

RESOLUTION NO. A-\_\_\_\_\_

SPECIAL PERMIT NO. 2039

1           WHEREAS, Mesal Enterprises has submitted an application designated  
2 as Special Permit No. 2039 for authority to sell alcoholic beverages for consumption off  
3 the premises at , legally described as:

4                   Lots 1 and the remaining portion of Lot 2, Block 5,  
5                   Woodland Terrace, Linwood Addition, Lincoln, Lancaster  
6                   County, Nebraska; and

7           WHEREAS, as the premise is located closer than 100' to a residential  
8 district, the applicant has prepared a mitigation plan as part of the application; and

9           WHEREAS, the Planning Director has approved the mitigation plan as  
10 satisfactory mitigation of any adverse effects of the reduction of the required 100'  
11 separation; and

12           WHEREAS, said mitigation plan, as well as the site plan, together with the  
13 terms and conditions hereinafter set forth are consistent with the intent and purpose of  
14 Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general  
15 welfare; and

16           WHEREAS, the adjacent area will not be adversely affected pursuant to  
17 the site and mitigation plans.

18           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
19 Lincoln, Nebraska:

1                   That the application of Mesal Enterprises, hereinafter referred to as  
2 "Permittee", to sell alcoholic beverages for consumption off the premises on property  
3 legally described above be and the same is hereby granted under the provisions of  
4 Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said  
5 licensed premises be in strict compliance with said application, the site plan, mitigation  
6 plan and the following additional express terms, conditions, and requirements:

7                   1.       This permit approves the sale of alcoholic beverages for  
8 consumption off the premises.

9                   2.       The site plan and mitigation plan accompanying this permit shall be  
10 the basis for all interpretations.

11                  3.       The terms, conditions, and requirements of this resolution shall be  
12 binding and obligatory upon the Permittee, its successors, and assigns. The building  
13 official shall report violations to the City Council which may revoke the special permit or  
14 take such other action as may be necessary to gain compliance.

15                  4.       The Permittee shall sign and return the City's letter of acceptance  
16 to the City Clerk within 30 days following approval of the special permit, provided,  
17 however, said 30-day period may be extended up to six months by administrative  
18 amendment. The City Clerk shall file a copy of the resolution approving the special  
19 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
20 paid in advance by the Permittee.

Introduced by:

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Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

\_\_\_\_\_  
Mayor