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June 1, 2006

Ms. Margo Wheeler
Director of Planning and Development
City of Las Vegas
731 S. 4th Street
Las Vegas, NV. 89101

RE: Letter of Justification for the Lifestyle Center- located at the northwest corner of Decatur Blvd. and Tropical Parkway; APN: 125-25-501-010; 125-25-601-022, 023

Dear Ms. Wheeler:

On behalf of our clients, R & S Investment Group, we are requesting approval of the following applications for the Lifestyle Center, located on a 36.43 acre parcel on the northwest corner of Decatur Blvd. and Tropical Parkway:

1) General Plan Amendment to change the land use designation from SC and M to PCD

2) Rezoning from C-1 and RPD-15 to P-D.

3) Site Development Plan Review for a mixed use project

4) Variance to reduce required parking.

PROJECT DESCRIPTION

The Lifestyle Center is a unique mixed-use development project, unlike any other project in the City of Las Vegas. It will consist of the following components:

1) *Commercial:* The commercial component will consist of two phases; the first phase will provide a 108,000 square foot gymnasium, 71,100 square foot hotel, 450,600 square feet of offices, 140,030 square feet of retail, 43,300 square feet of restaurants for a total square footage of 813,030. The second phase will provide 35,600 square feet of offices, 61,200 square feet of retail uses, and 7200 square foot restaurant for a total square footage of 104,000. The total commercial square footage for both phases is: 917,030.

2) *Residential:* The residential component will consist of two phases, the first phase consists of a total of 144 units in two buildings with a maximum height of 4 stories, and all the units will be 2 bedroom units. The second phase consist of 42 units in one building with a maximum height of 4 stories, all the units will be 2 bedroom units.

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3) *Parking:* The parking was determined by calculating the required parking for each individual office, restaurant, hotel, gym and retail use in the commercial component and by bedroom mix for the residential component. A total of 4,426 spaces are required for the commercial/residential component and 3,536 are provided. A total of 1,375 at grade spaces will be provided, with the remainder in above grade parking structures.

4) *Pedestrian Connectivity*: Pedestrian Plazas will be located at strategic points along the interior boulevard adjacent to the hotel, the restaurants, the gym, the offices and the residential units. The pedestrian plazas are connected by extensive network of pedestrian walkways which will provide access to all portions of the site. Enhanced paving will be provided to delineate the pedestrian crossings of the interior boulevard.

5) *Vehicular Access*: Three points of access are provided to Decatur Blvd; it is anticipated that one of these intersections will be signalized. There are two points of access to Tropical Parkway.

GENERAL PLAN AMENDMENT

In approving a General Plan Amendment, Chapter 19.18.030 states that the applicant must list reasons for the proposed amendment and state why the proposed amendment works to promote the public health, safety and general welfare of the community.
The proposed amendment has been filed for the following reasons:

a. The proposed mixed use project could not be developed utilizing the existing General Plan designation.
b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.

The proposed amendment will promote the public health, safety and general welfare of the community by:

a. The proposed mixed use project will promote the public health by providing an extensive pedestrian walkway through-out the project.
b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.
c. The proposed mixed use project will promote the public safety by providing needed street improvements.

Additionally the applicant is required to comment of the following:

1) Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;
The development of the beltway (CC-215) has led to growth and development in the area which was not anticipated. The property located

directly to the east of the site is located within the City of North Las Vegas and is currently being developed with single family residential uses as well as commercial uses.

2) Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens imposed by the classification currently provided for under the General Plan;
The existing General Plan designations allow for both commercial development and commercial development but does not allow for the proposed mixed use project. The proposed P-D zoning will impose burdens consistent with the regulations imposed by the C-1 and RPD zoning designations which currently exist on the site.

3) Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.
The proposed amendment to PCD will continue to promote the objectives of the General Plan.

REZONING

In approving a rezoning Chapter 19.18040 requires the following findings:

1) The proposal conforms to the General Plan.
The proposed P-D zoning district conforms to the requested PCD general plan designation.

2) The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land use and zoning districts.
The mixed use project proposed on this site is compatible with the surrounding land use and zoning of residential and commercial in the immediate area.

3) Growth and development factors in the community indicate the need for or appropriateness of the rezoning.
The tremendous growth experienced by the Las Vegas valley indicates the need for a mixed use project and the appropriateness of the proposed rezoning.

4) Street or highway facilities providing access to the property are or will be adequate in size to meet requirements of the proposed zoning district.
Decatur Blvd., Tropical Parkway and CC-215 all provide access to the site and are adequate to accommodate the traffic generated by this project.

SITE DEVELOPMENT PLAN REVIEW

Chapter 19.18.050 (E) provides the following criteria for Site Development Plan Review:

1) The proposed development is compatible with adjacent development and development in the area;

2) The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall, and Buffer Standards, and other duly-adopted city plans, policies and standards;
3) Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4) Building and landscape materials are appropriate for the area and for the city;
5) Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious with development in the area;
6) Appropriate measures are taken to secure and protect the public health, safety and general welfare.

This proposed mixed use project meets the criteria established for the approval of a Site Development Plan Review. The project proposes the development of the site as a mixed use project with a commercial component consisting of retail, offices, a gym, a hotel, restaurants and a residential component consisting of 186 units. The site is located immediately adjacent to CC-215 with a ramp on Decatur Blvd. providing direct access to the site. The architectural design of the buildings will compliment the existing development in the area. The landscaping will provide a buffer with the existing single family homes as well as provide a shaded tree lined interior boulevard for the use and enjoyment of the residents and visitors to the project.

The attached site plan depicts a proposed traffic signal at the intersection of Rice Ave. and Decatur Blvd. This signal will allow full traffic movements through the intersection as well as into and out of the main entryway of the proposed Lifestyle Center project. We believe that full traffic movements through this intersection are necessary to provide access to the property and reduce the possibility of traffic congestion and U-turn conflicts. It should be noted that a nearly identical situation exists north of the CC-215 Beltway with the signalization of the main entryways to the Costco/Wall-Mart properties.

VARIANCE

A variance has been submitted with this application to allow a reduction in the required parking. The number of parking spaces provided for Phase I is less than the minimum number of parking spaces required by the City of Las Vegas. The number of parking spaces provided for Phase II exceeds the minimum parking spaces required by the City of Las Vegas. The overall project does not provide the code required parking spaces. The City of Las Vegas does not have a mechanism to allow shared parking for a mixed use project therefore a variance has been filed currently with the Master Development Plan and Development Standards. Parking facilities may be used jointly when two different operations are not normally conducted during the same hours or when hours of peak use vary. Several of the buildings will have retail uses on the ground floor and office uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking. Also, several of the buildings have retail uses on the ground floor and residential uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking.

Based upon Chapter 19.10 requirements the project is required to provide ~~3,845~~ 3797 parking spaces for phase I and 581 parking spaces for phase II for a total of 4,426 parking spaces. The site plan provides 2,854 parking spaces for phase I and 682 parking spaces for phase II for a total of 3,536 parking spaces. This is a difference of 890 parking spaces. Based upon the mixed use nature of the project and the fact that different uses have different peak hours the parking is adequate to serve the needs of the residents and visitors.

Chapter 19.18.070 states that a variance can be approved by the Planning Commission with the finding that "extraordinary and exceptional situation or condition of the piece of property, that the strict application of any zoning regulation would result in a peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from the strict application may be granted so as to relieve the difficulties or hardship."

Based upon the unique aspects of this project the variance can be approved and the necessary findings can be made. The project is a true mixed use project which provides a variety of uses on a single site and will reduce the need for parking and vehicles as the residents and visitors can walk to several of the uses without the need to use their vehicles.

SUMMARY

In summary, the proposal provides an imaginative site and building design while maximizing the use of the property, it provides commercial, office, recreational and employment services needed in this area of the City. It has adequate transportation and other services to accommodate a project of this scope and intensity. It is anticipated this mixed use project will be the central activity center in the area and can be constructed and operated in a manner that is harmonious and compatible with the existing and anticipated uses in the area.

We respectfully ask for your favorable consideration of this project. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,
Perlman Design Group

Sue Gray

Sue Gray AICP
Entitlements Manager

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