

Staff Summary Report



Hearing Officer Hearing Date: December 18, 2007

Agenda Item Number: 10

SUBJECT: This is a public hearing for a request by the **NATIONAL MASSAGE CLUB (PL070511)** located at 8100 South Priest Drive, Suite No. 101 for one (1) use permit.

DOCUMENT NAME: 20071218dssl02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **NATIONAL MASSAGE CLUB (PL070511)** (Dennis Teufel, applicant; Matt Building 1 LLC, property owner) located at 8100 South Priest Drive, Suite 101, in the GID, General Industrial District for:

ZUP07188 Use permit to allow a massage facility in the GID, General Industrial District.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

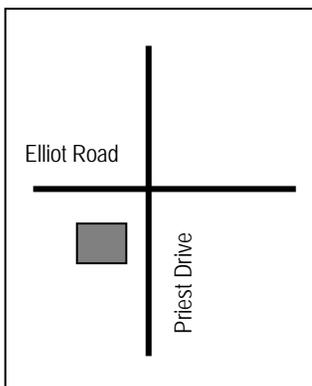
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-8.

ADDITIONAL INFO: The applicant is requesting approval of a use permit for a massage facility located at 8100 South Priest Drive. The Zoning and Development Code requires commercial and retail uses located in the, GID, General Industrial District to obtain a use permit. The proposed business, National Massage Club, is a franchise establishment which offers memberships to individuals for reoccurring massage therapy treatments. Staff is recommending approval of the request with conditions. To date, no public input has been received.



PAGES:

1. List of Attachments
2. Comments; Reason for Approval; Conditions of Approval; History & Facts
3. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
5. Site plan
6. Floor Plan
7. Staff Photograph(s)

COMMENTS:

National Massage Club is requesting approval of a use permit for a massage therapy facility to be located at 8100 South Priest Drive. Typical business hours are from 9:00 a.m. to 10:00 p.m., Monday through Friday, 8:00 a.m. to 10 p.m. Saturday and 10:00 a.m. to 6:00 p.m. Sundays. The business employs twelve massage therapists with varying hours. The facility will offer club memberships, similar to health club memberships, for individuals to receive reoccurring therapy treatments at an established rate. This is a second franchise location for this applicant; their other location is operating in North Scottsdale.

Use Permit

The Zoning and Development Code requires a use permit for service businesses, including massage therapy, in the GID, General Industrial District. Staff supports the use permit as described in the letter of explanation. This use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general. The proposed business is compatible with the building and the adjacent businesses. The site has ample parking spaces available to accommodate this use.

Conclusion

Staff recommends approval of the request with conditions. To date, there has been no opposition to this use permit application.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.
6. There appears to be a demonstrated need for this use at the proposed location.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S) OF APPROVAL:

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is transferable. Should the business be sold, the new owners must reprocess for administrative review.
3. The use permit is valid for the plans and business operation as submitted to and approved by the Hearing Officer/Board of Adjustment.
4. Any expansion or intensification of use shall require a new use permit to be approved.
5. 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 set to re-evaluate the appropriateness of the use permit.
6. All required State, County and Municipal permits shall be obtained or the use permit is void.
7. 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.
8. All business signs shall be Development Review approved and permits obtained.

HISTORY & FACTS:

April 1, 2004.

City Council approved a use permit for Massage Envy, a membership massage therapy facility located at the southeast corner of Elliot Road and Kyrene Road.

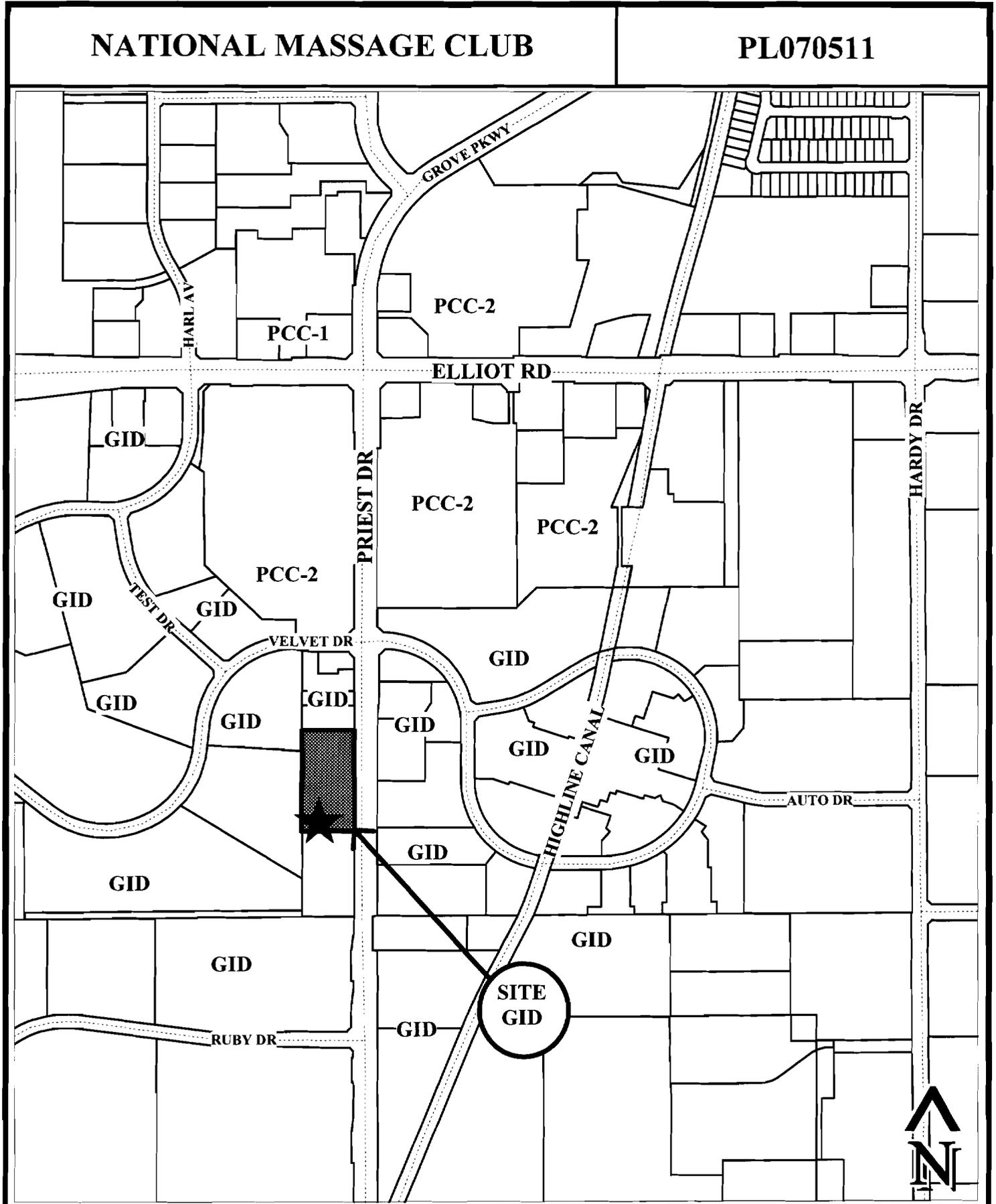
DESCRIPTION: Owner – Matt Building 1 LLC
Applicant – Dennis Teufel
Existing Zoning – GID, General Industrial District

**ZONING AND
DEVELOPMENT**

CODE REFERENCE: Part 6, Chapter 3, Section 6-308- Use permits

NATIONAL MASSAGE CLUB

PL070511



Location Map



NATIONAL MESSAGE CLUB (PL070511)

McHennepin LLC DBA National Massage Club

We are an existing business located in Scottsdale Arizona on Frank Lloyd Wright Blvd. We are adding a second location and are Franchising Nationally.

This business has upper end services. We offer Reflexology, Swedish, Deep tissue, Hot stone & Paraffin Wax, Foot treatment Massage Services.

This facility also offers gratuity trays in your room with additional Hot oils & lotions. We finish the treatments with a fresh hot cloth.

We offer an upscale facility at Club prices.

National Massage Club is below the competition, Market prices. National Massage Club also

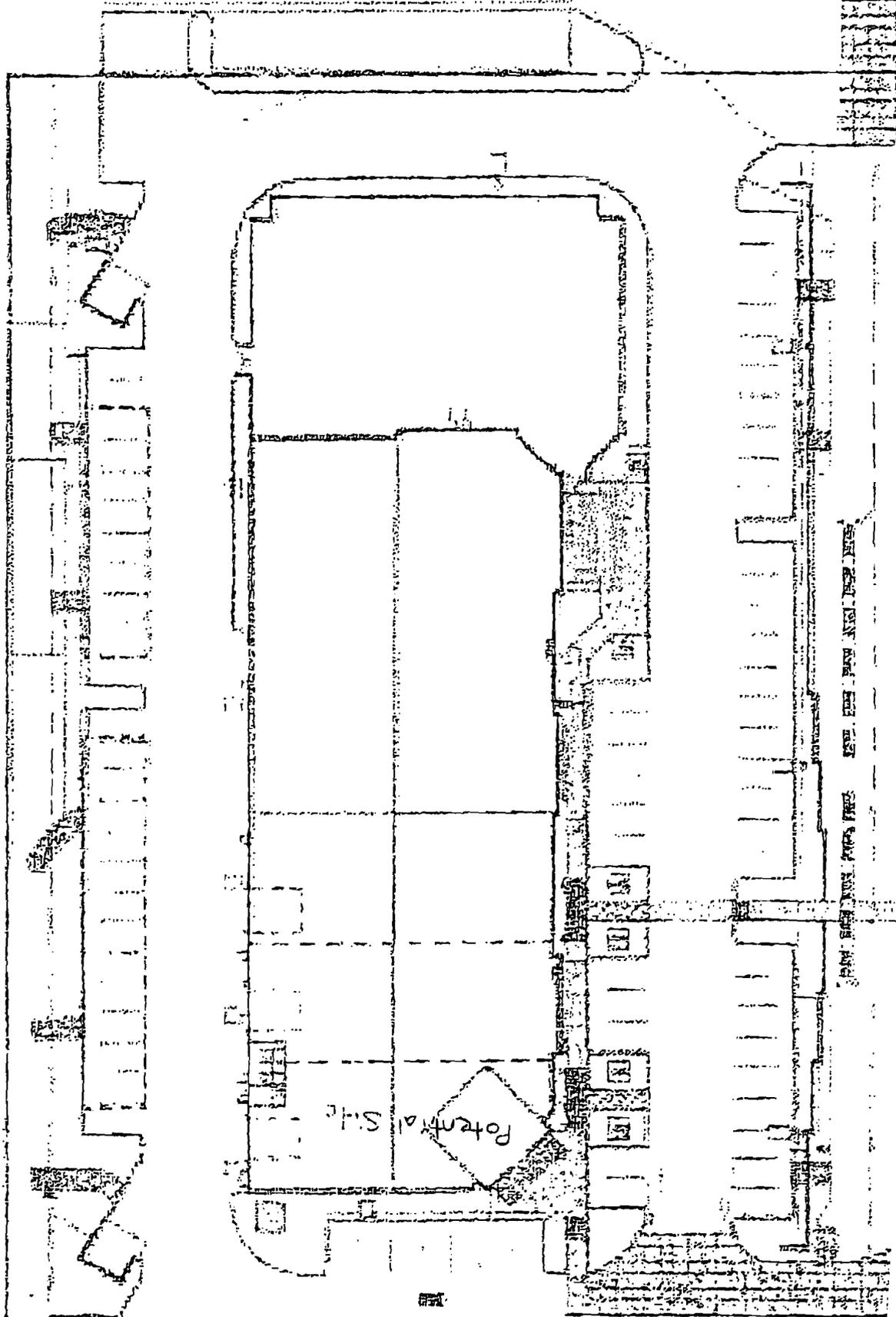
has a unique Retail section at an affordable price! We believe it is a must in Tempe!

We as a National Massage Club feel we will bring great job opportunities to the East Valley as well as contribute to our neighboring businesses to bring more clients to all! We will be contributing to approx 12+ =>

New employees! ~~the look~~ National Massage
Club looks forward to being here in Tempe as
well as across the United States as we
Franchise effectively and at a fast pace.

Thank you for your
considerations time in
reviewing our ~~Informa~~

Dennis E. Teufel
Angela J. Teufel





NATIONAL MASSAGE CLUB

8100 S PRIEST DR

PL070511

FRONT OF BUSINESS/ TENANT SPACE