ACTION: Request two Use Permits to allow a massage establishment and a fitness facility in the GID (General Industrial District) for FAMILY FITNESS FORUM, located at 1500 NORTH PRIEST DRIVE. The applicant is Family Fitness Forum.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: FAMILY FITNESS FORUM (PL190031) is requesting two Use Permits to allow a massage establishment and a fitness facility in the Papago Buttes Corporate Plaza on the northwest corner of North Priest Road and West Washington Street. The center is also located within the Papago Park Center Tract B1 PAD. The request includes the following:

- ZUP190011 Use Permit to allow a fitness facility in the GID (General Industrial District).
- ZUP190012 Use Permit to allow a massage establishment in the GID (General Industrial District).

Property Owner Metro Commercial Properties
Applicant Daniel Galaz, Family Fitness Forum
Zoning District GID
Site Area 549,635 s.f.
Building Area 280,000 s.f.
Suite Area 2,500 s.f.
Vehicle Parking No Change in Demand/1261 spaces provided (28 spaces required)
Bicycle Parking No Change in Demand/113 spaces provided (3 space required)
Hours of Operation 24 Hours, Daily

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Blake Schimke, Planning Technician (480) 350-8245

Department Director: Chad Weaver, Community Development Director
Legal review by: N/A
Prepared by: Blake Schimke, Planning Technician
Reviewed by: Steve Abrahamson, Principal Planner
Family Fitness Forum is an established Fitness Facility within the Papago Buttes Corporate Plaza. The Massage services, which consist of but are not limited to chair and table massages, will be offered to the members of the fitness club by appointment only.

PUBLIC INPUT
To date, staff has not received any public comment

POLICE INPUT
N/A

USE PERMIT
The proposed use requires a Use Permit to operate a massage establishment and fitness facility within the General Industrial zoning district.

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

1. **Any significant increase in vehicular or pedestrian traffic;** The fitness center is open to the public but is located in a corporate building providing a more private experience with no increase of vehicular or pedestrian traffic. In addition, the service is only offered to customers of the fitness facility and the service will be offered one client at a time.

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 use will be indoors and will not create any nuisances greater than that of 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;** the use is permitted with a use permit in the GID, General Industrial District zoning district. The projected land use for the site is commercial, which with a use permit, this use would also be allowed.

4. **Compatibility with existing surrounding structures and uses;** The center and surrounding centers are GID.

5. **Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public;** This proposed use is not expected to create any disruptive behaviors.

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, 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.

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 Family Fitness Forum 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 3-302 Permitted Uses in Office/Industrial Districts
Section 4-204 Development Standards for Office/Industrial Districts
Section 6-308 Use Permit
ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan
6. Building Elevations
To Whom It May Concern:

Family Fitness Forum is a fitness center located in Papago Buttes Corporate Plaza. The fitness center is opened 24/7 and cost $25 month-to-month. It not only provides the tenants a way to exercise but also the surrounding businesses. The fitness center is operated by the owner (Daniel Galaz) and has no other employees. The fitness center would also like to offer chair and table massages by licensed massage therapist. This will be a charge on its own and not included in the fitness center membership fee. Patrons can enjoy a relaxing moment throughout the day by scheduling during what time fits their schedule. Besides, massage has many benefits and would be an asset to the community.

Fortunately, there will be no potential impacts to adjacent properties or nuisances arising. The Fitness center has already been around and remodeled since 1994. Therefore, the development plan will conform to the all the standards and zoning and development code criteria in section 6-308E. During this time it has only enlighten and enhanced the property/area by giving an option to receive a massage.
DEVELOPMENT PROJECT FILE
for
FAMILY FITNESS FORUM
PL190031

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