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## Staff Report Memorandum April 16, 2026

To: Planning Commission  
From: Community Development Department  
Subject: Mattress by Appointment Retail Use (Conditional Use Permit)  
8392 S. 700 E.  
[Community #3, Sandy Woods]

CUP03062026-007163  
BC Zone  
.78 Acres

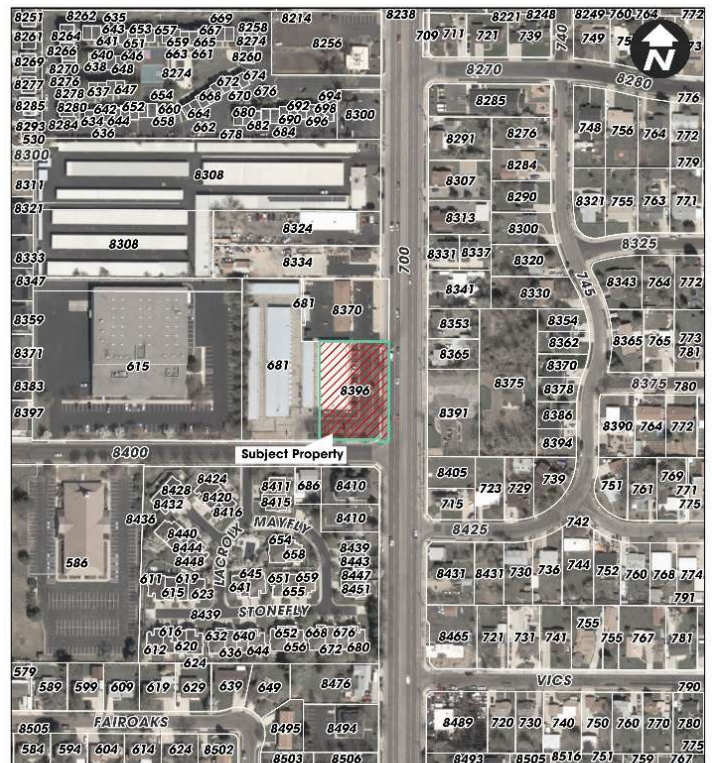
**Public Meeting Notice:** This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

### Request

The applicant, Michael McFall, with permission from the property owner, Plaza 8400, LLC, is requesting approval of a conditional use permit for a property located at 8392 S. 700 E. The applicant is proposing to open a retail furniture store selling mattresses. The property is located in Boulevard Commercial (BC) zone where commercial retail sales and services is a conditional use. See Exhibit A and B for application materials.

### Background

The subject property is approximately .78 acres (33,900 square feet) and is located in the Boulevard Commercial (BC) zone. The building was built in 1982 and is approximately 9,135 square feet. This retail/office building was developed together with the mini storage facility to the west. There are six businesses operating in the building that range in land use from professional office, medical office, and retail sales and services. Properties to the north, south, east, and west are in the BC zone. There are two lots slightly to the northeast that are zoned R-1-8 with single family residential. There is a car wash abutting the property to the north and storage units directly to the west of the property.



CUP03062026-007163  
Conditional Use  
8392 S 700 E

Community Development Department  
Sandy City, UT

<b>Property Case History</b>	
<b>Case Number</b>	<b>Case Summary</b>
SPR 78-52	Dunyon Commercial Center – This site plan was never developed.
SPR 82-16	Dunyon Storage Units and Mini Mall
CUP 90-40	Milanos Pizza – Restaurant Use

**Public Notice and Outreach**

This item has been noticed to property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on March 30th and there were no neighbors in attendance. Staff have not received any emails or phone calls regarding the project.



**Analysis**

The applicant is proposing to have a furniture retail business at the proposed location in the BC zone. The applicant will be selling mattresses. A furniture store is classified as commercial retail sales and services in Sec. 21-8-2(b) of the Sandy City Land Development Code and requires a conditional use permit when located in the BC zone. The business will be operating on an appointment only model. The tenant’s portion of the building is approximately 1,265 square feet. The applicant is proposing to have a showroom and office area of about 665 square feet, and a storage room area of 760 square feet. The applicant proposes operating Monday through Friday from 10:00am to 6:00pm. Deliveries of furniture will be made using the rear service alley during daytime hours.

The subject building contains six retail/office tenant spaces and was originally approved in 1982. The original site plan approval lists the condition that 50 percent of the units may be retail, and 50 percent may be office or business use, likely to ensure that parking remained within available capacity. There is no record of a conditional use permit to allow for commercial retail sales and services use for this site but was clearly contemplated in the site plan review. The tenants of the building have maintained a 50 percent split in retail and office use.

**Parking**

The site plan was approved with a total of 31 parking spaces with two additional stalls for the mini storage facility. Under the current parking standards outlined in Sec 21-24-8(b) of the Sandy City Land Development Code the building would require 42 parking spaces for a 50 percent mix of retail and office uses, thus making the site legal non-conforming. The owner of the property does not have a parking limitation agreement for any of the tenants, and the parking spaces are shared between all tenants. There is no record of parking issues being reported for this site.

The proposed use would bring the ratio to 33 percent office use and 67 percent retail. The proposed use of the furniture store could qualify for a parking exception in Sec 21-24-8(b) of the Sandy City Land Development Code which states a reduction may be allowed by the Planning Commission for retail business with exceptionally large showroom floor space per volume of sales (e.g. furniture store at a ratio of three spaces per 1,000 sq. ft). The furniture store parking requirement of three (3) parking spaces per 1,000 square feet would be less than that of office use at four (4) parking spaces per 1,000 square feet. Thus, the proposed use would reduce the overall parking demand on the site and may be considered compatible with the existing parking spaces even though the proportion of retail use is increased. So, if this parking reduction is granted, staff would support the approval of this new tenant increasing the percentage of retail.

**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.

*No site improvements are being proposed.*

- (5) Site circulation patterns for vehicular, pedestrian and other traffic.

*There are 31 parking spaces on site.*

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

*The applicant is proposing to operate Monday through Friday from 10:00 a.m. to 6:00 p.m.*

- (14) Measures to assure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.

*To be reviewed upon legitimate complaint.*

- (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 has no concerns with the proposed use.

**Recommendation**

Staff recommends that the Planning Commission approve a conditional use permit for commercial retail sales and services and approve a reduced parking ratio for this proposed use of a furniture store as described in the staff report for the property located at 8392 S. 700 E. based on the following findings and subject to the following conditions:

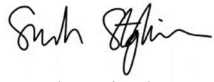
**Findings:**

1. The proposed use meets the intent of the BC zone.
2. The original 1982 site plan has 31 parking spaces on the site and constitutes a legal non-conforming status.
3. An original site plan condition was that 50 percent of businesses may be retail, and 50 percent may be office use.

**Conditions:**

1. That the site be allowed to have a combination of commercial retail or office use. The site shall continue to operate with 50 percent commercial retail sales and services and 50 percent office use unless the proposed use generates less than the approved mix of uses (e.g. retail use with large showroom space).
2. That the property owner be responsible for ensuring that all future leases comply with this use restriction.
3. That the property owner manages the off-street parking for each tenant to ensure that it does not create a parking issue for surrounding properties or public streets.
4. That the applicant complies with all Building & Safety, and Fire & Life Codes.
5. That the applicant complies with all business licensing requirements.
6. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Sarah Stringham  
Planner

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MATTRESS - CUP.DOCX

## Exhibit "A"

**McFallBeds LLC, doing business as "Mattress By Appointment," is a registered furniture retail business operating on an appointment-only model. Customer traffic is low, typically one customer at a time, which minimizes parking demand and overall site impact.**

The business includes a small showroom and office where customers view products and complete purchases, as well as a storage room with an attached restroom and heating/cooling unit for business use. The storage room has a rear door that opens to the service alley behind the building, which is used by the businesses within the 8400 Plaza for routine access.

**Projected business hours are 10:00 AM to 6:00 PM, Monday through Friday.**

Deliveries are expected approximately once per week and are made by box truck using the rear service alley. Delivery activity is brief, occurs during daytime hours, and does not obstruct traffic or neighboring businesses.

**No hazardous materials, manufacturing, or high-noise activities occur on site.**

The business is a quiet, low-impact retail use with no exterior modifications, no changes to the building footprint, and no anticipated detrimental impacts to surrounding properties.

Exhibit "B"

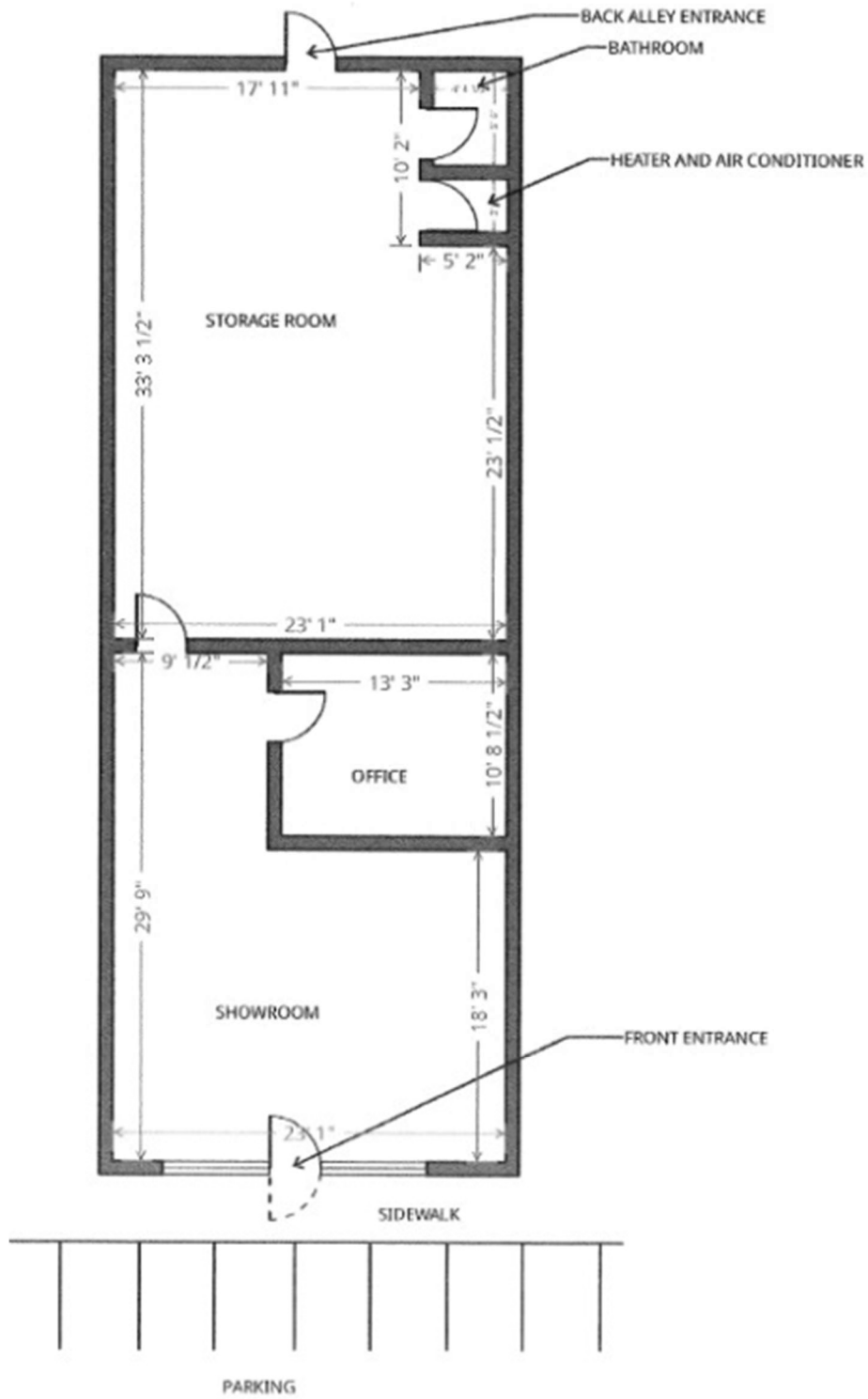


Exhibit "B" Continued

