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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE APPLICATION FOR ADDITION TO THE CLASS C LIQUOR LICENSE FOR BEYOND GOLF LLC DBA BEYOND GOLF, LA VISTA, NEBRASKA.

WHEREAS, Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 300, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their Class C Liquor License to add an outdoor area, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the application for the addition to the Class C Liquor License submitted by Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 300, La Vista, NE.

PASSED AND APPROVED THIS 19TH DAY OF MAY 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

STATE OF NEBRASKA

Dave Heineman
Governor

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
TRS USER 800 833-7352 (TTY)

May 5, 2009

LA VISTA CITY CLERK
8116 PARK VIEW BLVD
LA VISTA NE 68128-2198

The BELOW referenced licensee has submitted a request for an **Addition** to the license. Enclosed is the application with proposed changes.

LICENSE #: C-82199
LICENSEE NAME: BEYOND GOLF LLC
TRADE NAME: BEYOND GOLF
ADDRESS: 12040 MCDERMOTT PLZ
CITY/COUNTY: LA VISTA
PHONE: 402-916-4727

OLD DESCRIPTION: ONE STORY BUILDING APPROX 50FT X 75FT LOCATED IN THE SOUTHPORT SHOPPING CENTER

NEW DESCRIPTION: ONE STORY BUILDING APPROX 50FT X 75FT LOCATED IN THE SOUTHPORT SHOPPING CENTER WITH SIDEWALK CAFÉ APPROX 25FT X 12FT

Please present this request to your board and send us the results of that action.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Randy Seybert
Licensing Division

rs

cc: file

Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman
An Equal Opportunity/Affirmative Action Employer

Robert Batt
Commissioner

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.ne.gov

Office Use

RECEIVED
APR 04 2009
NEBRASKA LIQUOR
CONTROL COMMISSION

Application:

- Must include processing fee of \$45.00 made payable to Nebraska Liquor Control Commission
- 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 our office
- Must include simple sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), direction north. No blue prints.
- May include a letter of explanation

LIQUOR LICENSE # 82199 RS

LICENSEE NAME BEYOND GOLF LLC

TRADE NAME BEYOND GOLF

PREMISE ADDRESS 12040 McDERMOTT PLAZA SUITE 330

CITY LA VISTA

CONTACT PERSON JOSH GAWIN

PHONE NUMBER OF CONTACT PERSON 402-598-7877

Complete the following questions:

1) Are you adding on to your building?

☐ Yes ☒ No

- Include a sketch of the area to be added showing:

- existing building
- outside dimensions (in feet)
- direction north

2) Are you adding an outdoor area?

☒ Yes ☐ No

If an outdoor area (check one of the following)

- ☐ 012.07 "Beer garden" 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 fence or wall preventing the uncontrolled entrance or exit of persons from the premises, and preventing the passing of alcoholic liquors to persons outside the premises. (examples may include, but are not restricted to sand volleyball, horseshoe pits...)

Bus 1188
45-mm



☒ 012.08 "Sidewalk cafe" shall mean an outdoor area included in licensed premises, which is used by a restaurant or hotel with a restaurant license, for the service of meals as well as alcoholic liquors, and which is contained by a permanent fence, wall, railing, rope or chain, defining the licensed area, provided that one open entrance not to exceed eight (8) feet shall be allowed.

What type of permanent fencing will you be using?

3 RAIL, SMOOTH TOP FENCING

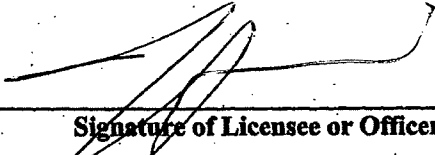
FENCE, 4 FEET TALL

• Include a sketch of the area to be added showing:

- existing building
- outside dimensions (in feet)
- direction north

JOHN GAWN

Print Name of Signature



Signature of Licensee or Officer

State of Nebraska

County of

Douglas

The forgoing instrument was acknowledge before me this

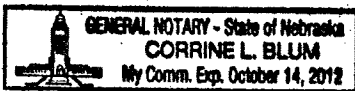
4-28-09

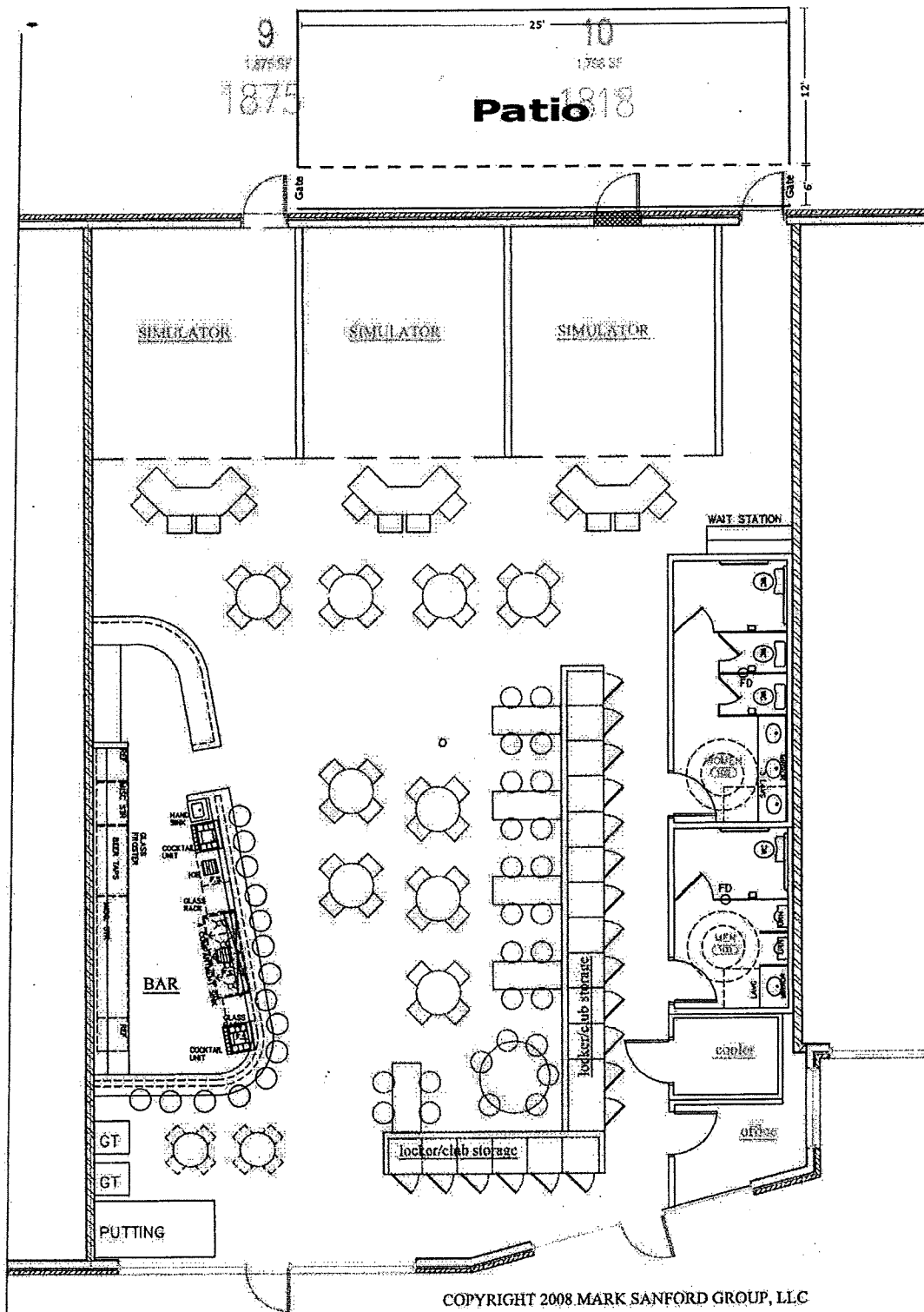
Date

Corrine L. Blum

Notary Public Signature

Affix Seal Here





BAY 9 & 10 PLAN



RECEIVED
JUL 10 2008
SOUTHPORT CENTER
LA VISTA, NE

**FIRST AMENDMENT
TO THE LEASE AGREEMENT**

In regard to the lease dated June 30, 2008 by and between John L. Hoich, successors and/or assigns, ("Landlord"), as Landlord, and Beyond Golf, LLC, a Nebraska limited liability company, ("Tenant"), as Tenant, for the Premises located at suite 330-340 in the Southport Center, La Vista, NE, (the "Lease") is hereby amended by mutual consent as follows:

- 1) Tenant desires to have an outdoor patio area adjacent to the leased premises for the purpose of providing customers an outdoor service area, therefore under ARTICLE II PREMISES Exhibit "A" is hereby deleted and replaced with Exhibit A (the Premises) of this First Amendment to the lease Agreement.
- 2) All plans and construction documents must comply with all local and state building codes and require Landlord approval before any work may begin.
- 3) Tenant agrees to be responsible for all building permits and to pay all costs associated with the development and construction of the patio area including a security fence enclosing the patio as identified in Exhibit A. *To include any wall needed to be required JLT*
- 4) Tenant agrees to provide copies for final lien waivers or releases from all suppliers, contractors, or subcontractors who have supplied labor or material in connection with Tenant's patio work.

All other terms and conditions remain according to the Lease.

TENANT:

Beyond Golf, LLC

By: 

Date: 10/24/08

LANDLORD:

John L. Hoich, successors and/or assigns

By: 

Date: Oct. 23, 2008



May 7, 2009

Beyond Golf LLC
Attn: Josh Galvin
12040 McDermott Plaza, Suite 330
La Vista, NE 68128

RE: Application for Addition to Class C Liquor License #82199 for Beyond
Golf LLC dba Beyond Golf

Dear Mr. Galvin:

This letter is to inform you that the City of La Vista has received the application for addition to the Class C Liquor License #82199 for Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plz, La Vista, Sarpy County, Nebraska 68128.

Please note that the La Vista City Council will vote on this application at their regularly scheduled meeting on May 19, 2009. The meeting will be called to order at 7:00 p.m. and will be held at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska. We ask that a representative from the company or the company's legal counsel be present to answer any questions that the Mayor or members of the City Council may have concerning the application.

If you have any questions please feel free to contact me.

Sincerely,

Pamela A. Bueth, CMC
City Clerk

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Works
9900 Cornhusker Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

