

ZERMATT ALCOHOL LICENSING

CONDITIONAL USE PERMIT

BACKGROUND

- Previous conditional use permits and local consents were granted to allow the Zermatt to apply for state licensing to serve alcohol at its restaurants/bar.
- New application due to changes in ownership, which triggers need for local and State licensing.
- Applicants advise application is for hotel liquor license rather than restaurant/bar licenses previously obtained.
- Per the application, “Property already exists and is licensed. Just filing new licenses under new ownership”

BACKGROUND CONTINUED

- The property is in the RZ zone. Restaurants and hotels are permitted uses in zone but to serve alcohol, require a conditional use permit and local consent.
- If approved at City level, applicant will apply for Hotel Liquor License from UDABS, with sublicenses for its restaurants.
- A CUP is an administrative act but, per State Code, the approval of the ability to sell alcohol is a legislative act and the City has broad discretion in that decision. Tourism does generate business and taxes and some might argue that limiting alcohol licenses could inhibit tourism in the City.

PAST ALCOHOL LICENSES APPROVED

- Lupita's
- Café Galleria
- Zermatt Resort
- Homestead Resort
- 7-11
- Ridley's, Ridley's Market (convenience store)
- Market at Midway, Market Express (conv. store)
- Blue Boar Inn
- Midway Mercantile
- Lola's
- The Corner Restaurant
- Heirloom Common Restaurant
- Harvest

PAST CONDITIONS

- No alcohol related signage would be visible on the exterior of the building or on the inside, visible from the outside, including from Resort Drive and Homestead Drive

ANALYSIS

1. 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 of the applicable provisions of this Code; *planning staff believes that the proposal will not have a significant impact on the neighborhood as long as special events comply with Midway City Code and are held with the proper permitting.*
2. The proposed use is consistent with the General Plan; no issues have been identified.
3. The approval of the conditional use or special exception permit for the proposed use is in compliance with the requirements of state, federal and Midway City or other local regulations; *the applicant shall obtain approval of the CUP, Local Consent, and obtain and comply with all applicable state licensing requirements of the UDABS.*

ANALYSIS

4. 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.
5. 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 appears unchanged from its current use and is consistent with uses in the resort zone of the City.*

ANALYSIS

6. The subject site is physically suitable for the type and density/intensity of the proposed use; *it appears that the proposal is suitable based on the existing approved use.*
7. 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.*

POSSIBLE FINDINGS

1. 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 districts;
2. The proposed use is consistent with the General Plan. No issues to the contrary have been identified;
3. The approval of the conditional use permit for the proposed use complies with the requirements of state, federal and Midway City 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 UDABS;
4. 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;

POSSIBLE FINDINGS

5. 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 current use and used in the resort zone;

6. The subject site is physically suitable for the type and density/intensity of the proposed use and has been used for a comparable use in the past;

POSSIBLE FINDINGS

7. 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;
8. The proposed license would allow the sale of alcohol at the Zermatt Resort.
9. The State does regulate this type of alcohol license.
10. Special events on site would be required to comply with Midway City Code.

PROPOSED CONDITIONS

1. No alcohol related signage would be visible on the exterior of the building or on the inside, visible from the outside, including from Resort Drive and Homestead Drive.
2. Signage must comply with Midway City Code

PLANNING COMMISSION RECOMMENDATION

At its regularly scheduled meeting held October 14, 2025, the Midway City Planning Commission considered this matter and made the following recommendation:

Motion by Commissioner Wardle:

I'm recommending approval that Jack Sullivan, agent for Wasatch Springs Management Holdings, LLC, that we recommend approval for a Conditional Use Permit and local consent for an alcohol dispensing establishment license/hotel liquor license for property known at the Zermatt Resort, located at 784 Resort Drive in Midway, and that we incorporate all of the staff findings and recommendations as part of that motion.

Second: Commissioner Facer

Ayes: Commissioners: Osborne, Wardle, Facer, and Winegar

Nays: None

Motion: Passed