

## MEETING RECORD

**NAME OF GROUP:**

PLANNING COMMISSION

**DATE, TIME AND  
PLACE OF MEETING:**

Wednesday, February 4, 2004, 1:00 p.m., City  
Council Chambers, First Floor, County-City Building, 555  
S. 10th Street, Lincoln, Nebraska

**MEMBERS IN  
ATTENDANCE:**

Jon Carlson, Eugene Carroll, Gerry Krieser, Dan  
Marvin, 1.3, Special Permit Nb1



Pearson inquired as to what kind of assurances

**CHANGE OF ZONE NO. 04003**  
**TEXT AMENDMENT TO TITLE 27 OF THE**  
**LINCOLN MUNICIPAL CODE REGARDING**  
**THE SALE OF ALCOHOLIC BEVERAGES**  
**FOR CONSUMPTION ON AND OFF THE PREMISES**  
**AS A PERMITTED SPECIAL USE.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

February 4, 2004

Members present: Carlson, Krieser, Marvin, Carroll, Taylor, Sunderman, Pearson and Bills-Strand; Larson absent.

5. Adds parks, churches and



Opposition

1. **Matt Ludwig**, Store Director of the **HyVee** at 48<sup>th</sup> & Leighton, testified in opposition, the issue



for liquor, we have the 100' rule for liquor, and we have the 150' rule between the access door and the other desirable uses we are trying to protect. The administration's proposal gets rid of the mitigation.

Seacrest then submitted Alternative 1: "Not all Zoning Districts are Created Equal" (attached hereto as Exhibit "A"), and Alternative 2: "Not All Liquor Related Land Uses are Created



**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

February 4, 2004

Main Motion: Marvin moved approval, seconded by Carlson.

Marvin believes that the mitigation has been a problem and he will support the proposal by the Mayor.

Motion to Amend #1: Carlson moved to amend, to retain "or residential use" on p.91 and p.93 (p.2 and 4 of the ordinance), and wherever else appropriate, seconded by Marvin.

Carlson noted that the code calls for 100 feet from residential district or residential use, and he wants to leave residential use in place. the ~~Is the height of 39 feet~~ r78.749.59Tw (th36



additional buffer standards beyond the standard requirements. However, if you meet the standards in B-2 and

Peo advised that a motion to defer would supersede (table) the main motion.

Marvin moved to defer, with continued public hearing and administrative action on February 18, 2004, seconded by Taylor.

Bills-Strand commented that there have been problems with mitigation in the past because there have not been set rules, but at the same time she believes we can over- govern and over-regulate and we have to have flexibility. The Mayor has told the streamline committee that we have to be able to be flexible and take care of the needs. Strand noted she can have a glass of wine and need to allow ourselves some flexibility and not take away our judgment ability. How there need to be more



-

Ross then addressed the landfill issues. Landfill was a concern in phase I but phase I was in an area removed from the required. Phase II is close to the landfill. They have put in 230

distance to W. Charleston Street.

Ross requested that Condition #1.1.15 be deleted relating to floodplain and fill.

Ross also requested that several of the conditions required to be completed prior to scheduling on the City Council agenda, be moved to a new Condition #4 so that they can be done prior to receiving a building permit. Ross believes that Public Works is is









ROBERT D. WOODBURY  
GENERAL MANAGER  
HARRIS TRADING COMPANY

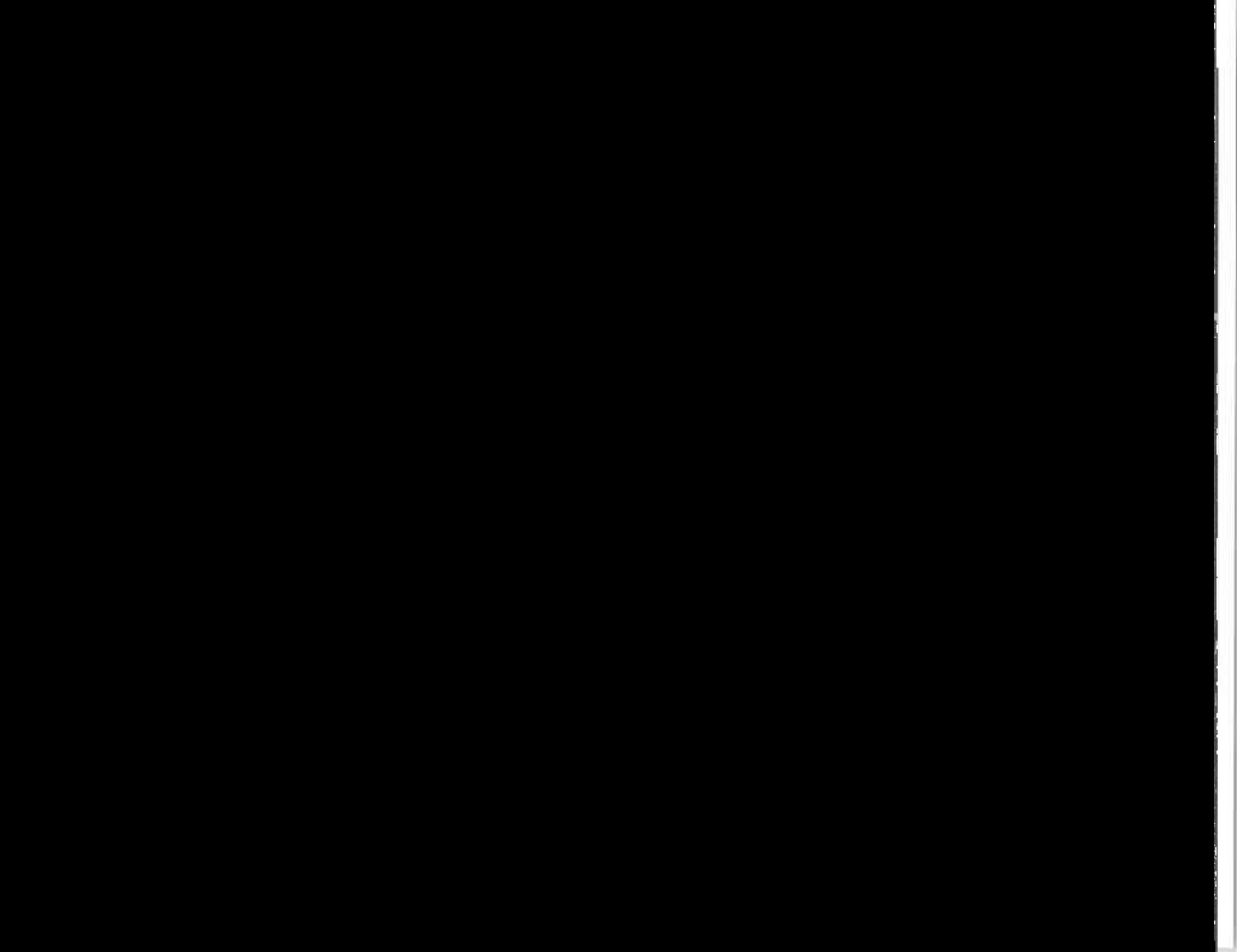
CHANGE OF ZONE NO. 04003











STATE OF MASSACHUSETTS

DEPARTMENT OF PSYCHOLOGY



DEPARTMENT OF PSYCHOLOGY  
John A. Conley, Director  
1500 Massachusetts Avenue

