



August 27, 2018

Alfredo Melesio, Jr. Director
Dept. of Land Development & Community Services
City of North Las Vegas
2250 Las Vegas Boulevard North
North Las Vegas, NV 89030

RE: Letter of Intent: Use Permit for Full "On Sale" Liquor with Restricted Gaming
2312 E. Craig Road
APN# 139-02-613-010

Dear Alfredo:

As representatives for Forbes Enterprises Inc, we are requesting a Use Permit for a Full "On Sale" Liquor Use with Restricted Gaming to re-establish a previously approved, built and operated establishment in the North Point commercial center (see attached UN-33-96) located on a 0.67 \pm net acre parcel (APN #139-02-613-010) which is one of four parcels that comprise the commercial shopping center site on the northwest corner of Craig Road and Losee Road.

This location has been operated continuously as an On-Sale establishment with Restricted Gaming Establishment since 1998. The most recent tavern establishment licensee (Mulligan's) was fully approved and operating for a period of about 4.5 years, from 2014 until early 2018 (see attached Licensing Status) under the current license. It closed when the previous tenant did not secure a new lease. This request will enable the property owner to find a new tenant, thereby re-establishing the business, putting people back to work, paying fees and taxes, and reinvesting in the community.

Since the Mulligan's closed no other use has occupied the location. Furthermore, no expansion of the prior approval is requested as the identical space will be occupied by the identical use.

The retail shopping center is fully developed. The location is part of a much larger commercial concentration around the Craig and Losee intersection that is substantially developed. To the north and west of the subject parcel the land is zoned M-2 and to the east is C-2; to the south is a developed Hotel Casino with C-3 zoning. Nearly all of the development that exists today was developed after the Tavern was originally approved and operating.

Given the intense nature of this commercial area and this busy intersection with a casino, commercial shopping centers, industrial and offices coupled with very busy arterial streets, this use and this site remain harmonious and compatible. The location is



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still an ideal candidate for the services provided by restoring the full-on sale liquor with restricted gaming establishment to serve the neighborhood and community. Accompanying this application is "proof of compliance" with the proximity distance requirements as required by Title 17.24.105 and request for a permitted waiver.

USE PERMIT:

Approval Criteria: (NLV Zoning Code section 17.28.050):

The considerations for determining if a special use permit is appropriate are:

- i.) *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.*

The special use is appropriate in an intense Employment land use and M-2 zoning district in which full on sale liquor with restricted gaming establishments are appropriate along major arterial routes in close relationship with the anticipated demand from the surrounding businesses, residents and guests that will frequent and live in the area subject to the rigorous scrutiny reserved for these uses to assure appropriate proximity separation as well as on going privilege license oversight.

Additionally, as this location abuts two major streets, with intense commercial uses at this intersection and is part of a general commercial shopping center. It provides the desirability of convenience as well as needed service given the spatial limitations imposed by the NLVMC on such establishments.

- ii.) *That the use will not, under any circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.*

The use will comply with the codes, standards, and licensing requirements of the State, County and City along with and conditions of approval for the Special Use Permit. If not restored the building could we languish and become a blight; therefore a detriment to the area.

It is part of a large general commercial center, cohesively designed and also part of the shopping center standards and management. It will not if re-established be a detriment but rather an asset to the surrounding area that is intensely developed and heavily populated as well as highly traveled.

Additionally, the site is safe well lighted as well as highly accessible and visible. The location originally meet all requirements of the City however it is not sufficient to meet current proximity separation requirements from a school, church and another restricted gaming establishment. The code allows preexisting taverns to be reinstated and waive all separation requirements (NLVMC 17.20.020.C.14.d(2)). This use does, however, meet the requirements for the separation between day cares and parks and churches and other tavern have major buffers. It also has the

additional scrutiny and oversight of a privileged license. It will be subject to the shopping center standards and requirements which are enforceable along with the on going maintenance by a property management company.

- iii.) *That the proposed use will comply with the regulations and conditions specified in this code for such uses.*

The use will fully comply with all City regulations and conditions of approval.

- iv.) *That the granting of this special use permit will not adversely affect the master plan of the City.*

The master plan designations and zoning district are designed to accommodate this use, which are fully appropriate at this specific location and the use will meet the rigorous scrutiny of the City's Codes. This use helps create the employment opportunities and diverse services. Additionally, this use is occupying a tenant space within an existing building that fully conforms to the master plan and zoning requirements of the City.

Proximity Restrictions:

The NLVMC (17.20.020) provides:

A "proof of compliance" including a notarized statement by the owner and a survey plat prepared and sealed by a Nevada Licensed Surveyor showing compliance with proximity distance requirements and/or a request for request for a waiver when permissible.

The owners notarized statement, a survey plat and a waiver of the separation from a school, two churches and another restricted gaming use are included with this letter and demonstrate compliance with the Proximity Distance Requirements.

A full on sale liquor license with restricted gaming must meet certain proximity distance requirement to avoid or minimize impacting existing protected uses:

The proposed establishment must be at a distance greater than one thousand five hundred (1,500) feet from all existing or approved churches, schools, city-owned parks and day care facilities;

The proposed restricted gaming or full on sale must be a distance greater than five hundred (500), respectively from any developed residential district;

The proposed establishment must be at a distance greater than two thousand five hundred (2,500) feet from all similar uses

Waiver Requests:

Waivers permitted for NLVMC 17.20.020.C.14.d(2) Specifically allows for previously approved Restricted Gaming and On-Sale Establishments to Waive the Distance Requirements – Findings Required:

- (2) The location was previously approved, developed, and operated as a Restricted Gaming, Non-Profit Club, or "On Sale" Establishment in accordance with the current or a previous Zoning Ordinance.
- (a) A special use permit was granted by the appropriate governing body for the use.
Complies - UN-33-96
- (b) A business license was issued for the approved use.
Complies – Business License Status Attached
- (c) A certificate of occupancy was issued for the approved use.
Complies – The Business License Confirms a C of O
- (d) Upon termination of the special use, either through the special use expiring or business closure, no other use occupied the location where the special use was approved.
Complies – No Other Use Occupied The Location
- (e) The new use is the same as the previously approved use.
Complies – The prior Use Permit and Business License Confirm
- (f) The new use occupies the same space as the previous use with no expansion proposed.
Complies – Demonstrated by the Site and Floor Plans


In Summary:

The benefits of this project are in keeping with the goals and intent of the Comprehensive Master Plan for the City of North Las Vegas and the Development Code. The City's goal is to have thriving commercial centers offering a variety of goods and services that are conveniently accessible. Furthermore, the Development Code specifically addresses the ability to restore this type of use. The City and community want opportunities for entertainment, dining and employment. Furthermore, the City wants to help restore vitality and vibrancy to vacant shopping centers.

Given compliance with the Code, the intense commercial nature of the area, the busy arterials, make this an appropriate use with justifiable waivers that are needed to serve the residents, businesses, employees, and guests living, working and visiting the area.

We would greatly appreciate your favorable consideration in this request. Please call with any questions or if additional information is needed.

Sincerely,

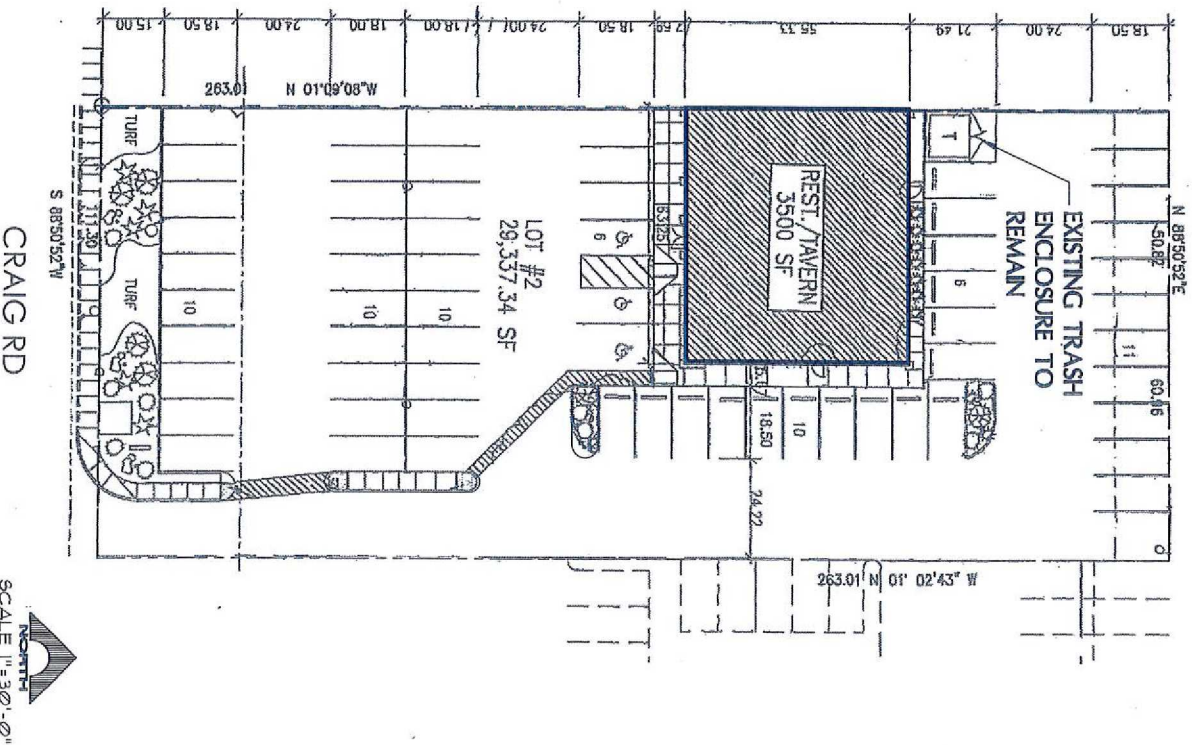
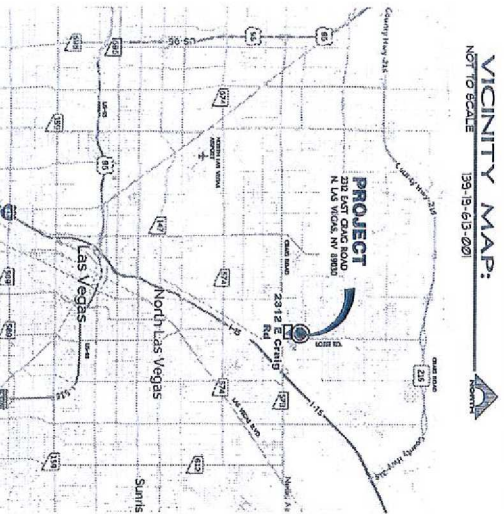


George C. Garcia,
President

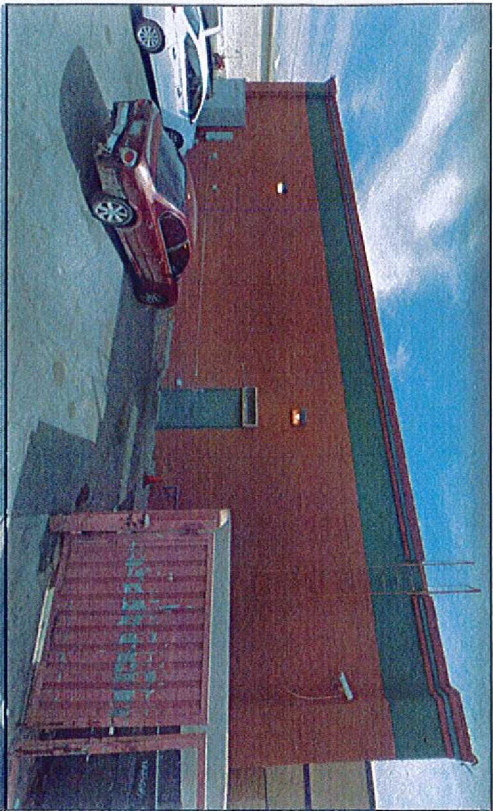
Craig & Losee, NWC Site Plan Exhibit

CCGARCIA
A Planning & Development Services Corporation
August 2018

APN# 139-02-613-010
Site Address: 2312 E. Craig Road
Zoning: M-2
Land Use: Employment
Site Area: 0.67 Acres
Building Area: 3,500 sqft
Existing Parking
Standard Spaces: 60
Accessible Parking: 3
Total Existing Spaces: 63
Required Parking
Establishment w/ Full On-Sale 1:75 sqft
Total Required Spaces: 46.7



Craig & Losee, NWC Existing Elevations



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

Civiltec, LLC

PROFESSIONAL LAND SURVEYING

August 23, 2018

City of North Las Vegas
2250 Las Vegas Boulevard North
North Las Vegas, Nevada 89030

Attn: Planning and Zoning Department

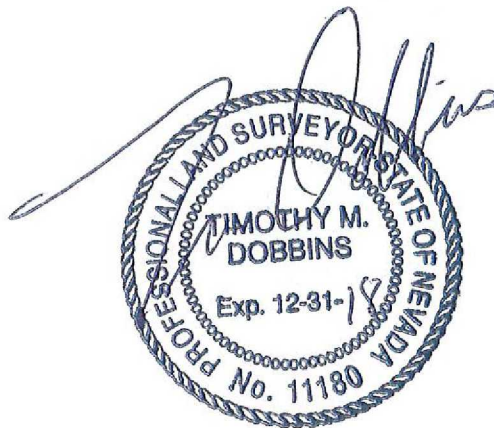
Subject: 2312 E. Craig Rd. (full on-sale & restricted gaming)
APN 139-02-613-010

To whom it may concern:

I, Timothy Dobbins, a Professional Land Surveyor licensed in the State of Nevada certify that:

- 1) There are no developed residential areas within the 500ft radius requirement
- 2) There is (1) school and (2) churches within the 1500ft radius requirement.
- 3) There are no public parks within the 1500ft radius requirement.
- 4) There are no daycare facilities within the 1500ft radius requirement.
- 5) There is (1) like use within the 2500ft radius requirement.

Timothy Dobbins, PLS
Nevada certificate No. 11180
Expires 12-31-18



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524
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NOTES

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

SEE THIS SCALE WHEN MAP IS REDUCED FROM 11X17 ORIGINAL

MAP LEGEND

PARCEL BOUNDARY ☐ CONDOMINIUM UNIT ☐ ROAD PARCEL NUMBER
 SUB BOUNDARY ☐ AIR SPACE POL ☐ 001 PARCEL NUMBER
 PAID BOUNDARY ☐ RIGHT OF WAY POL ☐ 100 ACREAGE
 ROAD EASEMENT ☐ SUB-SURFACE POL ☐ 202 PARCEL SUBSECT NUMBER
 MATCH / LEADER LINE ☐ HISTORIC LOT LINE ☐ HISTORIC SUB BOUNDARY ☐ HISTORIC PAID BOUNDARY ☐ SECTION LINE

ASSESSOR'S PARCELS - CLARK CO., NV

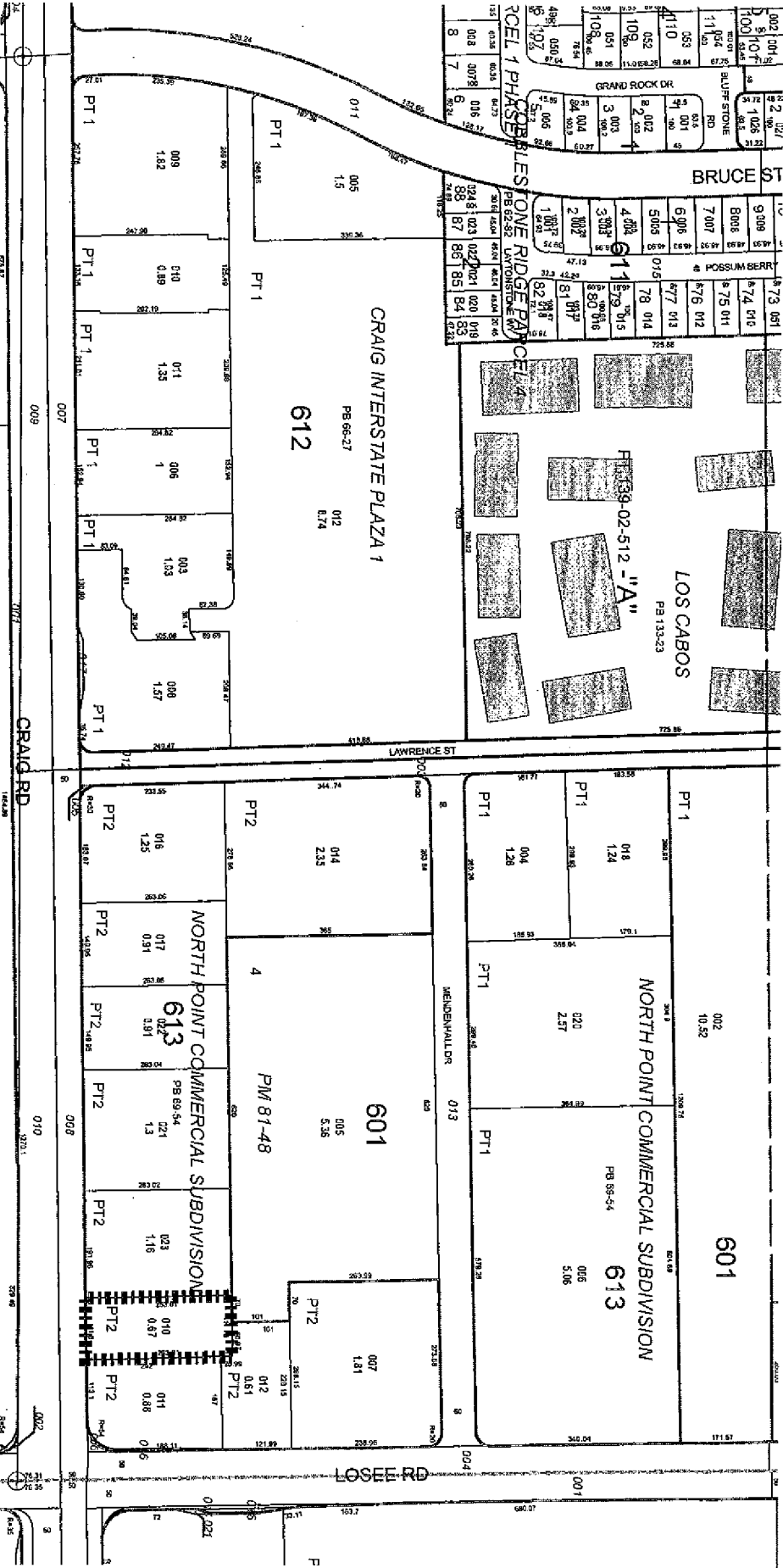
Michelle W. Shate - Assessor

1206 R61E 2

S 2 NE 4

139-02-6

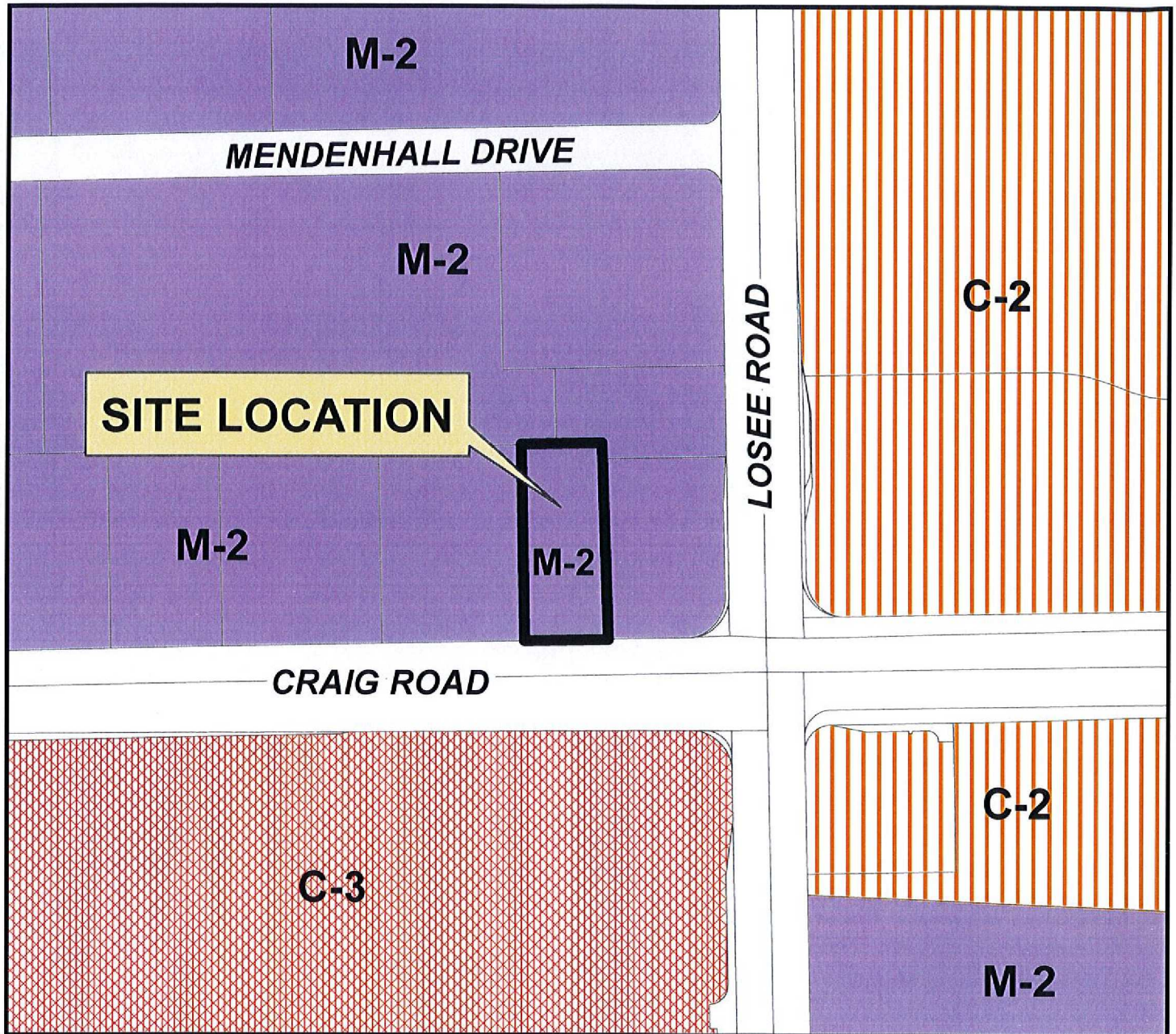
Scale: 1" = 200' Rev: 12/15/2017





THE CITY OF NORTH LAS VEGAS

Location & Zoning Map



Applicant: Forbes Enterprises Inc.
Application: Special Use Permit
Request: To Allow an "On Sale" Liquor License (Full On-Sale) with
Restricted Gambling
Project Info: 2312 East Craig Road
Case Number: UN-59-18

9/6/2018

