

778

**REPORT TO CITY CLERK
SPECIAL DESIGNATED LICENSE APPLICATION**

Police
 City Attorney
 Bureau of Fire Prevention
 Health Department

DATE: 9/01/04
Return by: 9/10/04

CATERER: **X**
APPLICANT: **PERSHING CENTER**
APPLICANT'S ADDRESS: **226 CENTENNIAL MALL SOUTH**

NON-CATERER:

ADDRESS OR LOCATION OF PREMISES TO BE COVERED BY LICENSE: **NORTH & SOUTH
LAWNS OF PERSHING BETWEEN 16TH STREET & CENTENNIAL MALL**

DATE(S) OF EVENT: **SEPTEMBER 25, 2004**

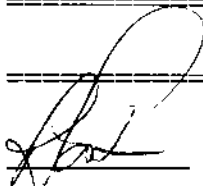
TIME(S) OF EVENT : **5:00 A.M. TO 11:50 P.M.**

DETAILS ON ATTACHED APPLICATION.

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RECOMMENDATION OF APPROVAL OR DENIAL

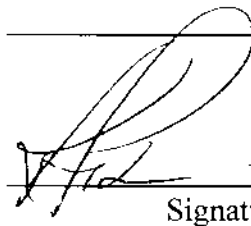
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 #843
APPROVED

CONDITIONS _____

_____ DENIED

REASON(S) FOR _____

 #843
Signature

9-1-04

Date

(If needed, use back for additional space)

PUBLIC HEARING BEFORE COUNCIL: 9/13/04

PLEASE TYPE OR PRINT
APPLICANT MUST COMPLETE
ALL SECTIONS OF THIS FORM

APPLICATION FOR SPECIAL DESIGNATED LICENSE
NEBRASKA LIQUOR CONTROL COMMISSION
P.O. Box 95046, Lincoln NE 68509

778

ALL ISSUED LICENSES ARE MAILED TO LOCAL CLERKS WHERE THE EVENT IS HELD.

- All Applications must be received in the Commission Office 10 working days (excluding holidays) prior to the date of the event
- Complete and return **THE ORIGINAL WITH A DUPLICATE** to the Nebraska Liquor Control Commission
- A license fee of \$40 (payable to Nebraska Liquor Control Commission) for each day
- LOCAL APPROVAL** must be included with this application
- A Signed Statement from Local Police Chief or County Sheriff (question #12)
- NON PROFIT CORPORATION MUST** include a letter from the IRS declaring that the corporation is exempt from payment of federal income taxes, or a copy of the corporation's federal income tax return, as filed with the IRS, or a statement (Page 3) signed by an officer of the corporation declaring that the copy of the tax return is a true and correct copy as filed with the IRS

Type of Beverage(s) to be served: Beer Wine Distilled Spirits

Status of the Applicant (check one)
 Municipal Corporation Political Corporation Fine Arts Museum Fraternal Corporation Religious Corporation Charitable Corporation Retail Licensee Service Corporation Public Corporation

Name and Address of Corporation, Organization or Licensee obtaining license. If licensee, give license number and Class (Example C/K) 49926CK

Pershing Center, 226 Centennial Mall S, Lincoln, NE 68508 Lancaster County
Address or location of premises to be covered by license, (City, County Number, Zip Code)

North-South Lawn of Pershing between 16th St & Centennial Mall
Is this PREMISE currently licensed under the Nebraska Liquor Control Act? YES NO

Name and Address of owner or lessee and name of principal occupant of the premises for which the license is requested. SMG
City of Lincoln, 226 Centennial Mall South, Lincoln Pershing Center

Please list the name and telephone number of the primary event supervisor, who will actually be present at the location of the event when occurs, that can be contacted by law enforcement before and during the event, and who is responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. Supervisor must sign on page 2.

Thomas Lorenz 402-441-8744 OR 441-7077

DATE(S) OF EVENT (If a Sunday, attach local Sunday Sales Ordinance and hours of consumption.)

September 25, 2004

PLEASE INDICATE AN ALTERNATE DATE OR LOCATION IN THE EVENT OF BAD WEATHER:

No Alternative Date

Time(s) of event (example 8am to 1am, this is considered one day)

FROM: 5:00 pm TO: 11:50 pm

Describe the Type of Activity to be carried on during the time period for which the license is requested.

Beer garden + Smoking Area

Provide an estimated number of attendees at this event 5000. If the number of attendees is over 250 attach a separate page stating the steps that will be taken to prevent underage persons access to alcoholic beverages.

PLEASE ATTACH A SIGNED STATEMENT FROM YOUR LOCAL POLICE CHIEF OR COUNTY SHERIFF, WHICHEVER APPLICABLE, THAT LOCAL LAW ENFORCEMENT HAS BEEN INFORMED IN ADVANCE OF THIS EVENT, AND IF THEY ARE AWARE OF ANY REASON THE EVENT SHOULD NOT OCCUR.

ON file

List the number of SDL's that you have applied for at this specific location in the last six months.

RC Boxing - April 30, 2004 and Ribfest - Aug. 12-15, 2004

CONTINUE ON BACK

NEBRASKA LIQUOR CONTROL COMMISSION
APPLICATION FOR SPECIAL DESIGNATED LICENSE
UNDER NEBRASKA LIQUOR CONTROL ACT

14. Description of the premises: Inside Building Outdoor Area

Dimensions of area to be covered by license: ① 200 x 60. Please draw in the space provided below, the area where liquors will be sold and consumed.
LENGTH WIDTH (In feet)

② 280 x 60

See attached map

If outdoor area, how will premises be separated from areas open to the general public? Fence Tent Other (if other, please explain)

15. Is the premises to be covered by the license located within the city/village limits? YES NO

16. Is the premises to be covered by the license within 150 feet of any church, school, hospital, or home for the aged or indigent persons or for veterans, their wives or children? YES NO

17. Explain how alcoholic liquors will be purchased by the licensee. If purchased from a retail licensee, please give the name and license number.

Pershing / SMG liquor license # 49926CK

18. Will the premises to be covered by the license comply with all Nebraska sanitation laws? YES NO

19. Are there separate toilets for both men and women? YES NO

Restrooms indoor are separate

20. Other information or requests by the applicant:

21. Will there be any games of chance operating during the event? YES NO

NOTICE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

22. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

Signature: Thomas E. Drury
Authorized Representative/Applicant

General Manager 8/30/04
Title Date

Signature: Thomas E. Drury
Supervisor

General Manager 8/30/04
Title Date

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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

**NEBRASKA LIQUOR CONTROL COMMISSION
Application for Special Designated License
Under Nebraska Liquor Control Act**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11.

AS SIGNATORY I CONSENT TO THE RELEASE OR ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

SMC - Pershing Center
NAME OF CORPORATION

226 Centennial Mall South
ADDRESS OF CORPORATION

Thomas E. Ross
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 31st DAY OF

August, 2004.



Joan E. Ross
NOTARY PUBLIC SIGNATURE & SEAL

August 30, 2004

**SDL Application
Pershing Center
For Boxing to be held on September 25, 2004**

FILED
CITY CLERKS OFFICE
2004 AUG 31 P 2:51 PM
LINCOLN
NEBRASKA

General Request

Pershing Center is requesting an SDL for two areas, one on the north side of Pershing and one on the south side of Pershing. These areas would be directly adjacent to the current facility and access would be through the side doors of Pershing Center.

Purpose

On 09/25/2004 Pershing Center will host RC's Boxing event in the arena. We estimate the attendance will be around 5000 patrons. This is an adult crowd and we will be selling alcohol during this event. We need to accommodate these patrons with an area to consume beverages between matches and to also accommodate the smokers in the crowd. Instead of sending patrons back out through the front doors, we propose to create "beer gardens" on the north and south sides of Pershing that will move patrons out of the concourses to the exterior and create an area where there is less congestion and where smoking can be accommodated without the security risk of sending persons through the front door to an unsupervised area on the concrete apron in front of Pershing's main west doors.

Access

No patron will be allowed to access the SDL areas directly from the outside. All patrons in the SDL areas must first present their admission ticket to Pershing staff and access the facility through the west main doors. Access to the SDL's will be from the concourse of Pershing.

Alcohol Control

Pershing staff will check the ID's of patrons who wish to purchase or consume alcohol. Pershing security will monitor the crowd to assure only properly wrist-banded persons purchase and / or consume alcohol. Our sellers and security staff are trained to responsibly sell and control patrons consuming adult beverages. The chain link fence and the Pershing security will deter any patron from taking any adult beverage out of the SDL area on to the surrounding sidewalks or street. Patrons will be allowed to freely move from the arena into the SDL area with alcoholic beverages. Adult beverages will be for sale in the arena as well as in the SDL area.

Pershing Center will hire off duty Lincoln Police to assist in security during the event.

Perimeter

Pershing anticipates using 6' high chain link fence. The same fence we acquire for Ribfest to enclose the SDL areas. We will leave openings in the fence on the sidewalk areas leading from the auditorium in order to ensure in the event of an emergency, we will be able to safely accommodate emergency egress from the building and from the SDL areas. We will use a soft, rope and stanchion barricade staffed by Pershing security to control these openings. The requested areas are the maximum size we would use. We would ask for the flexibility to reduce the overall size of each area depending on final estimated crowd size and weather.

Hours of Operation

The boxing event begins at 7:00 p.m. We would anticipate opening doors at 6:00 p.m. but we want the flexibility to open these areas at 5:00 p.m. in case we get a large crowd trying to enter the arena earlier than 6:00 p.m. We think the event will end around 10:30 p.m. but we want the flexibility to stay open until 11:50 p.m. to accommodate any possible delays in the evenings' programs.

Restrooms

Pershing has adequate restrooms inside the arena.

Tents

Pershing anticipates having one 20 x 20 canopy in each area to facilitate beverage sales. We may also add an additional tent in each area to provide shelter as we look ahead at weather forecasts. Pershing will request the appropriate tent permits.

Other

Pershing will not have any other activities occurring in the SDL areas except for beverage consumption and smoking.

We will not have any live animal displays.

We will not have any fireworks displays.

**SPECIAL DESIGNATED LICENSE APPLICATION
SUPPLEMENTAL FORM**

The Special Designated License process is not intended to be used as a means to expand the existing licensed premise.

Name of Event: RC Boxing @ Pershing Center

Applicant and Sponsoring Organization or Person (if applicable): Pershing Center / SMG

Date of Event: Sept. 25, 2004 Time of Event: 5:00pm - 11:50 pm

Has the applicant applied for and received liquor liability insurance? Yes No

Number of persons expected to attend: 5000 Number of persons under 21 expected: less than 800
Is the event open to the public? Yes No

How will you ensure that minors will not be served or consume beverages containing alcohol:
Wrist banding of all persons of legal age who wish to purchase or consume alcohol.

Will food be served? Yes No If yes, please list food to be served: Hotdogs, popcorn, Nachos + Pretzels

Will non-alcoholic beverages be served: Yes No If yes, please list non-alcoholic beverages to be served: Pepsi product Soft drinks + bottle water

Please identify the beverages containing alcohol that will be served: Wine Beer Distilled Spirits

Will this be a cash or complimentary bar? Cash Complimentary

Who will serve the beverages containing alcohol? Pershing Staff

Have the designated servers received responsible beverage service training? Yes No

Will there be a charge for admission? Yes No

In the last 12 months, have you received notice of a liquor law violation that occurred during an event at which you were the special designated licensee? Yes No If so, explain:

PLEASE USE REVERSE TO PROVIDE A SITE PLAN

(This is mandatory)


Applicant's Signature

Aug. 30/04
Date

North Area 280' x 60'

Beer Sales Area

ENTRANCE

ENTRANCE

EXIT

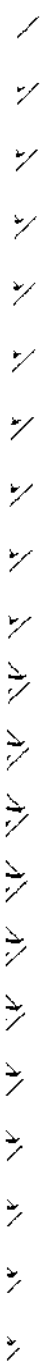
EXIT

EXIT

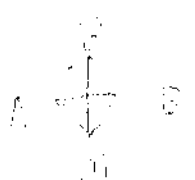
- S3
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- S19
- S20

N Street

ONE WAY

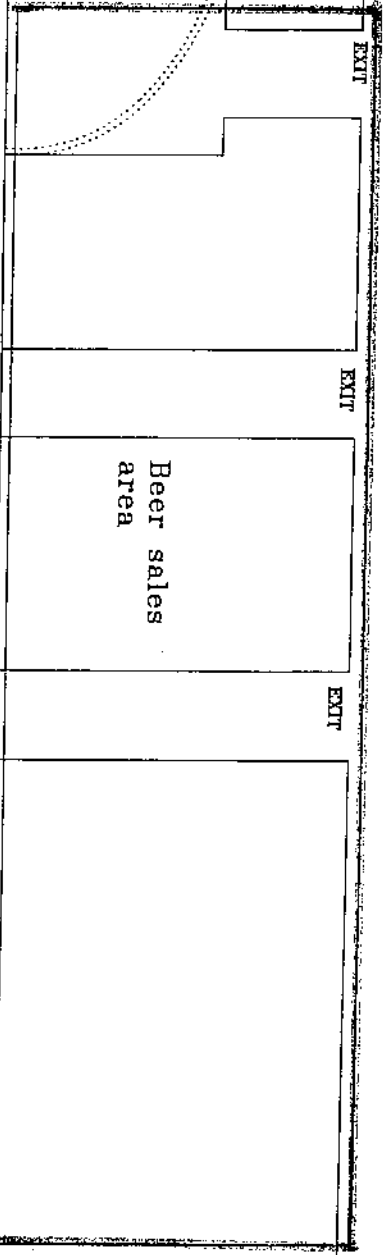


Handwritten notes or signature at the bottom of the page.



N13 | N12 | N11 | N10 | N9 | N8 | N7 | N6 | N5 | N4 | N3 | N2 | N1

Ramp to
Exhibition Hall
Loading Door
to Arena Floor



South Area 200' x 60'

ENTRANCE

ENTRANCE

EXIT

EXIT

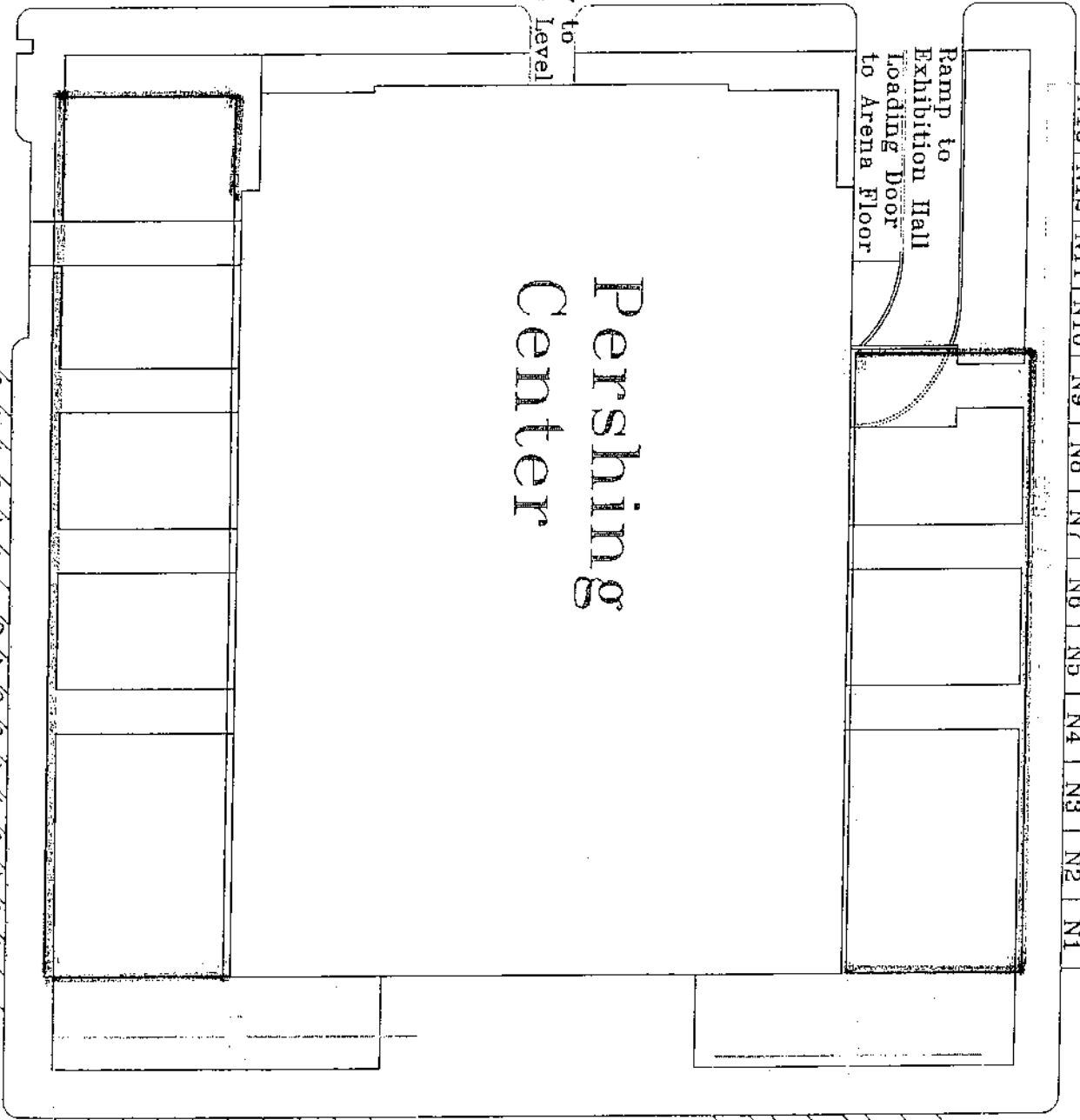
EXIT

Beer sales
area

16th Street S



'M' Street



Centennial Mall S

'N' Street ONE WAY arrow pointing right