

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 04/28/2020
Agenda Item: 07**

ACTION: Request a Use Permit to allow a massage establishment for **INTEGRATIVE LIGHT HEALING**, located at 4651 South Lakeshore Drive Suite 3. The applicant is Integrative Light Healing.

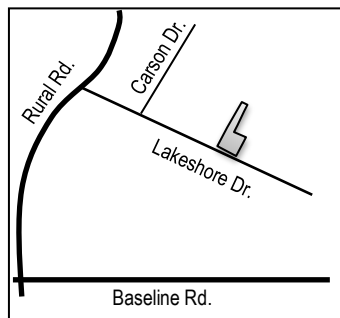
FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: INTEGRATIVE LIGHT HEALING (PL200058) is proposing to operate a massage establishment in Suite 3 of the Lakeshore Gardens Plaza, located on the north side of South Lakeshore Drive, to the east of South Rural Road in the PCC-2, Planned Commercial Center General District.

The request includes the following:

ZUP200013 Use Permit to allow a massage establishment.



| | |
|--------------------|---|
| Property Owner | Chicaland Properties LLC |
| Applicant | Lance Martinez, Integrative Light Healing |
| Zoning District | PCC-2 |
| Site Area | 20,359 s.f. |
| Building Area | 4,480 s.f. |
| Suite Area | 762 s.f. |
| Vehicle Parking | No change in demand |
| Bicycle Parking | No change in demand |
| Hours of Operation | 8:00 a.m. to 9:00 p.m., daily |

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Adrian Zambrano, Planning Technician (480) 350-8245

Department Director: Chad Weaver, Community Development Director
 Legal review by: N/A
 Prepared by: Adrian Zambrano, Planning Technician
 Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

This business has an existing location in Mesa, Arizona, located in Suite 101 of the Paragon Business Center on East Baseline Road near the intersection of South Stapley Drive on South Solomon. The Mesa location has nearly 11 years of clientele from the Tempe area, which provides reasoning to open a new location in Tempe. The applicant is requesting a Use Permit for a holistic medicine type of massage establishment that will have spiritual coaching, stretch therapy, Reiki, meditation and sound healing services in addition to massage therapy. The massage establishment will conduct business by appointment only and will have no more than two therapists working during the same business hours. Employees will consist of the business owner and operator, Lance Martinez, and subcontracted licensed massage therapists.

PUBLIC INPUT

To date, staff has not received any public input.

POLICE INPUT

Tempe Police Department does not have concerns with the request.

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 proposed use would have minimal staff and clientele on site at any one time and would not have any significant increase in vehicular or pedestrian traffic.
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 is being conducted indoors and noise will not exceed 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 therapists are a permitted use subject to a Use Permit in the PCC-2 district.
4. *Compatibility with existing surrounding structures and uses*; the proposed use is a holistic medicine practice which is compatible with surrounding medicine practice uses in addition to existing massage therapists nearby.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; business conducted will be indoors and Tempe Police had no concerns with this use being proposed at this location.

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.
2. 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.

3. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during the building plan check process.

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 Integrative Light Healing 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:

| | |
|-----------------|--|
| April 5, 1978 | Tempe Design Review Board approved building, landscaping and site plans for Lakeshore Gardens Office Complex located at 4655 South Lakeshore Drive within the PCC-2 Planned General Commercial Center zoning district. |
| July 26, 1978 | Tempe Planning Commission approved the Preliminary Subdivision Map for Lakeshore Gardens consisting of 5 lots on 2.4 acres located at 4655 South Lakeshore Drive. |
| August 23, 1978 | Tempe City Council approved the Final Development Plan for Lakeshore Gardens, located at 4655 South Lakeshore Drive. |
| August 1, 1979 | Tempe Design Review Board approved 5 one-story office buildings, 21,524 sq. ft. in area, located at Lakeshore Gardens, 4633 South Lakeshore Drive in the PCC-2 Planned General Commercial Center zoning district. |

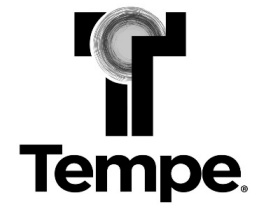
ZONING AND DEVELOPMENT CODE REFERENCE:

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

Section 3-423 Use Separation Requirements

Section 4-203 Development Standards for Commercial and Mixed-Use Districts

Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

for

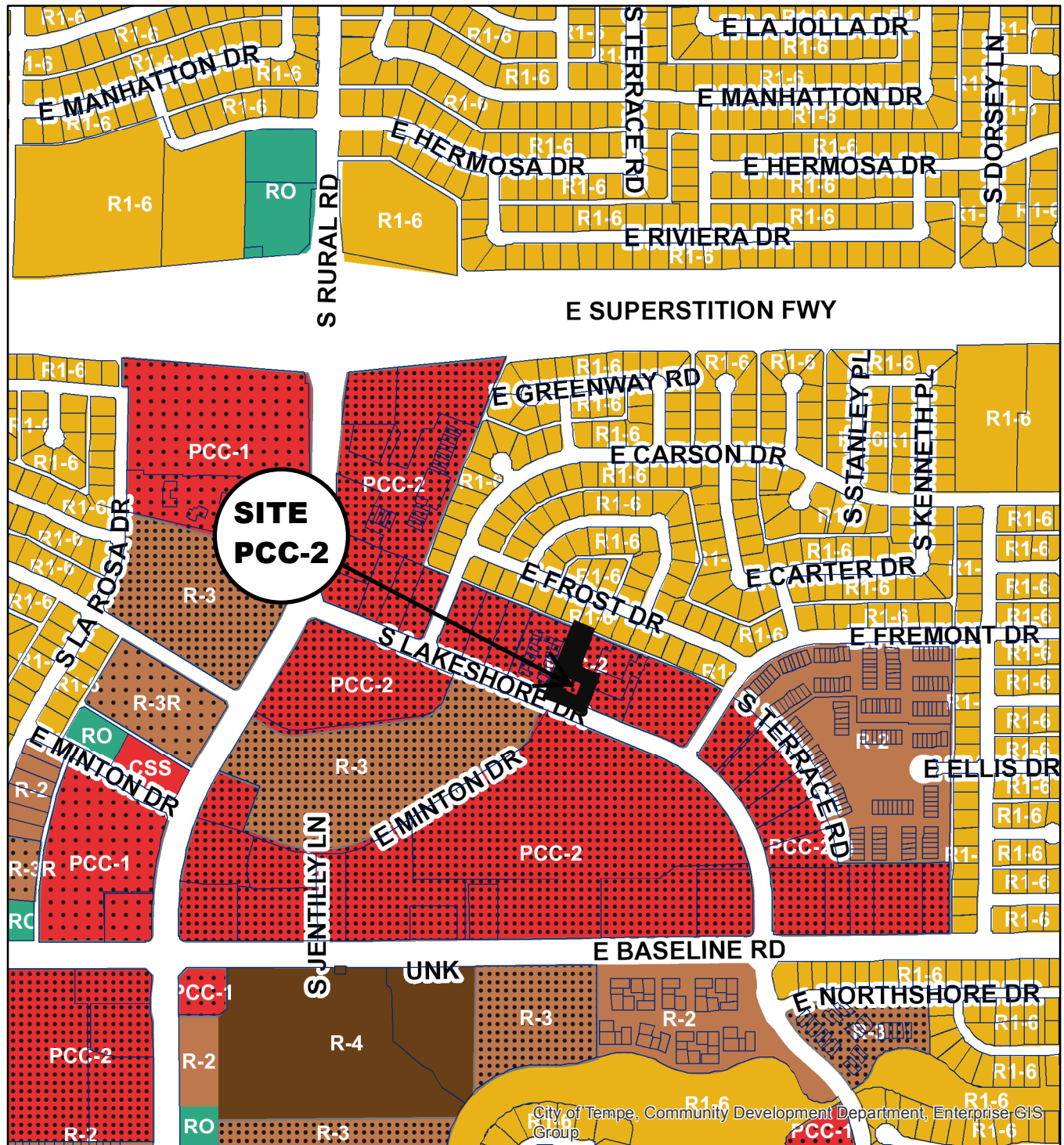
INTEGRATIVE LIGHT HEALING (PL200058)










ATTACHMENTS:

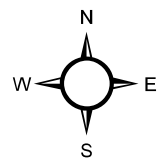
1. Location Map
2. Aerial Map
3. Letter of Explanation
- 4-5. Site Plans
6. Floor Plan
- 7-12. Context Photos

INTEGRATIVE LIGHT HEALING

PL200058



- | | |
|--|--|
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential (R-2) |
|  Planned Commercial Center Neighborhood (PCC-1) |  Multi-Family Residential Restricted (R-3R) |
|  Planned Commercial Center General (PCC-2) |  Multi-Family Residential Limited (R-3) |
|  Residential/Office (RO) |  Multi-Family Residential General (R-4) |
|  Single-Family Residential (R1-6) | |

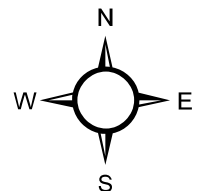


INTEGRATIVE LIGHT HEALING

PL200058



Aerial Map



Letter of Explanation

Integrative Light Healing will be located at address 4651 S. Lakeshore Drive Suite #3, Tempe AZ, 85281. Lance D Martinez LLC. is owned and operated by Lance D Martinez. Integrative Light Healing serves as a massage establishment to include other services such as coaching, stretch therapy, Reiki, meditation, and sound healing. Massage Therapies would be **by appointment only** daily from **8am to 9pm**. Employees will consist of owner/operator Lance D Martinez and subcontractor licensed massage therapist. No more than two therapists would be operating at Integrative Light Healing during the same business hours.

Integrative Light Healing has currently been in business in Mesa, AZ. The business brings a total of nearly 11 years of clientele to the Tempe area. Current clientele stretches into Mesa, Queen Creek, Good Year, and Phoenix. This will result in more business being brought into Tempe, AZ.

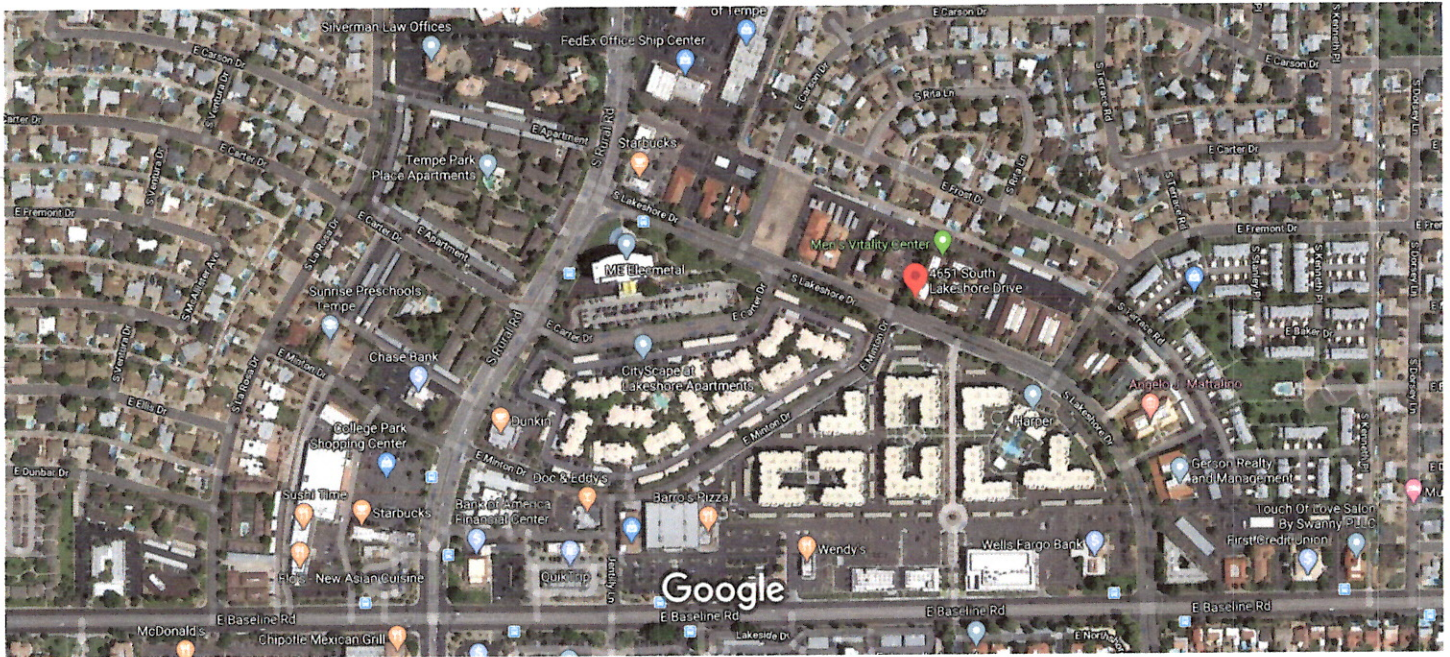
The surrounding area on Lakeshore Drive currently has a community with active holistic businesses to include massage therapy. The services we provide will complement the current business owners and take up very minimal parking. Being at a central hub near Baseline/Rural and the US60 also gives all clientele located outside of Tempe an easy location to find and drive to. Zoning code for this area of the City of Tempe has already been approved for massage therapy.

ZONING AND DEVELOPMENT CODE CRITERIA

- a. Lakeshore Drive connects from Baseline Road to Rural Drive. This specific area has minimal pedestrian and vehicle traffic which is limited to surrounding businesses. It is a unique road that defies our grid system in which its general direction is North and South, however in this instance Lakeshore Drive curves West shortly after crossing Baseline Road. This location allows for easy access with minimal traffic after exiting either major roads of either Rural or Baseline.
- b. Local area is quite allowing for a professional massage business environment. Indoor noise will be maintained to respect local neighboring businesses. Integrative Light Healing will have an indoor Medical Grade Air Purifier to ensure circulation and air purity for all clients.
- c. Current Lease agreement with Convergent Technologies has set up lease amount consistent with other local businesses to better ensure long term property value. All fees to support local property are included with lease agreement. Local property owners have an HOA to support keeping businesses in line with the City of Tempe's General Plan
- d. Integrative Light Healing is compatible with building structures, surroundings, and use based on provided floor plan.
- e. Integrative Light Healing follows the morals/ethics/guidelines established by the Arizona Board of Massage and the National Board of Massage therapy. These guidelines have created a tenure of nearly 11 years of therapy and will continue to do so in accordance with City of Tempe.

#7 SITE PLAN

Google Maps 4651 S Lakeshore Dr



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 200 ft



4651 S Lakeshore Dr

Tempe, AZ 85282



Directions



Save



Nearby



Send to your
phone



Share

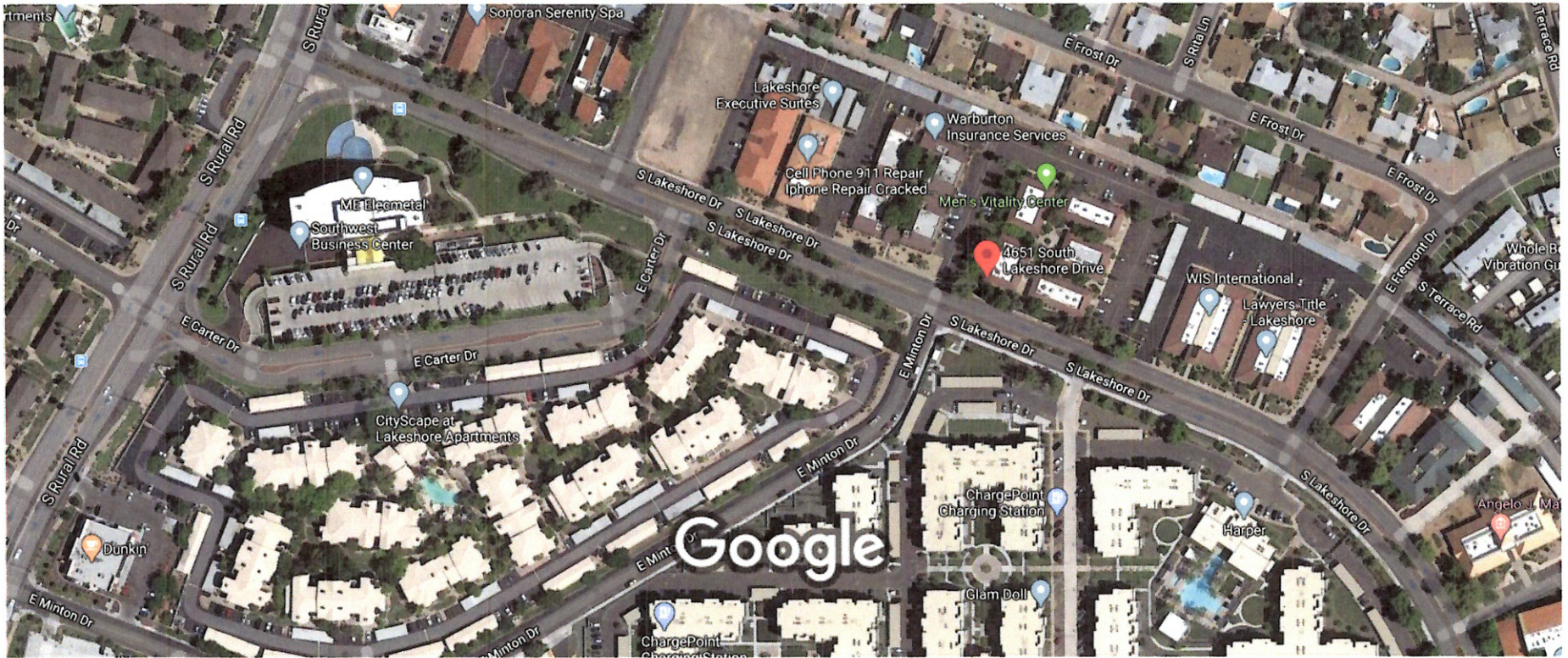
93JG+FP Tempe, Arizona

Photos

#7. SITE PLAN

Google Maps

4651 S Lakeshore Dr

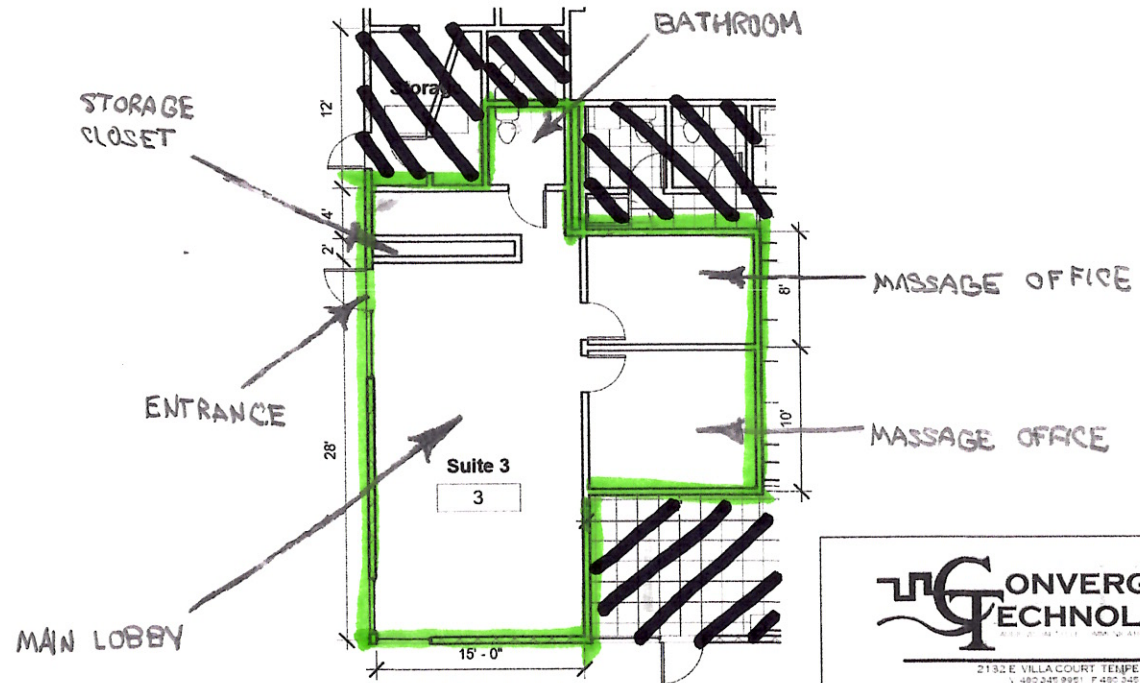


Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 100 ft

FLOOR PLAN

NOTE: ALL DIMENSIONS PROVIDED FOR REFERENCE ONLY.

Approximately
1000
SQUARE
FEET



1 SUITE 3 PLAN
1/8" = 1'-0"



2132 E VILLA COURT TEMPE AZ 85282
P: 480.348.9951 F: 480.348.9952
WWW.CONVERGENT.COM

4651 S LAKESHORE DR
TEMPE AZ 85282

SUITE 3

| | | |
|----------------|------------|--------------------|
| Project number | | A111 |
| Date | 02/27/2020 | |
| Drawn by | AR | |
| Checked by | | |
| | | Scale 1/8" = 1'-0" |



**ABOVE IS ENTRANCE FOR 4651 LAKESHORE DRIVE SUITE #3
LOCATED ON EAST SIDE OF BUILDING**

**BELOW IS PHOTO OF ONLY CURRENT TENANT OF 4651
LAKESHORE AT SUITE 4, CONVERGENT TECHNOLOGIES**





BUILDING DIRECTORY IS LOCATED IN COURTYARD ADJACENT TO FRONT ENTRANCE OF 4651 LAKESHORE DRIVE SUITE #3





PARKING LOT

**EAST SIDE WALK WAY AND FRONT VIEW OF 4651 LAKESHORE
DRIVE ADJACENT TO PARKING LOT**





CORNER OF 1000 EAST MINTON AND LAKESHORE DRIVE, THIS POSITION IS DIRECTLY SOUTH OF MAIN DRIVE ENTRANCE OF 4651 LAKESHORE DRIVE

BELOW IS SOUTH VIEW OF 4651 LAKESHORE DRIVE



EAST ENTRANCE TO LAKESHORE DRIVE AT CORNER OF 4600 SOUTH RURAL ROAD AND LAKESHORE DRIVE





SOUTH LAKESHORE DRIVE ENTRANCE AT CORNER OF 5200 SOUTH LAKESHORE DRIVE AND 1200 EAST BASELINE ROAD

