

ENTERTAINMENT DISTRICT APPLICATION INFORMATION SHEET & CHECKLIST

Revised 5/15/13

This checklist is designed to assist you in determining the required forms for your business.

PLEASE BE ADVISED: 1) The Entertainment District cannot be constructed or operated until **all** permits are **ISSUED** not just applied for **and** 2) You must include copies of any other applications you may be taking to City Council; 3) Any deviation from the site plan approved by the City Council is a violation of the law.

- **LICENSE PERIOD:** 2 years from date of issuance.
- **FEES:** \$500.00 **nonrefundable** application fee due with application; a **nonrefundable** biennial permit fee of \$2,500.00. Permit fee must be paid within 90 days of City Council approval.
- **INCOMPLETE APPLICATIONS:** Each question must be completely answered & all attachments included OR your application will be returned as **INCOMPLETE** which will delay the processing of your application! Processing time is approximately 6-12 weeks for a complete application.
- **LEGAL REQUIREMENTS:** Please read Lincoln Municipal Code Chapter 5.04 & 5.21 **thoroughly** before applying for a permit. These can be found online at www.lincoln.ne.gov, click on "Departments", click on "City Attorney", click on "Lincoln Municipal Code".
- **CITY COUNCIL APPROVAL REQUIRED:** Applications must be approved by the City Council after a public hearing.
- **REQUIREMENTS/RESTRICTIONS:** The City Council may impose additional Entertainment District Permit requirements or restrictions on the property or operation of businesses in the Entertainment District to include, but not limited to, boundaries, barriers, access, design, types of business and uses, hours of operation, and types of events.
- **CHANGE OF OWNERSHIP:** Applicant/permittee shall have a continuous duty to provide written notification to the City Clerk of any change in ownership of the property within the Entertainment District or legal status of the promotional association at least thirty (30) days prior to the effective date of the change.
- **MANAGER REQUIRED:** Applicant/permittee shall have a continuous duty to provide written notification to the City Clerk of the name of the manager within thirty (30) days of employment.
- **RETURN APPLICATION & ALL ATTACHMENTS TO:** City Clerk's Office, 555 S. 10th St., Lincoln NE 68508 (Please note: Payments by check authorize the City to make a one-time electronic fund transfer. Funds may be withdrawn immediately and your check will not be returned.) Applications are available at www.lincoln.ne.gov.

REQUIREMENTS BEFORE AN APPLICATION WILL BE CONSIDERED:

- **APPLICANT:** The applicant must be either a common owner or a promotional association. If a designated representative of the owner is completing the application, the designated representative must have **written** proof that he is acting on the owner's behalf.
- **PROPERTY REQUIREMENTS:** The area of real property **must** (1) include an entertainment venue or the proposed boundary line of the Entertainment District must be within 500 ft. of an entertainment venue's primary entrance, (2) includes not less than 20,000 sq. ft. of leasable space intended for retail, entertainment, shopping, restaurants, art galleries, and outdoor dining uses. Such leasable space does not need to be contiguous, but the calculation of the 20,000 sq. ft. of leasable space shall not include the square footage of any entertainment venue, common hallways and bathrooms, parking garage or lot, storage areas, residential or lodging facilities, or outdoor space not used for outdoor dining; (3) includes one or more common areas; and (4) be under the same common ownership, or has been placed under the control of a promotional association; (5) be located within the zoned B-4 Lincoln Center Business District.
- **DESIGN REQUIREMENTS:** (1) A commons area shall be an outdoor area not less than 4,500 sq. ft. in size, be located on private property, & closed to vehicular traffic when used as a commons area. A commons area may be extended onto property owned by the City of Lincoln by a Sidewalk Café Permit or, on a temporary basis, by a Special Designated Liquor License within the boundaries of the Entertainment District. The size calculation shall not include any property owned by the City of Lincoln. (2) A commons area shall have limited pedestrian

accessibility by the use of a fence or other rigid barrier that is permanent or semi-permanent and is a minimum of 36" tall. Entrances & exits located on private property shall not exceed 16 ft. in width, and shall be designed with the ability to reduce or close access. The number & size of entrances & exits shall be approved by the City Council and may vary between Entertainment Districts. (3)A commons area shall be used as a place for outdoor dining and entertainment events.

REQUIRED DOCUMENTS TO ATTACH TO APPLICATION:

- **Architectural Drawing** - To scale showing the real property and location of all buildings, sidewalks, streets, proposed common area(s), barriers & location & distance to the entertainment venue.
- **Site Plan - Attach one** copy of a site plan, on 8½ x 11" paper, indicating, to scale, the dimensions of the common area and entertainment district including amount of public right-of-way you are intending to use and **include** the following:
 - 1) location of all fencing or physical barriers, including design, gates, height;
 - 2) method of anchoring the fence/railing to the concrete;
 - 3) a photo or scale drawing of the fencing material to be used;
 - 4) location of all furniture if in right-of-way
 - 5) any staging or infrastructure to support live entertainment.
- **Schematic Design Plans - Attach one** copy of schematic design plans, on 8½ x 11" paper, indicating, to scale, any improvements for the proposed district.
- **Notice to Neighbor(s), if applicable** - If the area of real property to be designated as an Entertainment District is not separated from neighboring property by a public or private street, a copy of a written notice to the neighboring property owner(s) of the application for designation of an Entertainment District and evidence of receipt of such notice by the neighboring property owners **must be provided**. At a minimum the notice shall provide the applicant's contact information and a to-scale drawing of the proposed Entertainment District showing location of buildings and any proposed commons area(s).
- **Menu(s)** - Food service is required in commons area whenever alcohol is being served. Attach a copy or copies of menu(s) to this application. If a limited food service menu is offered at any point, attach a copy of the menu and specify the times when this menu is offered.
- **Building Permits May Be Required.** Contact Building & Safety at (402) 441-7521. Attach a copy of the permit application to this application.
- **Sidewalk Café Permits** - Required if applicant intends to use public right-of-way as part of the commons area. Attach a copy of the permit application to this application.

NOTICE OF OTHER TYPES OF PERMIT(S) REQUIRED

- **Lincoln Food Establishment Permit(s) Required.** Contact the Lincoln-Lancaster County Health Dept. Food Service Safety Program at (402) 441-6280. If a permit has been **issued**, attach a copy of the permit to this application. Note: There are additional permits required for those working in food establishments.
- **Businesses selling/serving alcohol:**
 - 1) **Liquor License:** Application shall be made with the Nebraska Liquor Control Commission, (402) 471-2571. If license is going to use the commons area, the licensee must also obtain an Entertainment District Liquor License from the Nebraska Liquor Control Commission. The site plan for the Entertainment District Liquor License must match the site plan for the Entertainment District Permit. There can be **NO** deviations.
 - 2) **Responsible Beverage Management Certificate is required.** At least one owner or manager is required to be trained and possess a valid Certificate. Training is offered by the Responsible Hospitality Commission. Reservations are **required**. Cost is \$75 per person. Training is held the 2nd Thursday of every Month. The RHC will issue a certificate and a Server/Seller Permit (see below). To register, call the RHC at 437-7880 or sign-up on-line:
 - a) Go to the City's website at www.lincoln.ne.gov
 - b) Click on "Government"
 - c) Under City, click on "Departments:."

- d) Click on “City Council”
 - e) Click on “Responsible Hospitality Commission”
 - f) Scroll down & click on “Sign-Up”.
- 3) **Server/Seller Permits:** Are required for anyone serving/selling alcohol. The permit is issued by the Lincoln-Lancaster County Health Department Food Safety Program at (402) 441-6280.
To obtain a permit:
- a) Go to the City’s website at www.lincoln.ne.gov
 - b) Search the word “alcohol”
 - c) Create your profile. (Note: This is the same profile for food handlers.) You must have a valid email address to receive your Login ID and password confirmation.
 - d) Under “Responsible Beverage Service Training (RBST)”, click on “View Training Dashboard”
 - 1d) 1st Step, Training & Exam: Before you can obtain a permit you must go to the RBST Certificate Program Dashboard & take the training. If you have taken other training approved by the Nebraska Liquor Control Commission, you must identify the training and pass the exam.
 - 2d) 2nd Step, Obtain City Permit: Go to the City Permits Dashboard. Prior to obtaining the permit, you must review City of Lincoln Laws and take another exam. You must print a copy of the permit. Make sure the document says “Permit”.

REVIEW PROCESS:

- Entertainment District design must be reviewed and approved by the appropriate design review board. Consult the Planning Dept. at (402) 441-6360 to identify whether the Urban Design Committee, Historic Preservation Commission, or Nebraska Capitol Environs Commission will need to review.
- Applicants **must** meet with the Entertainment District Committee and, where appropriate, the Urban Design Committee and the Internal Liquor Committee. The committee(s) shall provide the City Clerk with a written recommendation of approval, approval with conditions, or denial within sixty (60) days of receipt of the completed application & application fee by the City Clerk.
- Upon receipt of the recommendation(s), the City Clerk shall forward the application & committee recommendation(s) to the City Council for approval or denial of designation, and authority to issue an Entertainment District Permit.

LICENSE RENEWAL - NO CHANGES IN OWNERSHIP/ASSOCIATION:

- **Application:** A renewal application for the Entertainment District designation and issuance of a new Entertainment District Permit shall be made on a form provided by the City Clerk and in the same manner prescribed for the original application. A **non-refundable** renewal application fee of \$500.00 must be submitted with application. In some cases, the City Clerk will have authority to renew the designation and issue a new permit without sending the application back to the City Council.
- **Due Date:** No earlier than six (6) months and no later than sixty (60) days prior to the expiration of the designation and the Entertainment District Permit, application for a renewal of the Entertainment District designation may be made. Any renewal application received outside of these time requirements will either be returned to the permittee or treated as a new application.
- **Documents Required:**
 - 1) A detailed summary of the complaints received by the manager for at least a two (2) year period prior to the date of the renewal application;
 - 2) A list of events held in the commons area over the past two (2) years;
 - 3) Notice of Renewal to neighbor. Same requirements as previous notices.
- **Failure to Renew:** A permittee who fails to renew before the expiration date shall be considered to be operating without a valid designation and permit. Alcoholic liquor shall be unlawful in an area previously designated as a commons area unless proper licenses and/or permits are obtained. Failure to prohibit alcohol liquor in the area previously designated as a commons area will result in immediate closure of the area by the City of Lincoln, or other appropriate enforcement action determined by the City of Lincoln.

MODIFICATIONS OF AN APPROVED ENTERTAINMENT DISTRICT:

- Prior to commencing any exterior building or commons area modifications, additions, or demolition, the permittee shall make application under oath for approval of the changes on forms provided by the City Clerk and shall include:
 - 1) A to-scale architectural drawing reflecting any proposed changes to, but not be limited, the buildings, sidewalks, streets, common area(s), barriers.
 - 2) A copy of written notice(s) provided by the permittee to neighboring property owner(s) unless the Entertainment District is separated from neighboring property owner(s) by a public or private street. The permittee shall provide written notice along with the permittee and/or manager's contact information and a to-scale drawing showing proposed changes. Evidence of receipt of the notice by the neighboring property owner(s) shall be included with application.
 - 3) Applications shall be forwarded to the Entertainment District Review Committee and, where appropriate, to the Urban Design Committee or the Internal Liquor Committee. The committee(s) shall provide the City Clerk a recommendation of approval, approval with conditions, or denial within 60 days of receipt of the complete application and application fee by the City Clerk.
 - 4) The City Clerk may issue an amended permit to reflect the changes except where:
 - a) The permittee is requesting to increase the size or location of the commons area, entrances/exits of a commons area, or to increase the boundaries of the Entertainment District;
 - b) The committee(s) recommend denial; and/or
 - c) A neighboring property owner objects to the permittee's proposed changes, in which event the City Clerk shall schedule the application on the City Council for approval or denial.

Questions? Contact Teresa Meier, City Clerk's Office, at (402) 441-7437 or Hallie Salem with the Urban Development Office, 808 P St., Suite 400, at (402) 441-7866.

ENTERTAINMENT DISTRICT PERMIT APPLICATION

Please PRINT using blue or black ink only.

1. **PROMOTIONAL ASSOCIATION INFORMATION**
(Use additional paper if more than one)

BUSINESS NAME:					
STREET ADDRESS:					
ZIP:		BUSINESS PHONE#:		FAX#:	
EMAIL ADDRESS:					

2. **OWNER OF PROPERTY**

NAME:					
STREET ADDRESS:					
CITY:		STATE:		ZIP:	
PHONE #:		CELL#:		DATE OF BIRTH:	

3. **MANAGER & HOME ADDRESS**

NAME:					
STREET ADDRESS:					
CITY:		STATE:		ZIP:	
				PHONE #:	

4. **MANAGER & BUSINESS ADDRESS**

NAME:					
STREET ADDRESS:					
CITY:		STATE:		ZIP:	
				PHONE #:	

5. **DAYS & HOURS OF OPERATION OF COMMONS AREA**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN							
CLOSE							

6. PROVIDER OF FOOD SERVICE: _____

DAYS & HOURS OF OPERATION OF PROVIDER

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN							
CLOSE							

7. NAME(S) OF ESTABLISHMENTS SERVING ALCOHOL: _____

DAYS & HOURS OF OPERATION OF PROVIDER

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN							
CLOSE							

ATTACHMENTS

The following items *must* be ATTACHED to the application. Please put a Check (✓) mark next to those items you have attached.

ITEM	ATTACHED
Promotional Association Articles/ByLaws & Member Names	
Building Permit (copy), if needed	
Food Establishment Permit (copy), if currently issued	
Menu(s)	
Architectural Drawing/Site Plan	
Schematic Design Plans for Improvement of Proposed District	

By signing this application, the applicant hereby states that all the information contained herein is true & correct.

Printed Name of Applicant

Date

Applicant's Signature

Subscribed & sworn to as being a true statement, before me, a Notary Public, in and for the State

of _____, this _____ day of _____, 20_____.

Notary Public

REVIEWING ACTION - OFFICE USE ONLY			
DEPARTMENT	APPROVED / DENIED	SIGNATURE	DATE
Public Works - Sidewalk Inspector:			
Police Dept.:			
Bureau of Fire Prevention:			
Health Dept.:			
Urban Development Dept.:			
Planning & Urban Design:			
Building & Safety Dept.:			
Mayor's Office:			

COMMENTS