



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

November 21, 2019

To: Planning Commission
From: Community Development Department
Subject: Body Worx Manual Therapy CUP-10-19-5750
735 E. 9000 S. Zoned BC
(Community #7-Quarry Bend)

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
License #150104	A license was granted in 2017 for Body Worx to operate at 741 E. 9000 S. as a commercial sales and service use with no CUP.

DESCRIPTION OF REQUEST

The applicant, Robert Rafajko, for Body Worx Manual Therapy, is requesting a Conditional Use Permit to operate a massage therapy business on the property located at 735 E. 9000 S. (*See Exhibit #1: Application Material*).

The subject property is an L-shaped lot that is zoned Boulevard Commercial (BC), and is 0.88 acres (38,333 square feet). The property is part of the Shadowcrest Office Park Subdivision. The subdivision contains three office buildings, addressed as: 735 E. 9000 S., 741 E. 9000 S., and 765 E. 9000 S.

Properties to the north and west are commercial properties zoned BC. The property to the east is the Alpine Meadows apartment complex zoned PUD(10). The properties to the south are commercial properties zoned Convenience Commercial (CvC).

The applicant is a certified massage therapist with 2 years' experience. The applicant will operate the business full-time, with clientele being scheduled on a referral basis. There will be approximately 8-10 clients per day between the hours of 8:00 AM and 6:00 PM. The applicant will be practicing Manual Therapy at this location. Manual Therapy is a form of Osteopathic Physical Therapy. The therapist uses manipulation and mobilization techniques to promote physical healing.

NOTICE

A neighborhood meeting was held on November 7, 2019. Notices were mailed to property owners within 500 feet of the subject property. No neighbors attended the meeting. At the time of writing this report, staff has not received any comments for this application.

ANALYSIS

Under Section 21-08-02(B) of the Sandy City Land Development Code the proposed massage therapy business is classified as a "Commercial Retail Sales and Services" and requires a conditional use in the BC zone. There is sufficient parking for the site. The Planning Commission approved CUP-03-19-5633 for Vitality Massage and Ashiatsu, located at 741 E. 9000 S. on April 18, 2019.

COMPLIANCE WITH SECTION 21-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 21-33-04 "1" to "15", as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions "1" through "15", except the following conditions, which merit discussion or additional consideration by the Planning Commission:

15. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

CONCERNS

Staff has no concerns.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Body Worx Manual Therapy for property located at 735 E. 9000 S. to operate a massage therapy business as described in the staff report subject due to the following findings and subject to the following conditions:

Findings

1. The proposed use meets the intent of the BC Zone.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
3. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner: *Claire Hague* Reviewed by: *BM*

Claire Hague, *Zoning Technician*
S:\USERS\PLN\STAFFRPT\2019\CUP-10-19-5750 Bodyworx

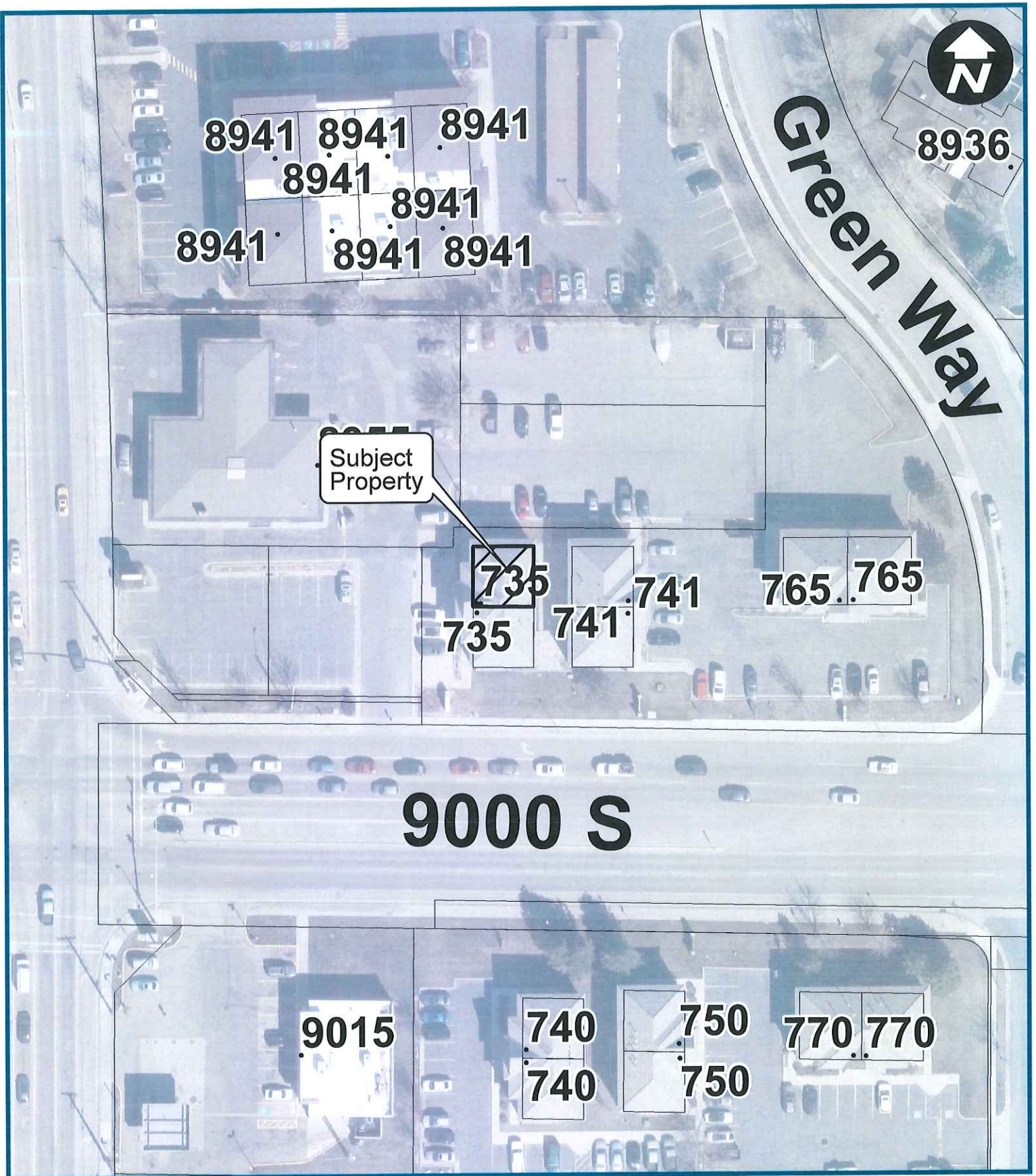
Exhibit #1 – Application Materials

My name is Robert Rafajko. I am the owner and operator of BodyworX Manual Therapy. I'm a licensed massage therapist and a certified personal trainer. I operate under these licenses and certifications to run my business. I have been in business for a little over 2 years. I moved offices from 741 East 9000 South to 735 East and 9000 South. It was brought to my attention as I was getting my business license for the new address that I need a conditional use permit. I am requesting the conditional use permit because I will be operating a service business in the Boulevard Commercial Zone.

BodyworX Manual Therapy is focused on doing Osteopathic Manual Therapy on clients that are in chronic pain, acute pain, or suffering from any other physical ailments. All of my clientele is strictly referral-based, and most of my referrals are people that traditional medicine, physical therapy, or chiropractic have failed. Osteopathic manual therapy is focused on treating the dysfunctions that are causing symptoms instead of treating the symptoms themselves. We do this through using multiple osteopathic modalities like strain counterstrain, muscle energy technique, Chapmans Nuro-lymphatic draining points, myofascial release, two hand technique, and cranial releases. Clients stay fully clothed throughout the session and are never asked to take clothing off for treatment. After the session is complete, I assign them a home program of stretches and exercises that will help with continuing the therapy at home.

I will see you on average 8 to 10 clients per day from the hours of 8 AM to 6 PM Monday through Friday. I only treat one client at a time so there is not a large amount of foot traffic. The office space that I will be operating in uses the individual rooms for different businesses. There is a shared waiting area and restroom with the individual rooms being rented out by different companies. On the floor that I'll be doing business there is a CPA and a financial planner that are renting the other rooms. In the adjacent building there is another massage therapist that does traditional massage. Additionally, a block north of my location there are two chiropractic clinics as well.

Exhibit #2 – Vicinity Map



CUP-10-19-5750
Bodyworx Manual Therapy
735 E 9000 S Ste 100



PRODUCED BY CLAIRE HAGUE
THE COMMUNITY DEVELOPMENT DEPARTMENT