

March 22, 2007

City of Las Vegas  
400 Stewart Avenue  
Las Vegas, NV 89101

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RE: Re-establishment of Special Use Permit for Tom Peter's Gaming Bar (The Heights Bar)

To Whom It May Concern:

The Heights Bar currently located at 465 South Decatur Boulevard has done business in approximately the same location for over twenty-five years. While an owner of the business closed the bar's doors June, 2006, its planned re-opening under its original use was never in question. The bar, recently renovated was leased to Drejo Enterprises, LLC, of which I am managing member, in September 2006.

On November 16, 2006, I submitted an application for a Tavern License to the Business Development Office and was reassured by the clerk that the Special Use permit would be in effect up until one year from the date the bar was last in business. As the department supplies all applicants with a check list of necessary documents and applications, she was simply going down the list, of which the Special Use Permit was included at the top of the second page. This however, was not the first time I had been notified of the Special Use Permit's year long discontinued use clause. I had previously contacted the Planning Department directly and had been given the same information.

This understanding was further impacted when after a lengthy investigation process, the application was actually placed on the February 21, 2007 City Council agenda without interference and was only tabled upon acquiring my permission to do so, which had nothing to do with any Special Use Permit concerns. It would be almost a month later, when again the application would be tabled, this time at the request of the Planning Department.

The inconvenience caused by discrepancies in the City's procedural agenda is of major consequence to a small business such as mine and as such, financially devastating. As you may know, it is a requirement that the applicant purchase a rather expensive liquor license prior to applying for the Tavern license. Financially, I am struggling to continue with this process, however each delay only further weakens my ability to do so. While I am willing to now apply for a Special Use Permit since the Planning Department's notification on March 15, 2007 that this would be a new necessary component of the process, I ask that you consider a grandfathering of the original permit.

Although, the Planning Department has found that the parcel on which the bar sits is non-conforming since it is within 1,500 feet of a school and 10 feet shy of the 1,500 mandatory feet of a park, all three of these entities have co-existed for over twenty years without incidence. Since the school is confined to a residential neighborhood and surrounded by homes, the children enrolled there do not cross Decatur Boulevard to get to and from school. The park is even further away and more deeply engulfed by the neighborhood making the likelihood of any issues minimal at best.

The Heights Bar has a long standing tradition in this City and particularly to this neighborhood. It has been a destination for many of the residents in the area who are eager for its return. I plan to deliver an upscale, modern facility whose target market will be persons 35 years and older. Many of the residents agree with the overall marketing plan and continue to look forward to the re-emergence of an old friend.

I beseech you to look at the circumstances surrounding this situation and rectify it at your earliest convenience. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jocelyn Nixon', with a long, sweeping horizontal flourish extending to the right.

Jocelyn Nixon, Manager  
Drejo Enterprises, LLC dba Tom Peter's Gaming Bar