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July 18, 2008

**VIA HAND DELIVERY**

City of Las Vegas  
PLANNING & DEVELOPMENT DEPARTMENT  
731 So. Fourth Street  
Las Vegas, NV 89101

**Re: Justification Letter – ABC Store  
Waiver of Condition  
23 Fremont Street (APN: 139-34-111-037)**

To Whom It May Concern:

Please be advised this office represents ABC Store (the “Applicant”), in the above referenced matter. The Applicant is requesting a waiver of condition for its approved convenience store located at 23 Fremont Street (APN: 139-34-111-037) (the “Site”).

On or about September 3, 2002, the Las Vegas City Council approved a special use permit for the sale of packaged liquor for off-premise consumption in conjunction with a convenience store via U-0147-01. Specifically, the Applicant is requesting to waive condition #8 which states the “sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configuration as shipped by the manufacturer. Further, no repackaging of containers as shipped by the original shipping container size shall be permitted.”

The Applicant is requesting to waive condition #8 in order to remain competitive in the downtown Fremont Experience corridor. The removal of condition #8 will provide the Applicant flexibility and a level playing field.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf

**ROC-29141  
09-03-08 CC**

