

**NORTH LAS VEGAS CITY COUNCIL
AGENDA ITEM**

Number: **3**

SUBJECT: Application for Beer/Wine Off-Sale business license and request for approval of nonoperational status of the business through October 14, 2008 for Fresh & Easy Neighborhood Market Inc., dba Fresh & Easy Neighborhood Market, 1920 North Las Vegas Boulevard, North Las Vegas, Nevada, 89030

REQUESTED BY: Fresh & Easy Neighborhood Market Inc., 2120 Park Place, Suite 200, El Segundo, California, 90245

RECOMMENDATION OR RECOMMENDED MOTION: It is recommended that Council approve the application for Beer/Wine Off-Sale business license and request for nonoperational status through October 14, 2008 for Fresh & Easy Neighborhood Market Inc., dba Fresh & Easy Neighborhood Market, 1920 North Las Vegas Boulevard, North Las Vegas, Nevada, 89030.

FISCAL IMPACT:

Amount: \$

Explanation:

ACCOUNT NUMBER:

STAFF COMMENTS AND BACKGROUND INFORMATION: This is a request for change of ownership of the Rite Aid currently licensed at 1920 North Las Vegas Boulevard. Rite Aid currently holds a General Off-Sale license. However, the applicant, Fresh & Easy Neighborhood Market Inc., is requesting only a Beer/Wine Off-Sale license for the location. In addition, the applicant is seeking council approval for nonoperational status pursuant to NLVMC 5.26.250. They wish to immediately close the location after obtaining the appropriate licensing in order to complete tenant improvements of the location. These improvements are anticipated to be completed in October 2008. The applicant plans to commence business October 15, 2008. The City of North Las Vegas, Police Department previously conducted background investigations of the principals. Based upon those investigations and compliance with Title 5 of the North Las Vegas Municipal Code, staff recommends approval of the Beer/Wine Off-Sale business license and the request for nonoperational status through October 14, 2008.

LIST CITY COUNCIL GOAL(S): Economic Development

PREPARED BY:

Phil Stoeckinger
Finance Director

**RESPECTFULLY
SUBMITTED:**

Gregory E. Rose
City Manager

**CITY COUNCIL
MEETING DATE:**

April 2, 2008

JANET J. BRICHACEK
SENIOR PARALEGAL

LAW OFFICES
KOLESAR & LEATHAM, CHTD.
WELLS FARGO FINANCIAL CENTER
3320 WEST SAHARA AVENUE
SUITE 380
LAS VEGAS, NEVADA 89102

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March 6, 2008

Ms. Lana Hammond
Business License Manager
City of North Las Vegas
Business License Division
2200 Civic Center Drive
North Las Vegas, NV 89030

Re: Application for City of North Las Vegas 'Beer/Wine Off-Sale' License

- Applicant: Fresh & Easy Neighborhood Market Inc.
- Business: Fresh & Easy Neighborhood Market
- Address: 1920 Las Vegas Blvd., North Las Vegas, NV

Dear Ms. Hammond:

On March 3, 2008, the application for a liquor license with respect to the subject business (the "Application") was filed with the City of North Las Vegas Business License Division. Upon your review of the Application, you requested that several issues be addressed, including the period of time that the business will be non-operational.

Pursuant to the Sales Contract between Rite Aid Corporation, Seller, and Fresh & Easy Neighborhood Market Inc., Buyer, dated October 29, 2007, submitted as part of the Application, Fresh & Easy Neighborhood Market Inc. (the "Applicant"), has contracted to purchase the real property identified as 1920 Las Vegas Blvd., North Las Vegas, from Rite Aid Corporation ("Rite Aid"), which currently operates as Rite Aid with a General Off-Sale license at that location. Rite Aid is expected to operate until April 14, 2008, at which time the business will be non-operational until the Applicant commences business on October 15, 2008. In accordance with §5.26.250 of the North Las Vegas Municipal Code, we request the City Council's approval of this period of non-operation of the business. We understand that the semi-annual liquor license fees must be paid notwithstanding the non-operational status.

Thank you for your attention to the foregoing, and please do not hesitate to contact me.

Very truly yours

KOLESAR & LEATHAM, CHTD.

Janet J. Brichacek

:jjb



: 7022673601

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call the Permit Application
Center at (702) 633-1536.

BUILDING SAFETY DIVISION Plans Submittal Checklist

Date: 2-21-08Permit/Tracking #: 91733Project Name: FRESH & EASY T.I.Checked-In By: George Webster

1. Application
2. Complete Plans w/ PM&E Specs.
3. PM&E Worksheets
4. Plot/site plan
5. Soils report
6. Structural Calcs
7. Model-Energy Code
8. Electrical Load Calcs
9. Truss Calcs
10. Fire Protection Sys/ Sprinkler/Alarms
11. Waste Water Survey (Req. for all TI's)
12. Civil/Site Improvement Plans.
13. Grading Drainage Plans
14. Landscaping Plans

5 SET (2 WET) NEED ONE MORE
PROVIDED
ON PLANS

N/A2 SETSON PLANSON PLANSN/AWILL PROVIDEWILL PROVIDEON PLANSN/AN/AComments: EXPEDITE REVIEW

Notice (Please read): Expedite review fee is exclusively for the expedite services of the Building Safety plans check, it does not expedite the services of other departments such as Fire Dept. and Planning/Zoning. This application expires in 180 days if permit is not issued. All expired documents and plans will be destroyed if not picked-up by the applicant prior to expiration date. Applicants are not required to submit as many sets of plans for all applicable departments below. However, by doing so will allow staff to review your plans concurrently.

Initial in box to request expedite plans check: ☒

Print Name of Applicant

Signature

EXPEDITE AGENCY (Please contact the agency below to follow-up on your status if expedite plans review is requested.)

Silver State Code Consulting, Inc.

1785 E. Sahara Ave, Ste 157

Las Vegas, NV 89104

Contact: Larry Reid, 866-2633, Fax 893-2463

Plan/ 11
Traffic Structural
Flood Planning
Prop. Mgt. Fire Dept
Parks Envir: WWS Plans Util: WWS Plans Southern Nevada Health District State Fire Marshall C.C. Aviation Eng. Services (261-5116) Other Agencies (Specify)

Updated 8/01/07