AREA OF CONCERN

L. V. M. P. D. – The Police Department has an area of concern. Please refer to their report.

OWNERSHIP

S.K.S.Z Holding Series LLC, dba La Focaccia

  Giacomo Zarcone  50% Ownership, Co-Manager/Member, Key Employee
  Malinda Zarcone  50% Ownership, Co-Manager/Member, Key Employee

LOCATION HISTORY

On April 22, 2008, the Director approved the location for a Temporary Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant under the ownership of S.K.S.Z. Holding Series LLC, dba La Focaccia

On May 27, 2008, the Director approved a 90-day extension of the Temporary Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant under the ownership of S.K.S.Z. Holding Series LLC, dba La Focaccia, to expire on August 26, 2008.

On August 26, 2008, the Director approved a final 90-day extension of the Temporary Liquor License in conjunction with a category 2 restaurant under the ownership of S.K.S.Z. Holding Series LLC, dba La Focaccia to expire November 25, 2008.

On November 25, 2008, the Director approved the Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant, Limited to expire March 31, 2009, to allow LVMPD time to complete its investigation.

On January 27, 2009, LVMPD completed their investigation and identified an Area Of Concern with the application.

LOCATION SUITABILITY

The location is zoned C-2 and there are no schools or churches within 1,500 feet.

Agent Higgons conducted an inspection of the 1611 sq. ft. location and determined that the business meets the requirements for a category 2 restaurant and is eligible for a Retail Beer and Wine Liquor License. The restaurant has seating for thirty-six (36) patrons at nine (9) tables, and eleven (11) seats at the dining counter. The majority of the dining counter has a 2’ glass separation wall between the patron and the food preparation area.

There are eighteen (18) liquor licenses and four (4) gaming licenses at eleven (11) locations within 1,500 feet of the applicant's location. (See attached density survey.)
OUTSIDE DINING AREA

This business does not provide outside dining.

The business does provide outside stand-by seating and is aware that no food or beverages will be provided to patrons seated in that area.

KEY EMPLOYEES

Giacomo Zarcone and Malinda Zarcone, Co-Owners, are the key employees.

LEASE AGREEMENT

On November 14, 2007, a lease agreement was entered into between E & P Retail LLC (Landlord) and S.K.S.Z Holding Series LLC, dba La Focaccia (Tenant) for the premises known as 8975 S Eastern Ave., Suite #3, Las Vegas, Nevada, 89123, for an initial term of five (5) years from the Commencement Date with two (2) options of five (5) years each to extend the lease beyond the initial term.

OTHER DEPARTMENTAL APPROVALS

<table>
<thead>
<tr>
<th>Department</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Planning</td>
<td>Approved on March 5, 2008</td>
</tr>
<tr>
<td>Building Department</td>
<td>Approved on January 14, 2008</td>
</tr>
<tr>
<td>Fire Department</td>
<td>Approved on March 6, 2008</td>
</tr>
<tr>
<td>Health Department</td>
<td>Approved on January 4, 2008</td>
</tr>
<tr>
<td>State Gaming</td>
<td>There is no gaming at this leased location.</td>
</tr>
</tbody>
</table>

ADDITIONAL LICENSES AT THE LOCATION

<table>
<thead>
<tr>
<th>Type of License</th>
<th>License Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 2 restaurant</td>
<td>2000776.700</td>
<td>Licensed</td>
</tr>
</tbody>
</table>

INVESTIGATIVE CONFERENCE

On April 23, 2008, pursuant to the activating of the temporary liquor license Agent Urga met with Giacomo Zarcone, Co-Manager/Member and reviewed with him all sections of the Clark County Code applicable to Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant. He receipted for a copy of the reprint of C.C.C. 8.20 and a written summary of Liquor licensing requirements. He signed a statement that he was fully briefed on those sections.
of the code and acknowledged acceptance of the requirements as a liquor licensee and key employee.

On February 5, 2009, Agent Higgons visited the location and conducted a licensing compliance inspection and found no violations. During that inspection Special Agent Higgons advised Mr. Zarcone that the Las Vegas Metropolitan Police Department had completed their investigation and identified an Area Of Concern with the application. He signed a hand delivery notice and stated that they would be at the March 3, 2009 Liquor Licensing Board meeting.

**RECOMMENDATION**

Staff recommends that the Board receive a report from the Las Vegas Metropolitan Police Department’s Special Investigation Section regarding the licensure of S.K.S.C Holding Series LLC, dba La Focaccia, Giacomo Zarcone, 50% Ownership, and Malinda Zarcone, 50% Ownership, Co-Managers/Members and render a decision on the business license application.

Report date: ___________________ February 13, 2009
Investigated by: D. Higgons, Special Agent, Operations, Tactical Operations (Days)
Reviewed by: Gail Gordon, Supervising Special Agent