

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 10/12/21
Agenda Item: 5**

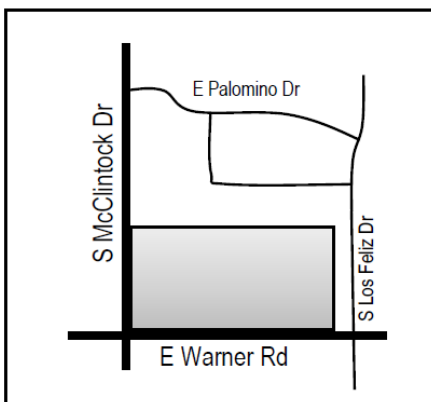
ACTION: Request a Use Permit to allow a massage establishment for **SELF-CENTERED DETOX AND REJUVENATION SPA**, located at 1840 East Warner Road, Suite 123.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The Self-Centered Detox and Rejuvenation Spa (PL210238) 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 District. The request includes the following:

ZUP210064 Use Permit to allow the expansion of an existing massage establishment.



Property Owner	CB6MF, LLC
Applicant	Barbara Jacoboski, Self-Centered Detox and Rejuvenation Spa
Zoning District	PCC-1
Suite Area	1,682 S.F.
Vehicle Parking	No change in demand
Bicycle Parking	No change in demand
Hours of Operation	Monday – Friday 9am – 7pm Saturday – Sunday 9am – 3pm

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Steve Abrahamson, Principal Planner I (480) 350-8359

Department Director: Shelly Seyler, Interim Community Development Director

Legal review by: N/A

Prepared by: Steve Abrahamson, Principal Planner

Reviewed by: Ryan Levesque, Deputy Director, Community Development Department, Planning Division

COMMENTS

The applicant is proposing a new massage establishment within an existing commercial building. The total suite area is 1,682 square feet. As the operations is a service use, and the previous tenant was retail, the overall 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 informed staff that there were no concerns regarding this request. The applicant has an active massage license with no past issues.

USE PERMIT

The proposed use requires a Use Permit to allow a massage establishment within the PCC-1, Planned Commercial Center Neighborhood Zoning District.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed massage use is a service business not projected to attract significant increases in 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*; 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.
4. *Compatibility with existing surrounding structures and uses*; the proposed location is within a commercial center with other service and commercial uses occupying the other 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 has an existing massage license with no prior issues and Tempe PD has no concerns with 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 The Self-Centered Detox and Rejuvenation Spa 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 Mike Scarpitta 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:

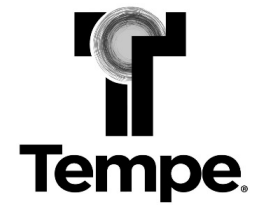
None pertinent to this case.

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

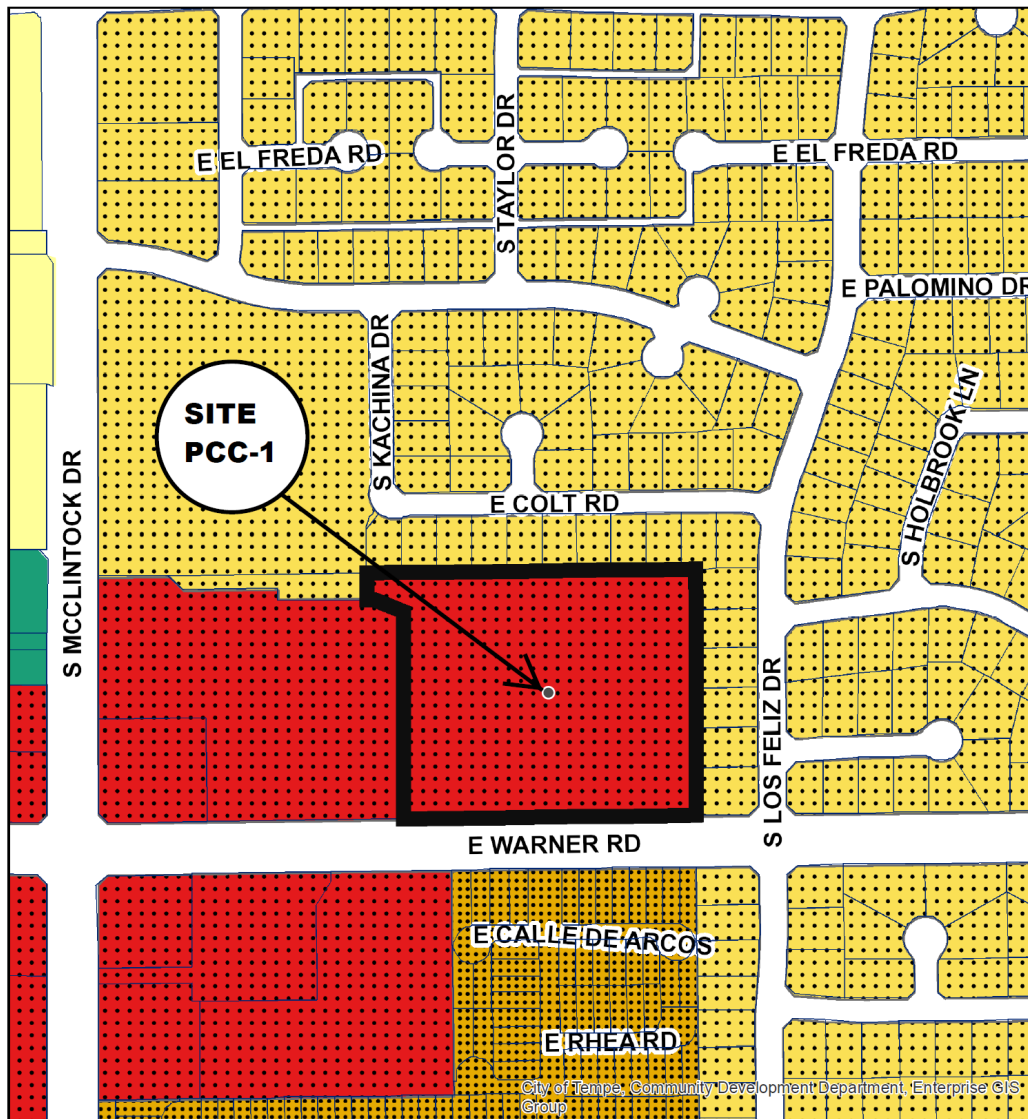


DEVELOPMENT PROJECT FILE
for
SELF-CENTERED DETOX AND REJUVENATION SPA
(PL210238)

ATTACHMENTS:

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

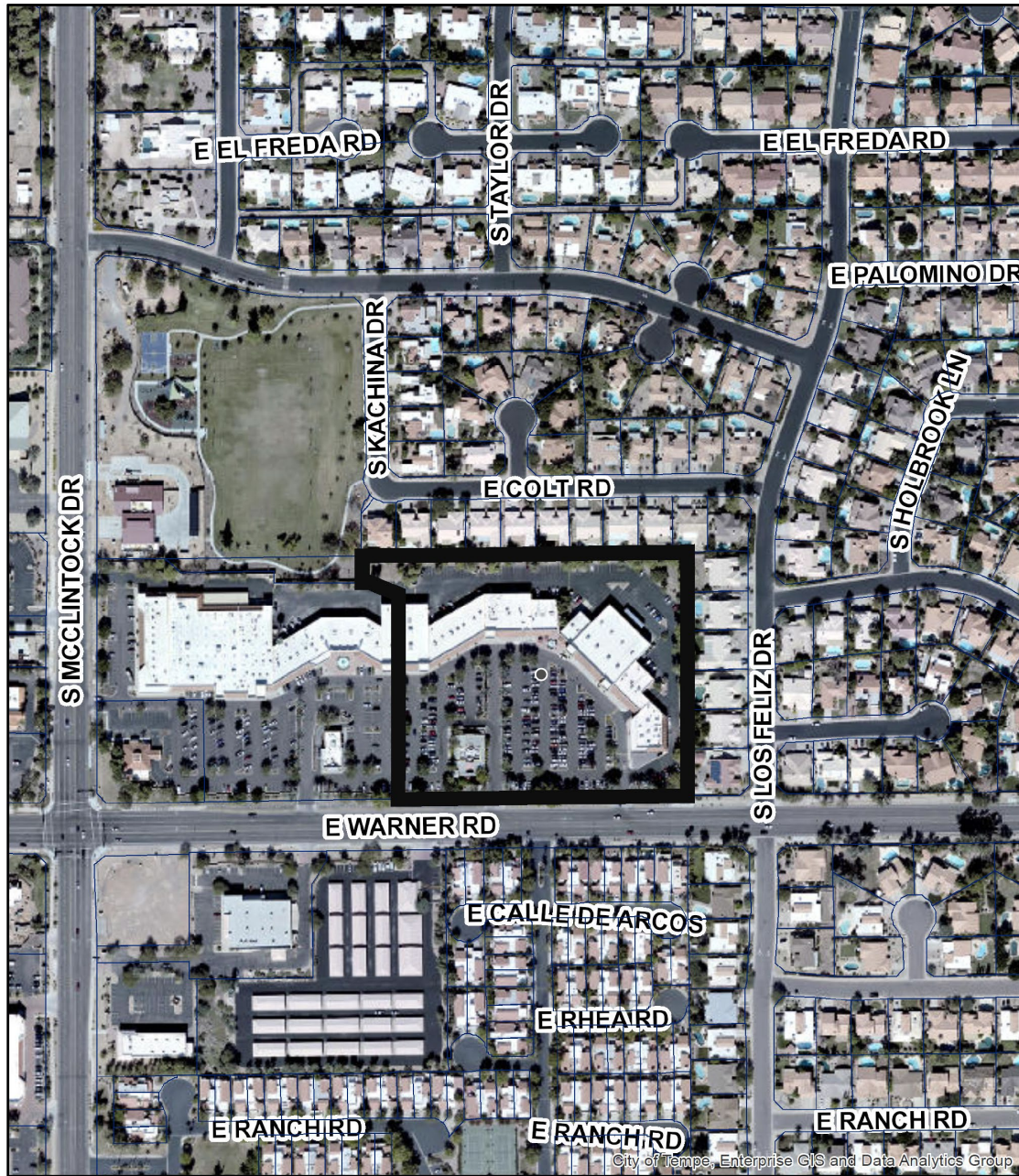
SELF-CENTERED DETOX AND REJUVENATION PL210238



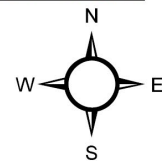
- Planned Commercial Center Neighborhood (PCC-1)
- Single-Family Residential (R1-7)
- Residential/Office (RO)
- Agricultural (AG)
- Single-Family Residential (R1-4)

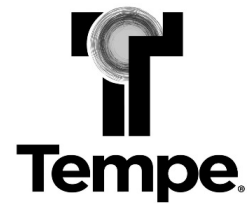
City of Tempe, Community Development Department, Enterprise GIS Group

SELF-CENTERED DETOX AND REJUVENATION **PL210238**



Aerial Map





City of Tempe
Permit

This Letter of Explanation submitted as part of the checklist materials will serve to assure that Self-Centered Detox and Rejuvenation Spa will not negatively impact the surrounding area by any means.

This day spa will operate standard business hours by appointment to accommodate our clientele. We will be a small business operated by the owner and staffed with licensed professionals with anywhere from 2-6 employees and 7 clients at a time. This number will not cause a significant change in vehicular or pedestrian traffic (a).

Our business will offer services that are unlike the services around us, yet compliment them well. The massages we offer are different than other massage establishments offer and are an integral part of our detox protocol. Our business and tenant improvements, which are limited to the interior with the exception of our city approved signage, will add value to our surrounding businesses (c,d). Given the nature of a day spa, a place for relaxation of the body and senses, the possibility of nuisances is extremely small, definitely not to a level to exceed ambient conditions (b,e).

Respectfully,

Barbara Jacoboski
Self-Centered, Owner
480-577-4546



101 A-1 Cleaners

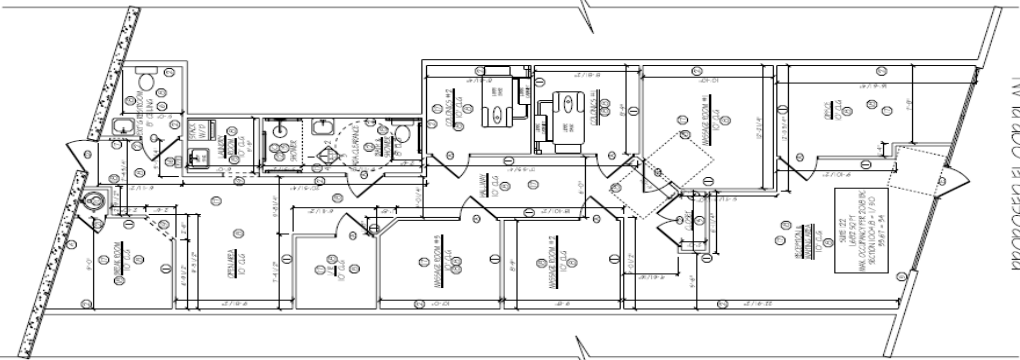
119 Vacant - 2,151 SF (Former Chiro) 137 Coming Available - 1,100 SF

1840 E. Warner Rd.
Suite 123, Tempe, AZ

FLOOR PLAN

Harry Young Design & Drafting 602.909.6989
www.harryyoungdesign.com

DATE: 7-20-18
SHEET NUMBER: A-2

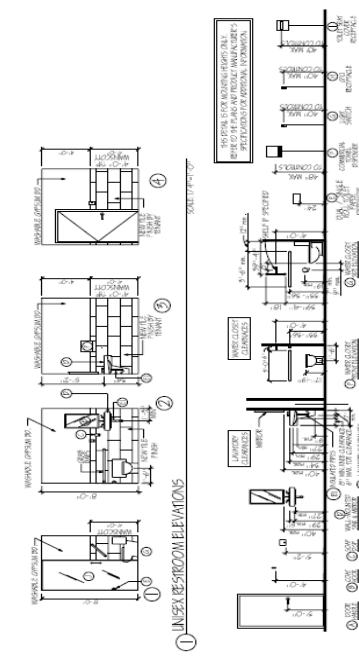


PROPOSED FLOOR PLAN
1/8" = 1'-0"

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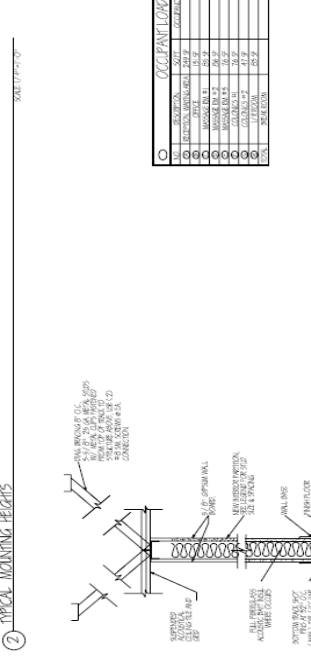
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1. UNisex RESTROOM ELEVATIONS



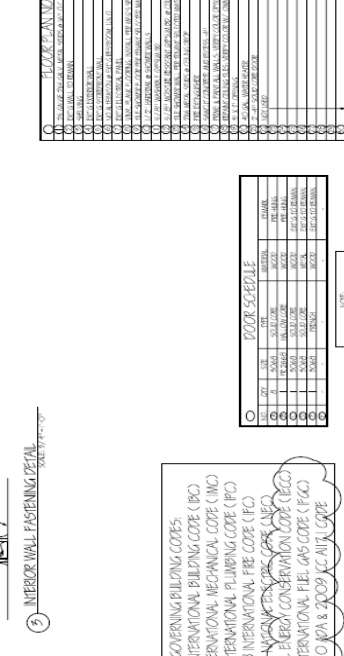
SCALE: 1/8" = 1'-0"

2. TYPICAL MOUNTING HEIGHTS



SCALE: 1/8" = 1'-0"

3. INTERIOR WALL FASTENING DETAIL



SCALE: 1/8" = 1'-0"

GOVERNMENT BUILDING CODES

- 2018 INTERNATIONAL BUILDING CODE (IBC)
- 2018 INTERNATIONAL MECHANICAL CODE (IMC)
- 2018 INTERNATIONAL PLUMBING CODE (IPC)
- 2018 INTERNATIONAL FIRE CODE (IFC)
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- 2018 INTERNATIONAL ELECTRICAL CODE (IEC)
- 2018 IBC & 2009 IBC AIR CODE