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March 23, 2011

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Steve Gebeke, Planning Supervisor  
John Grider, Planner 1  
City of Las Vegas  
Department of Planning and Development  
333 N. Rancho Drive  
Las Vegas, Nevada 89106

Re: *Amended Justification Letter for Applicant DriveTime Car Sales Company, LLC*  
*(Parcel No. 162-01-801-013)*

As you know, this firm represents DriveTime Car Sales Company, LLC ("DriveTime"). DriveTime has entered into an agreement to purchase the above-referenced parcel number which is located at 2301 McLeod Street, at the intersection of McLeod Street and East Sahara Avenue (the "Property").

DriveTime intends to use the Property for the service and repair of used motor vehicles to complement the sale of used motor vehicles on its adjacent property located at 3000 and 3030 East Sahara Avenue (the "Sahara Property"). DriveTime will simply utilize the existing buildings on the Property as an auto body and service facility in support of the used motor vehicle sales operations on the Sahara Property. Currently, the Property is classified as Public Facilities (PF) for the General Plan, and is designated as a General Commercial (C-2) zoning district. Pursuant to Las Vegas Municipal Code Title 19.18.03(I), in order to approve a General Plan Amendment, the Planning Commission and City Council must determine, among other factors, that, "[t]he density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations," and "[t]he zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts." Therefore, because the General Plan and Zoning designations for the property are currently not compatible, DriveTime submits this General Plan Amendment application in order for the General Plan and Zoning designations to be compatible with one another as required.

DriveTime intends to have 25 employees at the Sahara Property, 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, with the proposed hours for the subject Property varying depending upon need and demand. DriveTime will obtain the requisite used

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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 1996) and a used car sales dealership at 1616 South Decatur (opened in 2004). Pictures of both locations, as well as the Department of Motor Vehicles Dealer Licenses for both locations have previously been submitted.

Title 19.18.03(I) of the Las Vegas Municipal Code sets forth various issues for the Planning Commission and City Council to consider when determining whether or not to approve a General Plan Amendment. In order to approve a General Plan Amendment, the Planning Commission and City Council must determine that: (1) the density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations; (2) the zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts; (3) there are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and (4) the proposed amendment conforms to other applicable adopted plans and policies.

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 and service facility. As such, the subject site is physically suitable for the density 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 compatible with the surrounding land uses and zoning districts. The Property is located at the intersection of McLeod Street and East Sahara Avenue, both major thoroughfares, and is easily accessible via Boulder Highway and other alternative routes to accommodate future customers. Lastly, approval of a General Plan Amendment to allow DriveTime to service used motor vehicles on the Property would in no way compromise public health or safety, as DriveTime's intended use is consistent with the surrounding areas and previous use of the Property.

DriveTime is also proposing numerous improvements to the currently vacant Property, as depicted on the revised plans, including, but not limited to, the following:

1. Replace and upgrade existing landscaping to include irrigated 24" box trees and 5 gallon shrubs;
2. Add landscaping to the north property line to include irrigated 24" box trees and 5 gallon shrubs;
3. Add landscaping to existing, but obstructed light pole planters;

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4. Add windows, paint and articulation elements to improve existing building facade;
5. Replace existing 60' light poles with 30' shielded light poles;
6. Remove existing unpermitted structure and canopy; and
7. Restripe to provide accessible parking, handicap parking and route.

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

Very truly yours,

Snell & Wilmer L.L.P.



D. Neal Tomlinson

DNT:bls

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