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December 9, 2010

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City of Las Vegas
Department of Planning and Development
731 South 4th Street
Las Vegas, Nevada 89101

Re: Justification Letter for Applicant DriveTime Car Sales Company, LLC (Parcel Nos. 162-01-801-018, 162-01-801-019, 162-01-801-020 and 162-01-801-021)

This firm represents DriveTime Car Sales Company, LLC ("DriveTime"). DriveTime has entered into an agreement to purchase the above-referenced adjacent parcel numbers which are located at 3000 East Sahara Avenue and 3030 East Sahara Avenue (collectively the "Sahara Property").

DriveTime intends to use the Sahara Property for the sale of used motor vehicles with an accessory auto body and service facility. DriveTime will simply utilize the existing buildings on the Sahara Property for the sale of used motor vehicles, along with an accessory auto body and service facility in support of the sales operations. Currently, the Property is classified as a General Commercial Zoning District (C-2). Pursuant to Las Vegas Municipal Code Title 19.04.010, a Special Use Permit is required for used motor vehicle sales in a General Commercial Zoning District. Therefore, DriveTime requests that it be granted a Special Use Permit from the Planning Commission in order to proceed with its intended use of the Sahara Property for the sale and service of used motor vehicles.

DriveTime intends to have 25 employees, and the proposed hours of operation are Monday through Thursday from 10:00 a.m. to 8:00 p.m., Friday and Saturday from 8:30 a.m. to 8:30 p.m., and closed on Sundays. DriveTime will obtain the requisite used motor vehicle dealer license issued by the Nevada Department of Transportation, Motor Vehicle Division in order to operate.

DriveTime also operates two similar used car sales dealerships located at 3333 East Fremont Street (opened in 1986) and a used car sales dealership at 1616 South Decatur (opening in 2004). Pictures of both locations, as well as the Department of Motor Vehicles Dealer Licenses for both locations are attached.

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Title 19.18 of the Las Vegas Municipal Code sets forth various issues for the Planning Commission to consider when determining whether or not to approve a Special Use Permit. In order to approve a Special Use Permit, the Planning Commission must determine that: (1) the proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan; (2) the subject site is physically suitable for the type and intensity of land use being proposed; (3) Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; and (4) approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

DriveTime is able to satisfy all of the above criteria. Although the property is currently vacant, it was previously operated as a new and used car dealership. As such, the subject site is physically suitable for the type and intensity of land use being proposed since the previous use was for a similar purpose. Furthermore, much of the surrounding property areas are also used for the same purpose (i.e. the sale of motor vehicles), which indicates that DriveTime's intended use would be harmonious and compatible with the surrounding land uses and consistent with the General Plan. The Property is located on East Sahara Avenue, a major thoroughfare, and is easily accessible via Boulder Highway and other alternative routes to accommodate future customers. Lastly, approval of a Special Use Permit to allow DriveTime to sell used motor vehicles on the Property would in no way be inconsistent with the General Plan or compromise public health or safety, as DriveTime's intended use is consistent with the surrounding areas and previous use of the Property.

Based on the foregoing, DriveTime's intended use of the property for the sale of used motor vehicles is justified. Please feel free to contact me should you have any questions or require additional information.

Sincerely,
Snell & Wilmer, L.L.P.



Erin McMullen

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