



Aisle 12  
Beer & Wine Sales

Hard Liquor Display area

Customer Service &  
Secure Cash

Photo Kiosks/  
Photo Self Serve

Loading Dock &  
Receiving Area

Dairy Cooler

Produce Back  
Room

Produce

Deli Area

Seasonal &  
Greeting Cards

Main  
Entrance

RECEIVE

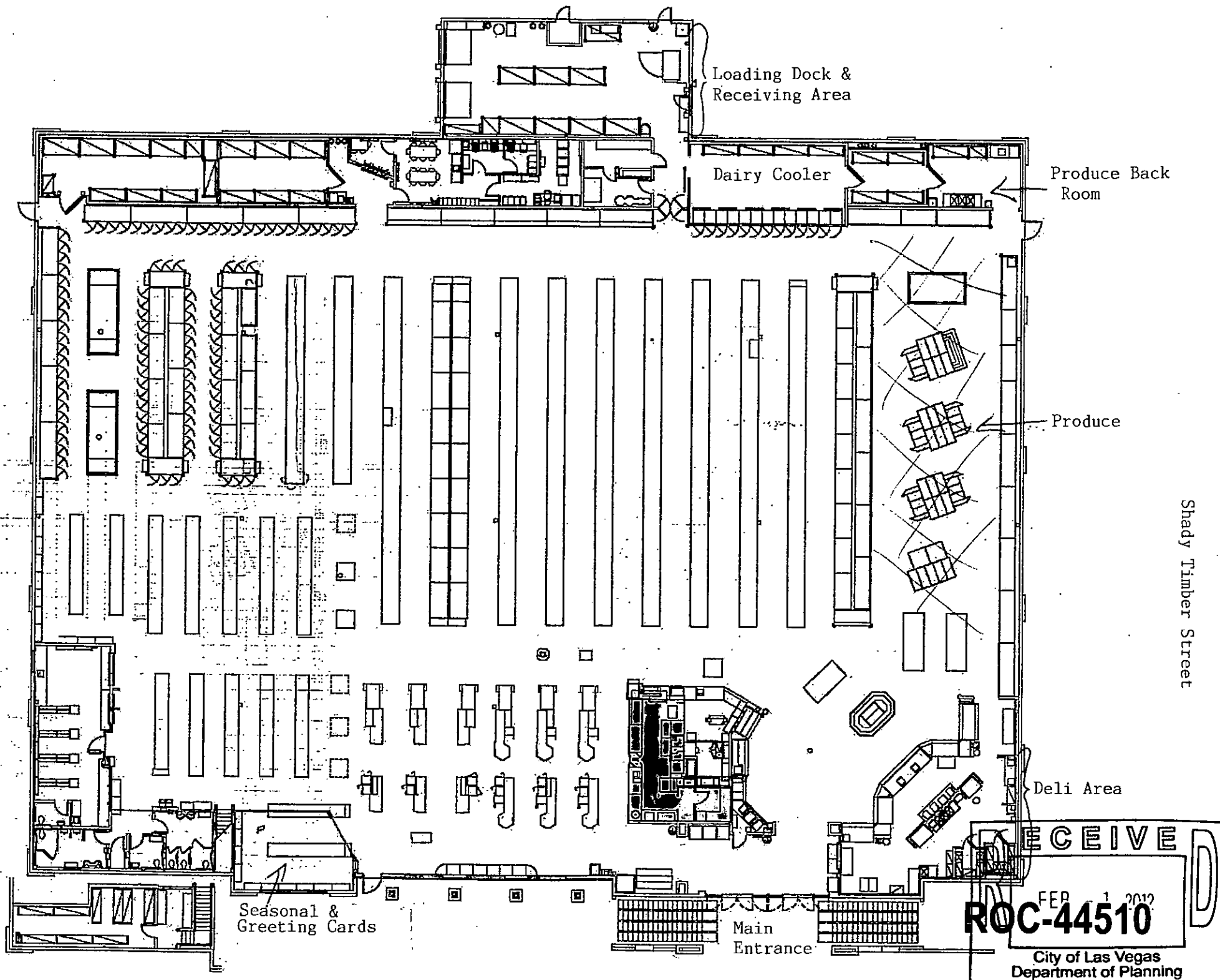
FEB 1 2012  
**ROC-44510**

City of Las Vegas  
Department of Planning

Shady Timber Street

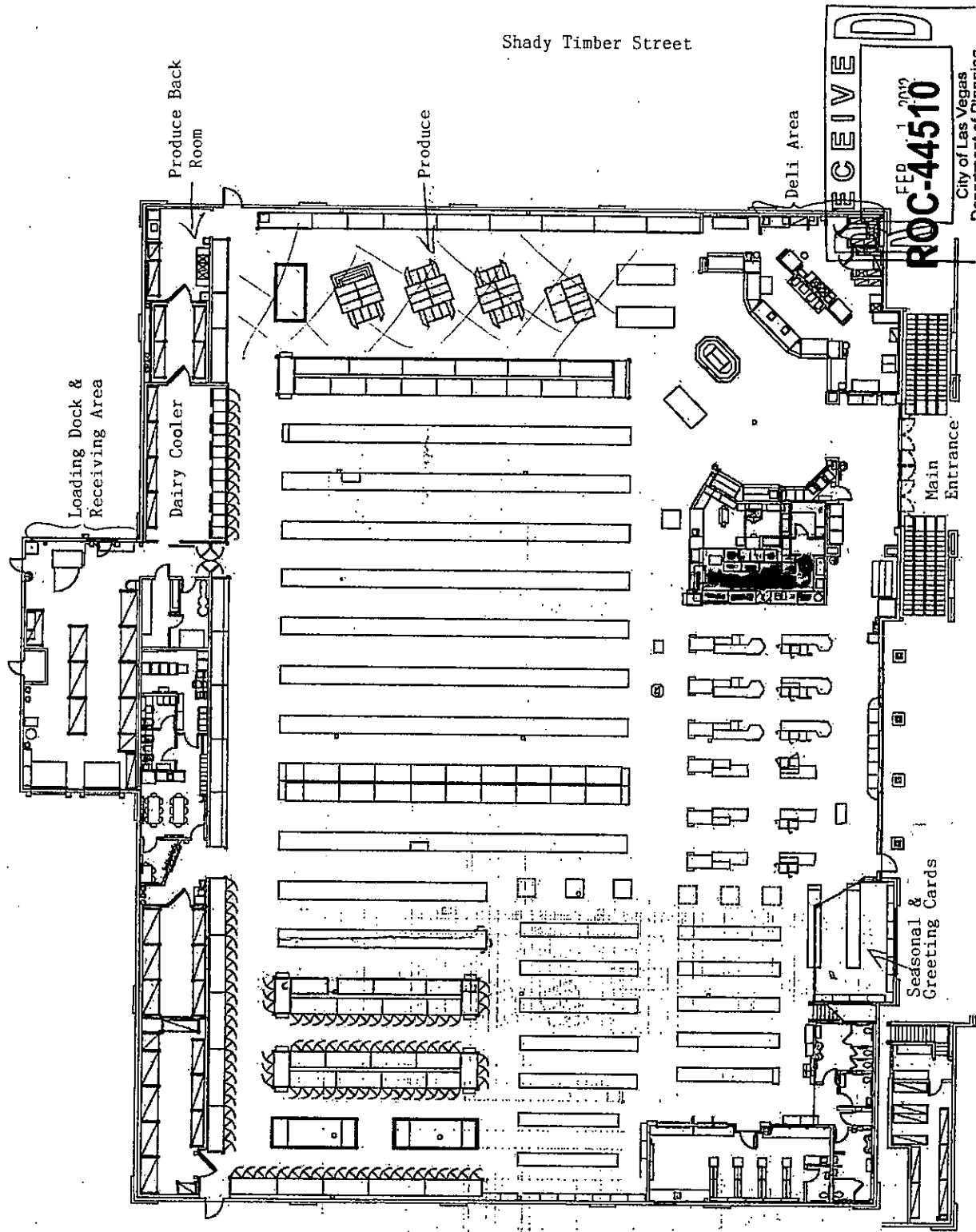
215 Beltway

North





Shady Timber Street



Aisle 12  
Beer & Wine Sales

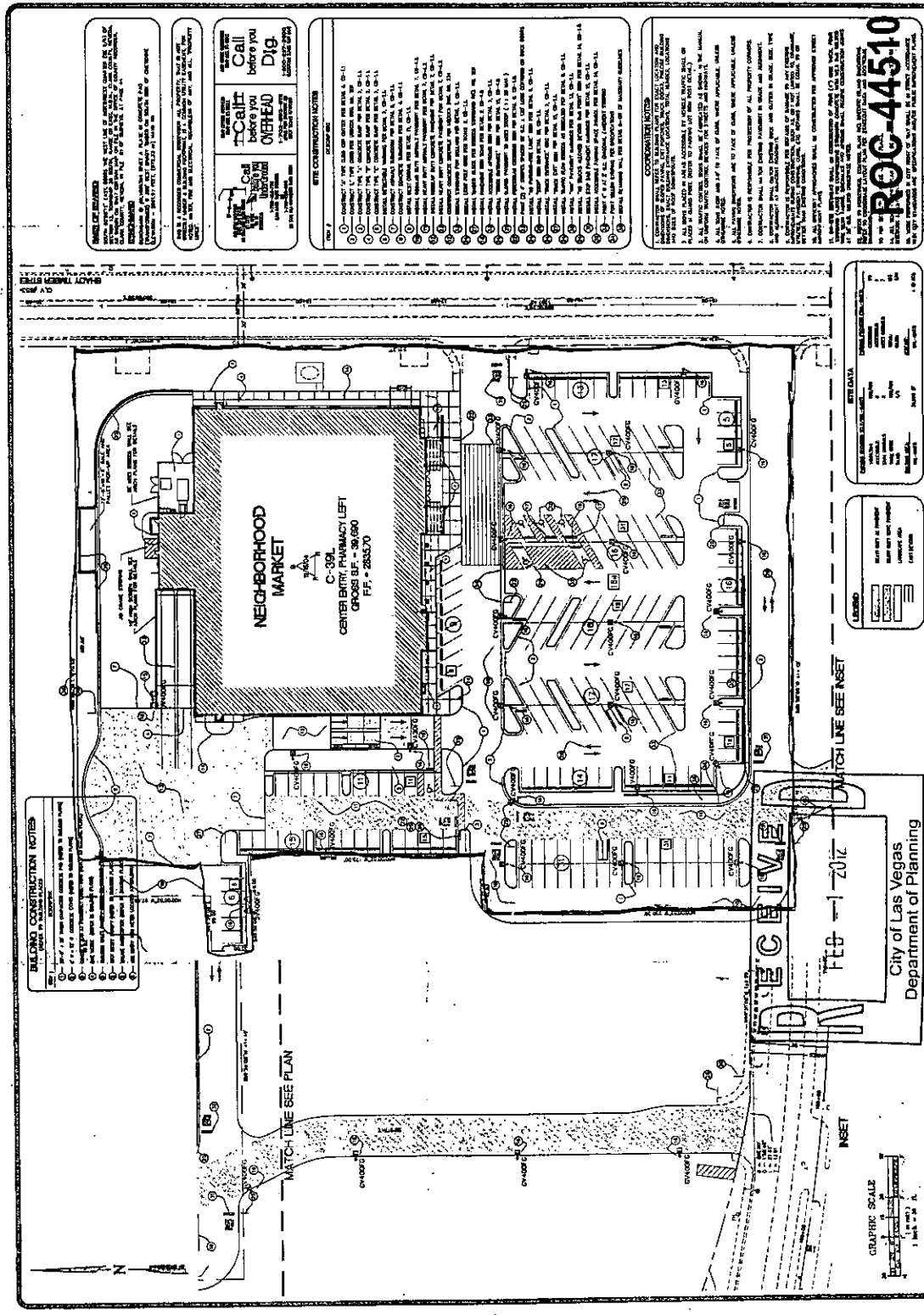
Hard Liquor Display area

Customer Service &  
Secure Cash

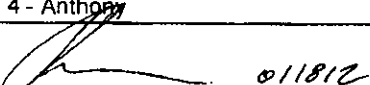
Photo Kiosks/  
Photo Self Serve

215 Bellway

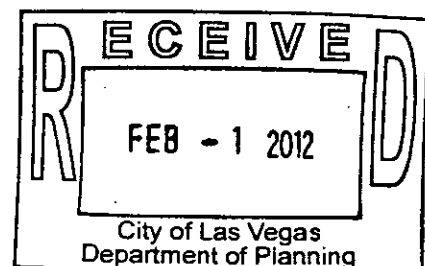
North



THIS FORM MUST ACCOMPANY THE APPLICATION SUBMITTAL and is valid for no more than 60 days after the Pre-App date.

|                      |                                                                                            |                                 |                                        |
|----------------------|--------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------|
| APN(s):              | 137-12-817-002                                                                             | Application Type:               | Review of Condition                    |
| Location:            | 10440 West Cheyenne Avenue                                                                 | Application Purpose:            | Delete conditions #6 and 7 of SUP-3653 |
| Ward:                | 4 - Anthony                                                                                | Pre-App. Meeting Date:          | 01/18/12                               |
| Planner's Signature: |  01/18/12 | Submittal Deadline:             | 02/02/12 by 2:00 p.m.                  |
| Planner:             | Steve Gebeke, Planning Supervisor - 229-5410<br>Debbie Sullivan, Planner I - 229-6895      | Earliest PC / CC Meeting Dates: | 03/21/12- Direct CC                    |

Should this project require a neighborhood meeting or if you choose to have one, please be aware of the following:  
In order to use the City to mail the postcard notices for your neighborhood meeting, you must have all information to us no later than 15 days prior to the intended meeting date. Submitting the required information for the neighborhood meeting when making your application submittal is often best. Therefore, if you want the City to mail the notices for your neighborhood meeting, please ensure that we get all required information and that the request is made at least 15 days before you are scheduling the meeting, otherwise you must make other arrangements for getting the notices mailed.



# City Of Las Vegas

## Department Of Planning

### Submittal Checklist (Cont.)

| Pre-Application Conference                                                                                                                                                                                                                                          |                                     | City Of Las Vegas<br>Department Of Planning<br>Submittal Checklist (Cont.)                                                                                                                                                                  |                                                                                                                                                                                                                                                               |             |              |                   |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|-------------------|----------|
| Item Required                                                                                                                                                                                                                                                       |                                     |                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                               |             |              |                   |          |
| YES                                                                                                                                                                                                                                                                 | NO                                  | APPLICATION PACKET<br>(ALL ITEMS IN THIS SECTION ARE REQUIRED FOR EACH APPLICATION TYPE, unless indicated otherwise)                                                                                                                        |                                                                                                                                                                                                                                                               |             | Fees         |                   |          |
|                                                                                                                                                                                                                                                                     |                                     |                                                                                                                                                                                                                                             | Appl. Type                                                                                                                                                                                                                                                    | Application | Notification | Sub-Total         |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | Application(s) signed and notarized by property owner(s) or authorized agent(s) for all subject lots                                                                                                                                        | <b>Visit the CLV website</b><br>For blank application, SOFI & DINA/PRS forms, and justification letter info @ <a href="http://www.lasvegasnevada.gov/">http://www.lasvegasnevada.gov/</a> (Follow - "I Want To ..." --> "Apply for -> Planning Applications") |             |              |                   |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | Statement(s) of Financial Interest (SOFI) signed and notarized by property owner(s) or authorized agent(s) for all subject lots                                                                                                             |                                                                                                                                                                                                                                                               |             |              |                   |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | <b>Detailed</b> justification letter (the same letter addressing all applications, included with each application)                                                                                                                          |                                                                                                                                                                                                                                                               | ROC         | \$ 300.00    | \$ 750.00         | \$ 30.00 |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | Development Impact Notice and Assessment (DINA) / Project of Regional Significance (PRS)                                                                                                                                                    |                                                                                                                                                                                                                                                               |             | \$           | \$                | \$       |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | Grant deed and legal description (from County Assessor; may be available online at: <a href="http://www.accessclarkcounty.com/depts/Assessor/Pages/assessor.aspx">http://www.accessclarkcounty.com/depts/Assessor/Pages/assessor.aspx</a> ) |                                                                                                                                                                                                                                                               | \$          | \$           | \$                |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | Meeting notes and checklist signed by city planner (Originals, plus 1 copy for each additional application)                                                                                                                                 |                                                                                                                                                                                                                                                               | \$          | \$           | \$                |          |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | Copy of Business License(s) - requested, but submittals will be accepted without                                                                                                                                                            |                                                                                                                                                                                                                                                               | \$          | \$           | \$                |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | Cop(ies) of approval letter(s) for SUP-3653                                                                                                                                                                                                 | <b>Subtotal:</b>                                                                                                                                                                                                                                              |             |              | <b>\$ 1080.00</b> |          |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | Neighborhood Meeting (see General Plan submittal req's for details) - Add neighborhood meeting fee: Applicant only to notify, add \$0; Mailing labels only, add: \$50; Full notification, add: \$500                                        |                                                                                                                                                                                                                                                               | \$          | -            | \$                |          |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | Photo Reproduction of the Color & Materials Board (SDR applications only)                                                                                                                                                                   | <b>Grand Total All Fees:</b>                                                                                                                                                                                                                                  |             |              | <b>\$1080.00</b>  |          |
| <b>REQUIRED DRAWINGS (INCLUDES TOTAL NUMBER REQUIRED FOR ALL APPLICATION TYPES)</b><br><b>MUST BE 11" X 17" MINIMUM TO 24" X 36" MAXIMUM PAGE SIZE</b><br><b>ALL SUBMITTED PLANS AND ELEVATIONS MUST BE LEGIBLE AND DRAWN TO SCALE (UNLESS OTHERWISE INDICATED)</b> |                                     |                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                               |             |              |                   |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | <b>SITE PLAN</b>                                                                                                                                                                                                                            | <b>TOTAL REQUIRED FOR ALL APPLICATIONS</b>                                                                                                                                                                                                                    |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | North arrow, scale, and vicinity map                                                                                                                                                                                                        | Folded Plans (5, plus 1 per application):                                                                                                                                                                                                                     |             | 6            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> property lines and present dimensions labeled                                                                                                                                                                                    | Colored, Rolled Plans:                                                                                                                                                                                                                                        |             | 1            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> building setbacks labeled                                                                                                                                                                                                        | Reduced Copy (8-1/2"x11" B/W; 1 per application):                                                                                                                                                                                                             |             | 1            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> adjacent existing land uses and street names labeled                                                                                                                                                                             | NOTES:                                                                                                                                                                                                                                                        |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> points of ingress and egress shown                                                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | ADA accessibility requirements shown/labeled                                                                                                                                                                                                |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Parking standard(s) utilized:                                                                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Parking space count and typical dimensions labeled                                                                                                                                                                                          |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | # regular + [30% or less of total] # compact + # handicap = Total                                                                                                                                                                           |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>For residential subdivisions</i> , provide a connectivity calculation                                                                                                                                                                    |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> free-standing sign locations shown and heights and sizes noted                                                                                                                                                                   |                                                                                                                                                                                                                                                               |             |              |                   |          |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <b>LANDSCAPE PLAN</b>                                                                                                                                                                                                                       | <b>TOTAL REQUIRED FOR ALL APPLICATIONS</b>                                                                                                                                                                                                                    |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | North arrow, scale, and vicinity map                                                                                                                                                                                                        | Folded Plans (1 per application):                                                                                                                                                                                                                             |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> property lines and present dimensions labeled                                                                                                                                                                                    | Colored, Rolled Plans:                                                                                                                                                                                                                                        |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> required perimeter landscape planters shown                                                                                                                                                                                      | Reduced Copy (8-1/2"x11" B/W; 1 per application):                                                                                                                                                                                                             |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> required parking lot fingers/islands shown                                                                                                                                                                                       | NOTES:                                                                                                                                                                                                                                                        |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Quantity, size, species/variety of <i>all</i> trees, shrubs, and ground cover                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |              |                   |          |
| <input type="checkbox"/>                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <b>BUILDING ELEVATIONS</b>                                                                                                                                                                                                                  | <b>TOTAL REQUIRED FOR ALL APPLICATIONS</b>                                                                                                                                                                                                                    |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Scale and building dimensions labeled                                                                                                                                                                                                       | Folded Plans (1 per application):                                                                                                                                                                                                                             |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | North, south, east, and west elevations of <i>all</i> buildings                                                                                                                                                                             | Colored, Rolled Plans:                                                                                                                                                                                                                                        |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> building materials and colors noted                                                                                                                                                                                              | Reduced Copy (8-1/2"x11" B/W; 1 per application):                                                                                                                                                                                                             |             | 0            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> wall sign locations shown and sizes noted                                                                                                                                                                                        | NOTES:                                                                                                                                                                                                                                                        |             |              |                   |          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                 | <input type="checkbox"/>            | <b>FLOOR PLANS</b>                                                                                                                                                                                                                          | <b>TOTAL REQUIRED FOR ALL APPLICATIONS</b>                                                                                                                                                                                                                    |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Scale and building dimensions labeled                                                                                                                                                                                                       | Folded Plans (1 per application):                                                                                                                                                                                                                             |             | 1            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | North arrow and scale                                                                                                                                                                                                                       | Rolled Plans:                                                                                                                                                                                                                                                 |             | 1            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | <i>All</i> building entrances/exits shown                                                                                                                                                                                                   | Reduced Copy (8-1/2"x11" B/W; 1 per application):                                                                                                                                                                                                             |             | 1            |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Use of <i>all</i> rooms noted/labeled                                                                                                                                                                                                       | NOTES:                                                                                                                                                                                                                                                        |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Maximum Occupancy (per I.B.C.)                                                                                                                                                                                                              |                                                                                                                                                                                                                                                               |             |              |                   |          |
|                                                                                                                                                                                                                                                                     |                                     | Seating Capacity (where applicable)                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |             |              |                   |          |

\*\*\*CONTINUED NEXT PAGE\*\*\*

# City Of Las Vegas Department Of Planning Pre-Application Conference Notes

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C  
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6**

**Project Name: Review of Condition of Special Use Permit (SUP-3653)**

|                  |                            |                          |                              |
|------------------|----------------------------|--------------------------|------------------------------|
| <b>APN(s):</b>   | 137-12-817-002             | <b>Pre-app Date:</b>     | 01/18/12                     |
| <b>Location:</b> | 10440 West Cheyenne Avenue | <b>Meeting Location:</b> | DSC Conference Room 3D - 331 |
| <b>Ward #:</b>   | 4 - Anthony                | <b>Acres:</b>            | 4.88                         |
|                  |                            | <b>Time:</b>             | 9:00 a.m.                    |

|                      |                                                                                                            |                   |                                       |                                |          |
|----------------------|------------------------------------------------------------------------------------------------------------|-------------------|---------------------------------------|--------------------------------|----------|
| Ownership Info:      | Wal-Mart Real Estate Business TR<br>%PPTY Tax Dept<br>PO Box 8050<br>MS 0555<br>Bentonville, AR 72712-8055 |                   |                                       | Last Change of Ownership Date: | 10/14/04 |
|                      | Phone: (702)-                                                                                              | Fax: (702)-       | Email:                                |                                |          |
| Applicant Info:      |                                                                                                            |                   |                                       |                                |          |
|                      | Phone: (702)-                                                                                              | Fax: (702)-       | Email:                                |                                |          |
| Representative Info: | Andrew Jacobson<br>Wal-Mart                                                                                |                   |                                       |                                |          |
|                      | Phone: (702)-233-9520                                                                                      | Fax: 702-233-3652 | Email: adjacob.so3655.us@wal-mart.com |                                |          |

|                                                                           |                                                                                   |                                     |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------|
| <b>Use:</b>                                                               | <b>Existing:</b>                                                                  | Retail Establishment/Grocery Store  |
|                                                                           | <b>Proposed:</b>                                                                  | No change proposed                  |
| <b>General Plan:</b>                                                      | <b>Existing:</b>                                                                  | PCD (Planned Community Development) |
|                                                                           | <b>Proposed:</b>                                                                  | No change proposed                  |
| <b>Zoning:</b>                                                            | <b>Existing:</b>                                                                  | PD (Planned Development)            |
|                                                                           | <b>Proposed:</b>                                                                  | No change proposed                  |
| <b>Special Area, Master Plans, and / or Overlay Districts that Apply:</b> | N/A                                                                               |                                     |
|                                                                           | Special Land Use Designation (per plan, if applicable): Lone Mountain Master Plan |                                     |

☒ **Meeting**
☐ **Email**
☐ **Conversation Record**
☐ **Telephone Record**

Between CLV Planning Representative: Steve Gebeke, Planning Supervisor (229-5410 Office / 385-7268 Fax / sgebeke@lasvegasnevada.gov), and:

| Name               | Company/Department                | Phone           | Fax      | Email                          |
|--------------------|-----------------------------------|-----------------|----------|--------------------------------|
| 1. Andrew Jacobson | Wal-Mart                          | 233-9520        | 233-3652 | adjacob.so3655.us@wal-mart.com |
| 2.                 |                                   |                 |          |                                |
| 3.                 |                                   |                 |          |                                |
| 4.                 |                                   |                 |          |                                |
| 5.                 |                                   |                 |          |                                |
| 6.                 |                                   |                 |          |                                |
| 7. Steve Gebeke    | CLV - Planning                    | 229-5410        | 385-7268 | sgebeke@lasvegasnevada.gov     |
| 8. Debbie Sullivan | CLV - Planning                    | 229-6895        | 385-7268 | dsullivan@lasvegasnevada.gov   |
| 9.                 | CLV - Planning / Business License | 229-6321        | 383-0769 |                                |
| 10.                | CLV - PW - Dev Co                 | 229-6578        | 474-7599 |                                |
| 11.                | CLV - PW - Traffic                | 229-6901 / 6880 |          |                                |
| 12.                | CLV - PW - Flood                  | 229-6541        | 382-8551 |                                |
| 13.                | CLV - Building and Safety         | 229-6251        | 382-1731 |                                |
| 14.                | CLV - Fire and Rescue             | 229-0366        | 229-0124 |                                |
| 15.                | CLV - Economic Development        | 229-6551        | 385-3128 |                                |

## City of Las Vegas Department of Planning Pre-Application Conference Notes

Is this project intended to promote Sustainability (i.e. use "Green Building" technology)? ☐ YES ☒ NO  
If yes, Please detail how in the justification letter. Refer to <http://www.lasvegasnevada.gov/sustaininglasvegas> for more information on rebates and incentives offered through the City of Las Vegas.

### Background Information:

1. On 05/19/04, the City Council approved a request for a Special Use Permit (SUP-3653) for a Liquor Establishment, Off-Premise Consumption in conjunction with a proposed 39,960 square-foot Grocery Store adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street.
2. On 05/19/04, the City Council approved a request for a Site Development Plan Review (SDR-3651) for a proposed 87,890 square-foot retail center on 11.73 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street.

### Meeting Notes:

1. This is a request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) to delete conditions #6 and #7 that state, "the sale of alcoholic beverages shall be limited to the sale of beer and wine only," and "the sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted."
2. Please ensure that the Application and Statement of Financial Interest forms are signed by the property owner and notarized with the original of each document submitted with the application package.

-- Please return a copy of this form with the original Pre-Application Submittal Checklist --

**\*\*Complete Submittal Packets MUST be received by Planning staff no later than 2:00 PM of the Submittal Deadline Date, no exceptions\*\***



LAS VEGAS  
CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

LOIS TARKANIAN

STEVEN D. ROSS

RICKI Y. BARLOW

BOB COFFIN

WARD 2, VACANT

ELIZABETH N. FRETWELL  
CITY MANAGER

March 22, 2012

Mr. Kevin Gladden  
Wal-mart Real Estate Business Trust  
% Tax Department  
PO Box 8050 MS 0555  
Bentonville, Arkansas 72712-8055

RE: ROC-44510 – REVIEW OF CONDITION  
CITY COUNCIL MEETING OF MARCH 21, 2012

Dear Mr. Gladden:

The City Council at a regular meeting held March 21, 2012, APPROVED request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) TO DELETE CONDITIONS #6 AND #7 THAT STATE "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO THE SALE OF BEER AND WINE ONLY," AND "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATION AS SHIPPED BY THE MANUFACTURER." FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 10440 West Cheyenne Avenue (APN 137-12-817-002), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on March 22, 2012. This approval is subject to:

Planning

1. Condition #6 of Special Use Permit (SUP-3653) shall be deleted.
2. Condition #7 of Special Use Permit (SUP-3653) shall be deleted.
3. Conformance to the conditions of approval of the Special Use Permit (SUP-3653) and all other site related actions as required by the Department of Planning and Department of Public Works.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabriela Portillo-Brenner".

Gabriela Portillo-Brenner

Deputy City Clerk II for  
Beverly K. Bridges, MMC, City Clerk

CITY OF LAS VEGAS  
495 S. MAIN STREET  
LAS VEGAS, NEVADA 89101

cc: See Attached List

VOICE 702.229.6011  
TTY 702.386.9108  
www.lasvegasnevada.gov

Mr. Kevin Gladden  
ROC-44510 – Page Two  
March 22, 2012

cc: Mr. Andrew Jacobson  
Wal-mart Stores, Inc.  
10440 West Cheyenne Avenue  
Las Vegas, Nevada 89129

Mr. Andrew Moore  
Brownstein Hyatt Faber Schreck, LLP  
100 North City Parkway, Suite #1600  
Las Vegas, Nevada 89106



March 8, 2012

Mr. Kevin Gladden  
Wal-mart Real Estate Business Trust  
% Tax Department  
PO Box 8050 MS 0555  
Bentonville, Arkansas 72712-8055

**RE: ROC-44510 - REVIEW OF CONDITION  
CITY COUNCIL MEETING OF MARCH 21, 2012**

Dear Mr. Gladden:

Please be advised the City Council at its regular meeting on **March 21, 2012** as referred to above, will consider your request. This meeting will be held at 1:00 P.M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the **final agenda** will be available on-line on **Thursday, March 15, 2012** at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you do not have access to the Internet and would prefer receiving hard copies of the documentation, please call the Case Planning Division at (702) 229-6301 or come into the Development Services Center at 333 North Rancho Drive, 3<sup>rd</sup> Floor to request your copies.

The City Council requires that you or your representative be present at this meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Flinn Fagg".

Flinn Fagg, AICP  
Director, Department of Planning

FF:clb

cc: Mr. Andrew Jacobson  
Wal-mart Stores, Inc.  
10440 West Cheyenne Avenue  
Las Vegas, Nevada 89129

Mr. Andrew Moore  
Brownstein Hyatt Faber Schreck, LLP  
100 North City Parkway, Suite #1600  
Las Vegas, Nevada 89106

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

STEVE WOLFSON  
LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW  
BOB COFFIN

ELIZABETH N. FRETWELL  
CITY MANAGER

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
333 NORTH RANCHO DRIVE  
3RD FLOOR  
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301

FAX 702.474.0352

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

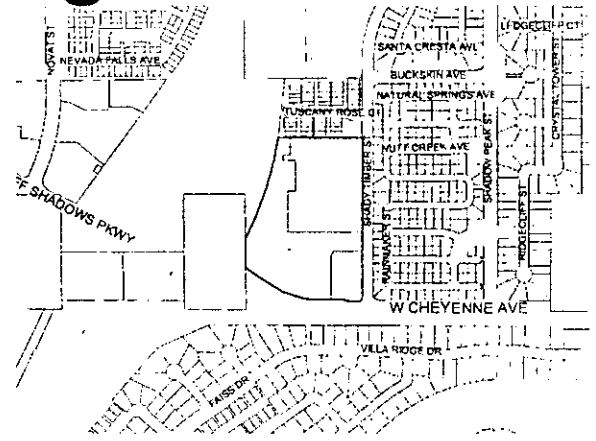


## Application Information

**ROC-44510 - REVIEW OF CONDITION - PUBLIC HEARING**  
**- APPLICANT: WAL-MART STORES, INC. DBA WAL-MART**  
**#3655 - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST** - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) TO DELETE CONDITIONS #6 AND #7 THAT STATE "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO THE SALE OF BEER AND WINE ONLY," AND "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATION AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 10440 West Cheyenne Avenue (APN 137-12-817-002), PD (Planned Development) Zone, Ward 4 (Anthony).

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 495 South Main Street, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108), <http://www.lasvegasnevada.gov>.

## Application Location



The proposed project may not pertain to the entire highlighted project site.

## Public Hearing Information

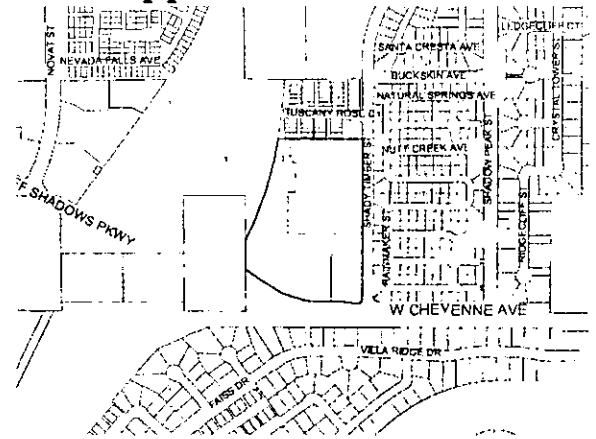
**Meeting:** City Council  
**Date:** *March 21, 2012*  
**Time:** 1:00 P.M.  
**Location:** City Council Chambers  
495 South Main Street  
Las Vegas, Nevada

## Application Information

**ROC-44510 - REVIEW OF CONDITION - PUBLIC HEARING**  
**- APPLICANT: WAL-MART STORES, INC. DBA WAL-MART**  
**#3655 - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST** - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) TO DELETE CONDITIONS #6 AND #7 THAT STATE "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO THE SALE OF BEER AND WINE ONLY," AND "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATION AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 10440 West Cheyenne Avenue (APN 137-12-817-002), PD (Planned Development) Zone, Ward 4 (Anthony).

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 495 South Main Street, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108), <http://www.lasvegasnevada.gov>.

## Application Location



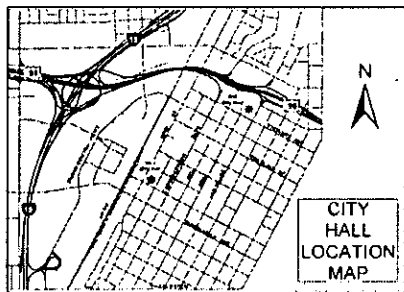
The proposed project may nnt pertain to the entire highlighted project site.

## Public Hearing Information

**Meeting:** City Council  
**Date:** *March 21, 2012*  
**Time:** 1:00 P.M.  
**Location:** City Council Chambers  
495 South Main Street  
Las Vegas, Nevada

City of Las Vegas  
Office Of The City Clerk  
495 South Main Street  
Las Vegas, Nevada 89101

**Return Service Requested**  
**Official Notice of Public Hearing**



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐

I SUPPORT  
this Request

☐

I OPPOSE  
this Request

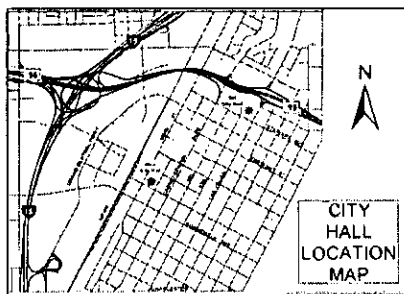
Please use available blank space on card for your comments.

**ROC-44510**

City Council Meeting of 03/21/2012

City of Las Vegas  
Office Of The City Clerk  
495 South Main Street  
Las Vegas, Nevada 89101

**Return Service Requested**  
**Official Notice of Public Hearing**



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐

I SUPPORT  
this Request

☐

I OPPOSE  
this Request

Please use available blank space on card for your comments.

**ROC-44510**

City Council Meeting of 03/21/2012

# Memorandum

City of Las Vegas  
Department of Public Works  
Development Coordination

**To:** Department of Planning and Development  
**From:** Bart Anderson, Manager, Development Coordination, Department of Public Works *BA*  
**CC:** Nancy Almanzan, Right-of-Way; Dennis Moyer, Land Development; O. C. White, Traffic Engineering; Alan Riekk, Survey (FM, PM, & A's only)  
**Date:** February 6, 2012  
**Re:** **ROC-44510** Wal-Mart Stores, Inc. 10440 W. Cheyenne Ave.  
Request for a Review of Condition of a previously approved Special Use Permit (SUP-3653)

---

## **COMMENTS:**

We have no comment on the request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) to delete conditions #6 and #7 that state "The sale of alcoholic beverages shall be limited to the sale of beer and wine only," and "The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configuration as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted" at 10440 West Cheyenne Avenue.

## CITY OF LAS VEGAS

### DEVELOPMENT REVIEW COMMENT FORM



**Department of Planning**  
**Case Planning Division**  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106  
(702) 229-6301 phone (702) 385-7268 fax

**ROC-44510 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WAL-MART STORES, INC. DBA WAL-MART #3655 - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST** - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) TO DELETE CONDITIONS #6 AND #7 THAT STATE "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO THE SALE OF BEER AND WINE ONLY," AND "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATION AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 10440 West Cheyenne Avenue (APN 137-12-817-002), PD (Planned Development) Zone, Ward 4 (Anthony).

CITY COUNCIL: **MARCH 21, 2012**

CASE PLANNER: **DEBBIE SULLIVAN**



**PUBLIC HEARING**

Comments Due: **MARCH 1, 2012**

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet and routed via interoffice mail, U.S. mail, fax, or e-mailed to **Carman Burney** ([cburney@lasvegasnevada.gov](mailto:cburney@lasvegasnevada.gov)) and **Deborah Sullivan** ([dsullivan@lasvegasnevada.gov](mailto:dsullivan@lasvegasnevada.gov)). If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.

**LIST COMMENTS BELOW:**

---

Report Date 02/02/2012 11:19 AM

Submitted By

Page 1

A/P # 44510 REVIEW OF CONDITION

**Application Information**

**Stages**

|           | Date / Time      | By     |            | Date / Time | By |
|-----------|------------------|--------|------------|-------------|----|
| Processed | 02/01/2012 15:47 | 984548 | Temp COO   |             |    |
| Approved  |                  |        | COO Issued |             |    |
| Final     |                  |        | Expires    |             |    |

**Associated Information**

|                  |                                                  |            |                      |      |
|------------------|--------------------------------------------------|------------|----------------------|------|
| Type of Work     | # Plans                                          | 0          | Declared Valuation   | 0.00 |
| Dept of Commerce | # Plans                                          | 0          | Calculated Valuation | 0.00 |
| Priority         | <input checked="" type="checkbox"/> Auto Reviews | Bill Group | Actual Valuation     | 0.00 |

**Description of Work**

ROC-44510 - REVIEW OF CONDITION - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WAL-MART STORES, INC. DBA WAL-MART #3655 - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (SUP-3653) TO DELETE CONDITIONS #6 AND #7 THAT STATE "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO THE SALE OF BEER AND WINE ONLY," AND "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATION AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 10440 West Cheyenne Avenue (APN 137-12-817-002), PD (Planned Development) Zone, Ward 4 (Anthony).

|                    |           |                    |                                |
|--------------------|-----------|--------------------|--------------------------------|
| Parent A/P #       | 3653      |                    |                                |
| Project #          | 44510     | Project/Phase Name | REVIEW OF CONDITION FOR INDIVI |
| Size/Area          | 4.88 ACRE | Size Description   |                                |
| Proposed Start     |           | Proposed Stop      |                                |
| % Complete Formula |           | Phase #            |                                |
|                    |           | Subdivision Code   |                                |
|                    |           | % Completed        | 0.00                           |

**Property/Site Information**

Parcel 13712817002

Location

**Owner/Tenant**

|                              |                |                                  |                                  |
|------------------------------|----------------|----------------------------------|----------------------------------|
| Contact ID AC1397818         | Name           | WAL-MART REAL ESTATE BUSINESS TR |                                  |
| Mailing Address P O BOX 8050 | Organization   | MS 0555                          |                                  |
| City BENTONVILLE             | State/Province | AR                               |                                  |
| ZIP/PC 72712-8055            | Country        |                                  | <input type="checkbox"/> Foreign |
| Day Phone(479)277-7257 x     | Evening Phone  |                                  |                                  |
| Fax                          | Mobile #       |                                  |                                  |

**A/P Linked Addresses**

No Addresses are linked to this Application

**Linked Addresses**

10440 W CHEYENNE AVE  
LAS VEGAS, 89129-

3312 SHADY TIMBER ST  
LAS VEGAS, 89129-

**A/P Addresses**

No Other Addresses are associated to this Application

Report Date 02/02/2012 11:19 AM

Submitted By

Page 2

**Linked Parcels**

No Parcels are linked to this Application

**A/P Linked Parcels**

13712817002

**Applicants/Contacts**

|               |                                                           |           |       |              |     |            |           |                          |         |
|---------------|-----------------------------------------------------------|-----------|-------|--------------|-----|------------|-----------|--------------------------|---------|
| Primary       | N                                                         | Capacity  | OTHER | Other        | REP | Contact ID | AC1429014 | <input type="checkbox"/> | Foreign |
| Effective     |                                                           | Expire    |       |              |     |            |           |                          |         |
| Name          | BROWNSTEIN HYATT FARBER SCHRECK                           |           |       |              |     |            |           |                          |         |
| Day Phone     | (702)464-7093 x                                           | Eve Phone |       | Organization |     |            |           |                          |         |
| Pager         |                                                           | PIN #     |       | Position     |     |            |           |                          |         |
| Fax           | (702)382-8135                                             | Mobile    |       | Profession   |     |            |           |                          |         |
| E-Mail        |                                                           |           |       |              |     |            |           |                          |         |
| Address       | 100 NORTH CITY PARKWAY, SUITE 1600<br>LAS VEGAS, NV 89106 |           |       |              |     |            |           |                          |         |
| Seasonal Addr |                                                           |           |       |              |     |            |           |                          |         |

Valid From To

Comments No Comments  
CONTACT ADDITIONAL

WORKCARD: Work Card # 0  
Expiration Date

**CONTACT REQUIREMENTS**

License # Percent Owned Waiver Health Card Director Letter Original Transcripts  
Orientation Attended

There are no items in this list

|               |                                            |           |       |              |                 |                          |         |
|---------------|--------------------------------------------|-----------|-------|--------------|-----------------|--------------------------|---------|
| Primary       | Y                                          | Capacity  | OWNER | Contact ID   | AC1397818       | <input type="checkbox"/> | Foreign |
| Effective     |                                            | Expire    |       |              |                 |                          |         |
| Name          | WAL-MART REAL ESTATE BUSINESS TR           |           |       |              |                 |                          |         |
| Day Phone     | (479)277-7257 x                            | Eve Phone |       | Organization | MS 0555         |                          |         |
| Pager         |                                            | PIN #     |       | Position     | % PPTY TAX DEPT |                          |         |
| Fax           |                                            | Mobile    |       | Profession   |                 |                          |         |
| E-Mail        |                                            |           |       |              |                 |                          |         |
| Address       | P O BOX 8050<br>BENTONVILLE, AR 72712-8055 |           |       |              |                 |                          |         |
| Seasonal Addr |                                            |           |       |              |                 |                          |         |

Valid From To

Comments No Comments

Report Date 02/02/2012 11:19 AM

Submitted By

Page 3

CONTACT ADDITIONAL

WORKCARD: Work Card # 0  
Expiration Date

CONTACT REQUIREMENTS

License #      Percent Owned      Waiver      Health Card      Director Letter      Original Transcript  
Orientation Attended

There are no items in this list

Contractors

No Contractors

Item Description

Item Status

|                                                |                         |
|------------------------------------------------|-------------------------|
| Check Fees                                     | Fees Successful         |
| NOTIFICATION & ADVERTISING FEE (\$750.00)      | Paid                    |
| PROCESSING FEE (\$300.00)                      | Paid                    |
| RECORDING OF NOTICE OF ZONING ACTION (\$30.00) | Paid                    |
| Check Inspections                              | Inspections Successful  |
| Check Reviews                                  | Reviews Failed          |
| 482550 DEVCO #1 (OEEVELOPMENT COORDINATION)    | Incomplete              |
| Check Conditions                               | Conditions Successful   |
| Z-LEGAL (LEGAL OONE?)                          | No affect on stage      |
| Check Alert Conditions                         | Alert Conditions Failed |
| (STAFF RECOMMENDATION)                         |                         |
| Check Licenses                                 | Not Checked             |
| Check Children Status                          | Children Successful     |
| Check Open Cases                               | 1                       |
| Case # 104440                                  |                         |

Fees

Status

Paid Date

Amount

|                                      |      |                  |         |
|--------------------------------------|------|------------------|---------|
| NOTIFICATION & AOVERTISING FEE       | P    | 02/01/2012 15:56 | 750.00  |
| RECORDING OF NOTICE OF ZONING ACTION | P    | 02/01/2012 15:56 | 30.00   |
| PROCESSING FEE                       | P    | 02/01/2012 15:56 | 300.00  |
| Total Unpaid                         | 0.00 | Total Paid       | 1080.00 |

Inspections

There are no Inspections for this Report

Review Activities

| Review # | Review Type | # | Status | Waived | Issued | Started | Completed | Comp By |
|----------|-------------|---|--------|--------|--------|---------|-----------|---------|
|----------|-------------|---|--------|--------|--------|---------|-----------|---------|

Comments

Report Date 02/02/2012 11:19 AM

Submitted By

Page 4

**Review Activities**  
**Review #**  
**Comments**

Review Type

#

Status

Waived

Issued

Started

Completed

Comp By

482550 DEVCO 1 Incomplete ☐ 02/02/2012 11:19

**Activity Review Details**

Detail SUBMITTAL CHECKLIST (ROC)

Modified By JGRIDER

Modified Date/Time 02/01/2012 15:46

Comments

No Comments

**SUBMITTAL CHECKLIST**

Indicate if item is being submitted

Y Application/Petition Form

Y Floor Plan (1 Folded, 1 Rolled)

Y Justification Letter

Y Laser Print Site Plan

Y Site Plan (6 Folded Blue Lines, 1 Rolled Color)

Y Laser Print Floor Plan

Y Landscape Plan

Y Laser Print Elevation

Y Building Elevations (1 Folded, 1 Rolled Colored)

Y Statement of Financial Interest

Y Copy of Approval Letter

Y Business Licensing Requirements Met

N Business License Exempt

**Check Conditions**  
**Condition**  
**Supervisor Required**

Approval

Approved By  
Comments

Approved Date

Applied By

Applied Date

Assigned

Z-LEGAL

N

984548

02/01/2012 15:47

Project #

AP Type

Status

Stage

Relation

No children exist for this project

Planning Condition Description

Effective

Expires

Comments

There is no planning condition for this project.

Report Date 02/02/2012 11:19 AM

Submitted By

Page 5

REVIEW OF CONDITION

Will this go to City Council? Will this go DIRECTLY to City Council?

Parent Application Type SUP

Is there a condition of approval for a Required Review?

Parent Project # 3653

If yes, when does it need to be reviewed?

Hearing Type

Public, Non-Public, Admin? PUBLIC

Staff Recommendation

Y Is this an Alcohol related Application?

Meeting Information

Meeting Information

| Meeting Date<br>Comments<br>Added By | Meeting Type<br>Add Date | Meeting Status<br>Modified By<br>Modified Date | YES Votes | NO Votes | ABSTENTIONS |
|--------------------------------------|--------------------------|------------------------------------------------|-----------|----------|-------------|
| 03/21/2012                           | CC                       | SCHEDULED                                      | 0         | 0        | 0           |
| JGRIDER                              | 02/01/2012               |                                                |           |          |             |

Template Type AP # AP Type Status Stage

No children exist for this project

Employee  
Employee ID

Last

First

MI

Comments

984478 SULLIVAN DEBORAH J Planning x6895

Log  
Action  
Comments

Description

Entered By

Start

Stop

Hours

PAYMNT CO NAME WHO PICKED UP CONTACT# 970040 02/01/2012 15:56 0.00  
CAROLYN SPDLETINI, 702.464.7097, MDNEYGRAM M/O R203718450782

No Model Home Details



# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Review of Conditions of Special Use Permit (SUP-3655)  
**Project Address (Location):** 10440 West Cheyenne Avenue, Las Vegas, NV 89129  
**Project Name:** Wal-Mart - Review of Conditions of Special Use Permit (SUP-3655) **Proposed Use:** Same/Retail Establishment/Grocery  
**Assessor's Parcel #(s):** APN 137-12-817-002 **Ward #** 4  
**General Plan:** existing PCD proposed None **Zoning:** existing PD proposed None  
**Commercial Square Footage:** 39,690 **Floor Area Ratio:** N/A  
**Gross Acres:** 4.88 **Lots/Units:** 1 **Density:** N/A  
**Additional Information:** \_\_\_\_\_

**PROPERTY OWNER:** Wal-Mart Real Estate Business Trust **Contact:** Kevin Gladden  
**Address:** Attn: Tax Department PO Box 8050 MS 0555 **Phone:** (479) 277-7257 **Fax:** (479) 204-9864  
**City:** Bentonville **State:** AR **Zip:** 72712-8055  
**E-mail Address:** kgladde@wal-mart.com

**APPLICANT:** Wal-Mart Stores, Inc. dba Wal-Mart #3655 **Contact:** Andrew Jacobson  
**Address:** 10440 West Cheyenne Avenue **Phone:** 233-9520 **Fax:** 233-3652  
**City:** Las Vegas **State:** NV **Zip:** 89129  
**E-mail Address:** adjacob.so3655.us@wal-mart.com

**REPRESENTATIVE:** Brownstein Hyatt Faber Schreck, LLP **Contact:** Andrew Moore, Attorney  
**Address:** 100 N. City Parkway, Suite 1600 **Phone:** 464-7093 **Fax:** 382-8135  
**City:** Las Vegas **State:** NV **Zip:** 89106  
**E-mail Address:** amoore@bhfs.com

**Property Owner Signature\*** \_\_\_\_\_

\* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

**Print Name:** Cathryn Santoro VP-Treasurer

**Subscribed and sworn before me** \_\_\_\_\_

**This** 30<sup>th</sup> **day of** January, **20** 12

\_\_\_\_\_  
**Notary Public in and for said County and State**

### FOR DEPARTMENT USE ONLY

|                |                    |
|----------------|--------------------|
| Case #         | <u>ROC-44510</u>   |
| Meeting Date:  | <u>3/21/12</u>     |
| Total Fee:     | <u>1280.00</u>     |
| Date Accepted: | <u>3/21/12</u>     |
| Accepted By:   | <u>[Signature]</u> |

The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development for consistency with applicable sections for the Zoning Ordinance.



702 SW 8th Street  
Bentonville, AR. 72716-0500  
Phone: 479-277-7257  
Fax: 479-204-9864

January 25, 2012

City of Las Vegas  
Department of Planning  
Attn: Debbie Sullivan, Planner I  
333 N. Rancho Dr.  
Las Vegas, NV 89106

**RE: Authorized Representative of Wal-Mart Stores, Inc.**

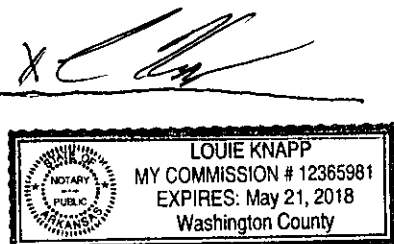
Dear Ms. Sullivan:

As you requested, we are providing this letter to confirm that the law firm of Brownstein Hyatt Farber Schreck, LLP ("BHFS") has been retained by Wal-Mart Stores, Inc. ("Wal-Mart") to serve as Wal-Mart's counsel in connection with various licensing, permitting (including special use permits), and land use matters in the State of Nevada for Wal-Mart Supercenters, Wal-Mart Stores and Wal-Mart Neighborhood Markets. In this capacity, BHFS serves as Wal-Mart's authorized representative in matters before the City of Las Vegas.

Please do not hesitate to contact me at the number listed above if you require additional information pertaining to this letter.

Sincerely,

Kevin Gladden,  
Licensing & Compliance Manager  
Wal-Mart Stores, Inc.





## DEPARTMENT OF PLANNING

### STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-44510** APN: 137-12-187-002

Name of Property Owner: Wal-Mart Real Estate Business Trust

Name of Applicant: Wal-Mart Stores, Inc. dba Wal-Mart #3655

Name of Representative: Brownstein Hyatt Farber Schreck, LLP (Andrew Moore, Attorney)

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

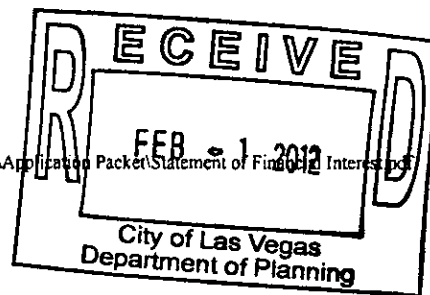
Signature of Property Owner: \_\_\_\_\_

Print Name: Cathryn Santoro VP-Treasurer

Subscribed and sworn before me

This 30<sup>th</sup> day of January, 2012

[Signature]  
Notary Public in and for said County and State



Brownstein | Hyatt  
Farber | Schreck

February 1, 2012

Andrew D. Moore  
Attorney at Law  
702.464.7093 tel  
702.382.8135 fax  
amoore@bhfs.com

**VIA HAND DELIVERY**

City of Las Vegas  
Department of Planning  
Attn: Debbie Sullivan, Planner I  
333 North Rancho Drive  
Las Vegas, NV 89109

**RE: Wal-Mart Stores, Inc. d/b/a Wal-Mart Neighborhood Market 3655 - Justification Letter for Review of Conditions for Special Use Permit 3653**

Dear Ms. Sullivan:

We represent Wal-Mart Stores, Inc. ("Wal-Mart"). Wal-Mart owns and operates a Wal-Mart Neighborhood Market located at 10440 West Cheyenne Avenue (Store #3655) in the City of Las Vegas (the "Store"). The Store employs approximately 105 people and is open 24 hours per day. This letter serves as the justification letter that is required to be submitted concurrently with the Application/Petition Form for a Review of Conditions of Special Use Permit to the City of Las Vegas Department of Planning.

Special Use Permit

In 2004, PHD Properties, Inc. ("PHD Properties") applied for a special use permit for a proposed grocery store that would be constructed on real estate owned by PHD Properties adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street in Las Vegas. The Las Vegas City Council approved PHD Properties' special use permit on May 19, 2004 ("SUP-3653") and SUP 3653 was issued by the City of Las Vegas (the "City") on May 21, 2004. SUP-3653 authorized PHD Properties' real property to be used for a liquor establishment (off-premise consumption) in conjunction with a 39,960 square foot grocery store. The parcel on which the Store is currently located (APN #137-12-817-002; the "Property"), and which is subject to SUP 3653, is now owned by Wal-Mart Real Estate Business Trust ("Wal-Mart Trust"). Wal-Mart Trust acquired the Property in October 2004.

With its Review of Conditions application, Wal-Mart seeks the removal of Conditions 6 and 7 of SUP-3653. Condition 6 of SUP-3653 limits the sale of alcoholic beverages to beer and wine only at the Store. Condition 7 of SUP-3653 prohibits the sale of individual containers of any size of beer, wine coolers or screw cap wine at the Store.<sup>1</sup> Condition 7 also requires that all beer and wine remain in their original configurations as shipped by the manufacturer and that the Store not repackage beer and wine containers into groups smaller than the original shipping container size. Wal-Mart requests that

<sup>1</sup> Since 2004 when SUP 3653 was issued, there has been a proliferation of wine being bottled with screw caps. With SUP 3653, the Store is limited in the type of 750 mL bottles of wine it can sell because of the screw cap prohibition.



Conditions 6 and 7 be removed from SUP-3653 so that Wal-Mart will be authorized to sell both hard liquor at the Store and beer and wine in individual containers at the Store.

#### Liquor Licensing History

On February 10, 2006, the City issued a package liquor license to Wal-Mart for the Store. The package liquor license issued to Wal-Mart allows the Store to sell alcoholic beverages "to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the" beverages are sold.<sup>2</sup> Package liquor licenses may not be issued to establishments "located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park."<sup>3</sup> Upon information and belief, the Store is not located within 400 feet of any church, synagogue, school, child care facility or City park. The closest school - Eileen Connors Elementary School - is approximately 3,200 feet away from the Store. The closest church is more 1,000 feet away. The closest child care facility is approximately 3,600 feet away from the Store. The nearest City park is more than a mile from the Store.

Since the Store opened in 2006, the City has approved tavern liquor licenses for Timbers Bar & Grill at 3370 Novat Street ("Timbers") and Edge of Town Bar & Grill at 10490 W. Cheyenne Avenue ("Edge of Town") and a package liquor license for Lee's Discount Liquor at 10470 W. Cheyenne Avenue ("Lee's"). Timbers, which was issued its liquor license in 2007, is located across Clark County 215 from the Store. Edge of Town was issued its liquor license in March 2009 and is located on an adjacent parcel in the same shopping center complex as the Store. Lee's was located in the same shopping center complex as the Store and was issued its liquor license in January 2009. Lee's is no longer in business.

#### Zoning

The Store is not located in an established commercial zoning district. Rather, the Store's zoning district is PD (Planned Development). The PD zoning classification pertains to the Planned Development District ("PD District"), a special area district noted in the City's Unified Development Code.<sup>4</sup> The intent of the PD District "is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development."<sup>5</sup> Applications for a particular use in the PD District "may be denied if [they are] incompatible or out of harmony with the surrounding uses or the pattern of development within the area."<sup>6</sup>

With this Review of Conditions, Wal-Mart is requesting a modification to SUP-3653 that will allow the Store to sell hard liquor and single serving containers of beer, wine coolers and screw top wine. By issuing the Store a liquor license back in 2006, the City determined that the Store's retail liquor sales are compatible and in harmony with the area surrounding the Store. There are no schools, churches, parks or child care facilities immediately adjacent to the Store. Additionally, the subsequent issuances of liquor licenses to Timbers, Edge of Town and Lee's highlight that the City has determined that the sale of liquor is compatible and harmonious with the area surrounding the Store.

<sup>2</sup> City of Las Vegas Unified Development Code, Sec. 19.18.020 (effective May 1, 2011); *see, also*, City of Las Vegas Municipal Code Sec. 19.04.010 (effective until April 30, 2011).

<sup>3</sup> City of Las Vegas Unified Development Code, Sec. 19.12.070 (effective May 1, 2011); *see, also*, City of Las Vegas Municipal Code Sec. 19.04.010 (effective until April 30, 2011).

<sup>4</sup> City of Las Vegas Unified Development Code, Sec. 19.10.040 (effective May 1, 2011).

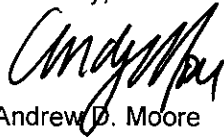
<sup>5</sup> *Id.*

<sup>6</sup> *Id.*



Therefore, the impact of the requested change to SUP-3653 is negligible. The sale of package liquor, including hard liquor, is consistent with previous approvals in the area and is a common business practice for grocery stores in the City. In fact, Wal-Mart operates Supercenters and Neighborhood Markets in the City and in unincorporated Clark County, Henderson and North Las Vegas that sell both hard liquor and single serving containers of beer, wine coolers, and screw cap wine. Therefore, this Review of Conditions meets all minimum special use permit requirements and if granted, the liquor sales at the Store will be conducted in a compatible and harmonious manner within the existing retail establishment and with similar uses in the area surrounding the Store.

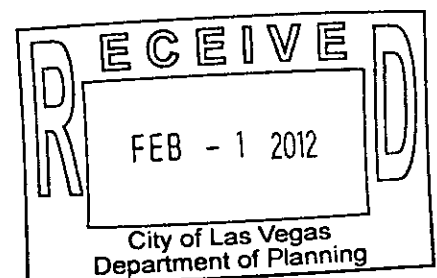
Sincerely,



Andrew D. Moore

ADM

cc: Kevin Gladden, Licensing Compliance Manager, Wal-Mart Stores, Inc. (via email)



**ROC-44510**



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
LAWRENCE WEEKLY  
MICHAEL MACK  
JANET MONCRIEF

DOUGLAS A. SELBY  
CITY MANAGER



May 21, 2004

Mr. Phillip Davis  
PHD Properties  
3225-B South Rainbow Boulevard, Suite #206  
Las Vegas, Nevada 89146

RE: SUP-3653 - SPECIAL USE PERMIT  
CITY COUNCIL MEETING OF MAY 19, 2004  
Related to SDR-3651

Dear Mr. Davis:

The City Council at a regular meeting held May 19, 2004 APPROVED the request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, OFF-PREMISE CONSUMPTION in conjunction with a proposed 39,960 square-foot Grocery Store adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 20, 2004. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Off-Premise) use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0033-97) and Site Development Plan Review SDR-3651.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

CITY OF LAS VEGAS  
400 STEWART AVENUE  
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011  
TDD 702.386.9108  
[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)



Mr. Phillip Davis  
SUP-3653 - Page Two  
May 21, 2004

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Sincerely,



Angela Crolli  
Deputy City Clerk II for  
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.  
Development Coordination-DPW  
Dept. Of Fire Services

Mr. Phillip Davis  
Shadow Hills Plaza, Limited Liability Company  
3225-B South Rainbow Boulevard, Suite #206  
Las Vegas, Nevada 89146

Mr. Matt Loser  
EN Engineering  
245 East Warm Springs Road, Suite #100  
Las Vegas, Nevada 89119

ROC-44510

|                                                      |                                                                                                            |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>GENERAL INFORMATION</b>                           |                                                                                                            |
| <b>PARCEL NO.</b>                                    | 137-12-817-002                                                                                             |
| <b>OWNER AND MAILING ADDRESS</b>                     | WAL-MART REAL ESTATE BUSINESS TR<br>%PPTY TAX DEPT<br>P O BOX 8050<br>MS 0555<br>BENTONVILLE AR 72712-8055 |
| <b>LOCATION ADDRESS<br/>CITY/UNINCORPORATED TOWN</b> | 3312 SHADY TIMBER ST<br>LAS VEGAS                                                                          |
| <b>ASSESSOR DESCRIPTION</b>                          | CHEYENNE AT SHADY TIMBER<br>PLAT BOOK 119 PAGE 21<br>PT LOT 1<br><br>SEC 12 TWP 20 RNG 59                  |
| <b>RECORDED DOCUMENT NO.</b>                         | * 20041014:03735                                                                                           |
| <b>RECORDED DATE</b>                                 | 10/14/2004                                                                                                 |
| <b>VESTING</b>                                       | NO STATUS                                                                                                  |
| <b>COMMENTS</b>                                      | SF I41-28                                                                                                  |

\*Note: Only documents from September 15, 1999 through present are available for viewing.

|                                                      |       |
|------------------------------------------------------|-------|
| <b>ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE</b> |       |
| <b>TAX DISTRICT</b>                                  | 200   |
| <b>APPRAISAL YEAR</b>                                | 2011  |
| <b>FISCAL YEAR</b>                                   | 11-12 |
| <b>SUPPLEMENTAL IMPROVEMENT VALUE</b>                | 0     |
| <b>SUPPLEMENTAL IMPROVEMENT<br/>ACCOUNT NUMBER</b>   | N/A   |

|                                       |         |         |
|---------------------------------------|---------|---------|
| <b>REAL PROPERTY ASSESSED VALUE</b>   |         |         |
| <b>FISCAL YEAR</b>                    | 2011-12 | 2012-13 |
| <b>LAND</b>                           | 435243  | 372003  |
| <b>IMPROVEMENTS</b>                   | 707612  | 738655  |
| <b>PERSONAL PROPERTY</b>              | 0       | 0       |
| <b>EXEMPT</b>                         | 0       | 0       |
| <b>GROSS ASSESSED (SUBTOTAL)</b>      | 1142855 | 1110658 |
| <b>TAXABLE LAND+IMP (SUBTOTAL)</b>    | 3265300 | 3173309 |
| <b>COMMON ELEMENT ALLOCATION ASSD</b> | 0       | 0       |
| <b>TOTAL ASSESSED VALUE</b>           | 1142855 | 1110658 |
| <b>TOTAL TAXABLE VALUE</b>            | 3265300 | 3173309 |

|                                                     |                                       |
|-----------------------------------------------------|---------------------------------------|
| <b>ESTIMATED LOT SIZE AND APPRAISAL INFORMATION</b> |                                       |
| <b>ESTIMATED SIZE</b>                               | 4.88 Acres                            |
| <b>ORIGINAL CONST. YEAR</b>                         | 2006                                  |
| <b>LAST SALE PRICE<br/>MONTH/YEAR</b>               | 2019415<br>10/04                      |
| <b>LAND USE</b>                                     | 3-58 COMMERCIAL RETAIL STORES AND SHO |
| <b>DWELLING UNITS</b>                               | 0                                     |



137-12-401-030

20041014-0003735

**Recording Requested by:**

Fidelity National Title Agency of Nevada, Inc.

03-80-955470/LM

**When Recorded Return To:**

Gust Rosenfeld P.L.C.

201 East Washington

Suite 800

Phoenix, Arizona 85004

Attention: Gary S. Elbogen

Fee: \$20.00 RPTT: \$10,299.45

N/C Fee: \$0.00

10/14/2004

14:04:56

T20040114405

Requestor:

FIDELITY NATIONAL TITLE

Frances Deane

PIK

Clark County Recorder

Pos: 7

**Mail Tax Statements To:**

Wal-Mart Stores, Inc.

Tax Department No. 8013

Reference Store No. 3655-00

1301 S.E. 10<sup>th</sup> Street

Bentonville, Arkansas 72716-0555

R.P.T.T.: \$10,299.02

APN: portions of 13-12-401-022, 137-12-401-030 and 137-12-801-001

Las Vegas (Cheyenne), NV (#3655-00)

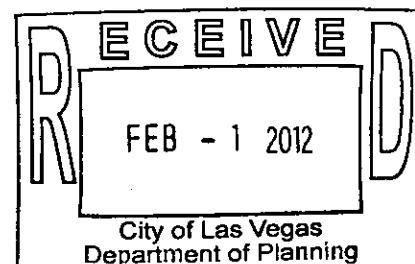
**GRANT, BARGAIN AND SALE DEED**

THIS INDENTURE WITNESSETH: That **SHADOW HILLS PLAZA, LLC**, a Nevada limited liability company, whose address is c/o PHD Properties, 3225-B South Rainbow Boulevard, Suite 206, Las Vegas, Nevada 89146, Grantor, in consideration of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust, Grantee, whose address is 2001 S.E. 10<sup>th</sup> Street, Bentonville, AR 72716-0550, all that real property situate in the County of Clark, State of Nevada, bounded and described on **Exhibit "A"** attached hereto and incorporated herein by this reference. Together with all rights and privileges appurtenant thereto free of liens and encumbrances except as specifically set forth on **Exhibit "B"** attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

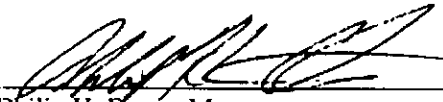
DATED: October 12, 2004.

*[Signature and notary pages follow]*



SHADOW HILLS PLAZA, LLC, a Nevada  
limited liability company

By: PHD Development LLC, a Nevada limited  
liability company, Its Manager

By:   
Philip H. Davis, Manager

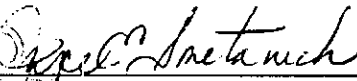
State of Nevada

County of Clark

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of October,  
2004, by Philip H. Davis, as Manager of PHD Development LLC, as Manager of Shadow Hills  
Plaza, LLC, a Nevada limited liability company, for and on behalf of Shadow Hills Plaza, LLC.

(Seal and Expiration Date)



  
Notary Public  
Joyce E. Smetanick

COPY



## EXHIBIT "A"

### Parcel One:

That portion of Lot One (1) of Cheyenne At Shady Timber, a Commercial Subdivision, as shown by map thereof on file in Book 119 of Plats, Page 21, recorded September 9, 2004 as Instrument No. 03901 in Book 20040909 of Official Records, lying within the South Half (S 1/2) of Section 12, Township 20 South, Range 59 East, M.D.M., City of Las Vegas, Clark County, Nevada, more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter (SE 1/4) of said Section 12;

Thence North 00°07'04" West along the West line of said Southeast Quarter (SE 1/4), 436.57 feet to the POINT OF BEGINNING;

Thence departing said West line, South 89°59'08" West, 102.76 feet;

Thence North 00°00'52" West, 230.38 feet;

Thence North 89°59'08" East, 41.83 feet;

Thence North 00°00'52" West, 173.00 feet;

Thence South 89°59'08" West, 69.00 feet;

Thence North 00°00'52" West, 30.00 feet;

Thence North 89°59'08" East, 40.00 feet;

Thence North 00°00'52" West, 97.99 feet;

Thence North 89°59'08" East, 401.66 feet to the West right-of-way line of Shady Timber Street;

Thence South 00°00'50" East along said West right-of-way line, 531.57 feet;

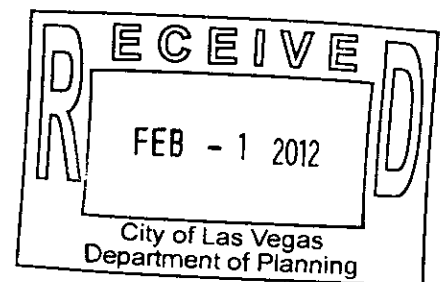
Thence departing said West right-of-way line, South 89°59'08" West, 311.73 feet to the POINT OF BEGINNING.

Said Parcel is further being described as Lot 1-2 on that certain Record of Survey on file in File 141 of Surveys, Page 28, recorded September 29, 2004, of Official Records, Clark County, Nevada.

### Parcel Two:

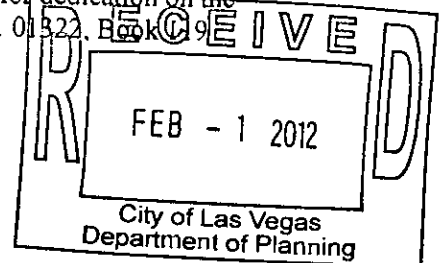
A non-exclusive easement for ingress and egress of pedestrians and motor vehicles as set forth in the document entitled "Reciprocal Easements with Covenants and Restrictions Affecting Land" recorded October 14, 2004, as Instrument No. 003736, in Book 20041014, of Official Records

Assessor's Parcel No: 137-12-401-022& 030; 137-12-801-001



## PERMITTED EXCEPTIONS

1. General and special State, County and/or City property taxes and any assessments collected with taxes, for the fiscal year 2005-2006.
2. The lien of supplemental taxes, if any, assessment pursuant to the provisions of Section 361.20 of the Nevada Revised Statutes. (None Due)
3. The herein described property lies within the boundaries of the Clark County Sanitation District, and is subject to any fees that may be due said District. (None Due)
4. The herein described property lies within the boundaries of the Las Vegas Valley Water District, and is subject to any fees that may be due said District. (None Due)
5. Water rights, claims or title to water, whether or not disclosed by the public records.
6. Mineral rights, reservations, easement and exclusions as contained in the Patent from the United States of America recorded June 22, 1960, Instrument No. 201969, Book 249, Official Records of Clark County, Nevada.
7. Mineral rights, reservations, easement and exclusions as contained in the Patent from the State of Nevada recorded February 22, 1982, Instrument No. 1484589, Book 1525, Official Records of Clark County, Nevada.
8. Mineral rights, reservations, easement and exclusions as contained in the United States of America recorded July 17, 1998, Instrument No. 01223, Book 980717, Official Records of Clark County, Nevada.
9. Easement(s), and rights incidental thereto, granted to Southwest Gas Corporation, as granted in a document recorded October 24, 1995. Instrument No. 01446, Book 951024, Official Records of Clark County, Nevada.
10. Easement(s), and rights incidental thereto, granted to Clark County, Nevada, as granted in a document recorded April 28, 1998, Instrument No. 01285, Book 980428, Official Records of Clark County, Nevada.
11. The fact that the ownership of said land does not include rights of access to or from the street, highway, or freeway abutting said land, such rights having been relinquished by the document recorded June 29, 2000, Instrument No. 00744, Book 210000629, and amended by instrument recorded October 3, 2000. in Book 20001003, as Document No. 02019, Official Records of Clark County, Nevada. (Las Vegas Beltway)
12. Easement(s), and rights incidental thereto as delineated or as offered for dedication on the map of said subdivision, recorded September 9, 2004, Instrument No. 01322, Book 990000629, of Plats, Page 21, Official Records of Clark County, Nevada.



13. Easement(s), and rights incidental thereto, granted to Las Vegas Valley Water District, as granted in a document recorded September 16, 2004, Instrument No. 00602, Book 20040816, Official Records of Clark County, Nevada.
14. Record of Survey, recorded September 29, 2004, in Book 141, Page 0028, Instrument No. 0005254, Book 20040929, Official Records of Clark County, Nevada.

ASSessor's COPY



STATE OF NEVADA  
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)

- a) 137-12-401-022  
b) 137-12-401-030  
c) 137-12-801-001  
d) \_\_\_\_\_

2. Type of Property:

- a) ☒ Vacant Land b) ☐ Single Fam. Res.  
c) ☐ Condo/Twnhsc d) ☐ 2-4 Plex  
e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l  
g) ☐ Agricultural h) ☐ Mobile Home  
Other \_\_\_\_\_

FOR RECORDER'S OPTIONAL USE ONLY

Book: \_\_\_\_\_ Page: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Notes: \_\_\_\_\_

3. Total Value/Sales Price of Property

\$ 2,015,292.00

Deed in Lieu of Foreclosure Only (value of property)

( N/A )

Transfer Tax Value:

\$ 2,019,415.00

Real Property Transfer Tax Due:

\$ ~~107,274.99~~

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section \_\_\_\_\_

b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: (    ) %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Manager

Signature Philip H. Davis Capacity Grantor

**SELLER (GRANTOR) INFORMATION**

(REQUIRED)

Print Name: SHADOW HILLS PLAZA, LLC  
Address: 3225-B S. RAINBOW BLVD., STE 200  
City: LAS VEGAS,  
State: NV Zip: 89146

**BUYER (GRANTEE) INFORMATION**

(REQUIRED)

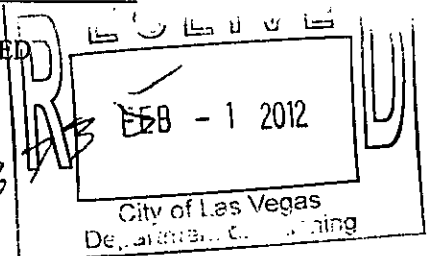
Print Name: WAL-MART REAL ESTATE BUSINESS TRUST  
Address: 2001 S.E. 10TH STREET #3155-00  
City: BENTONVILLE  
State: AR Zip: 72716-0550

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

Print Name: [Signature]  
Address: [Signature]  
City: [Signature]

Escrow #: \_\_\_\_\_  
State: \_\_\_\_\_ Zip: \_\_\_\_\_

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED



STATE OF NEVADA  
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)

- a) 137-12-401-022  
b) 137-12-401-030  
c) 137-12-801-001  
d) \_\_\_\_\_

2. Type of Property:

- a) ☒ Vacant Land      b) ☐ Single Fam. Res.  
c) ☐ Condo/Twnhse      d) ☐ 2-4 Plex  
e) ☐ Apt. Bldg      f) ☐ Comm'l/Ind'l  
g) ☐ Agricultural      h) ☐ Mobile Home  
Other \_\_\_\_\_

FOR RECORDER'S OPTIONAL USE ONLY

Ebook: \_\_\_\_\_ Page: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Notes: \_\_\_\_\_

3. Total Value/Sales Price of Property

\$ 2,019,415.00

Deed in Lieu of Foreclosure Only (value of property)

( N/A )

Transfer Tax Value:

\$ 2,019,415.00

Real Property Transfer Tax Due

\$ 10,297.02

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section \_\_\_\_\_

b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature \_\_\_\_\_

Capacity \_\_\_\_\_

Signature \_\_\_\_\_

John Clarke

Capacity ASST. VICE PRES.

**SELLER (GRANTOR) INFORMATION**  
(REQUIRED)

Print Name: SHADOW HILLS PLAZA, LLC

Address: 3225-B S. RAINBOW BLVD., STE 200

City: LAS VEGAS,

State: NV

Zip: 89146

**BUYER (GRANTEE) INFORMATION**  
(REQUIRED)

Print Name: WAL-MART REAL ESTATE BUSINESS TRUST

Address: 2001 S.E. 10TH STREET #3055-00

City: BENTONVILLE

State: AR

Zip: 72716-0550

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

Print Name: \_\_\_\_\_

Escrow #: \_\_\_\_\_

Address: Fidelity National Title Agency of Nevada, Inc.

City: 500 N. Rainbow Blvd., Suite 100

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Las Vegas, Nevada 89107

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

