

Staff Summary Report



Hearing Officer Hearing Date: November 4, 2008

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by **JON'RIC INTERNATIONAL SALON AND DAY SPA (PL080381)** located at 2040 East Rio Salado Parkway, Suite No. 105 for one (1) use permit.

DOCUMENT NAME: 20081104dsng01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **TEMPE MARKETPLACE – JON'RIC INTERNATIONAL SALON AND DAY SPA (PL080381)** (Jennifer Wells, applicant; Vestar, property owner) located at 2040 East Rio Salado Parkway, Suite No. 105 in the RCC, Regional Commercial Center District for:

ZUP08160 Use permit to allow a massage therapist as part of a spa.

PREPARED BY: Nick Graves, Planning Intern (480-350-8690)

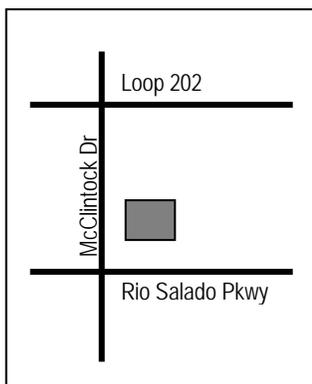
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The applicant is requesting approval of a use permit for a massage therapist as part of a spa located at 2040 East Rio Salado Parkway, Suite No. 105 in Tempe Marketplace. The proposed business, Jon'Ric International Salon and Day Spa, is a franchise company operating internationally which offers hair and nail services as well as other spa services for their clients. Staff is recommending approval of the request with conditions. To date, no public input has been received.



PAGES:

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

ATTACHMENTS:

1. Location Maps
2. Aerial Photos
3. Letter of Intent
4. Jon Ric Spa Title Sheet
5. Site plan
6. Floor Plan
7. Staff Photograph(s)

COMMENTS:

Jon'Ric International Salon and Day Spa is requesting approval of a use permit for a massage therapist as part of a spa to be located at 2040 East Rio Salado Parkway, Suite No. 105. The business is a franchise company operating internationally which offers hair and nail services as well as other spa services for their clients. By adding massage therapy they hope to offer a full salon and spa experience. Jon'Ric is open to the public. Membership is not needed to get your hair done or to have a massage. Walk-ins and appointments are both accepted. Typical business hours are from 9:00 a.m. to 9:00 p.m., Monday through Friday, 9:00 a.m. to 7:00 p.m. on Saturdays and 12:00 p.m. to 7:00 p.m. on Sundays. The business employs twenty-two employees and has one (1) massage therapist ready to join the team. Two (2) massage treatment rooms have been planned for the business. Jon'Ric estimates to have 2000 clients ranging in ages between 15 and 44.

Use Permit

The Zoning and Development Code requires a use permit to allow a massage establishment in the RCC, Regional Commercial Center District.

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This use should not create any nuisances.
- c. 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 proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses

Conclusion

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

REASONS 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.

CONDITIONS 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 Plan Review approved and permits obtained.

HISTORY & FACTS:

March 4, 2008

ZUP08023 – The Hearing Officer approved a request by MASSAGE ENVY for a massage establishment located at 1900 East Rio Salado Parkway, Suite No. 150.

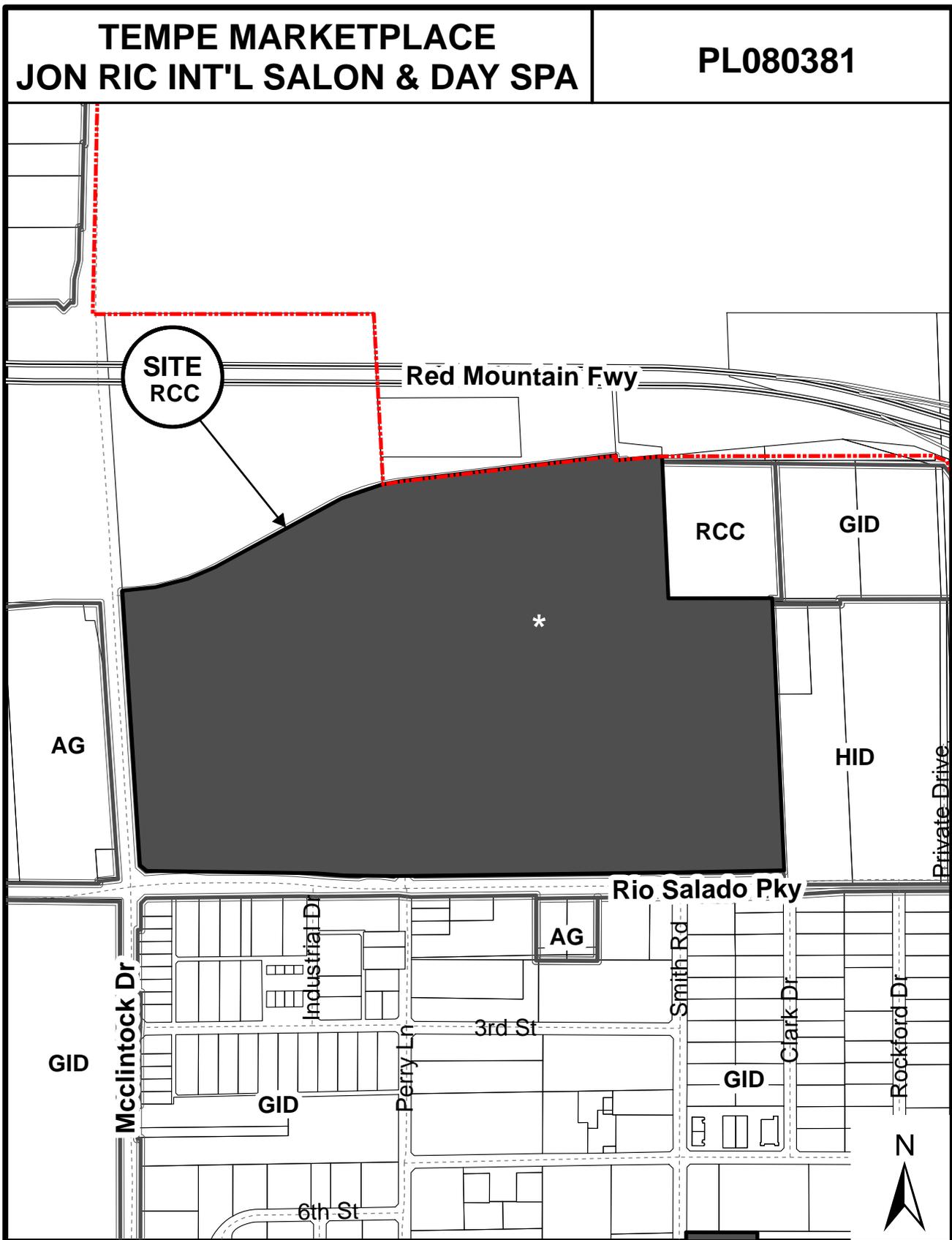
DESCRIPTION:

Owner – Vestar
Applicant – Jennifer Wells
Existing Zoning – RCC, Regional Commercial Center District
Tenant Space Area – 3,500 s.f.
Parking Required – 12 spaces

ZONING AND DEVELOPMENT

CODE REFERENCE:

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 6, Chapter 3, Section 6-308 – Use Permit



Location Map



**TEMPE MARKETPLACE- JON RICK INTERNATIONAL SALON & DAY SPA
(PL080381)**

Graves, Nick

From: Jennifer Wells [jhoffstro@hotmail.com]
Sent: Monday, October 13, 2008 9:09 AM
To: Graves, Nick
Subject: Updated Use Permit Application Personal Explanation

Jon'Ric International Salon and Day Spa
 2040 E Rio Salado Parkway #105
 Tempe, AZ 85281

City of Tempe
 Development Services Dept
 31 E 5th St, Garden Level, Tempe, AZ 85281

Planning:

Jon'Ric International is a franchise company operating internationally. Our franchise, Jon'Ric International Salon and Day Spa is located at Tempe Marketplace, an open-air shopping center. Jon'Ric International Salon and Day Spa is owned by Cindi Wach, Jennifer Wells, David Wells, Leland Wach, and Eugenia Wach and is operated as a limited liability company, Jon'Ric International LLC. Cindi leads the team with her knowledge in the beauty industry, and her role as Chief Operating Officer for Jon'Ric International Corporation. David Wells and myself offer our extensive management experience to the company.

Jon'Ric International Salon and Day Spa at Tempe Marketplace is an upscale salon and spa establishment. We currently offer hair services, nail services, and some spa services. Our goal is to offer massage therapy as an additional spa service for our clients. We believe by offering this service we can guarantee our clients will receive the fullest salon and spa experience. Jon'Ric International Salon and Day Spa has 22 employees. Our staff is made up of a Salon Director, hair stylists, receptionists, and aestheticians. Our Salon Director supervises the day-to-day operations, including scheduling, payroll, and both staff and client satisfaction. Our hours of operation are Monday thru Friday 9am to 9pm, Saturday 9am to 7pm and Sunday 12 to 7pm.

Jon'Ric International Salon and Day Spa's clients will primarily come from the surrounding five mile radius. We estimate our clients will be those between the ages of 15 and 44. This assumption is based upon salon and spa statistics. We also believe we will draw a large number of college students because of the close proximity to Arizona State University. Our estimated number of clients is 2000.

We would like our salon and spa to be a destination for our clients by offering a full line of services, including massage, where the client can spend a day being pampered. We have a talented Massage Therapist ready to join our team once we become licensed as a massage establishment. We have planned for two massage treatment rooms.

Some people regard the hair salon industry as recession proof. It has continued to grow at 12% a year, when other industries have failed. Our goal at Jon'Ric International Salon and Day Spa is to capitalize on this continued growth. We have a prime location at Tempe Marketplace, which is expected to draw 20 million people a year. The additional service of massage translates into additional revenue for everyone. We are pleased to be a part of Tempe, and are committed to improving the economy.

Thank you for your time.

Sincerely,
 Jennifer Wells

From: jhoffstro@hotmail.com
 To: nick_graves@tempe.gov
 Subject: Updated Use Permit Application Personal Explanation
 Date: Mon, 13 Oct 2008 12:15:06 +0000

Dear Nickolas,

Thank you for meeting with me Friday. I have attached an updated personal explanation for my Use Permit Application. You will

10/13/2008

ATTACHMENT 3



TEMPE MARKETPLACE – JON'RIC INTERNATIONAL SALON AND DAY SPA

**2040 EAST RIO SALADO PARKWAY
SUITE NO. 105**

PL080381

FRONT OF BUSINESS

