That the Board of County Commissioners sitting as the Liquor and Gaming Licensing Board conduct a public hearing for the suitability of the location for a Retail Beer and Wine Liquor License within 1,500 feet of a school, under the ownership of Desert Sandstorm, LLC, Peter D'Agostino, Manager and 100% Member, dba Wok-On-In, 1040 East Flamingo Road, Suite F & G, Las Vegas, Nevada 89119. (Flamingo Road/ Maryland Parkway) Commission District: E

FISCAL IMPACT:

None

BACKGROUND:

On October 29, 2008, an application was processed for a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant and determination of suitability as key employee for liquor under license #2001821.142. All business license fees have been paid, the Departments of Current Planning, Building, Health and Fire have approved the location for the requested licenses, and code requirements relating to the business operations have been met. LVMPD investigation is pending.

The Paradise Elementary School, 900 Cottage Grove Avenue, Las Vegas, Nevada 89119 is located approximately 1,100 feet from the applicant's location.

Pursuant to Clark County Code (CCC) 8.20.450(a) locations within 1,500 feet of a school or church are deemed unsuitable locations. However, the location may be found suitable after a public hearing is held, and it is the Board’s determination that the location will not impair the public health, safety and welfare of the community.

A Notice of Public Hearing was faxed to the Clark County School District on February 3, 2009.

Staff recommends that the Board conduct a public hearing and approve the suitability of the location for a Retail Beer and Wine Liquor License in conjunction with a category 2 restaurant.

Respectfully submitted,

Jacqueline R. Holloway, Director