

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 03/23/2021  
Agenda Item: 9**

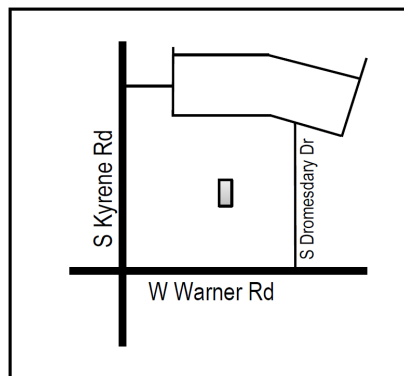
**ACTION:** Request a Use Permit to allow a massage establishment for the **YES HEALTH CENTER**, located at 430 West Warner Road, Suite 103.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Staff – Approve, subject to conditions

**BACKGROUND INFORMATION:** YES HEALTH CENTER (PL210046) is requesting a Use Permit to allow a massage establishment located in an existing commercial center within the PCC-1, Planned Commercial Center Neighborhood zoning and SWOD, Southwest Overlay district. The request includes the following:

ZUP210021 Use Permit to allow a massage establishment.



Property Owner  
Applicant  
Zoning Districts  
Suite Area  
Vehicle Parking  
Bicycle Parking  
Hours of Operation

Yes Health Center  
Xiang Hua Wang, Yes Health Center, LLC  
PCC-1, SWOD  
1,360 s.f.  
No increase in demand  
No increase in demand  
9 am – 10 pm, Daily

**ATTACHMENTS:** Development Project File

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

Department Director: Shelly Seyler, Interim Community Development Director  
Legal review by: N/A  
Prepared by: Dalton Guerra, Planner I  
Reviewed by: Steve Abrahamson, Principal Planner

## COMMENTS

The applicant is proposing a massage establishment within an existing commercial building. The suite area is 1,360 square feet and will have five (5) massage rooms, a reflexology room, and a reception area. The previous use of this suite was a medical clinic, which had a parking ratio of 1 space per 150 square feet. A massage establishment is parked as a service, which has a ratio of 1 space per 300 square feet. Therefore, the proposed use will not increase the parking demand for this site.

## PUBLIC INPUT

To date, staff has not received any public input.

## POLICE INPUT

Tempe PD has no concerns with the request.

## USE PERMIT

The proposed use requires a Use Permit to operate a massage establishment within the PCC-1, Planned Commercial Center Neighborhood zoning and SWOD, Southwest 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 is not expected to significantly increase the traffic within an existing commercial center with commercial uses in operation.
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 massage business is conducted indoors and is not expected to generate 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 zoning district subject to a Use Permit. The SWOD overlay district does not prohibit massage establishments as a land use.
4. *Compatibility with existing surrounding structures and uses*; the proposed location is within an existing commercial center with commercial uses occupying the suites.
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 applicant is expected to have adequate control of any potential disruptive behavior. Tempe PD did not express any concerns for the request.

## 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. 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 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 Yes Health Center 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 case.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

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

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

Section 6-308 Use Permit



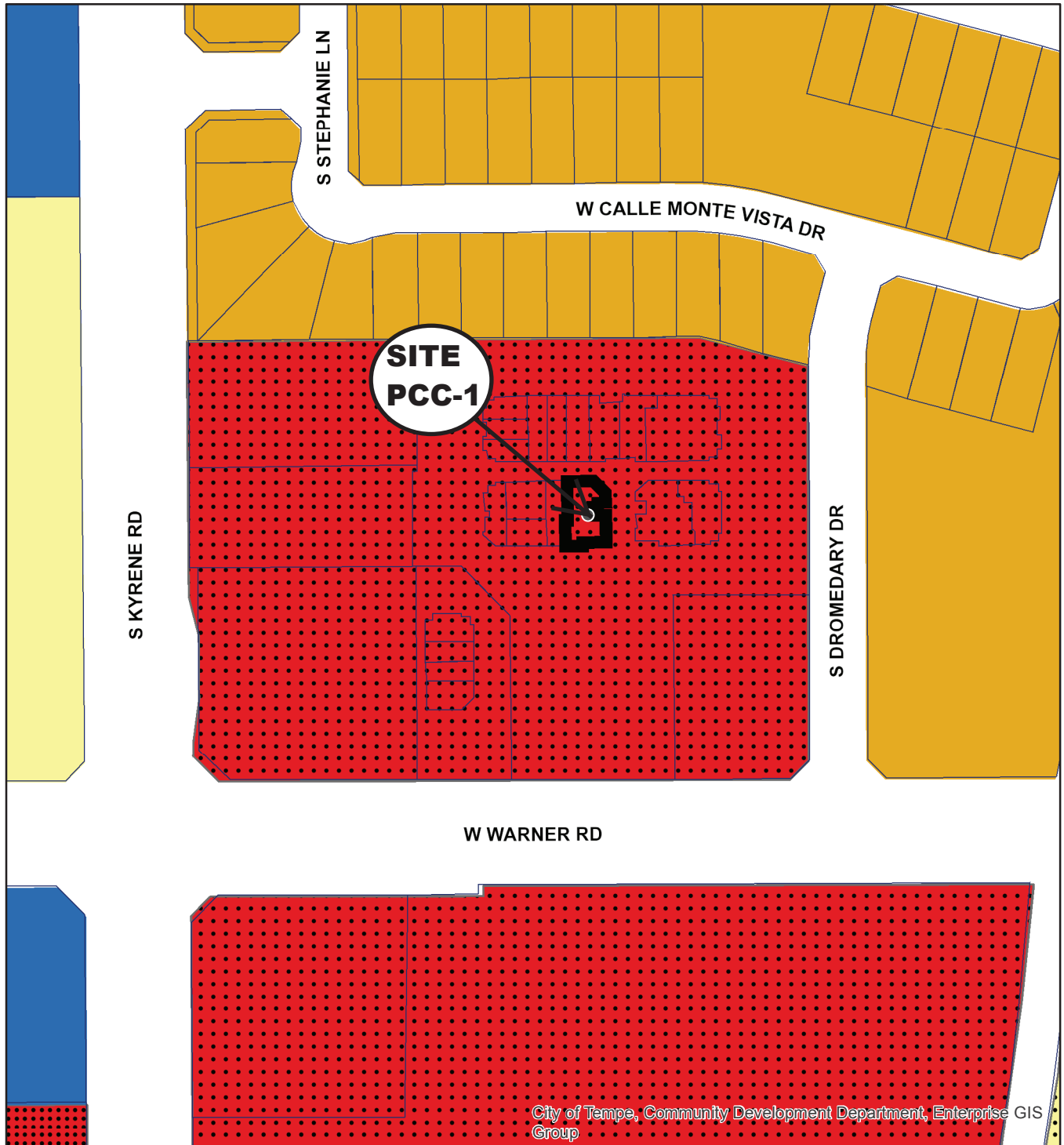
**DEVELOPMENT PROJECT FILE**  
for  
**YES HEALTH CENTER**  
(PL210046)







**ATTACHMENTS:**

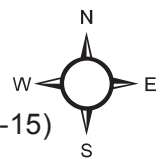
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plans
- 6-12. Context Photo

# YES HEALTH CENTER

PL210046

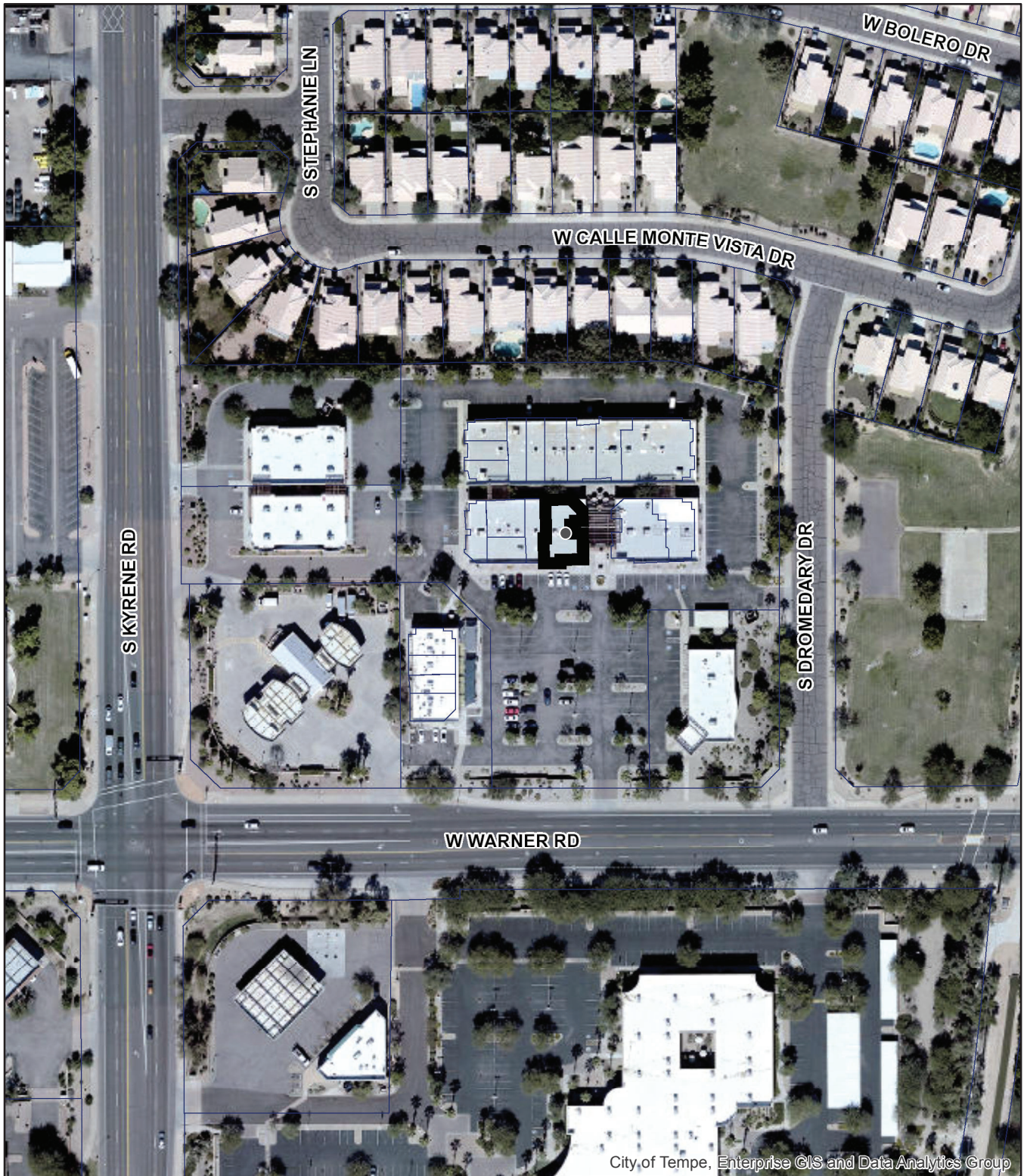


- |   |  |  |                                   |
|---|--|--|-----------------------------------|
|  | General Industrial District (GID)              |  | Agricultural (AG)                 |
|  | Planned Commercial Center Neighborhood (PCC-1) |  | Single-Family Residential (R1-15) |
|  | Planned Commercial Center General (PCC-2)      |  | Single-Family Residential (R1-6)  |

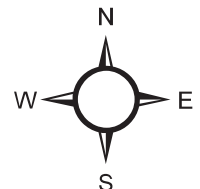


# YES HEALTH CENTER

PL210046



Aerial Map



Yes Health Center  
Use Permit Standard Application  
Letter of Explanation

Item 6.

Massage W will provide massage therapy and reflexology services. The business will be located at the Warner Professional Plaza (the Plaza) Unit 103 Building B at 430 W. Warner Rd. Tempe, AZ 85284. The unit will be approximately 1,360 square feet and consist of five massage rooms, a reflexology room, reception area, ADA restroom with separate ADA shower room, laundry room, and utility room.

Massage W will operate from 9 am to 10 pm seven days a week. In addition to the owner/applicant (a licensed masseuse), the business will employ two to four licensed masseuses/reflexologists. The therapists are subject to extensive training required by their mandatory licensing requirements, and all undergo background checks and personal evaluations from the owner to ensure the highest professional standards are met and maintained by all staff. The business will provide professional massage services including therapeutic, deep tissue, Swedish, and reflexology. Appointments will typically be made over the phone, but the business will accept walk-in customers if staff is available. Based on the customer load, the business does not anticipate any adverse effects on either other tenants of the Plaza or the shared parking lot. The business is not planning on making any alterations to the front and back entrances nor to the surrounding building envelope.

The Plaza is located on the southeast corner of Kyrene and Warner Roads. This corner, in addition to the Plaza, also includes Picasso's Healthy Italian Kitchen, Pilates Tempe, the Centre for Contemporary Dental Concepts, and a Valero Gas station. The restaurant, the Plaza, and the Centre share a parking lot consisting of 84 spaces. Additionally, the Plaza has its own dedicated parking spaces surrounding the buildings. The Plaza consists of three buildings (A, B, and C) surrounding an interior courtyard. Building B (in which Massage W is located) has front entrances facing the common parking lot described above and rear entrances to the courtyard. Buildings A and C have entrances off the courtyard and surrounding parking spaces. Tenants in the Plaza include medical, health and fitness, financial, engineering, legal, and energy services firms. The Plaza is located in a PCC-1 zoning district.

Based on the above description, the business does not expect to create any adverse impacts to the area from increased pedestrian or vehicular traffic, nor will it create any nuisances from odor, gas, noise, vibration, smoke, heat, or glare. Based on similar business uses of other Plaza tenants and from surrounding area businesses, Massage W does not expect to contribute to the deterioration of the neighborhood or to the downgrading of property values which conflict with the goals, objectives, or policies of the city's adopted plan. As no changes are planned to the building's exterior, and the type of business is consistent with other tenants and surrounding area businesses, Massage W believes its operations are consistent with existing surrounding structures and uses. Additionally, as a clinical health services operation, the business does not anticipate any customer or staff behaviors either within or outside the unit that would create a nuisance to the surrounding area or the general public.



**SITE PLAN**  
SCALE: NTS

NOTE:  
1. FIRE SPRINKLER SHALL BE A SEPARATE SUBMITTAL.

**FIRE SPRINKLER APPROVALS ARE NOTE INCLUDED IN THIS PERMIT.**

BEFORE COMMENCING ANY WORK ON THE SPRINKLER SYSTEM, PLANS MUST BE SUBMITTED AND APPROVED BY THE BUILDING SAFETY DIVISION, THE SYSTEM MUST BE INSPECTED AND APPROVED BY BUILDING SAFETY INSPECTION PRIOR TO A CERTIFICATE OF OCCUPANCY.

**ADA ACCESSIBLE PATH:**

THERE IS AN ADA ACCESSIBLE PATHS FROM BOTH WARNER RD, KYRENE RD & DROMEDAY DR WITH NO BARRIERS FROM THE PUBLIC STREET BY USE OF SIDEWALK AND CONCRETE DELINEATED PATHS TO REACH ALL AREAS OF PROJECT INCLUDE SUITE THAT WORK IS BEING REFORMED. 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 TRANSPORTATION WHICH HAS BEEN OUTLINED ON THE SITE PLAN ON THIS SHEET AND MEETS ALL REQUIREMENTS.

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.

**PROJECT DATA:**

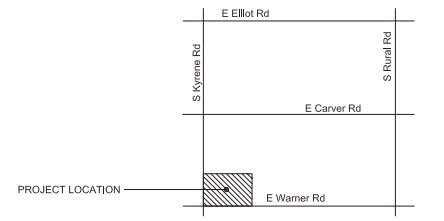
<b>TENANT / OWNER:</b>	YES Healing Center 430 W Warner Rd., Suite #103 Tempe, Az 85284
<b>OCCUPANCY GROUP:</b>	B
<b>ZONING:</b>	PCC-1
<b>APN#:</b>	301-53-123
<b>CONSTRUCTION TYPE:</b>	V-B / SPRINKLERED
<b>SEPARATED / NON-SEPARATED USE TYPE:</b>	SEPARATED
<b>PERIMETER FRONTAGE WIDTH:</b>	24'-4"
<b>SQUARE FOOTAGE:</b>	1,360 S.F.
<b>OCCUPANT LOAD:</b>	BUSINESS AREA 1,360 / 150 = 9 TOTAL OCCUPANT LOAD 9
<b>REQUIRED RESTROOMS:</b>	TOTAL OCCUPANT IS 9 = 5 MEN & 4 WOMEN, 1 LAV. & 1 W.C. FOR MEN & WOMEN, 1 MOP SINK, WATER DISPENSER
<b>PROVIDED RESTROOMS:</b>	1 LAV. & 1 W.C. FOR MEN & WOMEN, 1 MOP SINK, COMMON DRINKING FOUNTAIN
<b>NUMBER OF STORIES:</b>	1
<b>FIRE SPRINKLER:</b>	YES
<b>FIRE ALARM:</b>	YES
<b>NUMBER OF EXITS REQUIRED:</b>	1
<b>NUMBER OF EXITS PROVIDED:</b>	1
<b>BUILDING CODE:</b>	2018 International Building Code (IBC) 2018 International Existing Building Code (IEBC) 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 SITE PLAN	M1 MECHANICAL PLAN
A2 FLOOR PLAN	E1 ELECTRICAL PLAN
A2.1 ARCH DETAILS & NOTES	E1.1 NOTES & ONE LINE DIAGRAM
A3 REFLECTED CEILING PLAN	E2 LIGHTING PLAN
M0 MECHANICAL SPECIFICATIONS	

**NARRATIVE:**

EXISTING VACANT SUITE IS BEING CONVERTED INTO NEW HEALTH CENTER MASSAGE / REFLEXOLOGY, MAJORITY OF INTERIOR SPACE WILL REMAIN PER EXISTING PREVIOUS DESIGN, EXISTING ADA RESTROOM, ADA SHOWER ROOM, ELECTRICAL PANELS AND TRANSFORMER, LAUNDRY ROOM WITH PLUMBING, CEILING GRID AND MECHANICAL UNIT, DIFFUSERS AND AIR GRILLS SHALL REMAIN, NEW INTERIOR NON-LOAD BEARING WALLS ARE PROPOSED.



**VICINITY MAP**  
SCALE: NTS

Tenant Improvement for:  
**YES Healing Center**  
 'Massage & Reflexology'  
 430 W Warner Rd., Suite #103  
 Tempe, AZ 85284

No.	REVISION / ISSUE	DATE

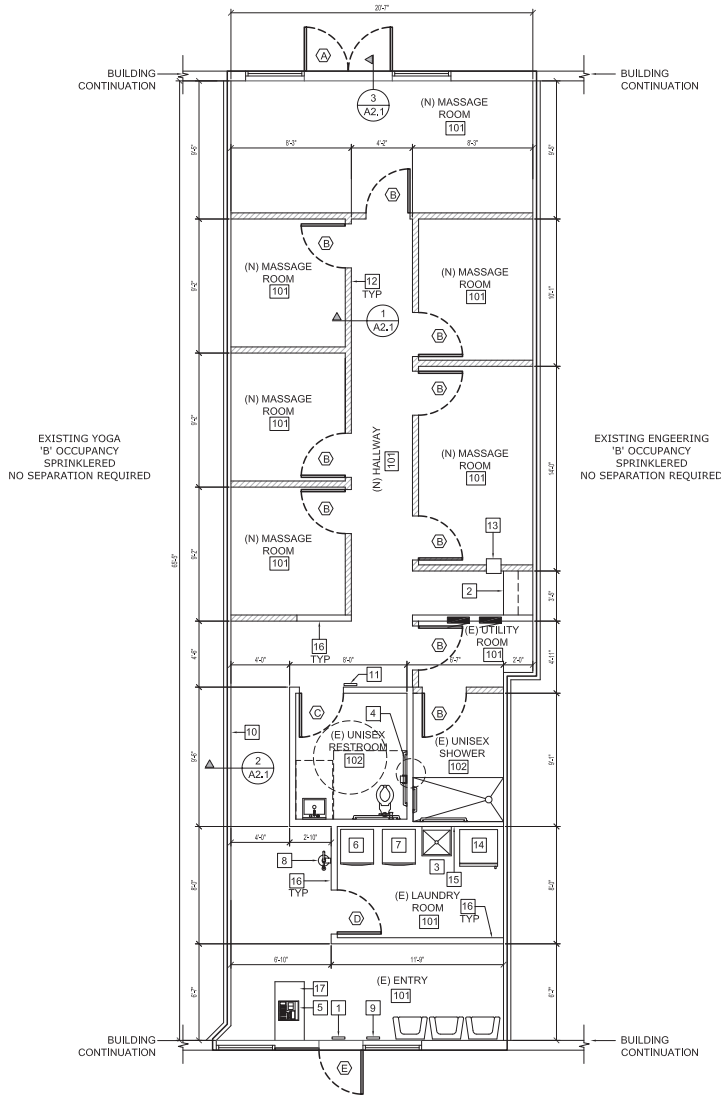
**PDC**  
 PARAMOUNT DESIGN & CONSULTING, LLC  
 8160 E Balthasar Dr., Suite #3  
 Scottsdale, AZ 85260  
 T: 602-882-5608 F: 480-478-0617  
 Contact: Howard Li Email: hwardli@aol.com



**SITE PLAN**

<b>RON MAZZEO ARCHITECT, LLC</b> ARCHITECTURE/PLANNING		130 WEST 2ND STREET SALIDA, COLORADO 81201
SCALE AS NOTED	SHEET NO. <b>A1</b>	
DATE 01.27.21	PROJECT	
CHK. BY H.L.	DWG. BY AJD	
REV. NO.		





**FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**FLOOR PLAN KEYED NOTES**

- [1] PROVIDE A READILY VISIBLE DURABLE SIGN POSTED ON THE EGRESS SIDE ON THE DOOR STATING: "THIS DOOR TO REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED." THE SIGN SHALL BE IN LETTERS 1 INCH HIGH ON A CONTRASTING BACKGROUND, PER 2018 IBC SECTION 1010.1.9.4.
- [2] NEW +3/4" MAX LAMINATED COUNTER w/ BASE & UPPER CABINETS.
- [3] EXISTING SERVICE SINK.
- [4] EXISTING ELECTRIC 30 GALLON HOT WATER HEATER w/ EXPANSION TANK ABOVE CEILING.
- [5] NEW POS STATION.
- [6] EXISTING WASHER MACHINE.
- [7] EXISTING DRYER MACHINE.
- [8] NEW 2A-10BC FIRE EXTINGUISHER, WALL INSET TO PROTRUDE A MAX. OF 4" FROM WALL MORE THAN 2" & NOT MORE THAN 80". REFER TO A2.1 FOR REFERENCE.
- [9] NEW EXIT SIGN w/ TACTILE SIGN & BRAILLE MOUNTED @ 48" MIN BOTTOM OF BRAILLE, 60" MIN TO BOTTOM OF TEXT. SECTION ADA 703.4.
- [10] EXISTING 6" METAL STUD 1-HR RATED DEMISING WALL, DESIGN NO. U495, ANSI / UL 263. SHADED WALLS: [Pattern]
- [11] NEW INTERNATIONAL SYMBOL OF ACCESSIBILITY PLUS RESTROOM TACTILE SIGN & BRAILLE MOUNTED @ 48" MIN BOTTOM OF BRAILLE, 60" MAX TO BOTTOM OF TEXT, SECTION ADA 703.4, CENTER LINE 9" FROM DOOR EDGE & PROVIDE 18" MIN. x 18" MIN. CLEAR SPACE CENTERED @ TACTILE CHARACTERS.
- [12] NEW 3/8" METAL STUDS @ 24" O.C. 20GA. WBATT INSULATION AND 5/8" GYP. BD. BOTH SIDES. (USE 6" STUDS AT PLUMBING WALLS AND W.P. GYP. BD. AT WET WALLS). REFER TO DETAIL A2.1.1. SHADED WALLS: [Pattern]
- [13] EXISTING COLUMN TO REMAIN.
- [14] NEW REFRIGERATOR.
- [15] WALLS WITHIN 2 FT OF SERVICE SINK EDGES SHALL HAVE SMOOTH, HARD NON-ABSORBANT SURFACE OF 4 FT A.F.F. & MATERIALS IN THE WALLS SHALL BE OF A TYPE THAT IS NOT ADVERSELY AFFECTED BY MOISTURE.
- [16] EXISTING 3/8" METAL STUDS @ 24" O.C. 20GA. WBATT INSULATION AND 5/8" GYP. BD. BOTH SIDES. SHADED WALLS: [Pattern]
- [17] NEW +3/4" SOLID SURFACE RECEPTION COUNTER.

**FINISH SCHEDULE**

- [101] FLOOR: CERAMIC TILE  
CEILING: 2"x4" SUSPENDED CEILING  
BASE: 6" TILE BASE  
WALLS: SMOOTH TEXTURE PAINTED GYP. BD.
- [102] FLOOR: CERAMIC TILE  
CEILING: GYP. BD, PAINTED  
BASE: CERAMIC TILE COVE 6" MIN  
WALLS: CERAMIC TILE +4'-0" SURROUND  
GYP. BD, PAINTED HIGH GLOSS ABOVE +4'-0"

**KEYED DOORS SCHEDULE**

- [A] EXISTING PAIR 3070 TEMP. GLASS DOOR w/ PUSH N PULL HARDWARE.
- [B] NEW 3070 S.C. DOOR w/ LEVER HARDWARE
- [C] EXISTING 3070 S.C. DOOR w/ LEVER PRIVACY HARDWARE.
- [D] EXISTING 3070 S.C. DOOR w/ LEVER HARDWARE
- [E] EXISTING PAIR 3070 TEMP. GLASS DOOR w/ ONE DOOR TO BE DISABLED w/ HARDWARE REMOVED. DOOR OUT OF USE TO BE MOUNTED @ 48" MIN BOTTOM OF SIGN ON EXTERIOR DOOR, REMAINING OPERATING DOOR TO HAVE PUSH N PULL HARDWARE.

Tenant Improvement for:

# YES Healing Center

'Massage & Reflexology'

430 W Warner Rd., Suite #103  
Tempe, AZ 85284

REV.	DESCRIPTION	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: hwardli@aol.com

ALL PLANS, REPORTS AND SPECIFICATIONS, AS WELL AS PARAMOUNT DESIGN & CONSULTING, LLC'S LOGO, TRADEMARK AND SERVICE ARE THE EXCLUSIVE PROPERTY OF PARAMOUNT DESIGN & CONSULTING, LLC. NO REPRODUCTION, MODIFICATION, OR OTHER USE OF THESE MATERIALS IS PERMITTED WITHOUT THE WRITTEN PERMISSION OF PARAMOUNT DESIGN & CONSULTING, LLC. THIS PROJECT IS CONTROLLED BY CONTRACT PROGRAMS.

RON MAZZEO ARCHITECT  
2019  
PROFESSIONAL ARCHITECT  
STATE OF ARIZONA  
LICENSE NO. 09730121

**FLOOR PLAN**

**RON MAZZEO ARCHITECT, LLC**  
ARCHITECTURE/PLANNING  
130 WEST 2ND STREET  
SALIDA, COLORADO 81001

SCALE: AS NOTED  
DATE: 01.27.21  
CHK. BY: H.L. DWG. BY: AJD  
REV. NO. PROJECT

DWG. NO. **A2**



Attachment 6



Attachment 7



Attachment 8



Attachment 9



Attachment 10



Attachment 11



Attachment 12