

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 11/10/2021
Agenda Item: 4**

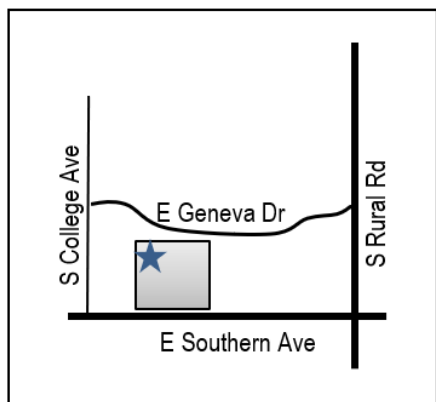
ACTION: Request a Use Permit to allow massage establishment for **MOTHER IRIS MASSAGE**, located at 410 East Southern Avenue in the R/O, Residential/Office Zoning District. The applicant is Jessica Couch.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: MOTHER IRIS MASSAGE (PL210290) is requesting a Use Permit to allow a massage establishment in an existing commercial and office complex in the R/O, Residential/Office Zoning District. The request includes the following:

ZUP210080 Use Permit to allow a massage establishment



Property Owner	Michael Oneil
Applicant	Jessica Couch, Mother Iris Massage
Zoning District	R/O, Residential/Office
Building Area	Approx. 1,500 s.f.
Vehicle Parking	No change in demand
Bicycle Parking	No change in demand
Hours of Operation	9 a.m. to 7 p.m. Daily

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Jacob Payne, Planner I (480) 350-8652

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

COMMENTS

The applicant is proposing a new massage establishment within an existing commercial and office complex. The complex is zoned RO, Residential/Office and contains other service-based businesses and small offices. The suite is approximately 1,500 s.f. and has 8 parking spaces on site.

PUBLIC INPUT

To date, staff has not received any public input.

POLICE INPUT

The Tempe Police Department had no issues with this request.

USE PERMIT

The proposed use requires a Use Permit to allow a massage establishment within the R/O, Residential/Office 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 and is 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 to be 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 a permitted use in the RO zoning district subject to a Use Permit.
4. *Compatibility with existing surrounding structures and uses*; the proposed location is within an existing commercial/office complex with service, commercial, medical, and dental uses occupying the other units.
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 business will be subject to regulations from municipal and state levels that will mitigate any potential disruptive behavior.

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 Mother Iris Massage 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:

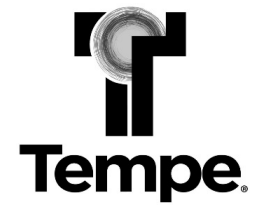
None pertinent to this case.

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

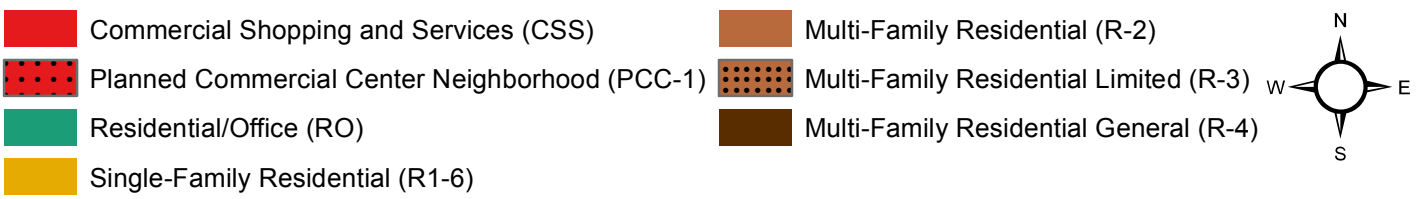
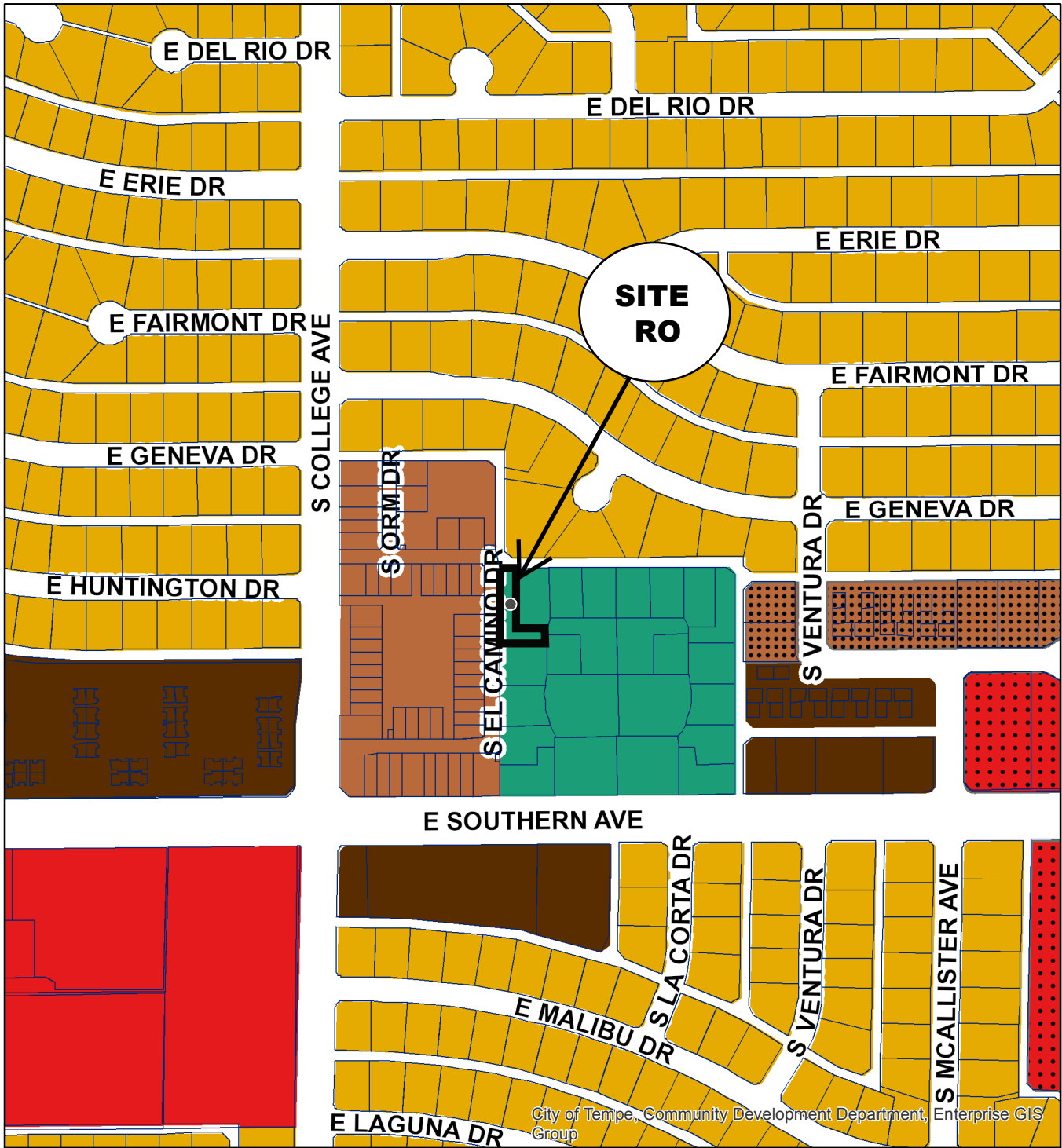
**MOTHER IRIS MASSAGE
(PL210290)**

ATTACHMENTS:

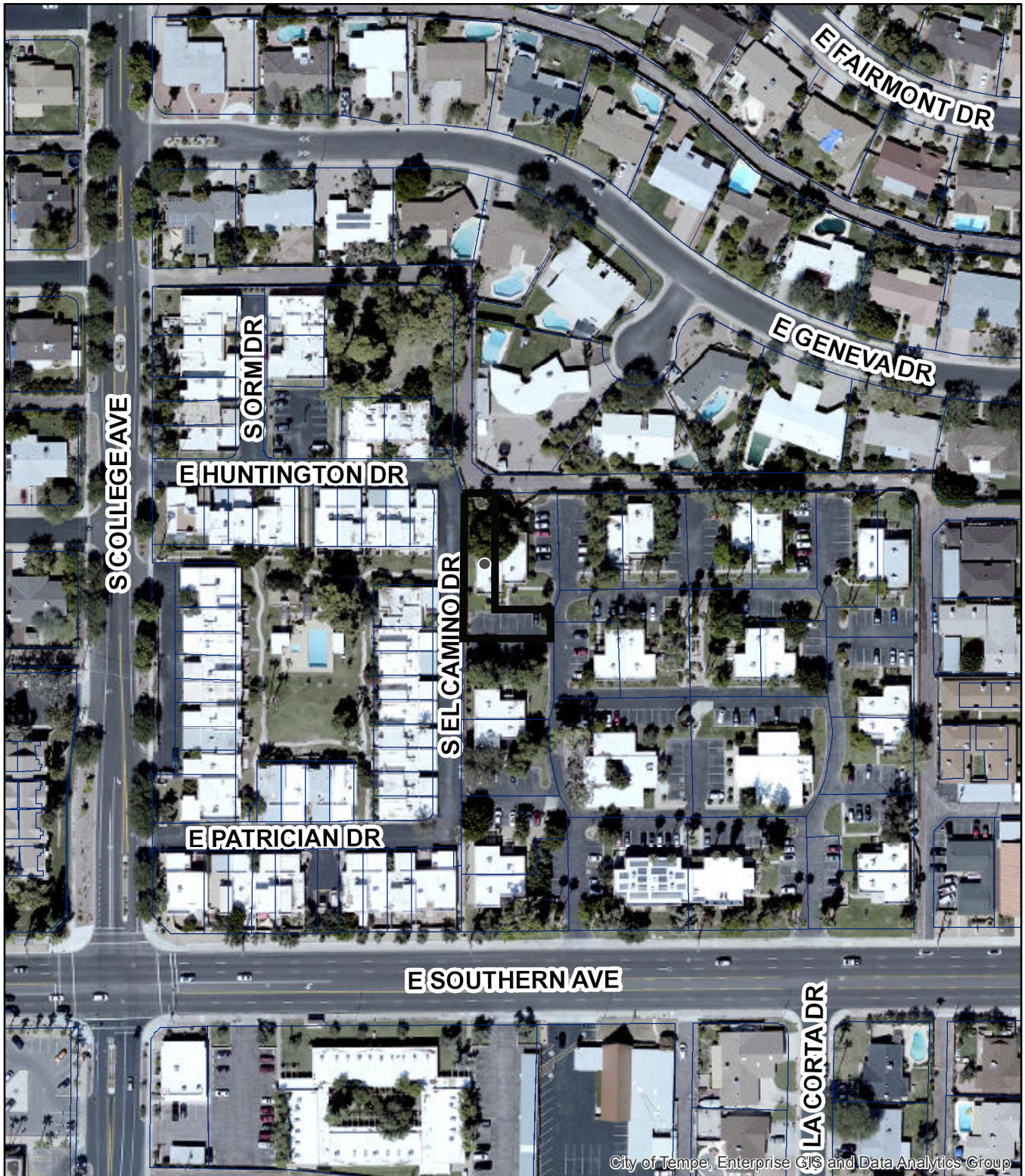
1. Location Map
2. Aerial
3. Letter of Explanation
4. Plaza Site Map
5. Floor Plan
- 6-10. Site Context Photos

Mother Iris Massage

PL210290

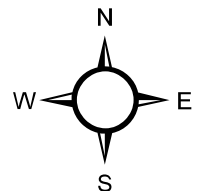


Mother Iris Massage



City of Tempe, Enterprise GIS and Data Analytics Group

Aerial Map

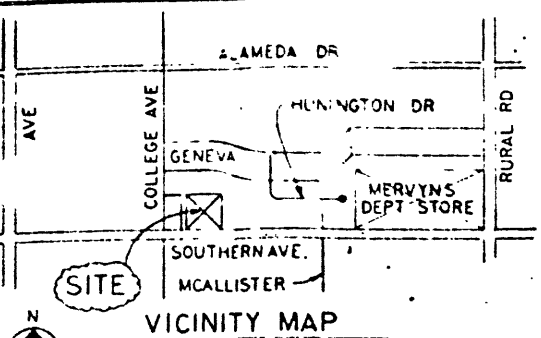


Letter of Explanation:

Starting with one room at a time up to 3 rooms used for massage therapy. Rented to other therapists who manage their own businesses. Minimal traffic and mostly appointments only with occasional walk in hours. Massages will be scheduled 7 days a week 9am-7pm.

PLAT FOR SOUTHERN AVE. GARDEN OFFICES
 BEING A PART OF THE SE 1/4 SECTION 27 T1N R4E G&SRB&M, MARICOPA COUNTY, ARIZONA

NEW ALLEY DEDICATION
 RE: PLAT # 955 PG 219 M.C.R.
 IS 21' NORTH AND EAST FROM
 AND IS 15' CORNER CUTOFF



BEARINGS

R1	N	15° 28'	126'
R2	N	25° 26'	126'
R3	N	35° 24'	126'
R4	N	45° 22'	126'
R5	S	55° 20'	126'
R6	S	65° 18'	126'
R7	S	75° 16'	126'
R8	S	85° 14'	126'
R9	S	95° 12'	126'
R10	S	5° 10'	126'

NOTE:
 1. All North-South Bearings called out are N or S.
 2. All East-West Bearings called out are E or W.

EXISTING ZONING: R-4 & R1-1
 PROPOSED ZONING: R0

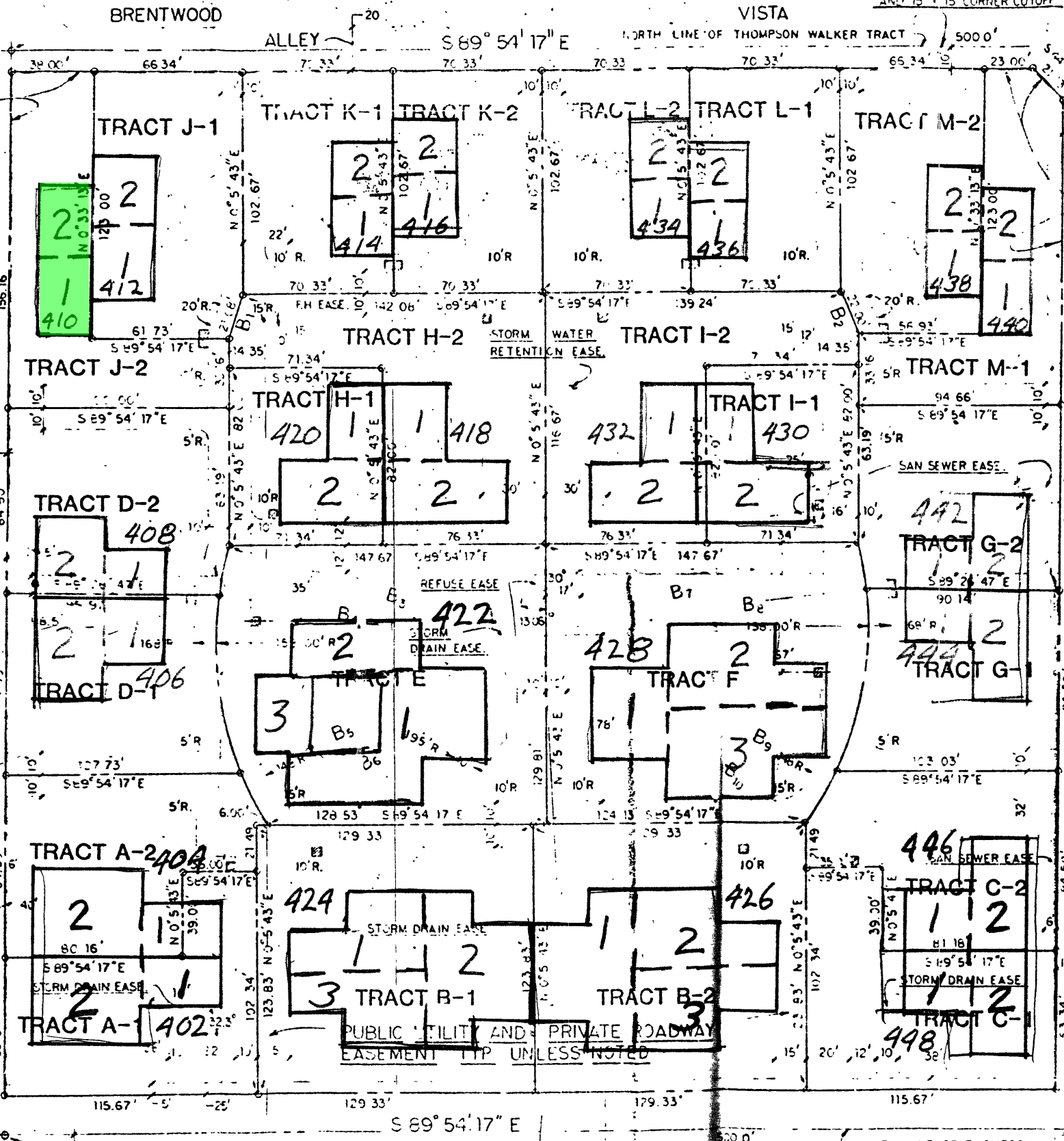
Gross Acreage: 5.11 acres
 Net Acreage: 4.13 acres
 Smallest lot: 0.134 acres
 Largest lot: 0.240 acres
 Density: 4.51 per acre

APPROVED BY THE CITY ENGINEER
 OF THE CITY OF PHOENIX, ARIZONA
 THE _____ DAY OF _____ 1994

ATTEST: _____

APPROVED BY *DeM...* CITY ENGINEER

NOTE:
 INDICATES 3" x 3" EASE. FOR WATER METER



SUITE ASSIGNMENT
 SOUTHERN AVE. GARDEN OFFICES
 ADDRESSED 6-5-8
Chuck Cray

ALL ADDRESSES
 E. SOUTHERN AVE.

SOUTHERN AVE.
 402-448
 E. SOUTHERN AVE.

SOUTHERN AVENUE GARDEN OFFICES
 FLUIDYNE ENGINEERING CORPORATION
 SUITE 203, 1000 E. APACHE BLVD.
 TEMPE, ARIZONA 85281 966-0232

SE 27 T1N

Master Room
18x26

Kitchen

17x13
Massage
Room

Bath
Room

Don

Storage

community
Room
23x17

9x20

front
Entrance


M
Mystic
Secor



410

412

AA

 loopnet.com



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PHOTOS MAP

410 E Southern Ave

3,000 SF of Office Space Available
in Tempe, AZ



- Upscale office park environment. Lush landscaping. Entire building with signage


• Mix of private offices and open space

Office

MICHAEL J. O'NEILL



AA

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PHOTOS MAP

410 E Southern Ave

3,000 SF of Office Space Available
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• Mix of private offices and open space

Front of building



AA

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PHOTOS MAP

410 E Southern Ave

3,000 SF of Office Space Available
in Tempe, AZ

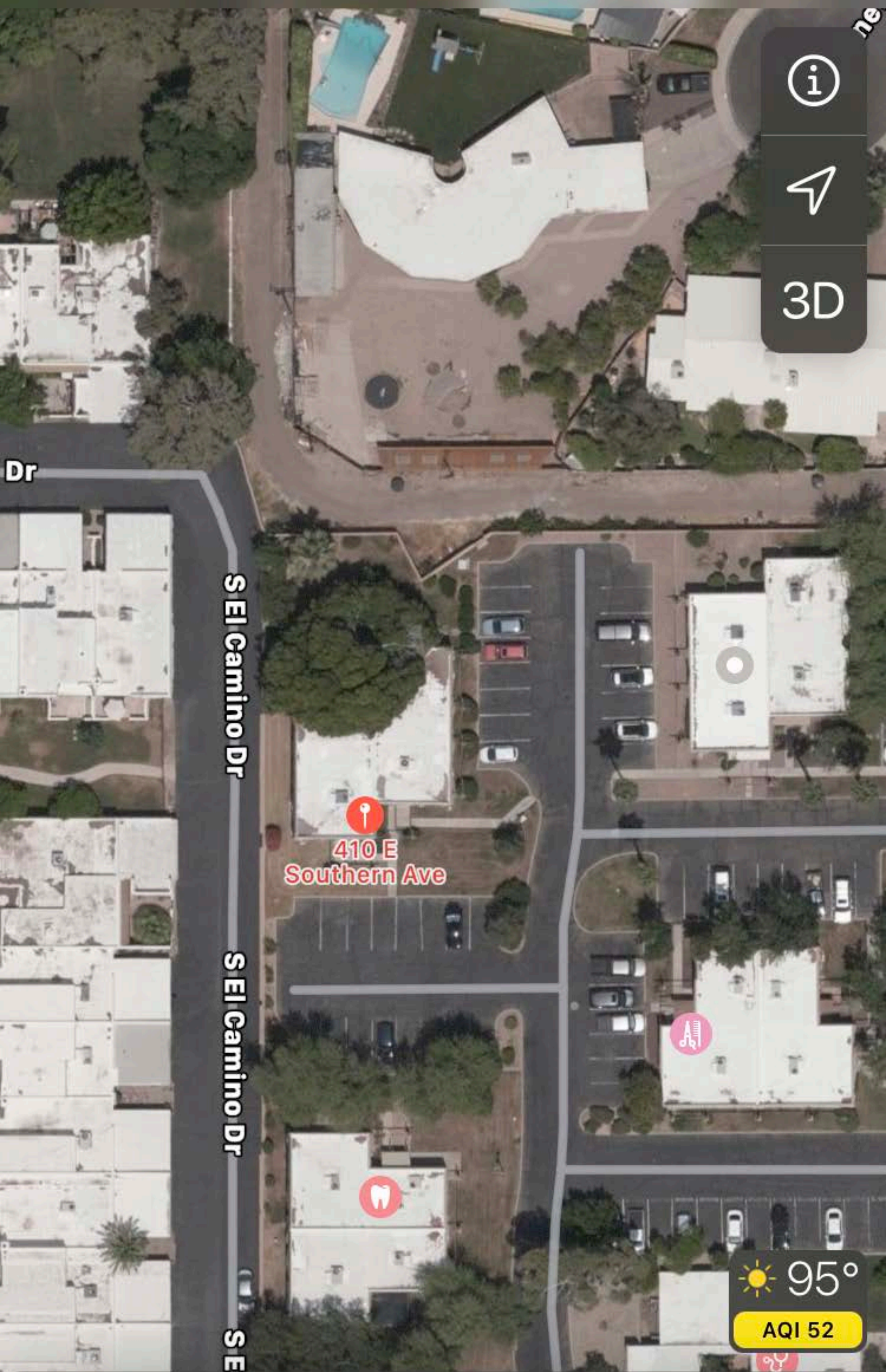


- Upscale office park environment. Lush landscaping. Entire building with signage

• Mix of private offices and open space

Rear of Building





3D

410 E Southern Ave

S El Camino Dr

S El Camino Dr

S E

95°

AQI 52

Search Maps

