

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbrf.com
702.693.4215

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4260
Fax: 702.939.8457

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

September 5, 2006

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, Nevada 89101

***Re: Justification Letter for Palmer Law Office – General Plan
Amendment, Zone Change, Site Development Review, Variance
of Residential Adjacency and Variance of Setbacks (2320 Potosi
Street, Las Vegas, Nevada 89146)***

To Whom It May Concern:

Please be advised that this office represents Palmer Law Office (the "Applicant") in the above referenced matter. The Applicant is requesting a General Plan Amendment, Zone Change, Site Development Review, Variance of Residential Proximity and Variance of Non-Residential Setbacks for its location at 2330 Potosi Street, Las Vegas, Nevada 89146, more specifically known as APN 163-01-802-008 (the "Site").

General Plan Amendment

The Applicant proposes the general plan for the Site be amended from Desert Rural to Office. An Office designation for the general plan at this Site is ideal. The Site is located at the bulb of the Potosi Street cul de sac. All of the parcels located on Potosi Street are planned Service Commercial or Office. Office designation for the Site would complete and compliment the neighboring parcels on Potosi Street. Further, an Office designation for this site is not an intensive use.

RECEIVED
SEP 05 2006

**GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC**



Zone Change

The Applicant proposes a zone change from Residential Estates ("RE") to Professional Office and Parking ("PR"). All parcels on the Potosi Street cul de sac, with the exception of the Site, are zoned either PR or C-1. Similar to the general plan, this Site would complete and compliment the already established PR and C1 zoning on the Potosi Street cul de sac. Although some of the neighboring parcels are zoned RE and R-1, the PR zoning is not an intensive use. Further, the parcel just to the west of the Site, APN 163-01-802-007, is zoned RE with a special use permit for Professional.

Site Development Review

The law office building will be one story and approximately 18 feet in height. Some of the highlights of the design of the law office building will consist of a tile roof, stucco fascia, coach light, decorative wrought iron, and ledge stone veneer. The law office building will be approximately 9,300 square feet. The Site meets all parking requirements. The perimeter of the Site will be landscaped with approximately 38 Russian Hawthorns and various specimens of shrubs. The parking lot will also be landscaped with approximately 4 Raywood Ashes and various specimens of shrubs.

Variance of Residential Proximity

The site plan provides a rear setback of 15 feet and side setback(s) of 10 feet. Under the residential proximity standards, if a one story building is over 15 feet in height, the building must meet the 3:1 residential proximity setback. *See* Las Vegas Code 19.08.060 (B)(1)(c). Since the building is 18 feet in height, this standard would require a 54 foot setback. A 54 foot residential proximity setback is impossible on the Site considering the narrow length of the Site. Thus, the applicant is requesting a variance.

A variance of the residential proximity 3:1 setback requirement will not adversely impact the surrounding area as 1) the building will only be one story in height and 2) the building will only be three feet above the allowed 15 foot height allowance.

Variance of Non-Residential Setback

Because the Site is adjacent to residential property, the non-residential setbacks must equal the residential setbacks adjacent to the Site. *See* Las Vegas Code 19.08.060(B)(4). These setbacks are not possible on the Site due to the narrow length of the Site. Therefore, the applicant is requesting a reduction in the rear setback to 15 feet and the side setback(s) to 10 feet. The variance request will not adversely impact the surrounding area since the building is only one story and 18 feet in height.

GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC

KUMMER

KAEMPFER

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT

September 5, 2006

Page 3

We thank you in advance for your time and consideration of this application. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Anthony J. Celeste

AJC/dmf

**GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC**