INVESTIGATIVE REPORT

AREA OF CONCERN

Las Vegas Metropolitan Police Department - None
Department of Business License - None

OWNERSHIP

Teklehaimanot Gebre (sole proprietor) dba Axum Ethiopian Restaurant and Market

LOCATION HISTORY

On May 31, 2000 the Clark County Liquor and Gaming Licensing Board (the Board) initially approved a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant to Fasika Ethiopian Market under the sole ownership of Hirut Ademe. This business was placed out of business on November 3, 2006.

On November 28, 2006 the Board approved a Temporary Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant to Axum Ethiopian Restaurant and Market under the sole ownership of Teklehaimanot Gebre.

On February 27, 2007 the Board approved extension of Temporary Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant to Axum Ethiopian Restaurant and Market under the sole ownership of Teklehaimanot Gebre.

On May 22, 2007 the Director of Business License approved a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant to Axum Ethiopian Restaurant and Market under the sole ownership of Teklehaimanot Gebre LIMITED to September 2007 to allow time for the Las Vegas Metropolitan Police Department to complete their investigation.

On September 25, 2007 the Director of Business License approved a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant to Axum Ethiopian Restaurant and Market under the sole ownership of Teklehaimanot Gebre LIMITED to January 2008 to allow time for the Las Vegas Metropolitan Police Department to complete their investigation.

On October 23, 2007 the Director of Business License approved a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant under the ownership of Teklehaimanot Gebre sole proprietor dba Axum Ethiopian Restaurant and Market.

LOCATION SUITABILITY

The location is zoned C-2, and there is one school and no churches within a 1,500 radius of the business location.
Dean Petersen Elementary School, located at 3650 Cambridge Street, is approximately **1,165 feet** from the business location. The school was completed in August 2003.

Clark County Code 8.20.450(a) states that licensees which sell, serve, give away or distribute alcoholic liquors cannot be located within 1,500 feet of a school or a church. C.C.C. 8.20.060 states that locations in which liquor establishments are situated are nonconforming as to distance restrictions but which have been granted a valid liquor license may continue to operate and maintain such liquor license unless the location remains without the nonconforming license for a period of eighteen consecutive months.

The location was originally approved on May 31, 2000, for a Retail Beer and Wine Liquor License, and the location had kept that type of license active, but the applicant has applied to change the type of license to a Supper Club and Service Bar Liquor Licenses, and therefore the 1,500 foot distance restriction does apply. However, per C.C.C. 8.20.450 the location may be found suitable after a public hearing is held, and it is the Licensing Board's determination that the location will not impair the public health, safety and welfare of the community.

**Notifications of Public Hearing**

On March 11, 2009, a letter of Notice of Public Hearing was faxed to Richard Lee Horton, Site Analyst, at the Facilities Division of the Clark County School District, 4212 Eucalyptus Annex, Las Vegas, Nevada 89121.

On March 11, 2009, a letter of Notice of Public Hearing was hand delivered by Agent Pates to the applicant at the business location.

Agent Pates conducted an inspection of the location and determined that the restaurant area of the supper club will have seating for sixty-six (66) patrons at tables and booths and does not have a Class A Slot Machine license. The bar has eight (8) bar stools and there is no lounge.

The applicant was informed that to meet the seating ratio per code, the maximum number of bar seats allowable would be eight (8) and the maximum number of lounge seats allowable would be thirteen (13) unless the restaurant seating is increased.

The bar is separated from the restaurant seating with a post and metal chain railing between the bar and dining area.

There are thirteen (13) liquor licenses and five (5) gaming licenses at ten (10) locations within 1,500 feet of the business location. See attached density.

**KEY EMPLOYEE**

Teklehaimanot Gebre the sole proprietor is the key employee for liquor at this location.
LEASE AGREEMENT

On October 1, 2006 a Lease Agreement was entered into by and between Vegas 2000, LLC, a Nevada limited liability company (landlord) and Gebre Teklehaimanot (tenant) for the premises located at 860 E. Twain Avenue, Suite 108, Las Vegas, Nevada. The term of the lease is five (5) years.

OTHER DEPARTMENTAL APPROVALS

- **Current Planning** - Approved January 23, 2009
- **Building Department** - Approved January 26, 2009
- **Fire Department** – Pending
- **Health Department** – Approved January 23, 2009
- **State Gaming** – There is no gaming at this location.

ADDITIONAL LICENSES AT THE LOCATION (Pending or Approved)

The following is a complete listing of all additional licenses at Axum Ethiopian Restaurant and Market, 860 East Twain Avenue, Suite 108, Las Vegas, Nevada 89169.

<table>
<thead>
<tr>
<th>Type of License</th>
<th>License Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supper Club Food</td>
<td>2000191.701</td>
<td>Pending</td>
</tr>
<tr>
<td>Retail Beer and Wine</td>
<td>2001190.LIQ</td>
<td>Licensed</td>
</tr>
<tr>
<td>Category 2 restaurant</td>
<td>2000952.702</td>
<td>Licensed</td>
</tr>
</tbody>
</table>

INVESTIGATIVE CONFERENCE

On March 11, 2009, Agent Pates met at the location with Teklehaimanot Gebre, sole proprietor, key employee and reviewed with him all sections of the Clark County Code applicable to Supper Club and Service Bar Liquor Licenses. He receipted for a copy of the reprint of C.C.C. 8.20, and a written summary of Liquor Licensing requirements. Mr. Gebre 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.
During the March 11, 2009, conference Agent Pates advised Mr. Gebre that the application for the licenses would appear on the April 7, 2009, Clark County Liquor and Gaming Licensing Board agenda and because a public hearing is required a representative for the business must be at the meeting. Mr. Gebre stated that he would be at the meeting along with his consultant Dave Eder.

On March 11, 2009, Agent Pates contacted Dave Eder (Nevada Gaming Application Consultants) consultant for the applicant and advised him that that the application for the licenses would appear on the April 7, 2009, Clark County Liquor and Gaming Licensing Board agenda and because a public hearing is required a representative for the business must be at the meeting. Mr. Eder stated that he would be at the meeting along with his client Mr. Gebre.

**RECOMMENDATION**

It is **RECOMMENDED** the Board **APPROVE** the suitability of the location for a Supper Club and Service Bar Liquor Licenses in conjunction with a Supper Club restaurant based on the outcome of the **public hearing**.

Report date: __________
Investigated by: William Pates, Special Agent
Reviewed by: Gail Gordon, Supervising Special Agent