

**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

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Douglas Kindig, Mayor

ATTEST:

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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

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**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

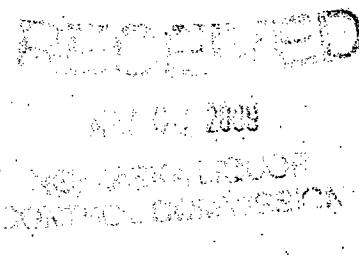
Bob Logsdon  
Chairman  
*An Equal Opportunity/Affirmative Action Employer*

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

Office Use

**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 MIDGARD 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?

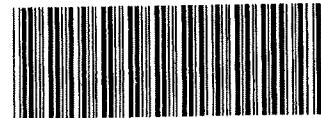
 Yes  No

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

1



0900008441

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?

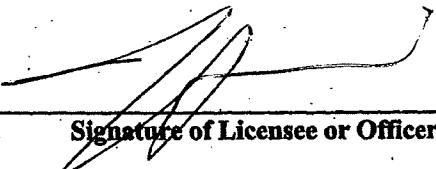
3 rail, smooth top, forster

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

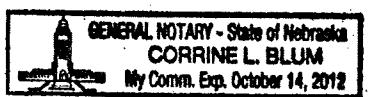
County of Douglas

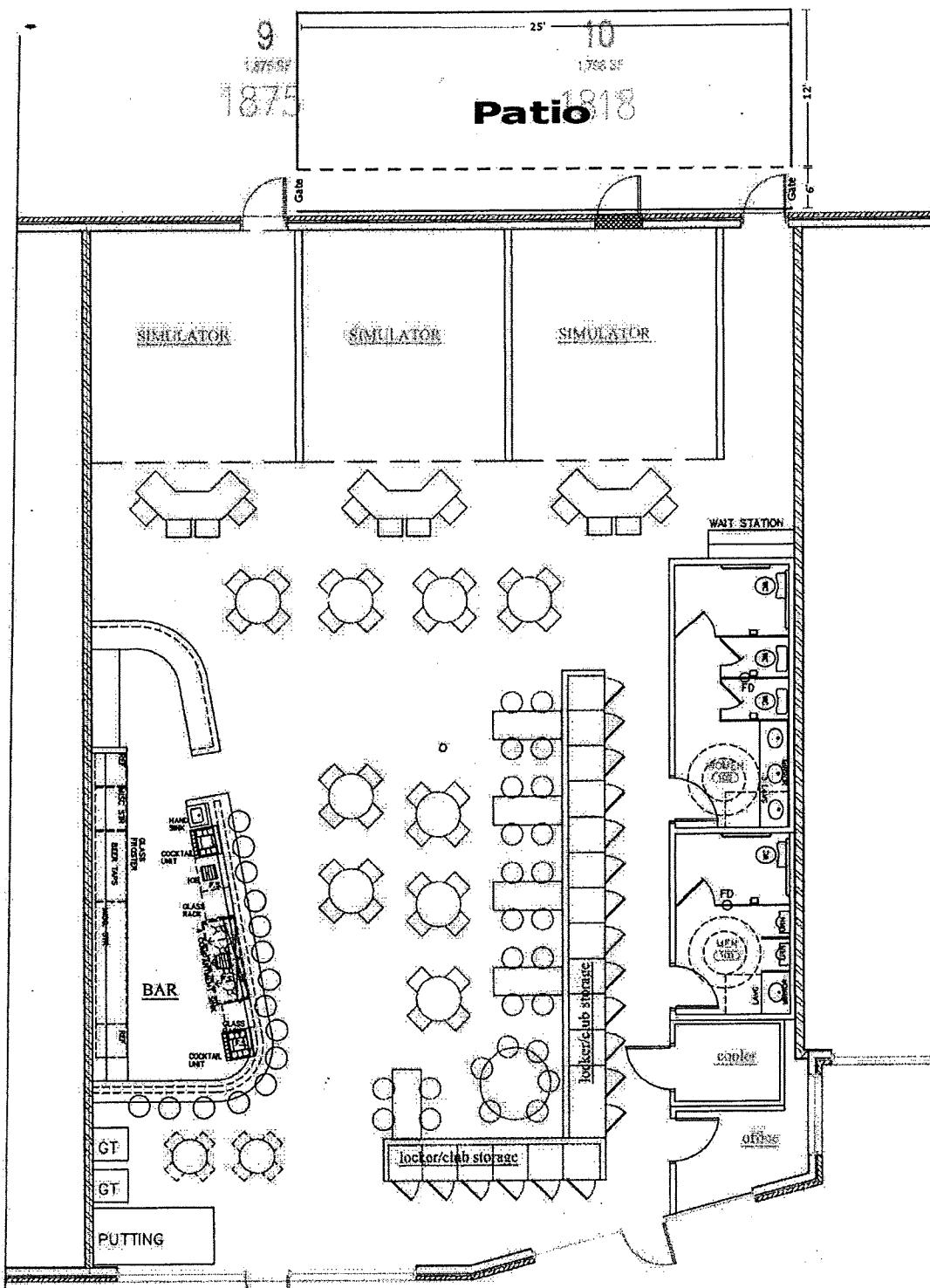
The forgoing instrument was acknowledged before  
me this 4-28-09  
Date

Corrine L. Blum

Notary Public Signature

Affix Seal Here





COPYRIGHT 2008 MARK SANFORD GROUP, LLC

 **BAY 9 & 10 PLAN**

0 10' 20' 30'

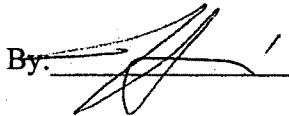
**FIRST AMENDMENT  
TO THE LEASE AGREEMENT**

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, LaVista, NE, (the "Lease") is hereby amended by mutual consent as follows:

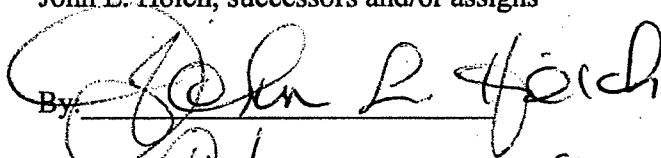
- 1) Tenant desires to have an outdoor patio area adjacent to the leased premises for the purpose of providing customers an outdoor service area, therefore under ARTICLE II PREMISES Exhibit "A" is hereby deleted and replaced with Exhibit A (the Premises) of this First Amendment to the lease Agreement.
- 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* JLH
- 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: 10/27/08

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. Buethe, 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

