



JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE
OFFICER

Staff Report Memorandum July 20, 2023

To: Planning Commission
From: Community Development Department
Subject: Blackmoon Wellness Center (Conditional Use Permit)
8807 S. 700 E.
[Quarry Bend, Community #7]

CUP06072023-006544
BC Zone
8,485 sq. ft.

Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

With permission from the property owner (Tritan Management, LLC, care of Vance Chiropractic), the applicant, Angelica Gallardo, is requesting approval of a conditional use permit for commercial services, including esthetician services, massage, fitness classes, and energy healing services at the property located at 8807 S. 700 E. The request is to use a 2,000 square foot space within a multitenant building located in the Boulevard Commercial (BC) zone. Please see the attached Exhibit A for the applicant’s letter and application materials shown in Exhibit B.

Background

The subject property is located on the east side of 700 East Street, a major arterial road. This is a single-story multi-tenant building that was originally constructed in 1977. The building is approximately 3,000 square feet with two tenant spaces. The existing development was built with 13 parking stalls, which is two fewer than what would have been required today. This building would be considered legal non-conforming regarding off-street parking. There are no cross-access driveways or circulation to surrounding developments.

Properties to the north, south, east, and west are commercial buildings zoned BC.



CUP06072023-006544
Conditional Use Permit
8807 S 700 E

Sandy City, Community Development Department



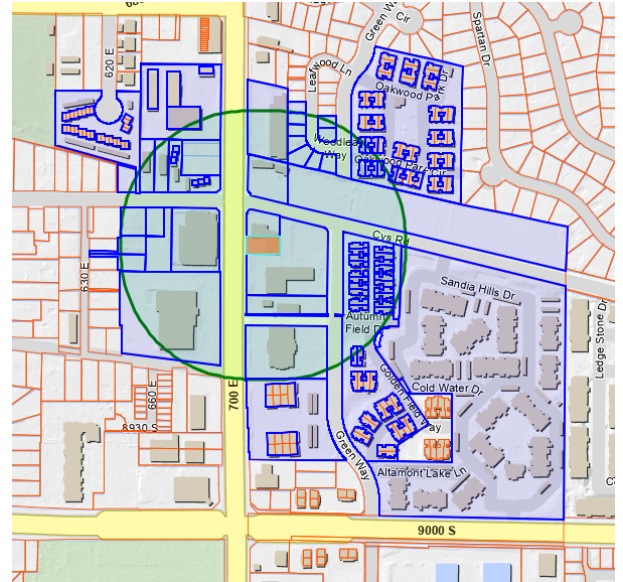
Property Case History	
Case Number	Case Summary
CUP-02-19-5619	Friends for Life Adult Daycare conditional use review.

Public Notice and Outreach

This item has been noticed to property owners within 500 feet. A neighborhood meeting was not held because there were no residential properties within 250ft. Staff has not received any emails or phone calls regarding the project.

Analysis

The applicant is proposing to utilize the space for three different uses. The applicant is proposing yoga and Zumba fitness classes in the space. The use of a recreation center is a permitted use in the BC zone. In addition to fitness classes, the applicant is also proposing to utilize the space for esthetician services, massage, and reiki and sound bath therapy. These additional uses are conditional within the BC Zone. There are separate rooms for the exercise classes, massage, esthetician, and energy healing uses (see application, exhibit A).



The applicant is proposing to offer fitness classes three times a week and the other services seven days a week from 9:00AM to 9:00PM on an appointment basis. There are four employees that will provide these services.

Parking

Section 21-24-8 of the Sandy City Land Development Code requires that Recreation Center parking be reviewed by the Planning Commission. There are 13 parking spaces shared between the two tenants. Commercial retail sales and services require 5 spaces per 1,000 square feet. The Blackmoon Wellness Center business occupies approximately 2,000 square feet of the building and would need a total of 10 parking spaces to fulfill this requirement. There are three employees that offer massage, esthetic services, reiki and a front desk/management employee. If each provider had one client, the maximum parking that would be needed at one time is seven spaces, four for employees and three for clients.

The fitness classes are scheduled outside of the operating hours of the adjacent tenant and would not interfere with the parking during their business hours. The adjacent tenant, who is also the property owner, is aware of the proposed uses and does not have any objections. If clients visit during the same time as fitness classes are being conducted, there is a potential for parking spaces to be limited.

Conditional Use Standards

The City may impose conditions on a conditional use based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this particular request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

Sec. 21-33-4. Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

- (1) Size, configuration and location of the site and the proposed site plan layout.

The size and configuration of the site meets the intent of the proposed use.

- (4) Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.

There are 13 shared parking spaces between two tenants.

- (12) The regulation of operating hours for activities affecting normal schedules and functions.

The applicant is proposing to operate from 9:00AM to 9:00PM seven days a week.

- (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 title.

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

Staff Concerns

Staff is concerned about the number of different uses the applicant is proposing and the impact it will have on parking. When staff raised this concern the property owner informed Sandy City that he is the adjacent tenant and is supportive of the applicants' proposal.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for commercial services and energy healing services as described in the staff report for the property located at 8807 S. 700 E based on the following findings and subject to the following conditions:

Findings:

1. Parking would be sufficient to accommodate the applicant and adjacent tenant and managed through lease agreements.
2. The proposed uses meet the intent of the BC zone.
3. The proposed uses should have minimal to no impact on the surrounding uses.

Conditions:

1. That the applicant complies with all Building & Safety, and Fire & Life codes.
2. That the Planning Commission determine whether the site has sufficient off street parking. That the sharing of parking be regulated through the lease agreements.
3. 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.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:

Sarah Stringham
Planner

File Name: S:\Users\PLN\STAFFRPT\2023\CUP06072023-006544 - Blackmoon Wellness Center

Exhibit "A"

BLACK MOON SPA

I Angélica Gallardo the owner of Black Moon Wellness Center, I am renting 2000 sf in.

8807 S 700 E Sandy -Utah which is going to be use for the following services.

Zumba 6 pm a 7 pm Lunes y Jueves

Yoga 7:15 pm Lunes y Miércoles

Yoga 10:30 am sábados

Additional services from 9 am to 9 pm

Esthetician services

Deep Tissue Massage

Aromatherapy Massage

Reflexology Massage

Holistic services (Reiki, energy work, sound bath therapy etc)

Employees

Denny Hardman (Massage Terapist license 110743-4701)

Paula Delgado (Máster Esthetician License 7841648-1109)

Paola Rincon (management)

Roció Zavaleta (Reiki instructor)

Parking spots

Number:13

Exhibit "B"

