

(Appeal of Planning Commission Action)

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 04065

1 WHEREAS, University Place, LLC has submitted an application
2 designated as Special Permit No. 04065 for authority to sell alcoholic beverages for
3 consumption on the premises for a beer garden at Risky's Sports Bar and Grill
4 generally located at 4680 Leighton Avenue, legally described as:

5 Lot 1, UPC First Addition, Lincoln, Lancaster County,
6 Nebraska; and

7 WHEREAS, the Lincoln City-Lancaster County Planning Commission held
8 a public hearing on January 5, 2005 and denied Special Permit No. 04065; and

9 WHEREAS, Craig D. Wittstruck, on behalf of University Plac, L.L.C., has
10 appealed the action of the Lincoln City-Lancaster County Planning Commission's denial
11 of Special Permit No. 04065; and

12 WHEREAS, the real property adjacent to the area included within the site
13 plan for this permit to sell alcoholic beverages on the premises will be adversely
14 affected; and

15 WHEREAS, said site plan together with the terms and conditions
16 hereinafter set forth are not consistent with the intent and purpose of Title 27 of the
17 Lincoln Municipal Code to promote the public health, safety, and general welfare; and

18 WHEREAS, the final action of the Lincoln City-Lancaster County Planning
19 Commission denying Special Permit No. 04065 should be affirmed.

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
2 Lincoln, Nebraska:

3 That the application of University Place, LLC, hereinafter referred to as
4 "Permittee", to sell alcoholic beverages for consumption on the premises for a beer
5 garden at Risky's Sports Bar and Grill on property legally described above be and the
6 same is hereby denied.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2005: _____ Mayor
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