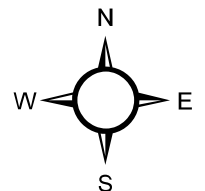


First Class Reflexology

PL 190008



Aerial Map



Letter of Explanation

Reflexology is a fast growing business in Phoenix area.

First Class Reflexology established in Ahwatukee since 2010, Tempe will be our 3rd location in the east valley.

Our goal is trying our best to provide the people of Tempe with the finest reflexology treatments available in a serene and peaceful environment in order to help develop and maintain a healthy lifestyle. To be a leader in improving the health and wellness of our community by providing inspired treatments, teaching our clients healthy practices, and fostering wellness education.

There will be no significant vehicular or pedestrian traffic in adjacent areas, since this business is located in the existing cornerstone plaza. We will not create any emission of odor, dust, gas, noise, vibration, smoke, heat or glare at any level.

Our business will not deterioration of the neighborhood or downgrading of property values. our business is not conflict with the goals, objectives or policies of the city's adopted plans for General Plan. We are compatibility with existing surrounding structures and uses; and absolute adequate control of disruptive behavior both inside and outside the premises, and we will never create any nuisance to the surrounding area or general public.

Sincerely,

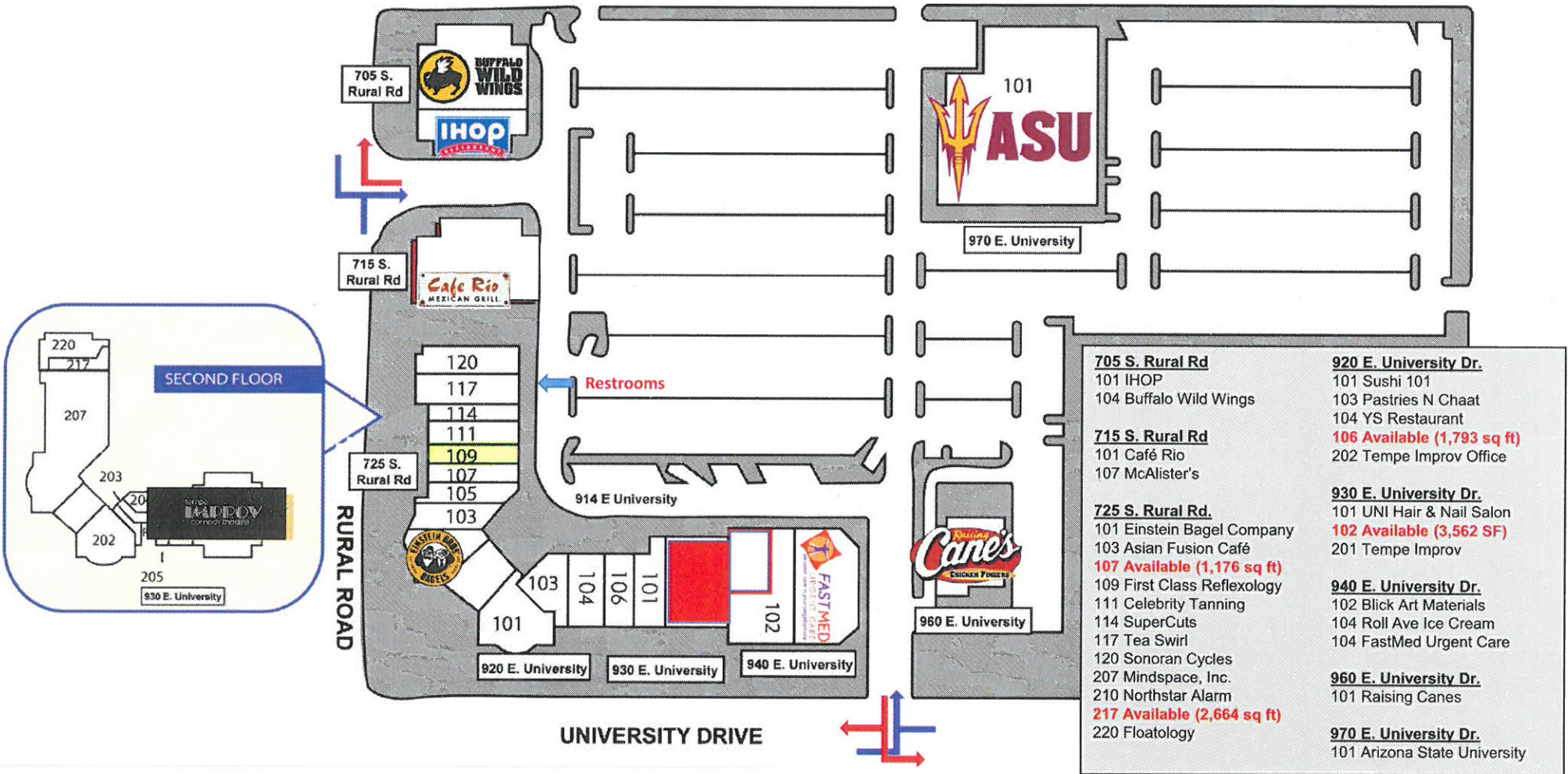
Gordon Meng



Date:

1-18-2019

NOT TO SCALE



- | | |
|--|---|
| <p>705 S. Rural Rd
 101 IHOP
 104 Buffalo Wild Wings</p> <p>715 S. Rural Rd
 101 Café Rio
 107 McAlister's</p> <p>725 S. Rural Rd.
 101 Einstein Bagel Company
 103 Asian Fusion Café
 107 Available (1,176 sq ft)
 109 First Class Reflexology
 111 Celebrity Tanning
 114 SuperCuts
 117 Tea Swirl
 120 Sonoran Cycles
 207 Mindspace, Inc.
 210 Northstar Alarm
 217 Available (2,664 sq ft)
 220 Floatology</p> | <p>920 E. University Dr.
 101 Sushi 101
 103 Pastries N Chaat
 104 YS Restaurant
 106 Available (1,793 sq ft)
 202 Tempe Improv Office</p> <p>930 E. University Dr.
 101 UNI Hair & Nail Salon
 102 Available (3,562 SF)
 201 Tempe Improv</p> <p>940 E. University Dr.
 102 Blick Art Materials
 104 Roll Ave Ice Cream
 104 FastMed Urgent Care</p> <p>960 E. University Dr.
 101 Raising Canes</p> <p>970 E. University Dr.
 101 Arizona State University</p> |
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City of Tempe
Suite Assignment

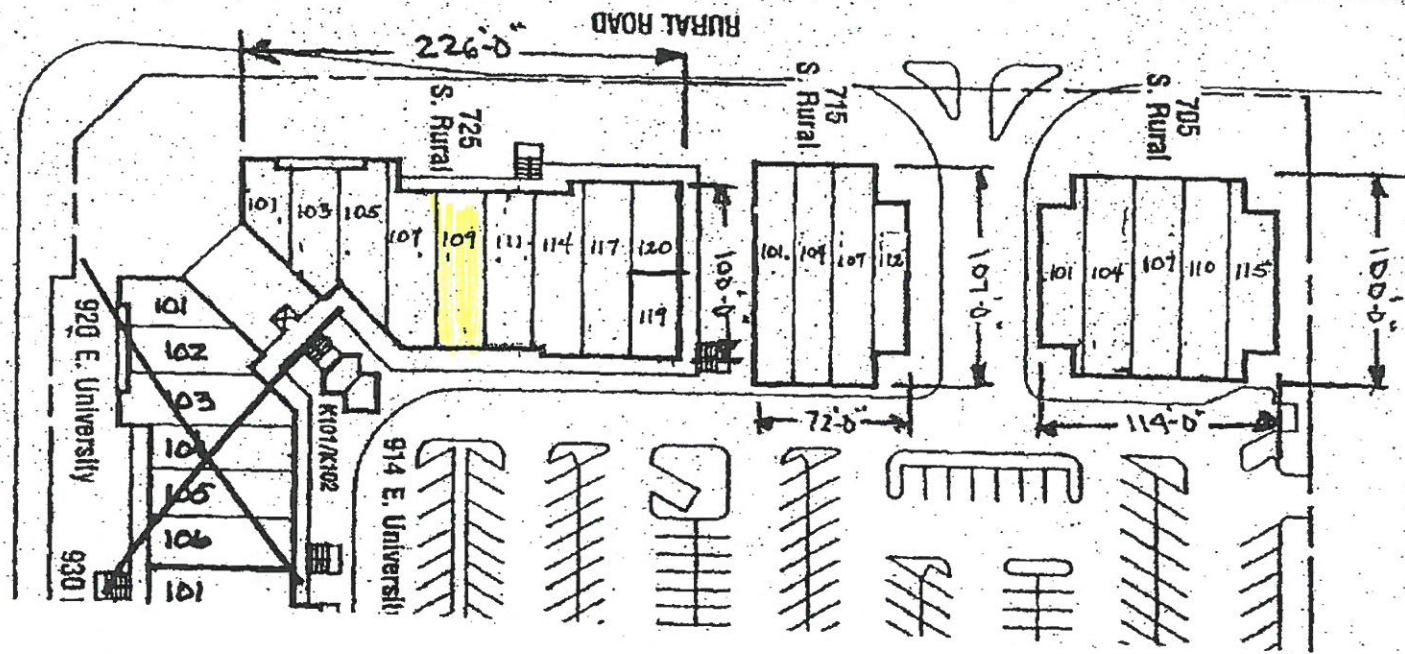
Name of Project: Vogurtini
 Address: 725 S Rural Rd
 Contact Name: Bryan Morris
 Phone #: 480-238-7260

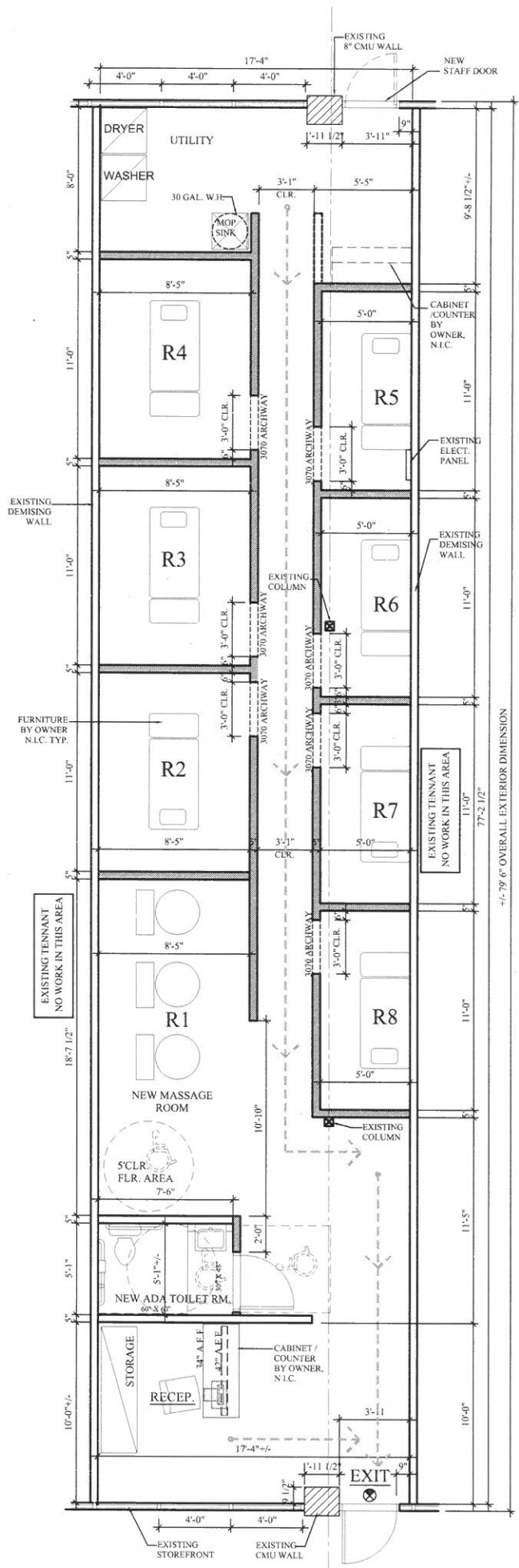
New Reassigned

Suite Numbers:
Sr 101-120

NEW NUMBERING FOR
SUITE #119
725 S. RURAL ROAD

Copy to Applicant Entered in Permits+
 Added to Suite Book Sent to Engineering
 Initials: ABM Date: 11/13/08





Attachment 6