

**CITY OF NORTH LAS VEGAS MEETING
AGENDA ITEM**

NUMBER: <ITEM_OUTLINE>

SUBJECT: Full Liquor Off-Sale Business License for Up In Spirits LLC dba XO Liquor Lake Mead, 1820 East Lake Mead Boulevard, Suite A1, North Las Vegas, Nevada 89030. (Ward 1-Barron) (For Possible Action)	
REQUESTED BY: Marc Jordan, Director, Land Development and Community Services	WARD: 1 - Councilman Barron
RECOMMENDATION OR RECOMMEND MOTION: It is recommended that City Council deny the application for a Full Liquor Off-Sale Business License for Up In Spirits LLC dba XO Liquor Lake Mead.	
FISCAL IMPACT: AMOUNT: None EXPLANATION: N/A	ACCOUNT NUMBER: N/A

STAFF COMMENTS AND BACKGROUND INFORMATION:

This application is for a Full Liquor Off-Sale business license for a new liquor store in the City's Downtown Redevelopment Area. The Conditional Use Permit (CUP-150-2021) for the business was approved by Planning & Zoning staff on December 28, 2021. The City of North Las Vegas Police Department previously conducted background investigations of the managing members which developed no derogatory information.

In conformity with the policy of North Las Vegas Municipal Code (NLVMC) Title 5, Chapter 26 Section 010, Subsection E, the Council may deny a license upon its discretion when:

1. In the judgment of the Council the granting of such license may tend to create or constitute a public nuisance;
2. By the granting of such license, a disorderly establishment may be maintained;
3. The granting of such license may seriously and adversely affect the valuation of neighboring, adjoining, and/or contiguous property;
4. The Council, after investigation, is satisfied that the applicant is not a fit and proper person to operate the business contemplated by this application;
5. In the judgment of the Council there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place;
6. For any other good and sufficient reason.

CIP No.	Related Item:	
LIST CITY COUNCIL GOAL(S): Economic Development; Safe and Livable Community		
PREPARED BY: Marc Jordan Land Development and Community Services Director	Respectfully Submitted Ryann Juden City Manager	MEETING DATE: 5/4/2022

Additionally, Title 5, Chapter 26, Section 270 provides that "[a]pproval of a location or of a use permit pursuant to NLVMC Title 17 does not guarantee or constitute approval of any liquor license."

The subject site is located within the Downtown Redevelopment Area. The North Las Vegas Downtown Master Plan and Investment Strategy is to be implemented in the Redevelopment Area District. Some of the goals of the Downtown Master Plan and Investment Strategy include:

- Making the downtown area a local and regional destination with a unique identity;
- Retaining and supporting existing residents and local businesses; and
- Improving the downtown's economic vitality with programs, incentives, and public-private partnerships to attract new business and investments.

There are two land uses that cover the Redevelopment areas of the City: Downtown Business District and Downtown Area of Influence. Both of these areas cover approximately four square miles of the City. Presently, the City has approximately 80 establishments that are licensed for the full "off sale" of alcoholic beverages. Approximately 27 of those licenses are located within this four square mile area. Item 5 above states that "in the judgment of the Council there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place." Approximately 34 percent of the licenses within the City are located within this area. Therefore, there is an excessive concentration of businesses selling liquor in this area and this excessive concentration can impact the physical and emotional health of a community.

The proposed license is also located in Police Sector/Beat D5. D5 consistently has more than double the number of police calls for service than any other area boundary in the City. The high call volume is a drain on City resources and D5 consistently has the highest crime rate in the City. Item 1 above states "in the judgment of the Council the granting of such license may tend to create or constitute a public nuisance." The City's Strategic Plan calls for a safe community where residents and visitors feel and are safe in any neighborhood throughout the community. The excessive concentration of off-sale liquor licenses within this area only has the potential to further increase crime, cause residents and visitors to not feel safe in this neighborhood, and will tend to create a public nuisance.

Staff recommends this application be denied.