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Clark County Department of Business License
500 S. Grand Central Pkwy., 3rd Floor
Las Vegas, NV 89155

Re: Request for Waiver 1,500 Foot Distance Separation Requirement
XO Liquor Las Vegas / Sahil Sharma Managing Member
10540 S. Las Vegas Blvd. Las Vegas, NV 89183

To Whom It May Concern:

Our office represents the applicant, Spyaas Food & Beverage, LLC dba XO Liquor Las Vegas, for their pending liquor license application at the address referenced above.

In accordance with Clark County Code, the applicant is respectfully submitting this formal request for a waiver of the 1,500 distance separation requirement from a school.

Distance Separation Details

Several weeks after the application was submitted, the applicant was informed by Clark County Business Licensing that the proposed location is located within 1,500 feet of a school.

- The only school located within the 1,500 foot analysis area is John C. Bass Elementary School located at 10377 S. Rancho Destino Rd, Las Vegas, NV 89183.

- The distance from the nearest entrance of John C. Bass Elementary School to the proposed business location at 10540 Las Vegas Blvd. South is approximately 1,250 feet and this is measured to the school's southern most access. The school itself is oriented to the north of the property.

Basis for Waiver Request

Because the measurement identifies a distance of approximately 1,250 feet, which is approximately 250 feet short of the 1,500 foot requirement, Spyaas Food & Beverage, LLC, is respectfully requesting a waiver based on the following compelling justification:

1. The separation deficiency is minimal and does not indicate any direct conflict or exposure risk to the school.
2. There is a major street, Cactus Blvd. That separates the two properties.

3. The applicant's location is surrounded by desert, and it is unlikely any of the students from John Bass Elementary School would have a reason to walk near the applicant's liquor store.
4. All operations of the applying business will comply fully with Clark County laws, security requirements, age-restricted product control, and operating conditions.
5. Nobody under the age of 21 is permitted into a liquor store.
6. The applicant has a long and compliant history in Clark County with no adverse licensing actions.
7. There is already a tavern in the same shopping center as the proposed XO Liquor location and that business permits on premise alcohol consumption and that has not caused any problems for the school.

Request

Spyaas Food & Beverage, LLC, respectfully requests that Clark County Business Licensing grant a waiver of the 1,500 foot school distance separation requirement for the property located at 10540 S. Las Vegas Blvd. based on the reasons outlined above, and the minimal variance from code requirements.

Should the Department require any additional documentation, appearance or supplemental explanation please feel free to contact me.

Sincerely,

BROWN, BROWN & PREMSRIRUT



David T. Brown, Esq.