



SANDY CITY COMMUNITY DEVELOPMENT

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OFFICER

Staff Report Memorandum

October 16, 2025

To: Planning Commission
From: Community Development Department
Subject: Midway Convenience (Conditional Use Permit)
9187 S. 700 E.
[Community #7]

CUP09152025-007041
CC Zone
0.9 acres

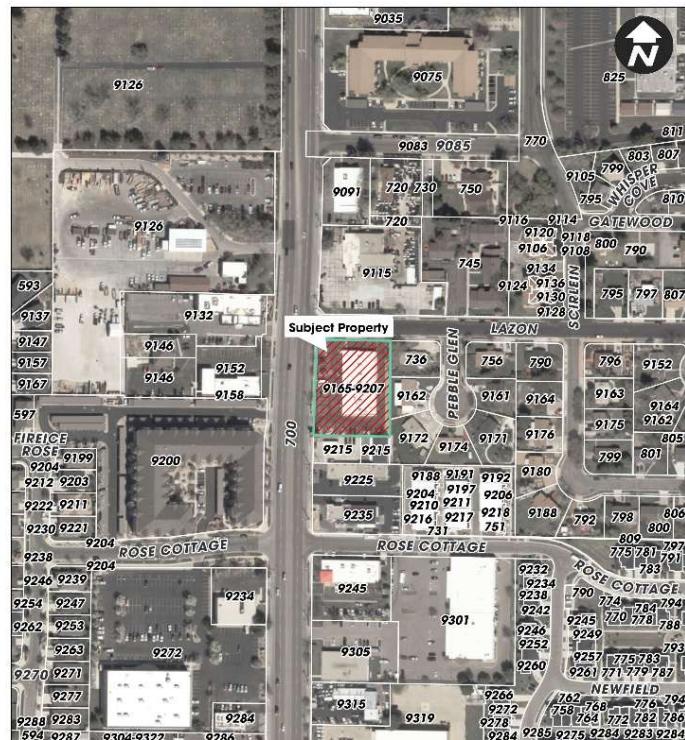
Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicant, Adam Ridha, with permission from the property owners, Plaza 9200, LLC, is requesting approval of a conditional use permit for an off-premise beer retail license for a property located at 9187 S. 700 E. The request is for an off-premise beer retail license in the CC zone in order to sell beer at an existing convenience store. See application materials for details in Exhibit A and Exhibit B.

Background

The subject property is approximately 39,300 square feet in the Planned Center – Community District zone (CC zone). The building is approximately 11,600 square feet with seven suites. There are multiple businesses operating in the building that include a range of commercial sales and services businesses. Properties to the north, south, and east are commercial properties in the CC zone. Properties to the west and single family residential zoned R-1-8.



CUP09152025-007041
Conditional Use Permit
9187 S 700 E

Community Development Department
Sandy City, UT

Property Case History

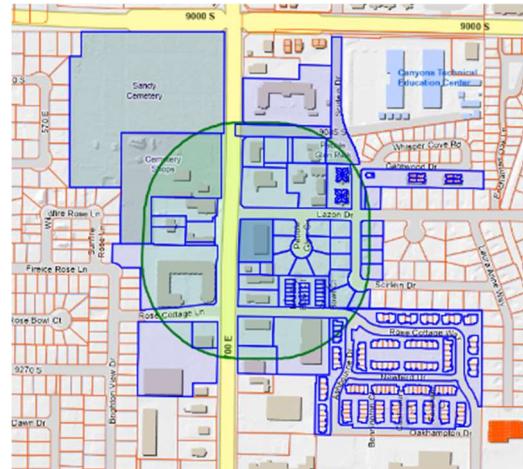
Case Number	Case Summary
SPR 79-06	Goodyear Service Center
SPR 80-08	ABT Service Center
SPR 82-17	Brubaker Lazon Development
CUP 88-1	Subway – Extended Hours
CUP 88-2	Little Ceasars – Extended Hours
CUP 93-19	Dixie Fixin's – Extended Hours

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 October 6th and no neighbors attended. There have been two emails sent about the project (See Exhibit B).

Analysis

The applicant has an existing convenience store and is proposing to obtain an off-premise beer retail license to sell beer. The applicant currently does not sell beer or any other alcoholic products. The convenience store operates Monday through Friday from 9:30am to 10:00pm, Saturday from 10:00am to 10:00pm, and Sunday from 11:00am to 10:00pm. The convenience store sales some tobacco products. The Sandy City Development Code in Sec. 21-37-2 (12)(g) defines an off-premise beer retail license:



g. *Off-premises beer retailer license.* An off-premises beer retailer license shall entitle the licensee to sell beer in original containers (not to exceed two liters) for consumption off the premises.

The Sandy City Development Code in Sec. 21-37-2(11) gives the standards for an alcohol or tobacco specialty store. An alcohol or tobacco store is not a permitted use in the CC zone. The applicant would be required to stay below the outlined thresholds for alcohol and tobacco sales as well as the other standards listed.

(11) *Alcohol or tobacco specialty store.*

- a. The term "alcohol or tobacco specialty store" means a commercial establishment that, through signage, floor space allocation and sales revenue, demonstrates it is substantially engaged in the offer and sale of alcohol and/or tobacco products, and any one or more of the following factors:
 - 1. The sale of alcohol or tobacco products accounts for more than 35 percent of the total annual gross receipts for the establishment, except as allowed within this title such as alcoholic beverage state liquor store and alcoholic beverage package agency; or
 - 2. Twenty percent or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products; or
 - 3. Twenty percent or more of the total shelf space (retail display or storage areas) is allocated to the offer, display, or storage of tobacco products; or
 - 4. If less than 80 percent of the total shelf space (retail display or storage areas) is allocated to the offer, display, or storage of other items, products and merchandise unrelated to tobacco products; or
 - 5. The retail space features a self-service display for tobacco products (as defined in Utah State Code); or
 - 6. The name of the business or marketing of the business evidences the establishment as a retail alcohol

or tobacco specialty store.

b. For the purposes of this definition, the term "tobacco product" means:

1. Any cigar, cigarette, chewing tobacco, or electronic cigarette as defined in Utah State Code.
2. Any substitute for a tobacco product, including flavoring, or additives to tobacco; and
3. Tobacco paraphernalia as defined in Utah State Code.

Signs

The business has a portion of an existing wall sign and window signs that are advertising tobacco products. This advertising would not be allowed as outlined in Sec. 21-37-2(11)(a)(6) of the Sandy Development Code that states the name of the business or marketing of the business evidences the establishment as a retail alcohol or tobacco specialty store.

The window signs at this business and other businesses in the center exceed the percentages allowed for temporary window signs. The Sandy City Development Code in Sec. 21-26-8 (d)(3)(a) *Temporary Signs Allowed Without a Permit; Nonresidential Zones* states that window signs are allowed for ground floor tenants only, except as otherwise allowed herein. They shall not be located as to block clear view of exits or entrances or to create a safety hazard. Any window sign shall not disrupt the visibility from employee stations to the parking area or of law enforcement personnel into the business. The following shall also apply:

- a. They shall not cover more than 50 percent of any single window, nor more than 33 percent of the entire surface area of a group of windows on each building face. A single window is any window, or section of windows, that is separated from another window by 12 inches or more. Any door with windows is always considered a separate window (see Figure 25).
- b. Window signs and permanent wall signs combined shall not exceed 20 percent of the exterior wall area of the tenant.



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.

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

The applicant is proposing to operate Monday through Friday from 9:30am to 10:00pm, Saturday from 10:00am to 10:00pm, and Sunday from 11:00am to 10:00pm.

(13) Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

To be subject to periodic audits by the city to ensure they are not operating as an Alcohol and Tobacco Specialty Store.

(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 regulations from the Department of Alcoholic Beverage Services, Board of Health, Business Licensing, Building & Safety, and Fire & Life Codes.

Staff Concerns

Staff is concerned about the business operating as an Alcohol and Tobacco Specialty Store and staying within the limit of 35% annual gross receipts for alcohol and tobacco products such that it no longer would qualify as just a retail convenience store.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for an off-premise beer retail license and as described in the staff report for the property located at 9187 S. 700 E. based on the following findings and subject to the following conditions:

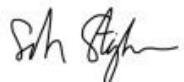
Findings:

1. The proposed use meets the intent of the CC zone.
2. An Alcohol and Tobacco Specialty Store is not a permitted use in the CC zone.
3. A portion of the businesses wall and window signs advertise tobacco products.
4. The temporary window signs exceed allowable coverage percentages and advertise for tobacco products.
5. Multiple businesses in the center exceed allowable coverage for window signs.

Conditions:

1. That the business does operate as an Alcohol and Tobacco Specialty Store.
2. That any signage that advertises for tobacco products be removed and not utilized.
3. That all temporary window signs in the center follow the permitted coverage allowances.
4. That the business be subject to an audit at any time at the City's discretion to verify annual gross receipts to ensure they are not operating as an Alcohol and Tobacco Specialty Store.
5. That the applicant complies with all state licensing requirements from the Department of Alcoholic Beverage Services.
6. That the applicant complies with all regulations from the Board of Health.
7. That the applicant complies with all Building & Safety, and Fire & Life Codes.
8. The hours of operation for this use and business be limited to Monday through Friday from 9:30am to 10:00pm, Saturday from 10:00am to 10:00pm, and Sunday from 11:00am to 10:00pm.
9. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Sarah Stringham

Planner

File Name: S:\USERS\PLN\STAFFRPT\2025\CUP09152025-007041 - MIDWAY CONVENIENCE\STAFF REPORT
MIDWAY.DOCX

Exhibit "A"

Ridha Adam

Owner, Midway Convenience
9187 South 700 East
Sandy, UT 84070
09/12/2025

Planning Commission
City of Sandy
10000 Centennial Parkway
Sandy, UT 84070

Dear Members of the Planning Commission,

I am writing to respectfully request a conditional use permit for Midway Convenience, located at 9187 South 700 East in Sandy, to obtain an off-premises beer retail license. At this time, our store does not sell beer or any other alcoholic products. This request is solely for the purpose of selling beer for off-premises consumption.

Midway Convenience operates as a neighborhood store providing snacks, drinks, and everyday essentials. Our current operating hours are Monday through Friday from 9:30 a.m. to 10:00 p.m., Saturday from 10:00 a.m. to 10:00 p.m., and Sunday from 11:00 a.m. to 10:00 p.m.

We understand the importance of maintaining a safe and respectful environment for nearby residents. Beer sales will be conducted responsibly, in compliance with all state and local regulations, including strict ID verification. We do not anticipate negative impacts on the neighborhood, as our store already serves local customers, and adding packaged beer will simply provide an additional convenience for those who shop with us. We remain committed to upholding the character of the area and to addressing any concerns that may arise.

Thank you for your time and consideration of this request. Please let me know if there are any additional details or documentation needed as part of this process.

Exhibit "B"

Sarah Stringham

From: Brian Clark <poolplayer1@comcast.net>
Sent: Thursday, September 25, 2025 1:12 PM
To: Sarah Stringham
Subject: [EXTERNAL] off-premise beer retailer license

CAUTION: Do not click links, open attachments, or reply, unless you recognize the sender's email address!

Sarah,

RE: Neighborhood Meeting Oct. 6th at 7:00pm / Applicant: Ridha Adam

- What exactly is an “off-premise beer retailer license”?
- What is and isn’t allowed with this license?
- Is it going to be located within the “Subject Property” at 9187 S. 700 E.?
- Is “off-premise” a typo?

Thank you,

Brian Clark

Exhibit "B" Continued

Sarah Stringham

From: Kathleen Walker <kcmomma@comcast.net>
Sent: Thursday, September 25, 2025 4:25 PM
To: Sarah Stringham
Subject: [EXTERNAL] Oct. 6 zoom meeting regarding off-premise beer retailer license

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: Do not click links, open attachments, or reply, unless you recognize the sender's email address!

Dear Ms. Stringham;

I am the owner of a home at 795 East 9140 South, Sandy, Utah. This is obviously extremely close to the retailer who is seeking this license. And this strip mall is nestled right next to a number of residences in my same subdivision. I find the idea of allowing a license to this retailer to be repugnant and frightening.

I am a senior citizen and, even though I know how to tune in to Zoom meetings, I will not be watching this one because my life is stressful enough without this. I would be grateful, however, to have you inform me which way the vote goes.

Thanks for making yourself available for my email.

Sincerely,

Kathleen Walker