

**CITY OF LOGAN
RESOLUTION NO. 17-15**

**A RESOLUTION TO GIVE WRITTEN CONSENT THAT THE STATE
ALCOHOLIC BEVERAGE CONTROL COMMISSION GRANT A VARIANCE
TO THE COMMUNITY LOCATION PROXIMITY REQUIREMENTS**

WHEREAS, Utah Code Section 32B-1-202 provides that one of the factors that the Alcoholic Beverage Control Commission may consider in granting a variance to the community location proximity requirements is the issuance of a written consent by the governing body of the city; and

WHEREAS, Canyon Road Original Properties L.C., doing business as “The Cache Venue” restaurant, located at 119 South Main Street is requesting to become a Full-Service Restaurant Liquor licensee for purposes of alcohol sales and is located less than 200 feet (*the commission does allow variances to the 200' measurement only with respect to parks and libraries*) and less than 600 feet ordinary pedestrian travel of the Garff Wayside Gardens Park property boundary, a community location; and

WHEREAS, the policy established by Utah Code Section 32B-1-202 that places proximity restrictions on retail licensees for purposes of alcohol sales in relation to the Garff Wayside Gardens Park, should not apply because the negative impacts the state statute are meant to prevent are not present in this case; and

WHEREAS, Canyon Road Original Properties L.C, has requested that the City of Logan give written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements;

NOW THEREFORE, BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL, that this Council gives written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS

4 DAY OF APRIL, 2017

AYES: *Simmards, Daines, Alton, Jensen*

NAYS: *Neuhom*

ABSENT: *none*

ATTEST:

Teresa Harris

Teresa Harris, City Recorder



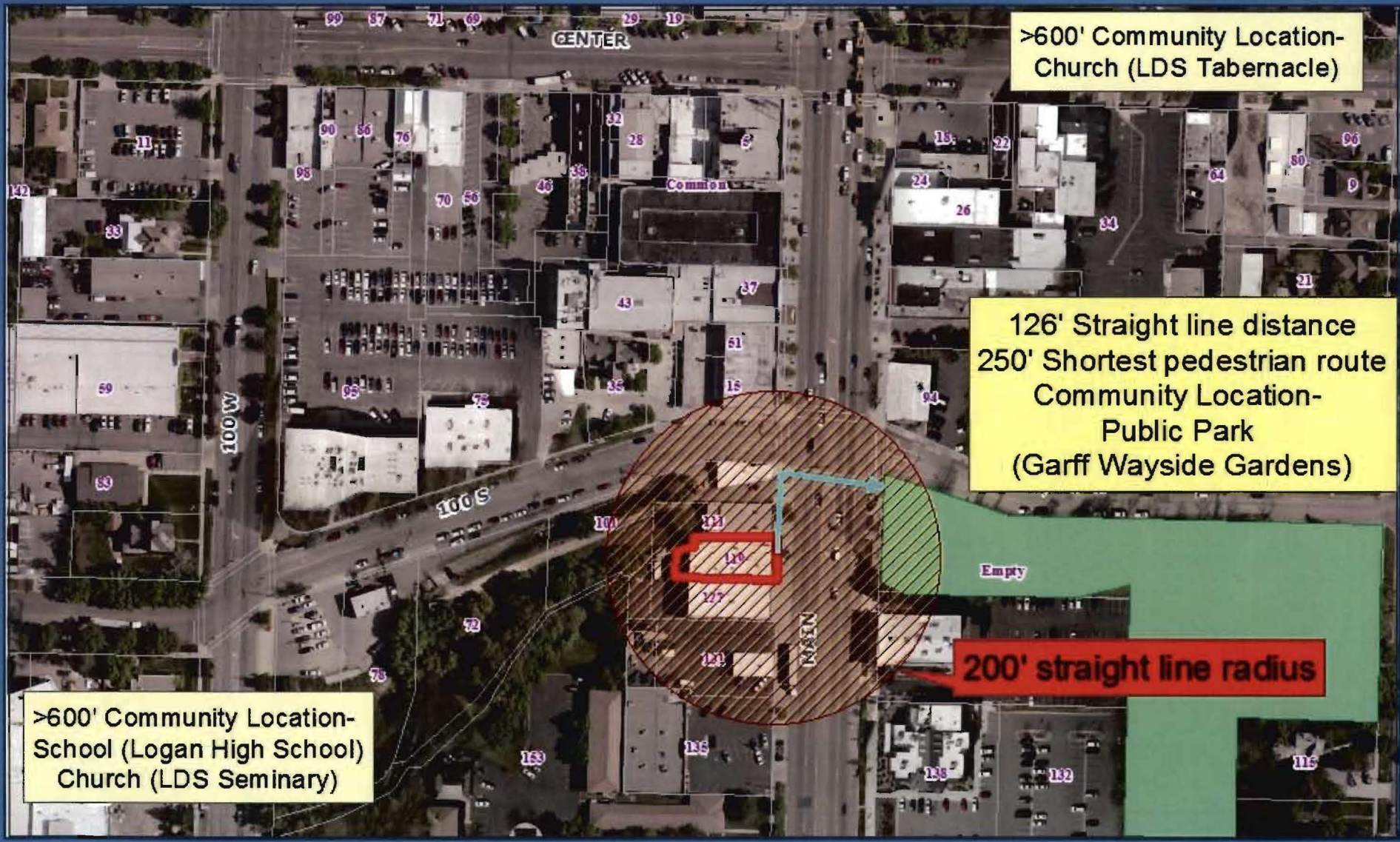
Holly H. Daines

Holly H. Daines, Chairwoman

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The Cache Venue

119 South Main Street



>600' Community Location-
Church (LDS Tabernacle)

126' Straight line distance
250' Shortest pedestrian route
Community Location-
Public Park
(Garff Wayside Gardens)

200' straight line radius

>600' Community Location-
School (Logan High School)
Church (LDS Seminary)