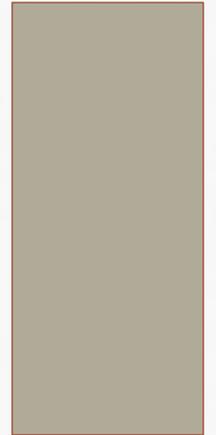


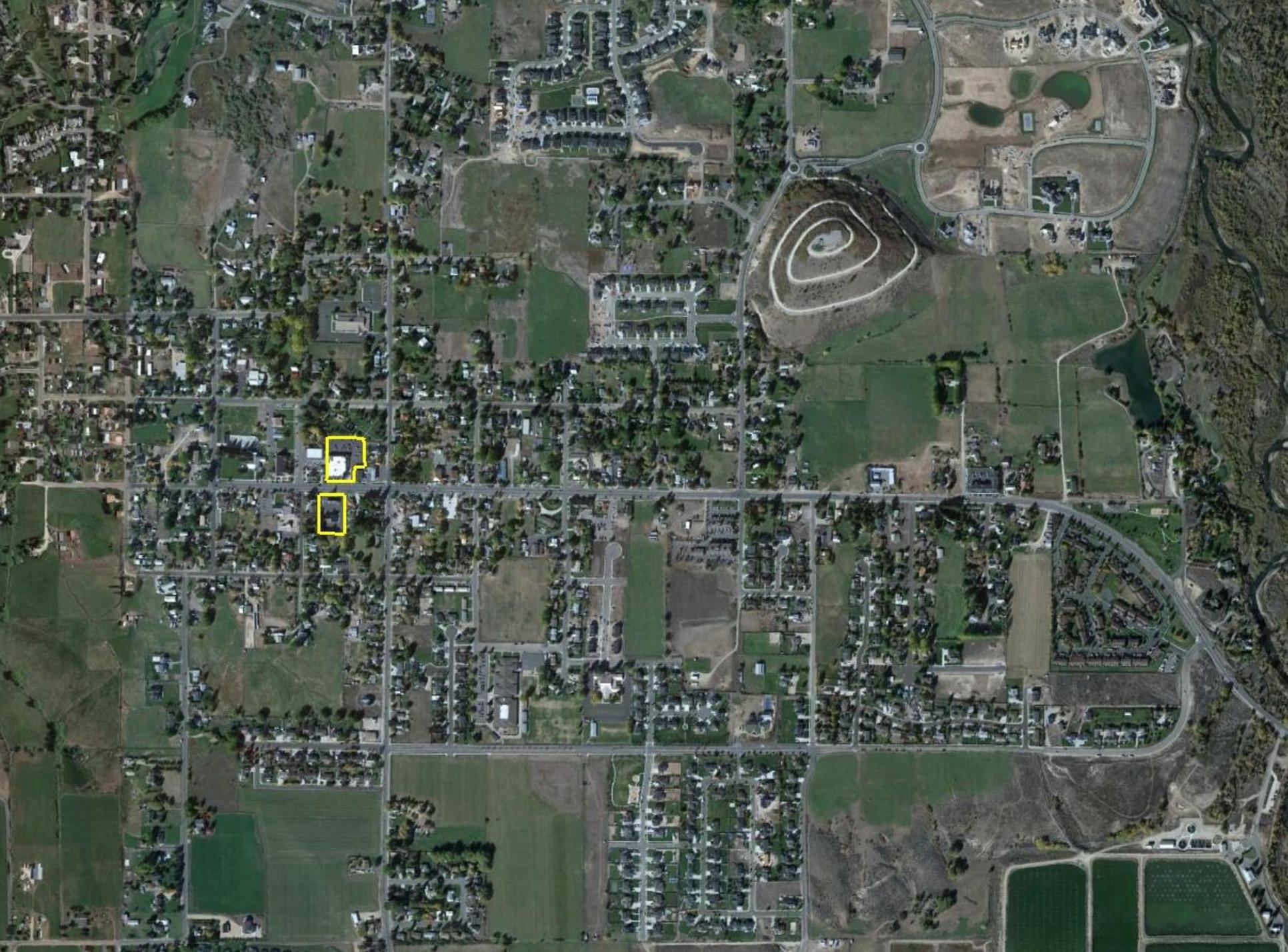
THE MARKET AT MIDWAY ALCOHOL DISPENSING ESTABLISHMENT

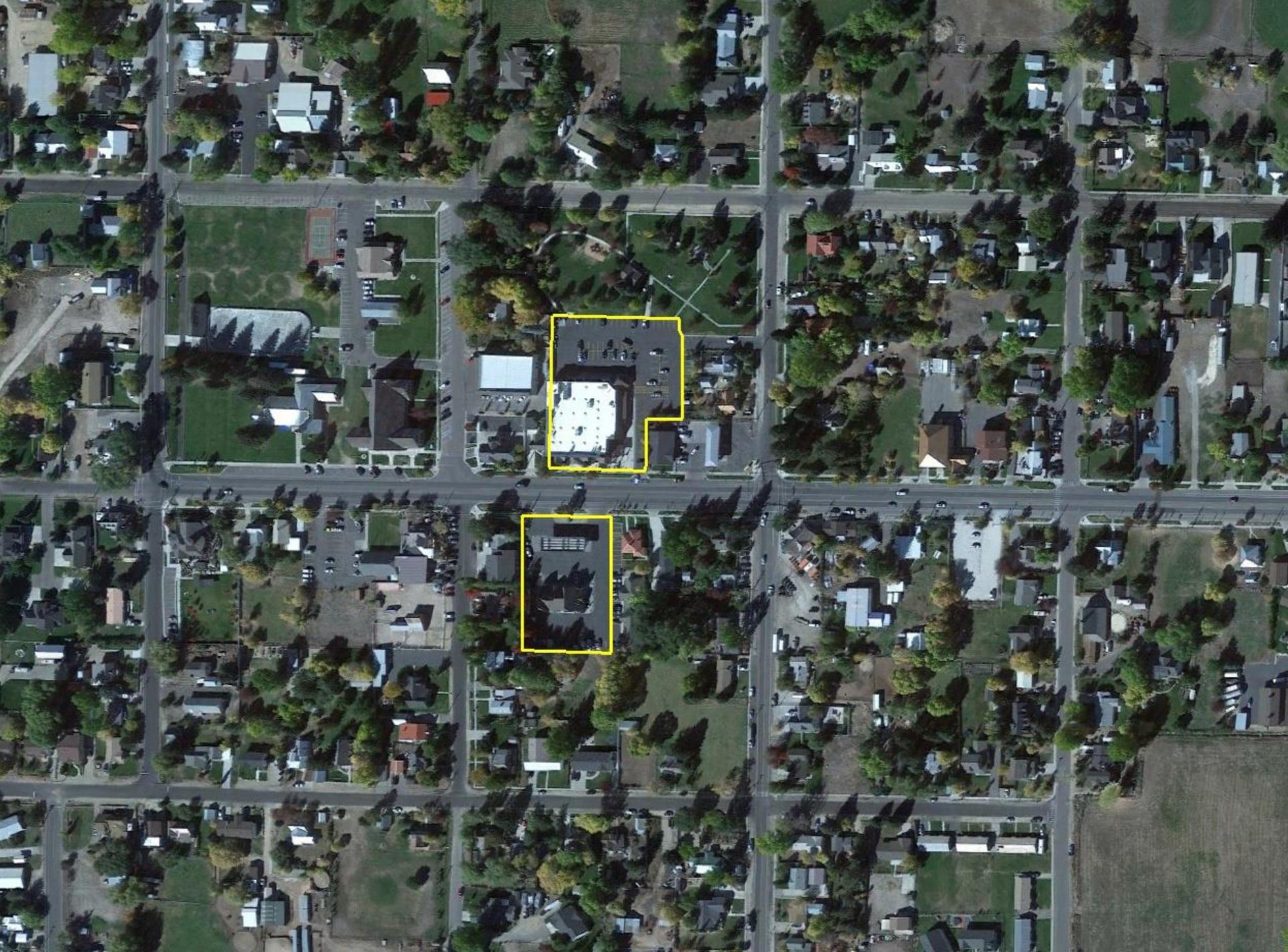
CONDITIONAL USE PERMIT & LOCAL CONSENT

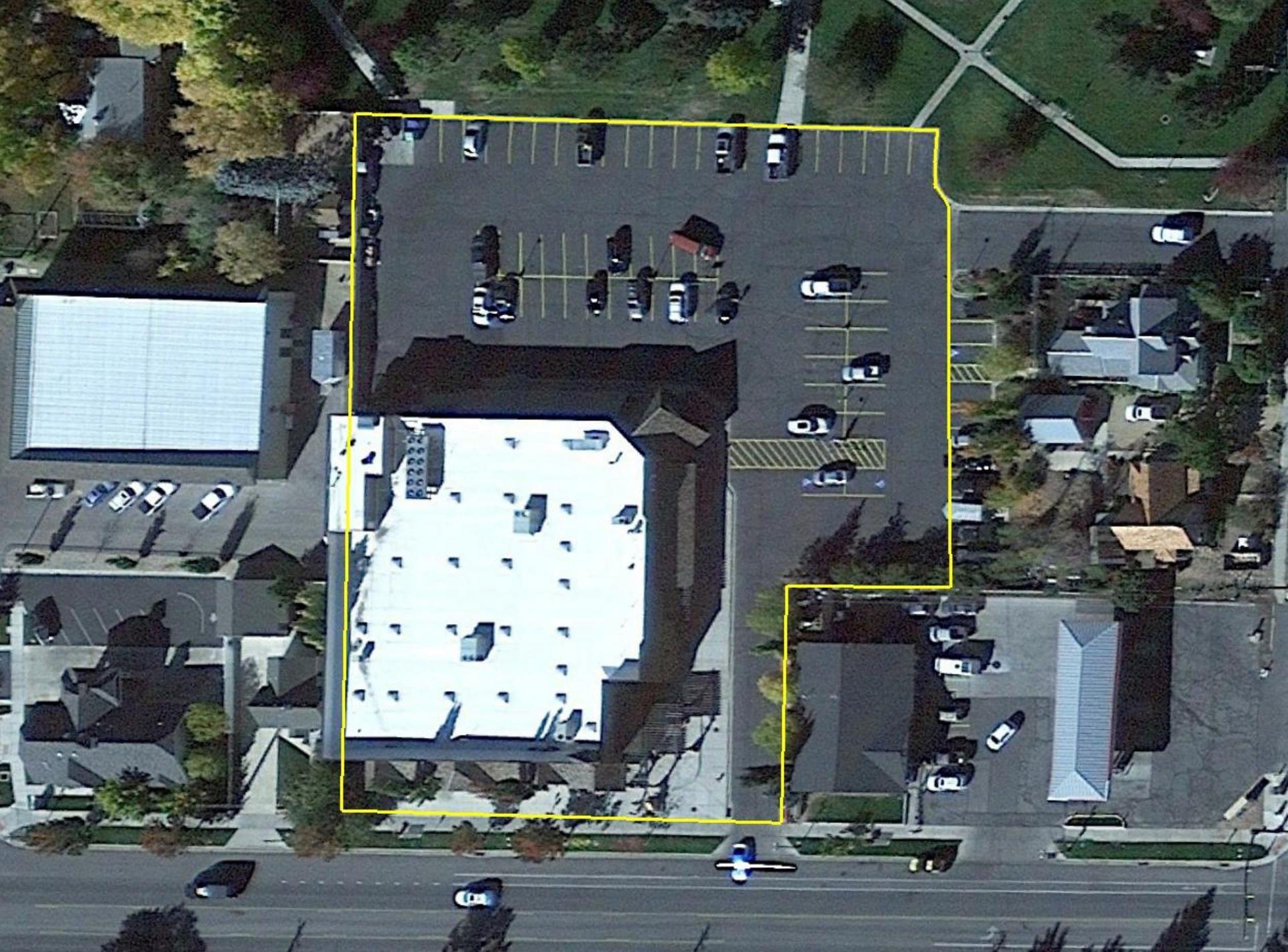


APPLICATION SUMMARY

- C-3 zoning
- 42 West Main Street
- Grocery store is a permitted use
- Alcohol requires a conditional use and local consent
 - Off premise consumption
- After local approval, Applicant must apply with Department of Alcoholic Beverage Services







ALCOHOL DISPENSING ESTABLISHMENT

- Of note, the Conditional Use Permit requested by the Applicant to sell alcohol in closed containers at the Market at Midway grocery store at 42 West Main for off-site consumption seeks no more than to continue the conditional use the City permitted at the same location for the same use under the prior management of the grocery store operating as Ridley's. The City has received no complaints to date relative to the sale of alcohol at this location pursuant to the CUP issued to Ridley's (prior grocery store operator) and is aware of no changes in intended use under the new application.
- Because the application is limited to sale for off-premises (rather than on-site) consumption of alcohol, the application does not have to meet the requirements of Section 32B-1-202 of the Utah Code, Proximity to Community Location, which imposes distance limitations between outlets or restaurants selling alcohol for on-premises consumption and community locations such as parks and schools.

POSSIBLE FINDINGS

- The proposed use is conditionally permitted within the Land Use Title and would not impair the integrity and character of the intended purpose of the subject zoning district and complies with all applicable provisions of this Code. In other words, the proposal would not have a significant impact on the neighborhood. The proposal simply extends a conditional use that was granted to the prior grocery store operator at the same location for the same use.
- The proposed use is consistent with the General Plan. No issues to the contrary have been identified.
- The approval of the conditional use or special exception permit for the proposed use complies with the requirements of state, federal and Midway City or other local regulations. The applicant shall obtain approval of the CUP, Local Consent, Business License, Alcohol License, and obtain and comply with all applicable state licensing requirements of the DABS.
- There will be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored. No issues have been identified, nor were any identified under the prior conditional use granted to Ridley's for the same operation (grocery store) at the same location.

POSSIBLE FINDINGS

- The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses with the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City. The proposed use and associated traffic are consistent with commercial uses in the commercial zone of the City and consistent with the prior use at this location.
- The subject site is physically suitable for the type and density/intensity of the proposed use. It appears that the proposal is suitable based upon the existing approved use and is consistent with the prior equivalent use at the same location, formerly operating as Ridley's.

POSSIBLE FINDINGS

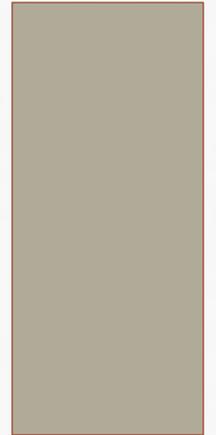
- There are adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to ensure that the proposed use would not be detrimental to public health and safety. No detrimental impacts have been identified or became apparent under the prior equivalent use at the same location (Ridley's) under the CUP and local consent granted.
- The proposed conditional use permit would allow the selling of closed container alcohol at The Market on Main for consumption off-premises.
- The State does regulate this type of license and approval from the Department of Alcoholic Beverage Services is required.

PROPOSED CONDITION

- No alcohol related signage will be visible on the exterior of the building or on the inside, visible from the outside.

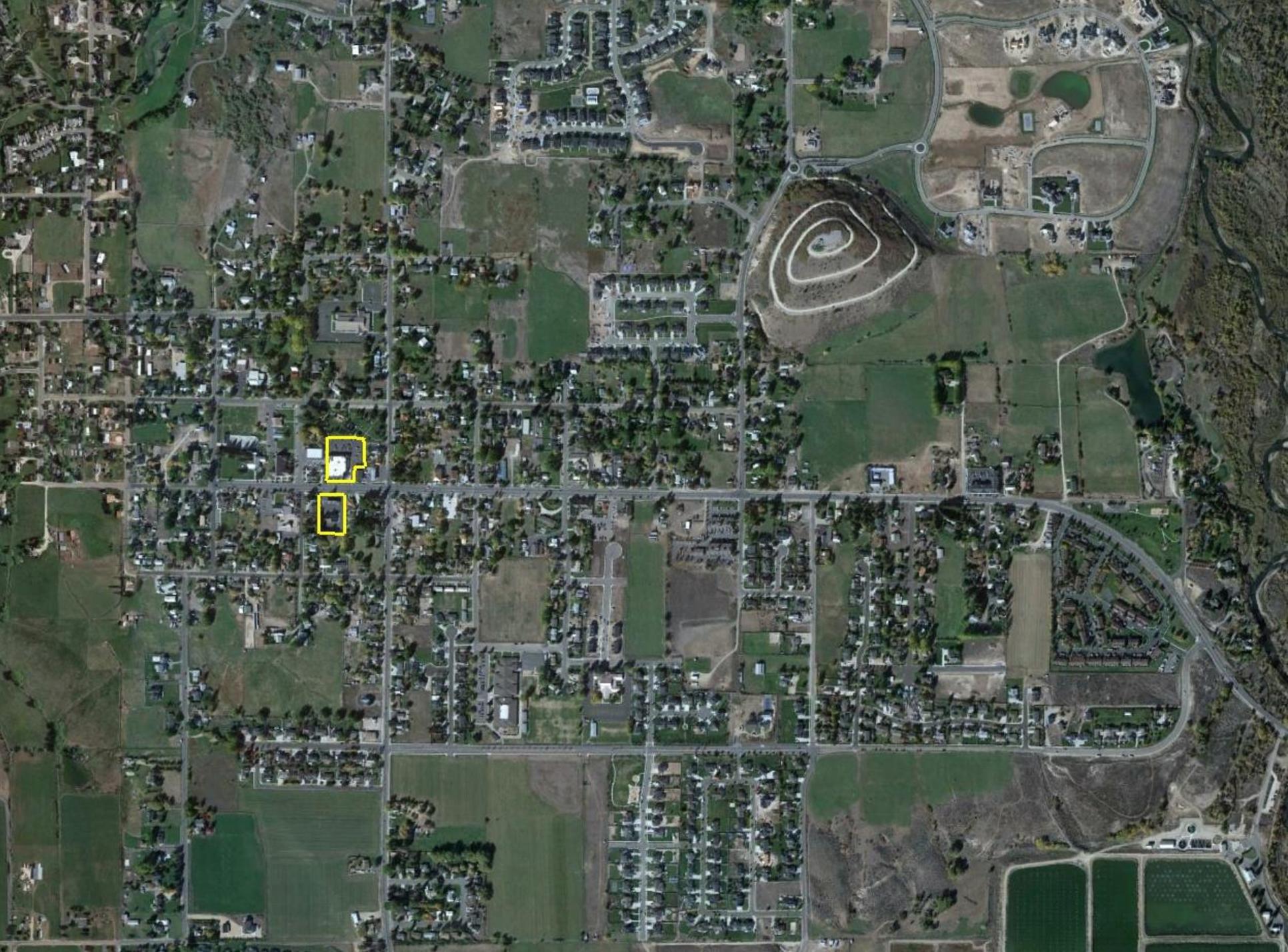
MARKET EXPRESS
ALCOHOL DISPENSING ESTABLISHMENT

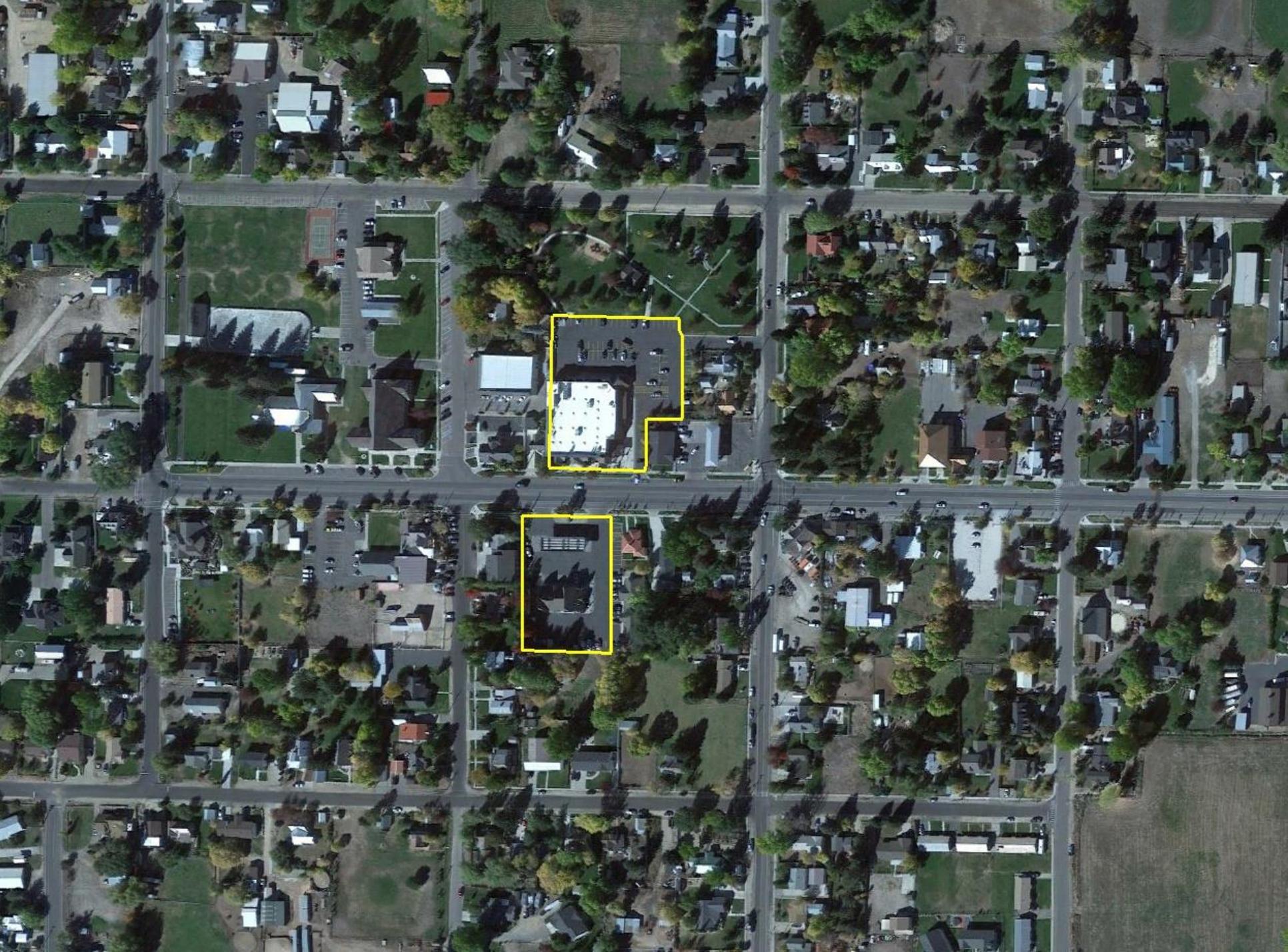
CONDITIONAL USE PERMIT & LOCAL CONSENT

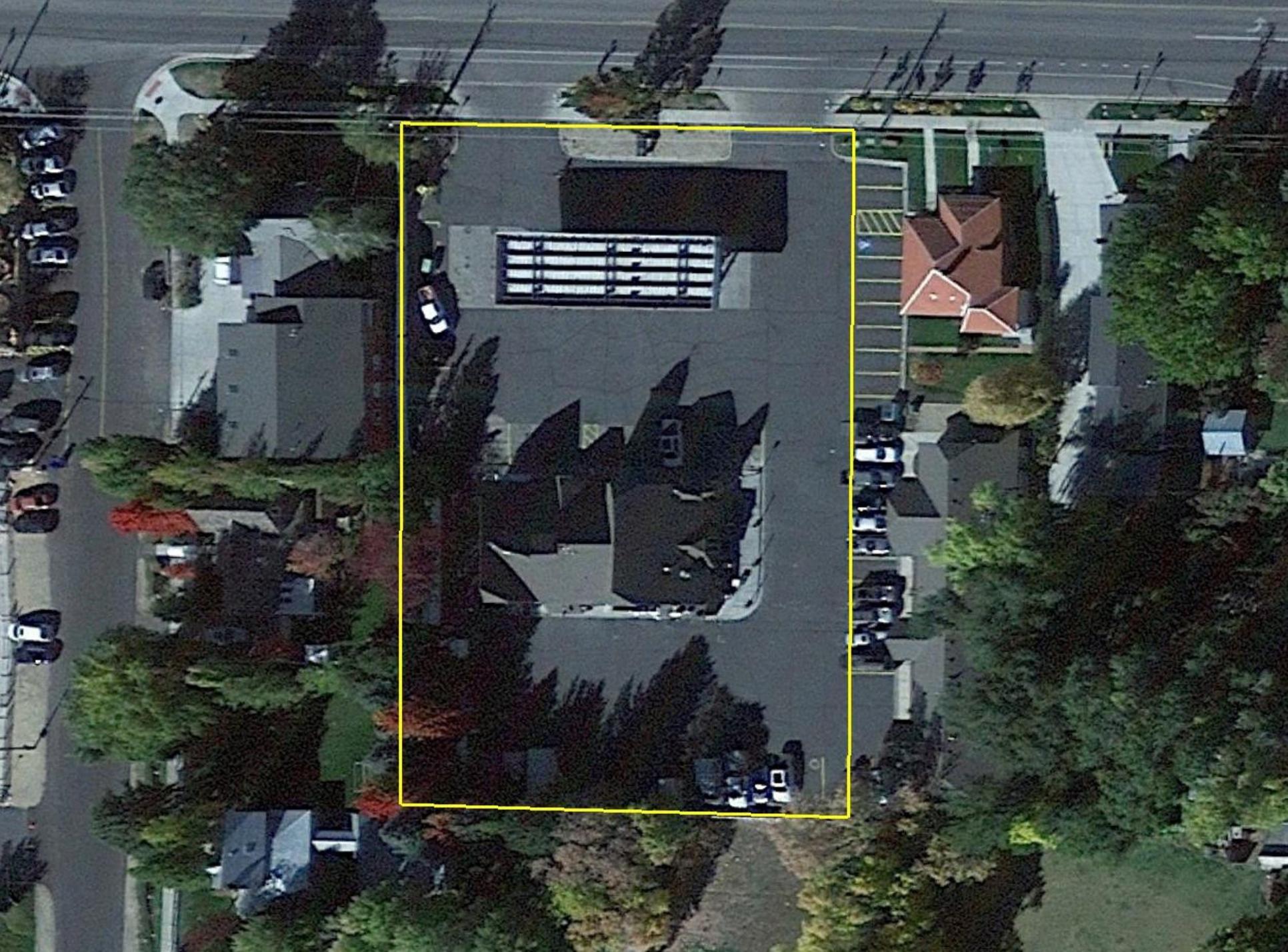


APPLICATION SUMMARY

- C-2 zoning
- 51 West Main Street
- Service store is a permitted use
- Alcohol requires a conditional use and local consent
 - Off premise consumption
- After local approval, Applicant must apply with Department of Alcoholic Beverage Services







ALCOHOL DISPENSING ESTABLISHMENT

- Of note, the Conditional Use Permit requested by the Applicant to sell alcohol in closed containers at the Market Express convenience store at 51 West Main for off-site consumption seeks no more than to continue the conditional use the City permitted at the same location for the same use under the prior management of the grocery store operating as Ridley's Express. The City has received no complaints to date relative to the sale of alcohol at this location pursuant to the CUP issued to Ridley's Express (prior convenience store operator) and is aware of no changes in intended use under the new application.
- Because the application is limited to sale for off-premises (rather than on-site) consumption of alcohol, the application does not have to meet the requirements of Section 32B-1-202 of the Utah Code, Proximity to Community Location, which imposes distance limitations between outlets or restaurants selling alcohol for on-premises consumption and community locations such as parks and schools.

POSSIBLE FINDINGS

- The proposed use is conditionally permitted within the Land Use Title and would not impair the integrity and character of the intended purpose of the subject zoning district and complies with all applicable provisions of this Code. In other words, the proposal would not have a significant impact on the neighborhood. The proposal simply extends a conditional use that was granted to the prior grocery store operator at the same location for the same use.
- The proposed use is consistent with the General Plan. No issues to the contrary have been identified.
- The approval of the conditional use or special exception permit for the proposed use complies with the requirements of state, federal and Midway City or other local regulations. The applicant shall obtain approval of the CUP, Local Consent, Business License, Alcohol License, and obtain and comply with all applicable state licensing requirements of the DABS.
- There will be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored. No issues have been identified, nor were any identified under the prior conditional use granted to Ridley's for the same operation (convenience store) at the same location.

POSSIBLE FINDINGS

- The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses with the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City. The proposed use and associated traffic are consistent with commercial uses in the commercial zone of the City and consistent with the prior use at this location.
- The subject site is physically suitable for the type and density/intensity of the proposed use. It appears that the proposal is suitable based upon the existing approved use and is consistent with the prior equivalent use at the same location, formerly operating as Ridley's Express.

POSSIBLE FINDINGS

- There are adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to ensure that the proposed use would not be detrimental to public health and safety. No detrimental impacts have been identified or became apparent under the prior equivalent use at the same location (Ridley's Express) under the CUP and local consent granted.
- The proposed conditional use permit would allow the selling of closed container alcohol at the Market Express on Main for consumption off-premises.
- The State does regulate this type of license and approval from the Department of Alcoholic Beverage Services is required.

PROPOSED CONDITION

- No alcohol related signage will be visible on the exterior of the building or on the inside, visible from the outside.