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May 4, 2011

BY HAND DELIVERY

City of Las Vegas
Planning & Development
333 N. Rancho Drive
Las Vegas, NV 89106

Re: Justification Letter for Review of Condition
SUP-U-0029-99

To Whom It May Concern:

Please be advised that this law firm represents 7-Eleven, Inc, a Texas corporation (the "Applicant"), with regard to its application and request for a review of condition. The real property that is the subject of this request is located at 920 North Buffalo Drive, Las Vegas, NV, as further described as Assessor's Parcel Number 138-27-220-004 (the "Property").

On or about April 26, 1999, the City Council approved the request for a Special Use Permit on the Property for package liquor sales in conjunction with a proposed convenience store, subject to certain conditions of approval. *See* SUP-U-0029-99. Pursuant to Condition No. 2, the sale of individual containers of any size beer, wine coolers or screw cap wine is prohibited at the subject location.

The Las Vegas Municipal Code (the "Code"), Section 19.18.140, provides that the purpose and intent for the review of conditions is to provide a mechanism for reviewing proposed modifications to conditions of approval. Accordingly, the Applicant is specifically requesting a review of Condition No. 2 of SUP-U-0029-99 and proposing that such condition be deleted in its entirety.

To support the Applicant's proposal to delete Condition No. 2 of SUP-U-0029-99, it should be noted that the approval of this request would not set any precedent since many other competing businesses in the immediate area of the Property are currently selling single serve beer, wine coolers and wines. In fact, on or about October 20, 1993, the City Council approved

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an application for a Special Use Permit to allow the sale of beer and wine within a proposed convenience store on property located at the northwest corner of Buffalo Drive and Washington Avenue (directly across the street from the subject Property). *See* SUP-U-0194-93. In reviewing the conditions of approval under SUP-U-0194-93, it is important to note that the prohibition against the sale of individual containers of beer, wine coolers or screw cap wines was not imposed upon that location. Additionally, the Applicant believes that the use as proposed, with the deletion of Condition No. 2, would not negatively impact the neighborhood and can be conducted in a manner that is harmonious and compatible with existing and surrounding land uses.

For the reasons provided above, the Applicant respectfully requests that Condition No. 2 of SUP-U-0029-99 be deleted in its entirety. In particular, the Applicant is requesting that the prohibition against the sale of individual containers of beer, wine coolers or screw cap wines be removed as a condition of approval.

Thank you in advance for your consideration with regard to this application. If you have any questions, please do not hesitate to contact me.

Sincerely,

FENNEMORE CRAIG, P.C.



Mark Hawkins

JDON/jjd

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