



City of Grand Island

Tuesday, May 28, 2019

Council Session

Item E-2

Public Hearing on Request from Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 for an Addition to their Class "C-122422" Liquor License

Council action will take place under Consent Agenda item G-4.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 28, 2019

Subject: Public Hearing on Request from Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 for an Addition to their Class "C-122422" Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 has submitted an application for an addition to their Class "C-122422" Liquor License. The request is to add an outdoor area of approximately 47' x 41' to their current license.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, and Health Departments.

The request is to add an outdoor area of approximately 47' x 41' to their current license. Staff is recommending approval contingent upon final inspections.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

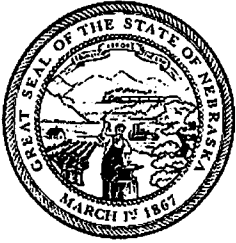
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve the application contingent upon final inspections.

Sample Motion

Move to approve the application for an addition to Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 Liquor License "C-122422" for an addition to their outdoor area of approximately 41' x 47' to the current liquor license contingent upon final inspections.



Pete Ricketts
Governor

STATE OF NEBRASKA
NEBRASKA LIQUOR CONTROL COMMISSION
Hobert B. Rupe
Executive Director
301 Centennial Mall South 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814 or (402) 471-2374
TRS USER 800 833-7352 (TTY)

May 9, 2019

Grand Island City Clerk
100 E 1ST STREET
PO BOX 1968
GRAND ISLAND, Ne 68801

Dear Clerk:

Please present the following application for **Addition** to your board and send us the results of that action.

ADDITION: OUTDOOR AREA

LICENSE #: C-122422
LICENSEE: ANN M GRAHAM
TRADE NAME: ANN'S GETTA WAY
ADDRESS: 2303 E HIGHWAY 30
CITY/COUNTY: GRAND ISLAND/HALL
CONTACT NUMBER: 402-604-5737
CONTACT PERSON: ANN GRAHAM
EMAIL: GRAHAM.ANN@GMAIL.COM

REQUEST: ADDITION OF OUTDOOR AREA APPROX 47 X 41

**MAKING THE NEW DESCRIPTION READ: ONE STORY IRREGULAR SHAPED BUILDING
APPROX 30 X 35 WITH OUTDOOR AREA APPROX 110 X 47**

APPROVED _____ **DISAPPROVED** _____

Tracy Burmeister
Licensing Division

**APPLICATION FOR ADDITION
TO LIQUOR LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

RECEIVED

MAY 08 2019

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Application:

- Must include processing fee of \$45.00 check made payable to the Nebraska Liquor Control Commission or you may pay online at www.ne.gov/go/NLCCpayport
- Must include a copy of the lease or deed showing ownership of area to be added. This is still required even if it's the same as on file with original application
- Must include simple hand drawn sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), show direction north.
NO BLUE PRINTS
- May include approval from the local governing body; no addition shall be approved unless endorsed by the local governing body
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition

LIQUOR LICENSE # 122422 CLASS TYPE C
LICENSEE NAME Ann M Graham
TRADE NAME Anns Getta Way
PREMISE ADDRESS 2303 E Hwy 30
CITY Grand Island ZIP CODE 68801 COUNTY Hall
CONTACT PERSON Ann Graham
PHONE NUMBER OF CONTACT PERSON 402-604-5737
EMAIL ADDRESS OF CONTACT PERSON graham.ann@5@gmail.com

OK 5007384
Anns Getta Way
4500 ft
5/8/19



1900005780

FORM 110
REV JULY 2015
Page 1 of 2

RECEIVED

1. What is being added?
Explain the type of addition that is being requested, i.e. beer garden, adding to building
adding to beer garden
2. Will this addition cause the location to be within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?
☐ YES ☒ NO
- If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. §5-177(1)).
Must include supplemental Form 134 found at this link: <http://www.lic.ne.gov/formaddiv.html>

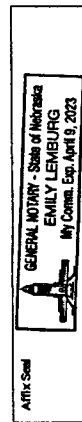
If proposed location is within 300 feet of a campus, the Commission may waive this restriction upon written approval from the governing body of the college or university. (Rev. Stat. §5-177(1)).
Must include supplemental Form 135 found at this link: <http://www.lic.ne.gov/formaddiv.html>

3. Include a sketch of the area to be added showing:
✓ existing licensed area with length & width in feet
✓ area to be added with length & width in feet
✓ direction north
4. If adding an outdoor area explain:
✓ type of fencing
✓ height of fence
✓ length & width of outdoor area in feet
- 12.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances.
Rule Chapter 2-072.07

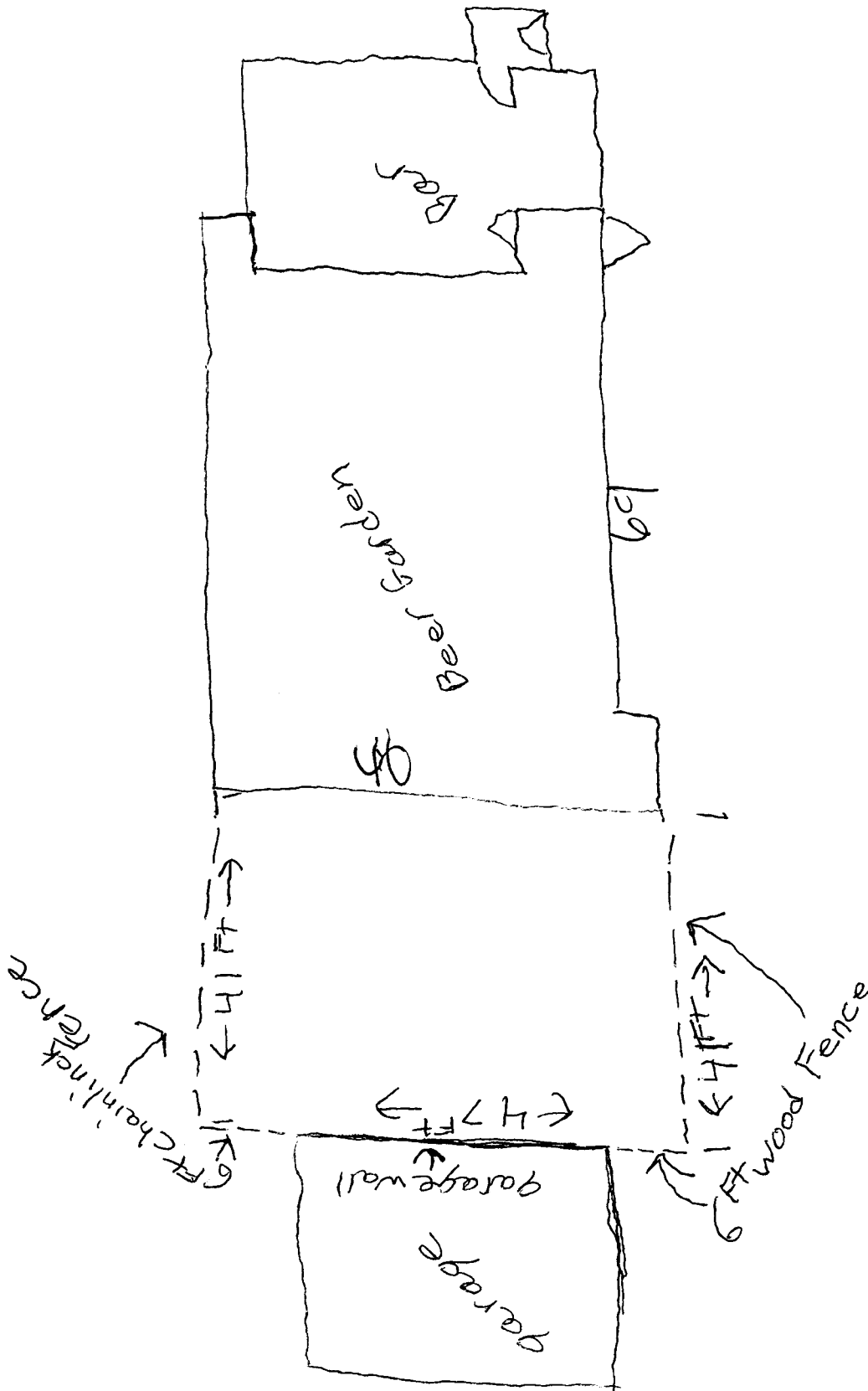
I acknowledge under oath that the premises as added to comply in all respects with the requirements of the act.
Neb Rev Stat §53-129

Emily Lemberg
Signature of Licensee or Officer

State of Nebraska
County of Hall The foregoing instrument was acknowledged before me this
Date May 9th 2019 by Emily Lemberg
Name of person acknowledged (individual signing document)



Emily Lemberg
Notary Public Signature



WARRANTY DEED

Record and return to:

Grand Island Abstract, Escrow & Title Co.
704 West 3rd Street, Grand Island, NE 68801

KNOW ALL MEN by these presents that, **Loren L. Dennhardt and Denise K. Dennhardt f/k/a Denise K. Howell, husband and wife**, herein called the grantor whether one or more, in consideration of One Dollar and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto **Ann M. Graham**, herein called the grantee whether one or more, the following described real property in **Hall County, NE**

Lot Ten (10) Stehr's Subdivision, Grand Island, Hall County, Nebraska, EXCEPT that portion as shown in the Report of Appraisers filed as Document No. 200201704, and EXCEPT, Part of Lot Ten (10), Stehr's Subdivision of part of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska more particularly described as follows: Commencing at the Southeast corner of said Lot 10; thence northerly along the East line of said Lot 10 a distance of 73 feet; thence West at right angles a distance of 103.7 feet; thence South at right angles parallel with the East line of said Lot 10 a distance of 73 feet; thence in an easterly direction at right angles along the south line of said Lot 10 a distance of 103.7 feet to the place of beginning, and EXCEPT, A tract of land comprising a part of Lot Ten (10), Stehr's Subdivision, situated in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in Hall County, Nebraska, more particularly described as follows:

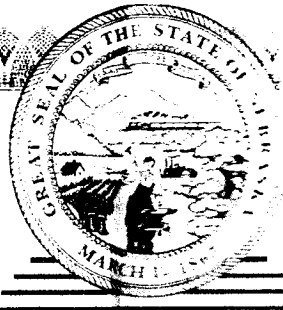
Beginning at the Northeast corner of said Lot Ten (10), Stehr's Subdivision; thence southerly along and upon the East line of said Lot Ten (10), a distance of One Hundred Sixty Nine and Five Tenths (169.5) feet; thence deflecting right 84° 41' and running Southwesterly a distance of One Hundred Ninety Three and Five Tenths (193.5) feet; thence deflecting right 95° 19' and running Northerly parallel to said East line of Lot Ten (10), a distance of Ninety Five and Five Tenths (95.5) feet, to the Southerly right of way line of U. S. Highway No. 30; thence Northeasterly along said right of way line, a distance of Two Hundred Thirteen and Four Tenths (213.4) feet to the place of beginning, EXCEPT a certain tract more particularly described in Return of Appraisers filed March 11, 2002 in the Register of Deeds Office as Document No. 200202679.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrance **except covenants, easements and restrictions of record; all regular taxes and special assessments, except those levied or assessed subsequent to date hereof**; that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated this 2-12-2018.

STATE OF



NEBRASKA

LIQUOR LICENSE

UNITED UNDER PROVISIONS OF

122422

CLASS C

**- ALCOHOLIC LIQUOR ON/OFF SALE
(INSIDE CORPORATE LIMITS)**

LICENSEE

**GRAHAM, ANN M
314 MALLARD LN
GRAND ISLAND**

NE 68801

PREMISE

**ANN'S GETTA WAY
2303 E HIGHWAY 30 HALL
GRAND ISLAND NE 68801**

LEGAL DESCRIPTION:

**ONE STORY IRREGULAR SHAPED BUILDING APPROX 30' X 35' WITH
OUTDOOR AREA APPROX 40' X 69'**

**WHEREAS, THE ABOVE HAS ON FILE WITH THE LIQUOR COMMISSION AN
APPLICATION AND BOND AS REQUIRED BY LAW WHICH HAS BEEN DULY APPROVED,
AND HAS PAID ALL FEES REQUIRED BY LAW, AS PROVIDED IN THE NEBRASKA
LIQUOR CONTROL ACT.**

LICENSE PERIOD: 11/01/2018 - 10/31/2019

**UNLESS SOONER REVOKED, SUBJECT TO THE PROVISIONS OF SAID ACT AND
SUCH RULES AND REGULATIONS AS MAY HAVE BEEN OR MAY HEREAFTER BE
PROMULGATED OR ADOPTED.**

Attest

NEBRASKA LIQUOR CONTROL COMMISSION

A handwritten signature in cursive script, appearing to read "H. B. Raper", is written over a horizontal line.

Executive Director

A handwritten signature in cursive script, appearing to read "Robert L. Galt", is written over a horizontal line.

Chairman