FENNEMORE CRAIG, P.C.

Suite 1400 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101
(702) 692-8000

Mark Hawkins
Direct Phone: (702) 692-8012
Direct Fax: (702) 692-8072
mhawkins@fclaw.com

Law Offices
Phoenix (602) 916-5000
Tucson (520) 879-6800
Nogales (520) 281-3480
Las Vegas (702) 692-8000
Denver (303) 291-3200

January 26, 2012

BY HAND DELIVERY

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

Re: Special Use Permit – Accessory Package Liquor Off-Sale

To Whom It May Concern:

Please be advised that this law firm represents AK, Incorporated, a Nevada corporation (the "Applicant"), with regard to its request for a Special Use Permit to allow an Accessory Package Liquor Off-Sale use (the "Proposed Use") within an existing 2,640 square-foot convenience store located at 1705 S. Las Vegas Blvd., Las Vegas, NV (the "Property"). The Property is located within a C-2 (General Commercial) zoning district, which allows and permits the sale of accessory liquor with the approval of a Special Use Permit.

In order to approve a Special Use Permit application, per Title 19.16.110(L) of the Las Vegas Municipal Code (the "Code"), the Planning Commission and City Council must affirm the following:

1. The proposed land 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.

- The Proposed Use can be conducted in a manner that is harmonious with the neighborhood because it conforms to the standard conditions and requirements as set-forth by the Code. In particular, the Proposed Use will, at all times, be ancillary to the retail use and less than ten percent (10%) of the retail floor space will be allocated for the display or merchandising of alcoholic beverages. Furthermore, there are no protected uses (churches, synagogues, schools, child care facilities licensed for more than 12 children, or City parks) within 400 feet of the Proposed Use. For the reasons stated above, we believe the proposed land use can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses.

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2. The subject site is physically suitable for the type and intensity of land use proposed.

- The Proposed Use will be located within an existing retail establishment, which is physically suitable for the type and intensity of the land use proposed. It is important to note that the area designated for the proposed accessory package liquor will be less than ten percent (10%) of the retail square footage and will, at all times, be located behind the payment counter. As a result, only employees of the retail establishment will have access to the package liquor products. If this request is approved, the Applicant will extend the length of the payment counter in a manner that would fully restrict the public's access to the package liquor products. *See* proposed floor plan attached to this request.

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.

- The Property has access to both Las Vegas Boulevard and Oakey Boulevard, which are of sufficient size to accommodate the Proposed Use. Furthermore, the Proposed Use does not create any additional parking requirements.

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.

- As with any use, the Proposed Use will be subject to regular City inspections for licensing and will therefore not compromise the public health, safety and general welfare. Unlike On-Sale liquor establishments where the alcoholic beverages are purchased and consumed on-premises, the Proposed Use is an off-sale use where the alcoholic beverages are purchased on-premises but consumed off-premises. The off-sale use is an additional safeguard to protect the public health, safety and general welfare.

5. The use meets all of the applicable conditions per Title 19 of the Code.

- As previously indicated, the Proposed Use meets all the applicable conditions and requirements as set forth by Title 19 of the Code.

Based upon the foregoing, we hereby respectfully request your approval of the Applicant's request for a Special Use Permit to allow an Accessory Package Liquor Off-Sale use within an existing retail establishment located upon the Property.

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If you should have any questions, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

FENNEMORE CRAIG, P.C.

Mark Hawkins

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