

Millcreek City Council

Cheri Jackson, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Nicole Handy, District 3
Bev Uipi, District 4



Millcreek City Hall

1330 East Chambers Avenue
Millcreek, Utah 84106
Millcreekut.gov
801-214-2700

CUP-26-001

Planning Commission Staff Report

Meeting Date: 2/18/2026
Applicant: Spencer Clayton
Re: Conditional Use Permit (CUP)
Property Address: 3950 South 700 East
Prepared By: Zack Wendel, Planner 1

Scope of Decision: **Administrative.** This is an administrative matter to be decided by the Millcreek Planning Commission. Your approval should be narrow in scope and primarily based on state statute and adopted local zoning, land use, and development codes.

REQUEST:

The applicant, Spencer Clayton, is seeking a conditional use permit (CUP) to allow for a massage therapy and personal wellness office located at 3950 South 700 East. This property is an existing office complex located within Millcreek's Residential Mixed (RM) Zone which requires all non-residential uses to obtain a conditional use permit prior to operating.

The use will consist of appointment based personal care and wellness services, including massage therapy and related personal wellness services provided by licensed practitioners in private treatment rooms.

This property is an existing office complex, with no new development proposed in conjunction with the conditional use permit application.

CONDITIONAL USE REVIEW:

Standards for Review:

The Planning Commission and Staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of conditional use. Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, per the standards of approval as specifically listed in City Code Section 18.15.030.A(4).

MKZ 18.15.030.A Conditional Use Permit

Conditions of Approval: Unless otherwise specified in this Code or Utah Code Section 10-9a-507, Conditional Uses, the Planning Commission shall approve all conditional use applications with objective standards as set forth in the Land Use Code. In such cases, any conditions attached to approvals shall be directly related to the anticipated detrimental effects of the proposed use or development. No conditions of approval shall be less restrictive than the requirements of this Code, except where the Code allows flexibility. All conditional uses are presumed to be compatible with the zone and the General Plan's intent.

Denial: If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the Land Use Authority may deny the conditional use.

FINDINGS:

1. The subject property is located in Millcreek's Residential Mixed (RM) Zone. The purpose of the Residential Mixed (RM) Zone is primarily a residential zone intended to be a transitional zone between low density residential neighborhoods and commercial uses. It primarily accommodates medium to high density residential development/complexes including single-household dwellings, duplexes, three and four household dwellings, multiple household dwellings, and mixed use where a limited list of non-residential uses are allowed as conditional.
2. Legally existing commercial properties are allowed to continue, but new uses are subject to obtaining a Conditional Use Permit.
3. The property is an existing office complex that is approximately 2.61 acres and contains two structures, each about 36,000 square feet of office/commercial space.
4. The applicant will be located in the southern building that abuts 700 East. the applicant proposes to occupy about 6,286 square feet.
5. The structures on the property were initially built in 1982 as an office/commercial space. At the time, office and commercial uses were permitted in the RM zone.
6. Uses in the subject building has been a dental office, health care services, mental therapy office, an educational facility, and a corporate office.
7. Applicant is proposing a massage therapy and personal wellness office which falls under the Personal Service classification.
8. Personal Service means an establishment that primarily provides personal care services, including barber shops, beauty salons, piercing and tattoo studios, tanning salons, spas, licensed massage therapy studios, educational tutoring facilities, laundromats, and dry cleaners.
9. Properties surrounding the subject property consist of a commercial building to the west, Old Farm Condominium complex to the southwest, Old Farm Professional Plaza to the south, and Arctic Circle and the Western Governors University to the east across 700 E.
10. The applicant's massage studio will be appointment-based only, with typical appointments ranging from 60 to 105 minutes.
11. No amplified sounds, outdoor activities, alcohol services or overnight use is being proposed.
12. The site has parking access located on both 3900 S and 700 E with curb, gutter, and sidewalks.

13. According to Millcreek's Parking and Mobility Standards for Personal Service uses, 1 parking space per 300 square feet is required. Based on the occupied square footage, 21 parking spaces will be required.
14. The parking lot has approximately 290 parking stalls.
15. The applicant will have 3 to 8 employees at any given time on site for the near future.
16. The parking lot should be able to accommodate the proposed business and the employees and customers associated with the other businesses located at this site.
17. All landscaping is existing and/or otherwise appears to meet the current landscape standards.
18. The parking lot lighting has existing light poles. The city does have dark sky standards. It is unknown whether the site lighting complies with these standards. There have been no known complaints that would suggest the existing lighting is or has been a nuisance in the past. Since no new development is proposed as part of this application, the requirements of the City's Outdoor Lighting standards do not apply.
19. There is a vinyl fence along the neighboring properties.
20. The proposed use is interior only and will not involve any exterior modifications to the building and no site changes.
21. Building renovations, remodels, and new signage may require a new building or other planning permit to be obtained.

CONCLUSIONS:

1. The proposed business meets all the approval criteria for a Conditional Use Permit.
2. Based on the findings and information provided by the applicant, it is staff's opinion that the proposed massage therapy business will not create any detrimental effects.
3. The property is an existing office complex fronting onto 3900 S and 700 E, has 290 available parking spaces, and no site changes are being proposed in association with this application.

PLANNING STAFF RECOMMENDATIONS:

Staff Recommendation - Based on the findings and conclusions listed above, Staff recommends that the Planning Commission take public comments and approve the Conditional Use Permit application file number CU-26-001 located at 3950 S 700 E, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff:

MODEL MOTION:

I move that the Planning Commission approve the Conditional Use Permit, file number CU-26-001 based on the findings and conclusions listed and presented by Staff.

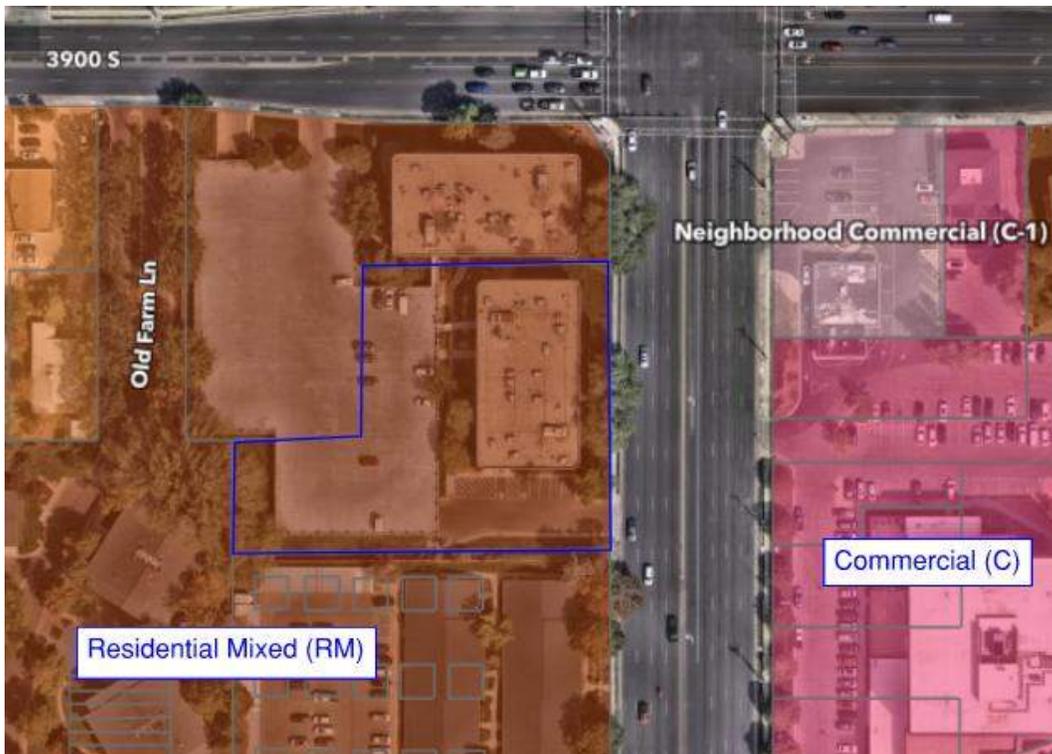
SUPPORTING DOCUMENTS:

- Aerial Map
- Zoning Map
- Site Plan
- Letter of Intent

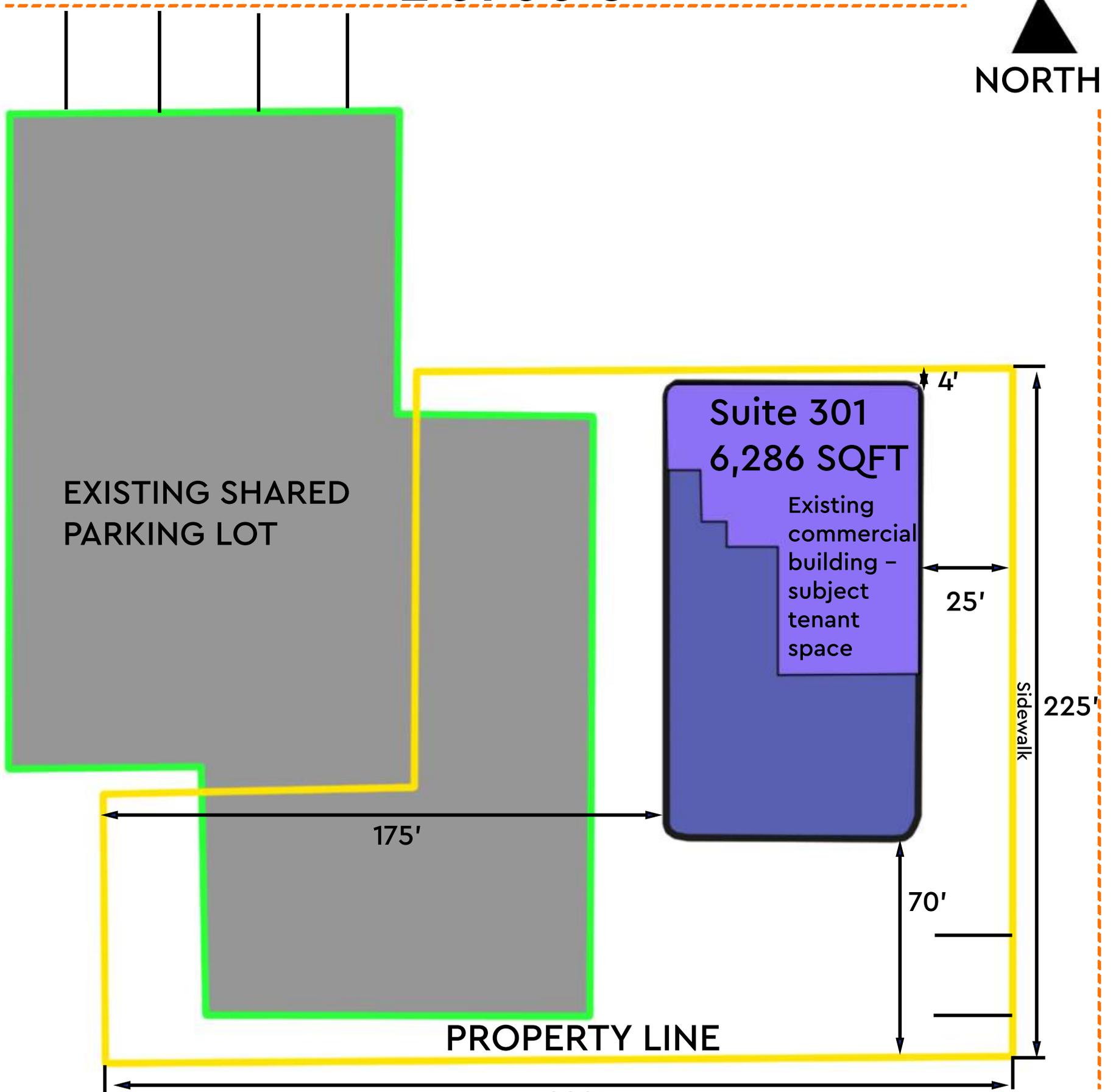
Aerial Image



Zoning Map



E 3900 S



Scale: 1" = 100'

NOTES:

This application is for an interior-only change of use within an existing commercial building. No exterior modifications are proposed. Parking, access, and circulation remain unchanged. The use is appointment-based with staggered scheduling. No amplified sound, outdoor activity, alcohol service, or overnight use is proposed.

Property Owner: M S C CORP
 Address: 3950 S 700 E Ste 301 Millcreek, UT 84107
 Contact: Spencer Clayton
 Info: 801 987 5012
 spencervclayton@gmail.com
 Zone: RM

Dear Planning Staff and Members of the Development Review Committee,

This letter is submitted to formally describe the proposed business operations for Moonstone Massage Studio & Spa and to respond directly to the Conditional Use Permit approval criteria as requested by staff during the Development Review Committee meeting.

The applicant proposes to operate a massage therapy and personal wellness office within an existing commercial building located at 3950 S 700 E, Suite 301, Millcreek, UT 84107. The use will consist of appointment-based personal care and wellness services, including massage therapy and related personal wellness services, provided by licensed practitioners in private treatment rooms.

Operations will be conducted by appointment only, with staggered scheduling to minimize parking demand and traffic impacts. Typical appointments will range from 60 to 105 minutes. No amplified sound, outdoor activity, alcohol service, or overnight use is proposed.

The use is consistent with other low-impact personal service uses and is compatible with the surrounding area. The proposed business will generate minimal traffic and noise and will operate entirely within the existing building envelope.

The proposed use is interior-only and will not involve any exterior modifications to the building or site. No changes to parking, access, circulation, landscaping, signage, or building footprint are proposed.

1. Traffic, Street Service Levels, and Parking

The proposed use will not create detrimental impacts to street service levels or traffic patterns. Services are scheduled by appointment only, with staggered arrival and departure times that naturally limit traffic volume. No dedicated turn lanes, traffic control devices, street widening, or roadway modifications are required.

Ingress and egress will remain unchanged and will utilize existing approved access points. The site includes existing off-street parking that meets City standards for the proposed use. No loading docks or delivery infrastructure is required.

2. Utilities and Public Services

The use will not adversely impact the adequacy of existing utility systems, including water, sewer, solid waste, snow removal, or service delivery. The business operates at a low intensity and does not require increased utility capacity or infrastructure upgrades. Existing irrigation and utility systems will remain unchanged.

Solid waste generation will be minimal and managed through standard commercial waste services already serving the property.

3. Pedestrian and Bicycle Connectivity

The proposal does not negatively affect pedestrian or bicycle connectivity or safety. No changes to sidewalks, pathways, or access routes are proposed. Pedestrian access will continue to utilize existing, compliant walkways serving the commercial center.

4. Noise, Odors, and Environmental Impacts

The proposed use will not generate noise, odors, vibrations, light, or environmental impacts beyond what is typical for a quiet commercial service use. Massage services are conducted indoors in private treatment rooms and produce minimal sound.

There are no chemicals, toxins, fumes, smoke, or emissions associated with the operation. Hours of operation will be reasonable and consistent with other neighborhood-serving commercial uses. The use does not create an attractive nuisance.

5. Health, Safety, and Environmental Risk

The proposed use does not increase the risk of contamination, damage to adjacent properties, or injury or illness to the public. No hazardous materials will be used or stored on site, and waste disposal will comply with applicable health and safety regulations.

The project involves no site grading, excavation, structural modification, or changes to storm drainage or flood control.

The tenant space will comply with all applicable fire and life-safety requirements, including the provision of portable fire extinguishers accessible within the required travel distance, exit signage where required, and maintaining required exit doors unlocked and available during business operations, in accordance with applicable code. Fire safety requirements will be met through compliance with applicable fire codes and required inspections.

7. Site Design and Architectural Compatibility

There are no proposed changes to the exterior of the building, including height, massing, setbacks, materials, colors, landscaping, fencing, signage, or architectural detailing. The use is compatible with the existing scale, character, and design of the surrounding area.

Interior improvements only are proposed and do not affect the external appearance of the building.

8. Emergency Access

The proposed use will not adversely affect emergency fire service or emergency vehicle access. Existing access routes, fire lanes, and building access points will remain unobstructed and compliant with applicable codes.

9. Open Space and Sensitive Lands

The project does not impact usable, functional, or accessible open space, nor does it affect any sensitive lands or environmentally protected areas.

10. Property Maintenance

The property and interior space will be maintained in perpetuity in compliance with City codes and standards. The owner/operator is committed to ongoing maintenance, cleanliness, and compliance with all applicable regulations.

11. Stormwater

The proposed interior-only use will not increase stormwater generation. No changes to impervious surfaces, drainage patterns, or runoff characteristics are proposed.

Conclusion

The proposed Moonstone Massage Studio & Spa is a low-impact, appointment-based, interior commercial use that is compatible with the surrounding area and existing infrastructure. The use meets the intent of the Conditional Use Permit criteria and will not create detrimental effects as outlined above.

Thank you for your consideration. Please let me know if any additional information is needed.
Sincerely,

Spencer V Clayton
Owner
Moonstone Massage Studio & Spa
(801) 987-5012
Spencervclayton@gmail.com