

## FACTSHEET

**TITLE: SPECIAL PERMIT NO. 2000**, requested by Janet Crosby for authority to sell alcoholic beverages for consumption on the premises, including a request to waive the parking lot paving requirements, on property generally located at 35<sup>th</sup> and Cornhusker Highway (3235 North 35<sup>th</sup> Street).

**STAFF RECOMMENDATION:** Conditional approval of the special permit and **denial** of the waiver of parking lot paving requirements.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 01/22/03 and 02/05/03  
Administrative Action: 02/05/03

**RECOMMENDATION:** Conditional approval of the special permit and **denial** of the waiver of parking lot paving requirements (6-1: Carlson, Newman, Taylor, Bills-Strand, Steward and Schwinn voting 'yes'; Krieser voting 'no'; Duvall and Larson absent).

### FINDINGS OF FACT:

1. This application had initial public hearing on January 22, 2003; however, at the request of the applicant, the hearing was held over for two weeks.
2. The staff recommendation of conditional approval of the special permit to sell alcohol for consumption on the premises, but **denial** of the waiver of the parking lot paving requirements, is based upon the "Analysis" as set forth on p.3-5. The conclusion of the staff analysis states:

Originally, the licensed premises was located approximately 90' from a residence. The applicant requested, and staff recommended, a two-week deferral to allow time for mitigation to be discussed. The revised application shows the licensed premises 100' away from any residence, residential district or day care facility and complies with all applicable criteria except a paved parking lot.

3. Therefore, the staff is recommending that the request to waive the parking lot paving requirements be denied. The applicant's testimony is found on p.7-8, reiterating the request to waive the paving requirements.
4. The record consists of five letters in support (p.17-21).
5. There was no testimony in opposition; however, the record consists of three letters in opposition (p.22-24).
6. On February 5, 2003, the Planning Commission agreed with the staff recommendation and voted 6-1 to recommend **conditional approval** of the special permit to sell alcoholic beverages for consumption on the premises and **denial** of the request to waive the parking lot paving requirements (Commissioner Krieser dissenting). The conditions of approval are found on p.5-6.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant, approved by the reviewing departments and the revised site plan is attached (p.12).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** February 24, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** February 24, 2003

**REFERENCE NUMBER:** FS\CC\2003\SP.2000

**CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**- REVISED REPORT -**

**P.A.S.:** Special Permit #2000

**DATE:** January 23, 2003

**SCHEDULED PLANNING COMMISSION MEETING:** February 5, 2003

**PROPOSAL:** A special permit to allow the sale of alcoholic beverages for consumption on the premises.

**WAIVER REQUEST:** The applicant is requesting a waiver to the Design Standards to allow a gravel parking lot instead of paving it.

**LAND AREA:** Approximately 2.6 acres.

**CONCLUSION:** Originally, the licensed premises was located approximately 90' from a residence. The applicant requested, and Staff recommended, a two-week deferral to allow time for mitigation to be discussed. The revised application shows the licensed premises 100' away from any residence, residential district or day care facility and complies with all applicable criteria except a paved parking lot.

**RECOMMENDATION:**

Special Permit #2000  
Waiver to Design Standard

Conditional Approval  
Denial

**GENERAL INFORMATION**

**LEGAL DESCRIPTION:** Lots 4, Delta Regency Addition, Lancaster County, Nebraska.

**LOCATION:** 3235 North 35<sup>th</sup> Street

**OWNER:** Delta Investments  
PO Box 30618  
Lincoln, NE 68521 (402)438-1200

**APPLICANT/  
CONTACT:** Janet Crosby  
5014 Valley Forge Road  
Lincoln, NE 68521 (402)416-1701

**EXISTING ZONING:** I-1 Industrial

**EXISTING LAND USE:** Social Hall

**SURROUNDING LAND USE AND ZONING:**

North	Industrial	I-1
South	Industrial	I-1
East	Residential	I-1
West	Industrial	I-1

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan designates industrial land use for the subject property.

**ANALYSIS**

**OVERVIEW:**

The building on the site has been in use as a social hall since 1995. The applicant wants to continue using the building as a social hall, but with the sale of alcohol for consumption on the premises. Located in the I-1 district, the sale of alcohol for consumption on the premises is allowed by special permit. This request is for a special permit to allow the sale of alcoholic beverages for consumption on the premises, in conjunction with the use of the building as a social hall.

This application was initially considered by the Planning Commission at the January 22, 2003 hearing where a two-week deferral was granted at the request of the applicant. The applicant requested deferral to allow time to mitigate the fact that the proposed use was within 90' of a residence located in the mobile home park to the east, and to request a waiver to the requirement for paving the parking lot.

LMC 27.63.680(c) uses the term “licensed premises”, a term that refers to the area subject to the liquor license issued by the State of Nebraska. The site plan has been revised to show a wall being constructed to prohibit public access to the east 10' of the building. With this revision, the licensed premises is in excess of 100' from the nearest residence and meets all the applicable location criteria.

**1. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC) 27.63.680:** Alcoholic beverages may be sold for consumption on the premises in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2 and I-3 zoning districts upon the approval of a special permit. A special permit for such use may be granted subject to the requirements of the respective districts, all applicable ordinances, and the following conditions, which may be waived by the City Council:

**(a) Parking shall be in accordance with LMC Section 27.67.020.**

The design of the parking lot complies with the design standards, with the exception that it is not paved. To be found in accordance with LMC Section 27.67.020, the parking lot must be paved.

A waiver to Design Standards is being requested, as the applicant seeks to be allowed to maintain a gravel parking lot. In their review, the Public Works Department notes that the parking lot must be paved, and there do not appear to be any unique circumstances associated with this application that justifies a waiver.

**(b) The sale of alcoholic beverages for consumption off the premises shall not be permitted without issuance of a permit under LMC Section 27.63.685 of this code.**

This application is for a special permit to allow the sale of alcohol for consumption on the premises. The sale of alcoholic beverages off the premises is not a part of this proposal and is not being requested.

**(c) The licensed premises of any building approved for such activity must be located no closer than 100 feet from a day care facility, a residential district or residential use, or, if a lesser distance, must mitigate any adverse effects of the reduction in distance through landscaping, screening, or other methods approved by the Planning Director.**

The revised site plan shows the licensed premises located in excess of 100' away from a residence, a residential district or a day care. Additionally, the facility is separated by North 35<sup>th</sup> Street which provides access to not only the social hall and mobile home park, but to the other commercial and industrial uses in the area. Consistent with previous reviews, the Police Department is recommending approval as the use meets the 100' separation distance criteria.

**(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.**

Any parking lot lighting must comply with the applicable City of Lincoln Design Standards.

**(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.**

A drive-through window is not being proposed.

**(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.**

No such devices are proposed with this special permit.

**(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district.**

**This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.**

There is no residential zoning in this area - the mobile home park on the east side of North 35<sup>th</sup> Street is also located in the I-1 district. So while there is no residential zoning in this area and this particular criteria is not applicable, the doors to the facility in fact open to the north and south and do not face the residences to the east.

**(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible as determined by the City Council, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.**

No residential streets are used to access this site. North 35<sup>th</sup> Street, which is adjacent to this site, serves an area of predominantly industrial uses and is not considered a residential street.

**(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.**

**(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:**

- (1) Revocation or cancellation of the liquor license for the specially permitted premises; or**
- (2) Repeated violations related to the operation of the permittee's business.**

**Planning Commission review and City Council approval is required for this use.**

## **2. DEPARTMENT RESPONSES:**

**POLICE:** The Police Department finds that the proposed use is in excess of 100' from a residence, residential district or day care and is recommending approval.

**PUBLIC WORKS:** Public Works states that the layout of stalls and driving aisles for the parking lot meets Design Standards, but also notes that the parking lot must be paved to meet all the requirements of LMC.

## **CONDITIONS:**

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Submit certified information from an abstractor or an attorney indicating the current record owner(s) of all land within the limits of this application.
- 1.2 Revise the site plan to show a paved parking lot.
2. This approval permits the sale of alcohol for consumption on the premises at 3235 North 35<sup>th</sup> Street consistent with the site plan submitted where the consumption of alcohol is prohibited within the east 10' of the building.

General:

3. Before the sale of alcohol for consumption on the premises, the parking lot shall be paved in compliance with City Design Standards.

Standard:

4. The following conditions are applicable to all requests:
  - 4.1 Before the sale alcohol for consumption on the premises all development and construction is to comply with the approved plans.
  - 4.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will, AICP  
Planner

## SPECIAL PERMIT NO. 2000

### PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 22, 2003

Members present: Krieser, Taylor, Carlson, Newman and Steward; Duvall, Larson, Schwinn and Bills-Strand absent.

Staff recommendation: Deferral.

The Clerk noted that the record consists of one letter in opposition.

Brian Will of Planning staff submitted a second letter in opposition.

#### Proponents

**1. Janet Crosby**, 5014 Valley Forge Road, the applicant, appeared to request a two-week deferral to give her more time to meet with the appropriate people and discuss different options.

There was no testimony in opposition.

Newman moved to defer for two weeks, with continued public hearing and administrative action scheduled for February 5, 2003, seconded by Taylor and carried 5-0: Krieser, Taylor, Carlson, Newman and Steward voting 'yes'; Duvall, Larson, Schwinn and Bills-Strand absent.

### CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

February 5, 2003

Members present: Carlson, Newman, Krieser, Taylor, Bills-Strand, Steward and Schwinn; Larson and Duvall absent.

Staff recommendation: Conditional approval of the special permit; however, denial of the waiver of the parking lot paving.

The Clerk advised that the record consists of three letters in opposition and four letters in support.

Brian Will of Planning staff submitted one additional letter in support from a property owner in the area.

#### Proponents

**1. Janet Crosby**, 5414 Valley Forge Road, the applicant, provided an overview of the business conducted on the subject property. The primary function is to provide a location where families will gather to celebrate special events, such as a large wedding reception or small anniversary or birthday celebrations, which may or may not require the use of the liquor license. Other business meetings and charitable events are a possibility.

Crosby advised that this building has operated as a social hall for the last nine years and she wants to continue this use. After learning about the special permit requirement she has worked diligently with the staff to be in compliance with the rules and regulations. As with any new business, she is trying to forecast long term goals. She does not believe the gravel parking lot is a noise or dust issue for surrounding business or home owners as it has been used in that manner for nine years. It would be a financial burden to have to pave the parking lot. There are surrounding businesses that have submitted letters in support which do not oppose the waiver of the paving. Crosby requested that the Commission grant the special permit and the waiver of the paving requirement to allow her the opportunity to start the business and to begin to acquire enough capital to complete that requirement. She will do her very best always to be in compliance with all city and state liquor laws and regulations.

Bills-Strand inquired as to how many functions will require the liquor license. Crosby has just taken over the business and she did not know how many events occurred previously. She does have six events booked for the coming year that would need this special permit.

#### Staff questions

Taylor asked staff to explain the problem with the dust and gravel. Will explained that there are several provisions within the special permit section of the ordinance, one being the requirement that special permits for on-sale provide parking in compliance with the ordinance. It is a requirement of the zoning ordinance and design standards that parking areas be paved. One of the concerns with unpaved lots is dust and other potential nuisances associated with it. The requirement to pave the parking lot comes from the City of Lincoln Design Standards.

Schwinn noted that the site plan shows that this applicant is only using the northeast quarter of the site. Will concurred. There is a driveway connection to 33<sup>rd</sup> Street to the west. There is a mixture of industrial uses in the area plus a mobile home court to the east. North of Cornhusker Highway, between 33<sup>rd</sup> and 35<sup>th</sup> Streets, is generally commercial and light industrial uses, with the exception of the mobile home park which is in the I-1 district.

Carlson inquired as to the time limit for installation of the improvements. Will explained that when the applicant submits plans for the building permit for occupancy, it would be required at that time to have the required improvements in place. If the parking lot waiver is not approved, it would be a condition of this special permit that the parking lot be installed and paved.

Schwinn suggested that the paving would only have to be blacktop. Will responded, stating that the paving would need to comply with the city standards that are in place.

There was no testimony in opposition.

Public hearing was closed.

#### **ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

February 5, 2003

Steward moved approval of staff recommendation of conditional approval, and denial of the waiver of paving, seconded by Taylor.

Steward believes this is a matter that is of public record. The standards are well-known and easily researched and he believes it is the owner's responsibility.

Newman believes there is a big difference between a business on the corner with homes behind it. This is a case, once again, where we have a street separating this from residences. She concurred that it is not closer than 100', but there is still a difference between this and some cases reviewed in the past where it is on the corner and backs onto a house.

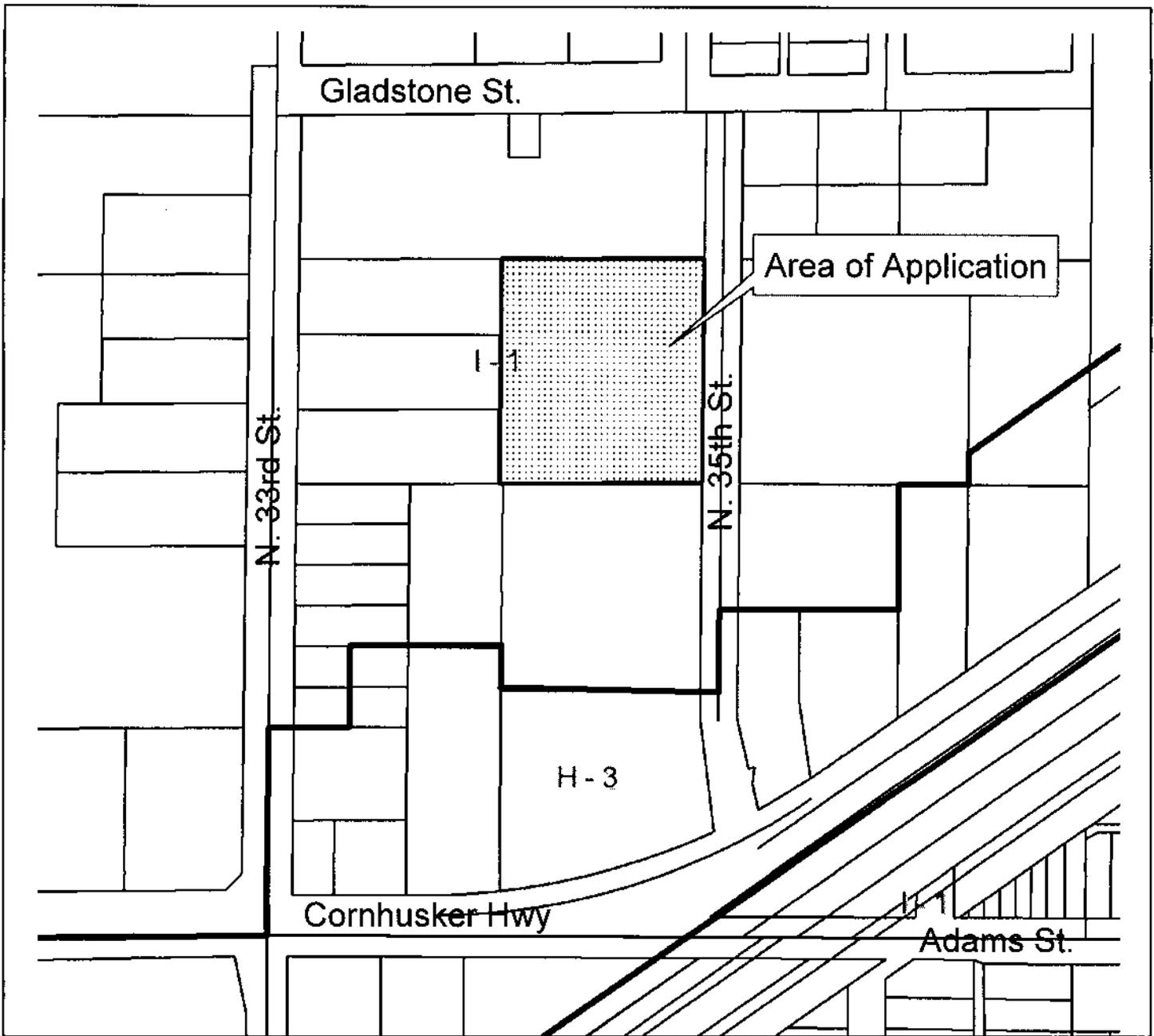
Schwinn pointed out that the housing is in the I-1 district and in his opinion, the housing is therefore a nonconforming use.

Motion for conditional approval, with denial of the waiver of parking lot paving, carried 6-1: Carlson, Newman, Taylor, Bills-Strand, Steward and Schwinn voting 'yes'; Krieser voting 'no'; Duvall and Larson absent.



**Special Permit #2000  
N. 35th & Cornhusker Hwy**





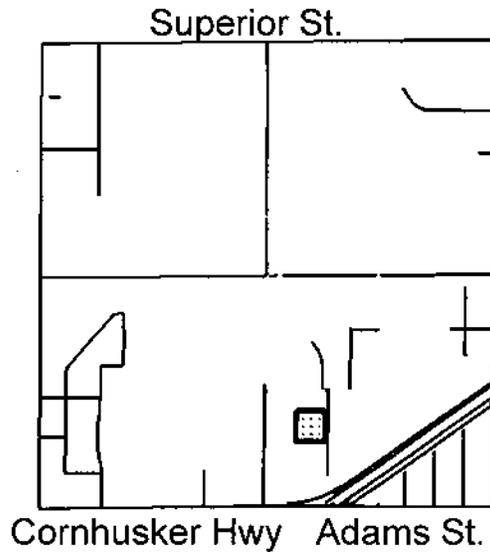
# Special Permit #2000 N. 35th & Cornhusker Hwy

## Zoning:

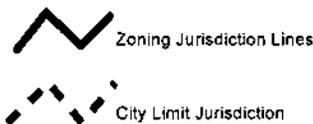
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
Sec. 7 T10N R7E

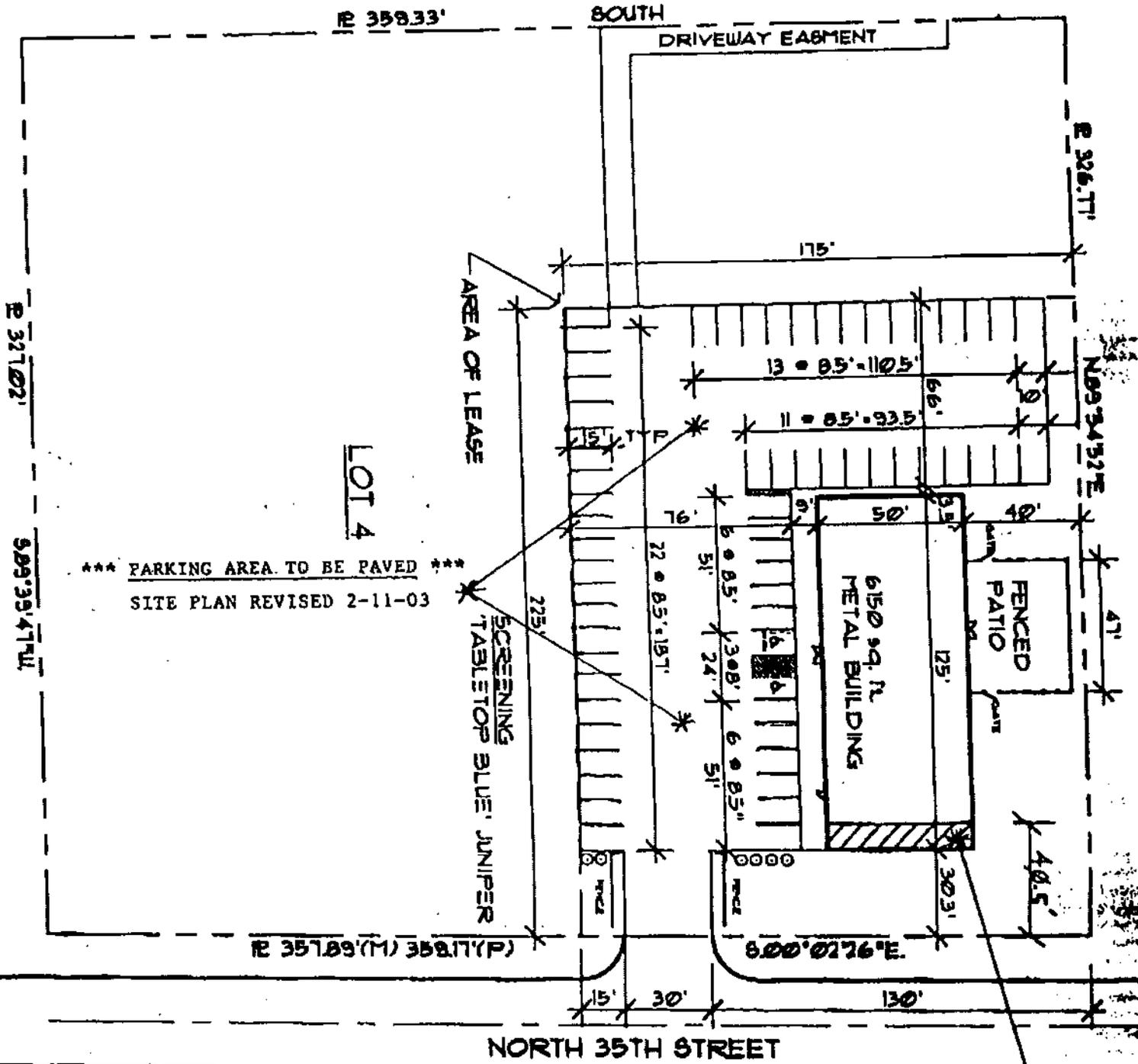
N. 27th St.



N. 40th St.



011



**RECEIVED**

FEB 13 2003

LINCOLN CITY/LANCASTER COUNTY  
 PLANNING DEPARTMENT

NO ALCOHOL CONSUMPTION IN THIS AREA

\*\*\* SITE PLAN REVISED 1-14-03 \*\*\*

ZONING: I-1  
 PARKING: 62 STALLS

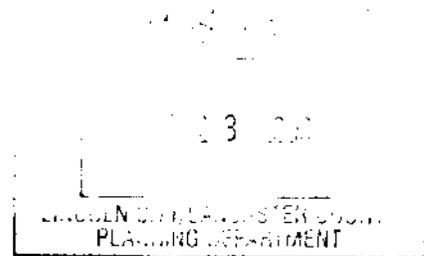
LEGAL DESCRIPTION  
 LOT 4 OF  
 DELTA REGENCY ADDITION

3235 No. 35th Street  
 Lincoln, Nebraska

**SITE PLAN**  
 SCALE: 1" = 50'-0"



*Janet L. Crosby*  
5014 Valley Forge Rd.  
Lincoln, Nebraska  
68521  
(402) 416-1701  
(402) 435-4912  
simplyparadise@hotmail.com



January 23, 2003

Dear Sirs,

*The information below is as a result of my application for a special permit to allow the sale of alcoholic beverages on the premises. Special Permit #2000. Property address 3235 No. 35th St. Lincoln, Nebraska.*

*As the permit applicant, I would ask the commission to consider the new site plan I have provided for you. It is very important to me, that I follow all code restrictions and have my social hall follow all city and state regulations.*

*With this said, I'm proposing to erect a wall at the East End of my building. This said area, being approximately 10' inside the building, will have no public access, and will thus make the consumption of alcohol more than 100 feet from the residences to the east of my building.*

*As has been stated before, the use of this building has been a social hall with the consumption of alcohol for the past 9 years. The only difference is that now, I, as the owner of the business, will possess the liquor license. Prior to my taking over the building, alcohol was sold and consumed on the premises, only done so by use of a catering liquor license.*

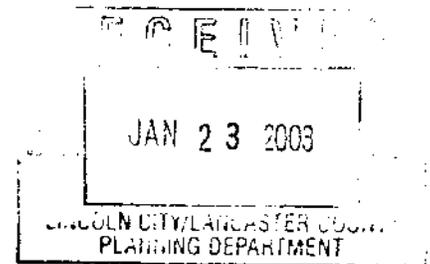
*I can assure this commission and the city of Lincoln, that all rules and or regulations regarding on-sale alcohol will be strictly enforced. I realize the importance and responsibility of being granted a liquor license. You have my most sincere promise that myself or any of my staff during an event will make this our top priority.*

Respectively Submitted,

*Janet L. Crosby*  
Janet L. Crosby

*Janet L. Crosby*

5014 Valley Forge Rd.  
Lincoln, Nebraska  
68521  
(402) 416-1701  
(402) 435-4912  
*simplyparadise@hotmail.com*



January 23, 2003

Dear Sirs,

*The information below is as a result of my application for a special permit to allow the sale of alcoholic beverages on the premises. Special permit #2000, property address 3235 No. 35th St. Lincoln Nebraska.*

*As the permit applicant, I would ask the commission to consider a waiver at this time concerning the paving of said parking lot. My parking lot however, does have several paved parking spots, two being handicap assessable. The costs of paving would be a huge hardship on my pending business. My hopes are to sometime in the future have the capitol to allow me to pave the lot.*

*The property has been used as a social hall for 9 years and noise and dust from the rocked part of the lot has never been a problem, as my building is very seldom being used when other surrounding businesses are open.*

*I thank-you for your time concerning this matter.*

*Respectively Submitted,*

*Janet L. Crosby*

Janet L. Crosby

# Memorandum



**To: Mr. Brian Will**  
**From: Sergeant Michael S. Woolman #737**  
**Date: January 23, 2003**  
**Re: Simply Paradise**

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Mr. Will,

I have reviewed the letter from Janet Crosby dated January 23, 2003. The third paragraph of the letter states, "With this said, I'm proposing the erect a wall at the East End of my building. This said area, being approximately 10' inside the building, will have no public access, and will thus make the consumption of alcohol more than 100 feet from the residences east of my building". The Lincoln Police Department has no objections to the new site plan and no objections to the Special Permit as long as the licensed area is more that 100 feet from a residential area.

Michael S. Woolman

# Memorandum

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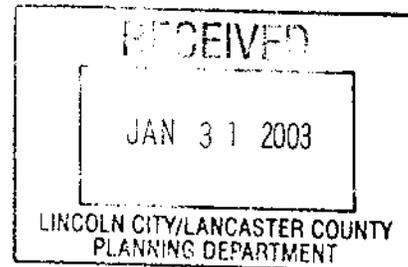
**To:** Brian Will, Planning Department  
**From:** Charles W. Baker, Public Works and Utilities *CBW*  
**Subject:** Alcohol Sales Special Permit #2000  
**Date:** January 2, 2003  
**cc:** Randy Hoskins  
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the site plan for the proposed Alcohol Sales Special Permit located at 3235 North 35th Street. Public Works finds the site plan parking layout meets design standards, provided all stalls and drive aisles are paved. A parking lot plan must be submitted to Dept. of Public Safety for permits.

IN SUPPORT

ITEM NO. 2.1: SPECIAL PERMIT NO. 2000  
(p.75 - Public Hearing - 2/05/03)

**Pro Automotive**  
**3017 North 35<sup>th</sup> St**  
**Lincoln NE 68504**  
**(402) 464-8229**



January 30, 2003

Planning Department  
Attention: Brian Will  
555 S 10 St  
Lincoln NE 68508

Dear Sir:

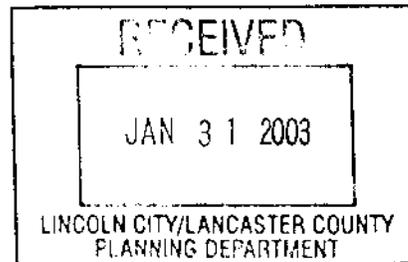
As business owner in the neighborhood of the Simply Paradise Reception Hall, I am writing to let you know I am not opposed to the hall holding its own liquor license. I do not see any reason for the owners not to hold their own liquor license rather than having it catered by someone else's liquor license.

Please grant a liquor license for the Simply Paradise Reception Hall.

Sincerely,

Mark Fredrickson  
President

A handwritten signature in cursive script, appearing to read "Mark Fredrickson".



January 28, 2003

Planning Department  
Attention: Brian Will  
555 S 10 St  
Lincoln NE 68508

Dear Brian,

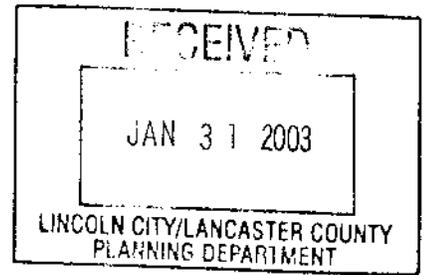
I am owner of the property located in Crescent Glen Block 7, lots 3 & 4. I am writing in favor of the Zoning Action and Liquor License requested by Simply Paradise Reception Hall. The new owners have done an outstanding job of improving the property and have satisfied any concerns I may have had about their liquor license.

The reception hall has always served liquor at its functions and I do not foresee any problems with granting the hall its own license. I feel it would be in the best interest of the neighborhood for the facility to hold its own license and not have the liquor catered in.

Sincerely,

A handwritten signature in cursive script, appearing to read "Randy Neeman".

Randy Neeman  
Property Owner



January 28, 2003

Planning Department  
Mr. Brian Will  
555 S 10 St  
Lincoln NE 68508

Mr. Will,

As property owner of Crescent Glen Block 7, lots 7 & 21. I had some concerns regarding the Zoning Action and Liquor License requested by Simply Paradise Reception Hall. However, the new owners have made a lot of improvements to the property and we've never had any problems with liquor being served there in the past so I am in favor of them holding their own liquor license. This way they will be responsible for the liquor being served and consumed instead of an outside license bringing the liquor to the hall.

I am glad to see the facility and property being taken care of and improved upon.

Sincerely,

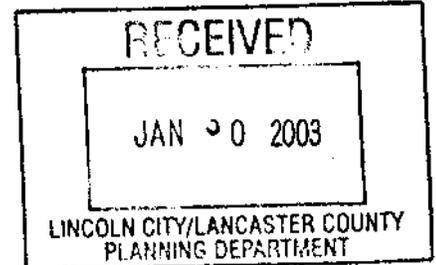
A handwritten signature in cursive script that reads "William Neeman".

William Neeman  
Property Owner

# **PROGRESSIVE ELECTRIC INC.**

3420 North 35th Circle  
Lincoln, Nebraska 68504  
(402) 466-4222  
Fax: (402) 466-4244

Planning Department  
Attention: Brian Will  
555 S 10 St  
Lincoln NE 68508



Dear Mr. Will,

A "Zoning Action" sign was recently placed outside of the former "Rose Hall" reception facility, now known as "Simply Paradise". As a business manager in the neighborhood, I called to inquire about this zoning action and was informed that the owner had applied for a liquor license. I have since, visited the facility and spoken with the owner. The impressive improvements made to this facility lead me to believe that the owner has every intention of running this business in a responsible manner, as it is obvious they have put a lot of time and money into the building and property. I believe the improvements they have made to the previously neglected property, have increased the value of their property, as well as all of the surrounding property.

I am requesting that the liquor license be granted for the new facility, as I do not foresee any problems created by granting this license. When this facility was rented out previously, liquor was served through a catering license and there were no problems that I am aware of because of the liquor being served. If anything, by granting the facility its own liquor license, they will be more conscientious and responsible than if liquor were served by a catered license and employees of this caterer who have no ties to the facility or neighborhood.

Because most of the businesses in this area operate Monday-Friday during normal daytime hours, the facility and its functions will not affect our business in any adverse way and if liquor is going to be served, it only makes sense to issue them their own liquor license. The new name and improved facility are going to help our neighborhood and I'd hate to see them take their business somewhere else because they cannot obtain a liquor license. It's great for our neighborhood to have owners who are actually improving their property rather than letting it dilapidate as the previous owners did.

Please take into consideration that this business sees no reason not to issue a liquor license to the Simply Paradise reception hall.

Sincerely,

A handwritten signature in cursive script that reads "Jill Neeman".

Jill Neeman  
General Manager

IN SUPPORT

ITEM NO. 2.1: SPECIAL PERMIT 2000  
(p.75 - Cont'd Public Hrg  
2/5/03)



3460 North 38th Street Circle  
Lincoln, NE 68604  
(402) 467-4641  
olstons@binary.net  
Web Site-<http://www.olstons.com>

1-31-03,

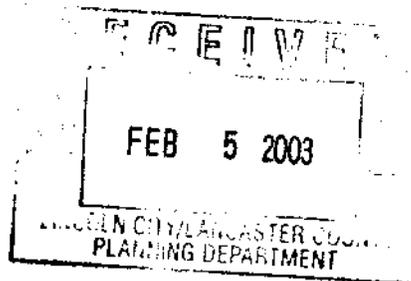
City of Lincoln, Planning Commission,

RE: Simply Paradise Social Hall

We understand that Simply Paradise Social Hall, has applied for a Special Permit to obtain a Liquor License in order for them to directly serve alcohol at their social events. At this time we have no objection to the special permit being granted.

Thank you,

James E. Olston,  
President



# Lavigne Enterprises

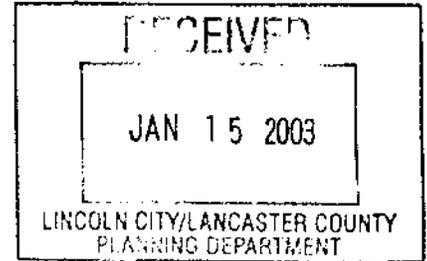
**BUILDER-DEVELOPER**  
(p.23 - Public Hearing - 1/22/03)  
Warehouse, Office, Industrial Leasing

14803 Frontier Rd.

Omaha, NE 68138-3835

(402) 896-6722

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January 14, 2003

Marvin S. Krout, Director  
Lincoln-Lancaster County Planning Department  
555 South 10th Street, Suite #213  
Lincoln, NE 68508

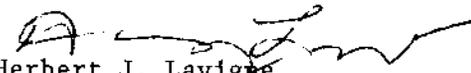
Subject: Special Permit #2000  
North 35th Street & Cornhusker Highway

I am opposed to Special Permit #2000 to be located at 35th Street and Cornhusker Highway.

I own the property next to this building and have already experienced problems due to the public access. Therefore, I do not believe selling alcohol is a good fit to our Industrial Area zoning.

Consequently, I am asking the planning commissioner to deny this special permit request for serving alcohol at this location.

Sincerely,

  
Herbert J. Lavigne

HJL/ah



IN OPPOSITION

ITEM NO. 3.1: SPECIAL PERMIT NO. 2000-  
(p.23 - Public Hearing - 1/22/03)

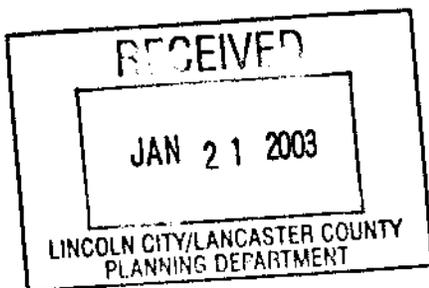
Lincoln -Lancaster County Planning Department  
J. Greg Schwinn, chairman

Re: Special Permit No.2000

I am a manger of a business at 3301 north 35<sup>th</sup> street Lincoln, NE.  
I am opposed to a liquor license being issued in this Industrial  
zoned area. We are concerned for safety as we have large trucks  
coming and going from this location.

Your consideration for denial will be appreciated.

*Thanks  
Dreta Dudley*



**Pittman's of Lincoln Inc.**  
3015 N. 35<sup>th</sup>.  
Lincoln NE 68504  
402.467.1092 Fax: 402.467-1284

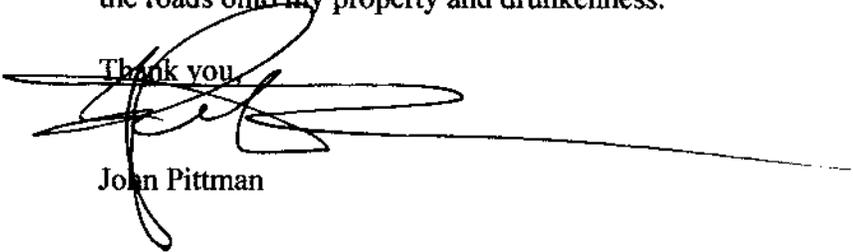
Lincoln-Lancaster Planning Dept.  
555 S. 10<sup>th</sup> St.  
Lincoln NE 68508

Re: Special Permit No. 2000

Lancaster County Planning Committee:

I am opposed to the selling of liquor at the Delta Regency Addition, located in the SE ¼ of section 7-10-7. This party facility already serves liquor so I am not sure why they are requesting a permit after the fact. There are no police patrolling the area, with vandalism and theft on an ongoing basis. In the past there has been trouble with people driving off the roads onto my property and drunkenness.

Thank you,

  
John Pittman

