



smash. sizzle. savor.

City of Las Vegas
Planning Department
731 South 4th Street
Las Vegas, NV
89101

Subject: Justification Letter for Special Use Permit Application
SMASHBURGER — 9101 W Sahara, Suite 108, Las Vegas, NV 89117

To Whom It May Concern:

Smashburger (SB Fort Apache, LLC), has requested *Specific Use Permit* approval to allow for the sale and consumption of alcoholic beverages at the tenant space noted above. Smashburger is a fast-casual dining establishment with beer and wine sales and consumption. While Smashburger locations generally have an outside seating area, no such seating area will be present at the above mentioned location.

The beer and wine proposed to be served in the restaurant will be for service at tables only within the restaurant and will be served in connection with meals. Per the Las Vegas Zoning Code Land Use (Chapter 19.04) requirements and Las Vegas Municipal Code, Chapter 6.50.180, the beer and wine will not be available for purchase to be taken from the establishment and consumed off the premises.

As you are aware, under Chapter 19.04 of the Las Vegas Zoning Code, specifically Ord 5895, it is required that the proposed establishment be located at least 400 feet from any churches, schools, synagogues or child care facilities with more than 12 children. SB Fort Apache, LLC is requesting that the a waiver of this requirement be granted as a children's day care is present 120 feet from the proposed Smashburger.

Smashburger's hours of operation are Monday through Sunday from 10AM to 10PM. The maximum number of employees per shift is approximately ten (10). Currently, a Smashburger (SB Summerhill, LLC) is in operation at 7541 W Lake Mead Blvd Suite 2, Las Vegas, NV 89128.

Please contact Mark Huttanus at (702)743-7612 should you have any additional questions concerning information within this Justification Letter.

Sincerely,

Mark Huttanus
VP of Operations
Smashburger

Smashburger
SB Las Vegas LLC
3575 Post Rd
Las Vegas, NV
89118

RECEIVED

MAY 10 2010

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