

# **City of Scottsbluff, Nebraska**

**Monday, December 7, 2015**

**Regular Meeting**

## **Item Pub. Hear.1**

**Council to conduct a public hearing as advertised for this date at 6:05 p.m. to consider a Class I liquor license application from The Shed, 18 East 16th St., Scottsbluff.**

**Minutes: The Liquor License Investigatory Board made the following recommendation regarding this liquor license:**

**Moved by Kuckkahn, seconded by Larson, "to forward a positive recommendation to the City Council regarding The Shed liquor license application" YEAS, Knight, Larson, Scriptor, Spencer, Kuckkahn, Stobel. NAYS, None, Absent: Halley, Houdyshell.**

**Staff Contact: Cindy Dickinson, City Clerk**

**Agenda Statement**

Item No.

For meeting of: December 7, 2015

**AGENDA TITLE:** Council to hold a public hearing as advertised for this date at 6:05 p.m. for a Class I Liquor License for The Shed, 18 East 16<sup>th</sup> St., Scottsbluff.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Administration

**PRESENTATION BY:** Applicant

**SUMMARY EXPLANATION:**

**BOARD/COMMISSION RECOMMENDATION:**

**STAFF RECOMMENDATION:** Conduct the public hearing and consider a recommendation to the Nebraska Liquor Commission either approving or denying said application.

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**EXHIBITS**

Resolution       Ordinance       Contract       Minutes       Plan/Map

Other (specify)       Application, Memorandums, Exhibits

- Exhibit #1 – Application of The Shed, 18 East 16<sup>th</sup> St., Scottsbluff, NE 69361.
- Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2002
- Exhibit #3 – Written Statement of Police Chief
- Exhibit #4 – Written Statement of City Clerk
- Exhibit #5 – Written Statement of Planning Administrator

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**NOTIFICATION LIST:** Yes  No  Further Instructions

The Shed  
18 East 16<sup>th</sup> St.  
Scottsbluff, NE 69361

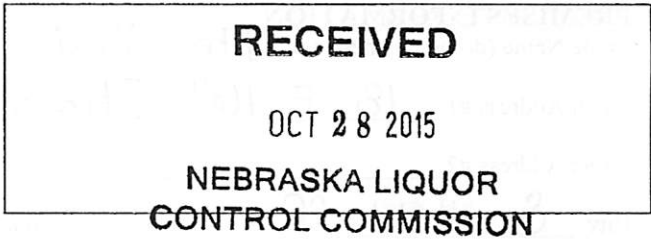
**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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Rev 3/1/99CClerk

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

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/



**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS**

- RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)
- A BEER, ON SALE ONLY
  - B BEER, OFF SALE ONLY
  - C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
  - D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
  - I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
  - AB BEER, ON AND OFF SALE
  - AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
  - IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31  
All other licenses run from May 1 – April 30  
Catering license (K) expires same as underlying retail license

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)  
Commission will call this person with any questions we may have on this application**

Name N/A Phone number: \_\_\_\_\_

Firm Name \_\_\_\_\_

**PREMISES INFORMATION**

Trade Name (doing business as) The Shed

Street Address #1 18 E 16<sup>th</sup> Street

Street Address #2 \_\_\_\_\_

City Scottsbluff County Scotts Bluff Zip Code 69361

Premises Telephone number 308-635-3684

Business e-mail address mer\_garrett@hotmail.com

Is this location inside the city/village corporate limits: YES

**RECEIVED**

NO OCT 28 2015

Mailing address (where you want to receive mail from the Commission)

**NEBRASKA LIQUOR CONTROL COMMISSION**

Name The Shed - Meredith Lee

Street Address #1 PO Box 867

Street Address #2 \_\_\_\_\_

City Scottsbluff State NE Zip Code 69363

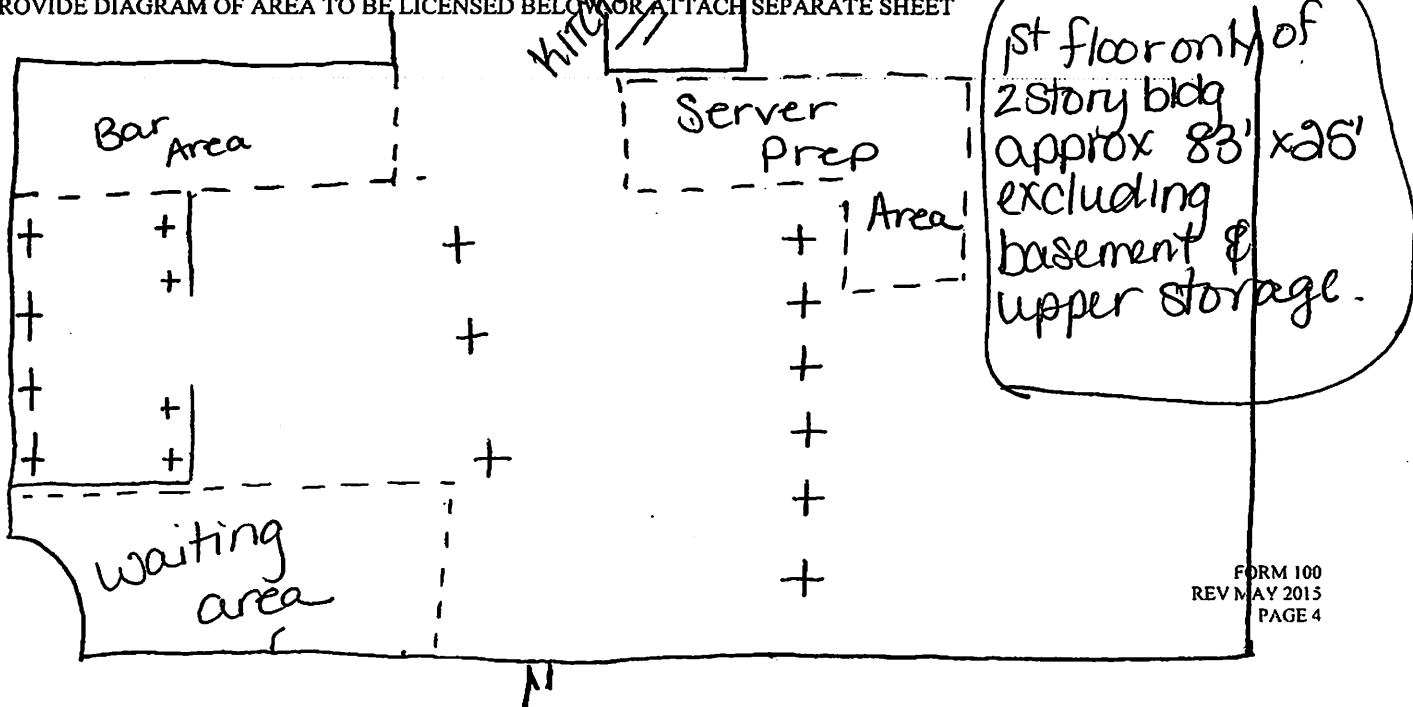
**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED  
READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

**\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms**

Building: length \_\_\_\_\_ x width \_\_\_\_\_ in feet  
 Is there a basement? Yes  No \_\_\_\_\_ If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet (not public use)  
 Is there an outdoor area? Yes \_\_\_\_\_ No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



FORM 100  
REV MAY 2015  
PAGE 4

Mary

APPLICANT INFORMATION

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

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X YES NO

OCT 28 2015

If yes, please explain below or attach a separate page

NEBRASKA LIQUOR CONTROL COMMISSION

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Dustin Lee	08/2003	Laramie, WY	possession	fine
"	04/2001	Laramie, WY	DUI	fine
"	09/2014	Denver, CO	seatbelt	fine
"	08/2002	Laramie, WY	accepting stolen property	fine

2. Are you buying the business of a current retail liquor license?

X YES NO

If yes, give name of business and liquor license number The Woodshed 097847 class c

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

X YES NO

If yes, give name and license number The Woodshed 097847 class c

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

X YES NO

If yes:

- a) Attach temporary operating permit (TOP) (form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) ~~Wing~~ ~~Carson~~ Dustin Lee

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

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OCT 28 2015

No silent partners

NEBRASKA LIQUOR  
CONTROL COMMISSION

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. Soda machine - Pepsi Coffee machine - Thompson

8. Is premises to be licensed 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. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

First National Bank Meredith or Dustin Lee

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A



The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures <http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>

  
\_\_\_\_\_  
Signature of Applicant

Meredith L Lee  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature of Spouse

Dustin A Lee  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name

**RECEIVED**  
\_\_\_\_\_  
Signature of Spouse

OCT 28 2015

NEBRASKA LIQUOR  
CONTROL COMMISSION  
\_\_\_\_\_  
Print Name

ACKNOWLEDGEMENT

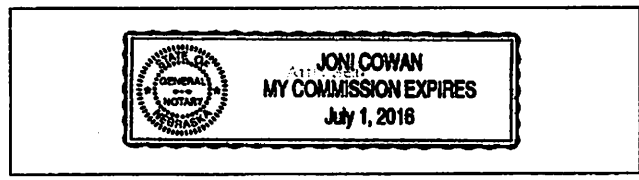
State of Nebraska  
County of SCOTTS BLUFF

The foregoing instrument was acknowledged before me this

Oct 13, 2015  
date

by Meredith Lee + Dustin Lee  
name of person(s) acknowledged (individual(s) signing)

  
\_\_\_\_\_  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.



APPLICATION FOR LIQUOR LICENSE  
INDIVIDUAL  
INSERT - FORM 1

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.ne.gov](http://www.lcc.ne.gov)

Office Use

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OCT 28 2015  
NEBRASKA LIQUOR  
CONTROL COMMISSION

Individual applicants, including spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of their certified birth certificate or INS papers
- 4) Must submit their fingerprints (2 cards per person)
- 5) Must sign the signature page of the Application for License form
- 6) Applicant may be required to take a training course

Name of individual applicant who will hold license

Last Name: LEE  
First Name: MEREDITH MI: L  
Home Address: 2409 W. OVERLAND City: Scottsbluff Zip Code: NE  
Social Security Number: \_\_\_\_\_ Date of Birth: 04-30-1985  
Home Telephone Number: 308-765-1754  
Drivers License Number: H13377582 State: NE

Are you married? (Please note if the above listed individual is separated, etc. spouse's information is still required to be listed below)

YES

NO

If yes, provide your spouse's information below

Spouses Last Name: LEE  
Spouses First Name: DUSTIN MI: A  
Social Security Number: \_\_\_\_\_ Date of Birth: 01-30-1980  
Drivers License Number: H13391135 State: NE

In compliance with the ADA, this individual insert form 1 is available in other formats for person with disabilities.  
A ten day advance period is required in writing to produce the alternate format.

FORM 35-4182  
REVISED 05/2007

**APPLICATION FOR TEMPORARY OPERATING PERMIT (TOP)**

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

Office Use
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OCT 28 2015
NEBRASKA LIQUOR CONTROL COMMISSION

- Application for a temporary operation permit (TOP) must be included with the application for liquor license. TOP will not be considered without the completed application for a liquor license.
- Enclose documentation showing sale of business; document may be in the form of a purchase agreement/contract, management agreement or promissory note. Sale of business document must include the following: name of business being sold, purchase date or closing date within 2-3 weeks of requesting TOP and must be signed by the seller and buyer.
- TOP's are valid for 90 days from date of issuance and cannot be extended past the expiration date (no exceptions).
- Seller's liquor license will terminate upon issuance of the TOP.
- If the seller's liquor license is up for renewal during the TOP it will not be necessary for the seller to renew.

NAME OF CURRENT LICENSEE (SELLER):

SELLER'S LICENSE #:

Brehm 5 Inc

097847

On (date) 10-06-15 seller and buyer entered into a contract for sale of the

business known as (TRADE NAME):

The Woodshed

Buyer seeks to obtain a temporary operating permit (TOP) to allow buyer to operate the business under the same terms and conditions of the current licensee; subject to approval by the Nebraska Liquor Control Commission (NLCC) for a period not to exceed 90 days (no exceptions).

Seller hereby declares that they are current on all accounts with all Nebraska licensed wholesalers under section §53-123.02. Any seller who provides false information regarding such accounts is guilty of a Class IV misdemeanor for each offense.

BARCODE for office use only
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FORM 125  
REV JULY 2015  
Page 1 of 2

[Signature]  
Signature of **SELLER**

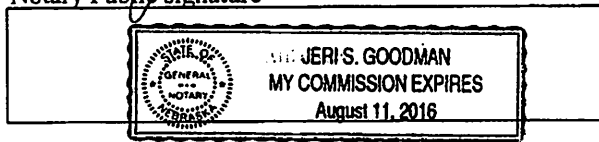
William Troy Brehm  
Print Name

State of Nebraska, County of SCOTTS BLUFF

The foregoing instrument was acknowledged before me  
this 10/13/15 (date)

by William Troy Brehm  
Name(s) of Person(s) Acknowledged [individual(s) signing document]

[Signature]  
Notary Public signature



[Signature]  
Signature of **BUYER**

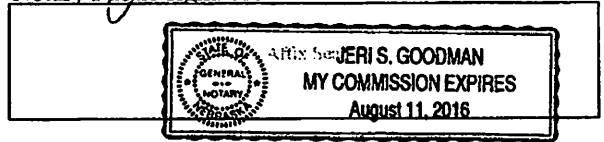
Meredith L Lee  
Print Name

State of Nebraska, County of SCOTTS BLUFF

The foregoing instrument was acknowledged before me  
this 10/13/15 (date)

by Meredith L. Lee  
Name(s) of Person(s) Acknowledged [individual(s) signing document]

[Signature]  
Notary Public signature



ADMINISTRATIVE REVIEW - Office use only		
Date: <u>10/28/15</u>	Rep: <u>bk</u>	Application Number: <u>115436</u>
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Denied <u>mm</u>	
Reason for Denial: <u>No purchase agreement of Business</u>		

Deed Submitted 10/29/2015  
OK to issue TOB - mm

### CORPORATE SURVIVORSHIP WARRANTY DEED

KNOW THAT ALL MEN BY THESE PRESENTS THAT BREHM 5, Inc. a Nebraska Corporation, herein called the grantor whether one or more, in consideration of One Dollar and other valuable consideration received from grantees, does grant, bargain, sell, convey, and confirm unto Meredith Lee and Dustin Lee wife and husband, as joint tenants with right of survivorship, and not as tenants in common, the following described real property in Scotts Bluff County, Nebraska:

The West 25 feet of the East 100 feet of Lots 1 and 2, Block 10, Original Town Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, EXCEPT the South 16 feet thereof.

To have and hold above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantees and to their assigns, or to the heirs and assigns of the survivor of them forever.

And the grantor does hereby covenant with the grantees and with their assigns and with the heirs and assigns of the survivor of them that grantor is lawfully seized of said premises; that they are free from any 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.

It is the intention of all parties hereto that in the event of the death of either of the grantees, the entire fee simple title to the real estate shall vest in the surviving grantee.

Dated: Oct. 15, 2015

Brehm 5, Inc., a Nebraska Corporation  
By:

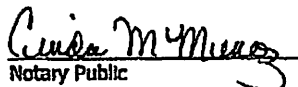
  
William T. Brehm, President

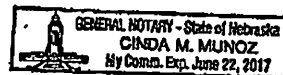
State of Nebraska

§

County of Scotts Bluff

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of October, 2015, by William T. Brehm, President of BREHM 5, Inc., a Nebraska Corporation, on behalf of the corporation.

  
Notary Public



SB0000189

Please Return recorded document to:  
Nebraska Title Company  
2122 Broadway  
Scottsbluff, NE 69361

**CHECK LIST**

**Neb. Rev. Stat. §53-132 (Reissue 2010)**

Council should determine the propensity of whether or not to grant the liquor license that has been requested. In that regard, suitability and fitness and the following four criteria are most important:

- (2)(a) Applicant is fit, willing and able to provide the service proposed.
- (2)(b) Applicant can conform to all laws.
- (2)(c) Applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to ensure conformance with law.
- (2)(d) Issuance of the license is or will be required by the present or future public convenience and necessity.

In making its determination Council may also consider as the Nebraska Liquor Control Commission will consider, the following. The Council should not base its recommendation on any of the following criteria, but may chose to comment to the Commission about one or more of the criteria:

- (3)(b) Citizen's protest.
- (3)(c) Existing population/growth.
- (3)(d) The nature of the neighborhood around the location.
- (3)(e) Existence of other licenses.
- (3)(f) Existing motor vehicle and pedestrian traffic in the vicinity.
- (3)(g) Adequacy of existing law enforcement.
- (3)(h) Zoning restrictions.
- (3)(i) Sanitary conditions.
- (3)(j) Whether the type of business or activity proposed will be consistent with the public interest.

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\*OTHER COUNCIL CONCERNS

**Scottsbluff Police Department**

# Memo

**To:** THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**From:** Kevin Spencer, Chief of Police  
**Date:** 12/2/2015  
**Re:** Application for a Class I Retail Liquor License number 115436 in the name of Meredith L Lee and Dustin A Lee, "The Shed" located at 18 E 16<sup>th</sup> St. Scottsbluff, Nebraska 69361

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**AUTHORITY:** The Scottsbluff Police Department reports specific information to the City Council whenever a license application is presented. The information furnished by the Police Department conforms to Chapter 53, Reissue Revised Statutes of Nebraska 1943, and Section 53-132, which outlines the factors which the Commission may consider in granting a liquor license.

## COMMENTARY

### **53-132: Section 2**

**(A) The applicant is fit, willing and able to properly provide the service proposed within the city where the premises described in the application are located:**

A background check was conducted on Meredith L Lee and her Husband Dustin A. Lee as a means to determine their fitness to hold a liquor license. The applicant has worked in the restaurant business since she was 16 years of age and worked in the alcohol industry since the age of 21 or the past 9 years.

Meredith reported that alcohol sales will be a small part of the business explaining that the business emphasis will be food sales. Meredith reported working at Whiskey Creek as the bar manager, The Nebraska Bar & Grill in Gothenburg and the Roost in Lisco.

Meredith and Dustin both appeared before the Liquor License Holders Investigatory Board on November 12<sup>th</sup>. After the Lee's answered several questions posed by board members the Investigatory Board recommended approval of the liquor license.

I met with Meredith at The Shed on November 30, 2015 to further discuss her application. A number of different topics were discussed which included managerial procedures the applicant has or is going to adopt regarding the operation of the business, with particular emphasis on access to alcohol by underage drinkers.

Based on the information made available to the Scottsbluff Police Department, there is no reason to believe the applicant is not fit to hold a liquor license.

**(B) The applicant can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:**

Any operator must adhere to the existing laws while doing business in the community and adhere to acceptable business practices. Meredith reported that she will manage the day to day activities of the business. Meredith told me that she would not tolerate any employee selling alcohol to a minor, explaining that the employee would be terminated. Meredith further told me that she would have an employee meeting after the event to retrain employees. Meredith told me that it will be their policy to card everyone and in the event that someone does not have identification employees will be required to notify her so that she can make the determination as whether to serve the customer or not.

The applicant appears to have the ability and willingness to conform to language within the Nebraska Liquor Control Act.

**(C) The applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to insure that the licensed business can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:**

Meredith told me that she will attend the Responsible Beverage Servers training prior to the council meeting on Monday and require it of all her employees in the next few weeks.

The majority of the liquor will be kept at the bar with the excess inventory kept in a locked closet that only Meredith has a key to. Meredith told me that she will complete an inventory of the alcohol at least weekly more often if needed. Meredith again told me that she does not expect alcohol sales to be a big part of her business.

The applicant has provided a business plan that explains what they intend to accomplish with regards to maintaining a successful and hopefully profitable business.

The applicant appears committed to complying with all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act.

**(D) The issuance of the license is or will be required by the present or future public convenience and necessity:**

The hours of operation of the establishment will be Wednesday thru Saturday 11:00 a.m. to 09:00 p.m. Sunday and Tuesday 11:00 a.m. to 02:00 p.m., closed on Monday.

Oversight and accountability will be a priority for the applicants as it relates to the sale of alcoholic beverages.

SPECIFIC ISSUES COMMISSION MAY CONSIDER

**(E) The existence of a citizen's protest made in accordance with Section 53-133:**

There have been no known citizen protests of this business.

**(F) The nature of the neighborhood or community of the location of the proposed licensed premises:**

The business is located at 18 East 16<sup>th</sup> Street, Scottsbluff, Nebraska. It is a business that will attract customers during the lunch and dinner hours. Its location is easily accessible and convenient for customers. The business has been in this location for years without issue.

**(G) The existence or absence of other retail licenses or bottle club licenses with similar privilege within the neighborhood or community of the location or the proposed licensed premises.**

There is several similar liquor establishments located within several blocks of the restaurant, although those establishments are not a concern in relationship to this particular location.

**(H) The existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises:**

Although no recent traffic studies have been completed regarding motor vehicle traffic of the general area, the traffic flow is not of a concern at this time. In addition, pedestrian traffic should not be a concern. It should be mentioned that this business has operated at this same location for several years.

**(I) The adequacy of existing law enforcement:**

The Scottsbluff Police Department is allowed 31 full time officers in the Department and handled approximately 15,000 incidents, not including traffic citations during 2014. The number of liquor licenses within the jurisdictional boundaries of the Police Department, regardless of the class, continues to be a concern to the Police Department and even routine monitoring of their business practices is difficult. Compliance checks continue to remain a concern to those businesses that sell alcohol to minors. The Nebraska State Patrol has assumed liquor law enforcement duties and their wide jurisdiction generally precludes any particular focus in the city.

**(J) Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest:**

The Police Department would reserve making any statement which would indicate that the sale of alcohol is consistent with the public interest.

Adequate staffing and training, as well as close supervision of patrons are important. Cooperation with the Police Department by management will help to eliminate or diminish potential problems with violations.





**Restaurants**

El Charrito Restaurant & Lounge, Inc .

802 21<sup>st</sup> Avenue

**Hotel/Motel**

Holiday Inn Express  
Candlelight Inn & Lounge

1821 Frontage Rd.  
1822 East 20<sup>th</sup> Place

**Taverns/Lounges**

Hight's Tavern  
Silver Saddle Lounge  
Shots Bar and Grill (pending application)  
Bob's Garage & Bar  
Lucky Keno LLC dba FrontSide  
Backaracks Bar & Grille

20 West 18<sup>th</sup> Street  
1901-B 21<sup>st</sup> Ave.  
1722 Broadway  
1907 Broadway  
1001 Avenue I  
1402 East 20<sup>th</sup> St.- Suite B

**Retail**

Racks (Catering)  
Panhandle Cooperative Assn. (Catering)

1402 East 20<sup>th</sup> St.- Suite A  
401 S. Beltline Hwy West

**Clubs**

Elks BPO Lodge 1367

1614 1<sup>st</sup> Avenue

**Bowling Alleys**

Valley Bowl Fun Center

1702 17<sup>th</sup> Ave.

**TOTAL CLASS C LICENSES            13**

**Class D Licenses**

**Grocery Stores**

Safeway of Western Nebraska

601 Broadway

**Convenience Stores**

5<sup>th</sup> & O Eastco  
Scottsbluff Watering Hole  
Big Bats  
Panhandle Coop Assn.  
Git N Split  
Cheema's Gas & Liquor  
Route 26 Mart  
Maverik Stores Inc.,  
La Bamba  
Walgreens

503 East Overland  
121 W 27<sup>th</sup> Street  
902 West Overland  
3302 Ave. B  
506 West 27<sup>th</sup> Street  
2002 Avenue I  
1722 E 20<sup>th</sup> Street  
920 West 36<sup>th</sup> St.,  
721 East Overland  
205 West 27<sup>th</sup> Street

**Liquor Stores**

Dermer's  
Liquor Cabinet (Catering)  
Cigarette Chain

1311 E Overland Dr.  
817 West 27<sup>th</sup> Street  
323 East Overland

**Discount/Grocery Stores**

Big Kmart #7024  
Wal-Mart Supercenter #867

802 East 27<sup>th</sup> Street  
3322 Avenue I

**TOTAL CLASS D LICENSES            16**

**CLASS I LICENSES**

**Restaurants**

Rosita's  
Chili's Grill & Bar  
Applebee's Neighborhood Grill & Bar  
Wonderful House Restaurant  
Taco de Oro  
Whiskey Creek Steakhouse  
Ole, LLC  
Oriental House  
Emporium Coffeehouse & Cafe  
San Pedro Mexican Restaurant  
Sam & Louie's Pizzeria  
Taco Town  
Prime Cut  
The Shed (pending application)

1205 East Overland  
826 West 36<sup>th</sup> St.  
2621 5<sup>th</sup> Avenue  
829 Ferdinand Plaza  
2601 Avenue I  
1802 E 20<sup>th</sup> Place  
1901 East 20<sup>th</sup> Street  
1502 E. 20<sup>th</sup> St.  
1818 1<sup>st</sup> Avenue  
23 West 27<sup>th</sup> St.  
1522 Broadway  
1007 West 27<sup>th</sup> St.  
305 West 27<sup>th</sup> St.  
18 West 16<sup>th</sup> St.

**Theater**

**Hotel/Motel**

Hampton Inn & Suites

301 W Hwy 26

**TOTAL CLASS I LICENSES 15**

**Class W Licenses**

**Wholesale**

High Plains Budweiser

2810 Ave M

**TOTAL CLASS W LICENSES 1**

**TOTAL LICENSES**

Class A	2
Class B	0
Class C	13 (1 pending)
Class D	16
Class I	15 (1 pending)
Class W	1
<b>TOTAL LICENSES</b>	<b>47 (2 pending)</b>

#5

# Memo

**Date:** November 4, 2015  
**To:** Honorable Mayor and City Council  
**From:** Staff, Development Services  
**CC:** Rick Kuckkahn, City Manager  
**Re:** Class "I" Liquor License Application  
The Shed  
18 E. 16<sup>th</sup> Street  
Scottsbluff, NE 69361

**Action:**

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The Development Services Department is required by Article 1, Chapter 11 of the Scottsbluff Municipal Code to report specific information to the Mayor and City Council whenever a liquor license application hearing is held. In accordance with that directive the following information is offered:

- (1) The property is situated in a C-1 (Central Business District) zoning district where the proposed use as a restaurant/tavern/bar is allowed by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances.
- (2) The restaurant operation is not required to have off-street parking in a C-1 District. Several lots located in close proximity to the building provide municipal parking.
- (3) The use of the premises is consistent with the surrounding neighborhood, which is generally commercial in nature. The properties surrounding the subject property are all mercantile uses.
- (4) There are no churches or schools in close proximity to the subject property.
- (5) The existing population of Scottsbluff is approximately 15,039.