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June 1, 2007

Planning and Development Department - Current Planning Division  
City of Las Vegas Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

**RE: REVISED JUSTIFICATION FOR REZONING AND SITE DEVELOPMENT PLAN REVIEW  
APPLICATIONS (ZON-17304 & SDR-18676) AND REQUEST FOR VARIANCE APPLICATION  
APN's: 139-28-301-020 & 029  
Southwest Design**

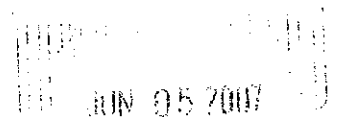
Dear Planning Staff,

The owner of the parcels listed above, VP Properties LLC, respectfully requests the City of Las Vegas to review Rezoning, Site Development Plan Review, and Variance applications on approximately 2.67 gross (2.43 net) acres generally located at the northwest corner of Bonanza Road and Clarkway Drive within ward 5 of the City of Las Vegas. These three applications have been submitted separately and the applicant wishes for the items to be considered together. The applicant is proposing a zone change from C-1 and R-E to C-2 on property within a transitional area of the city. A trash enclosure is proposed, but no habitable buildings are being added to the development at this time.

The existing use of the property is a decorative concrete design and contractor's office with associated parking lot for daytime employees. The present R-E zoned portion of the subject property is primarily being used for parking, which requires a rezoning to a commercial zoning classification. Since the applicant wishes to expand his business operations into the currently residential zoned property, a rezoning to C-2 is required for the allowed use as a landscape/building materials yard. The Site Development Plan Review is requested to establish the use of the property as a landscape/building materials yard. The Variance application is being submitted to allow an existing building to deviate from the residential adjacency standards.

Most abutting and adjacent parcels are zoned for rural residential development, but only two of six abutting parcels are currently being used as inhabited residential dwellings. Properties on and near the Bonanza frontage in this area of town are transitioning from rural residential to commercial and industrial uses. Future plans of the owner are to assemble parcels from the subject area to Clarkway Drive in order to consolidate and combine a larger block that would be attractive for the redevelopment of this area. The applicant has purchased parcel 139-28-301-026, which abuts the proposed zone change's eastern edge and hopes to purchase the remaining parcels once they become available. During the pursuit to compile the larger land area, the owner would like to continue operating his business on the subject parcels with as little expense as possible improving the property in areas that will eventually be removed as a result of the consolidation. The applicant feels that this zone change is appropriate at this time and the proposed land use is consistent with current and planned development along this corridor.

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## **REZONING REQUEST – C-1 AND R-E TO C-2**

The proposed C-2 zoning conforms to the MXU land use designation placed on this area of the City's redevelopment area, established with GPA-9219. The applicant is requesting to rezone his property from C-1 and R-E zoning classifications to C-2 zoning on 2.67 gross acres. The intent of the rezoning is to allow a landscape/building material yard with outdoor storage and display in conjunction with a landscape/concrete design office. The applicant would like to expand the existing operation into the area of his property that is currently residentially zoned.

The present R-E zoning on the parcels is no longer consistent with the progression of development that is occurring along the Bonanza Road corridor. This area is perceived as better suited for commercial and light industrial development than low density residential, which the property is currently zoned to allow.

## **SITE DEVELOPMENT PLAN REVIEW**

The applicant has submitted the attached site and landscape plans for review. The plans consist of approximately 3,200 square feet of office space being the primary structure and a modular office building placed on-site. There is approximately 5,600 square feet of building/landscape material yard customer display area on-site as well. There are three existing accessory structures used to screen and shelter materials and provide security for trade tools. One of the accessory structures that remains at the northeast corner of the property will be removed due to building code and setback violations. A trash enclosure is being added to the existing development according to residential adjacency standards for these structures and Title 19 requirements. The trash enclosure is fully enclosed and roofed using the same design theme and materials similar to those used in the main structure.

## **WAIVER REQUESTS**

19.12 – Landscape Buffer Zones – 15'/8'

The Bonanza frontage improvements have been constructed in front of the primary office structure. The applicant obtained the required approval from NDOT in order to place the entrance curb-cuts where they are currently located. A visit with an NDOT representative revealed that the NDOT right-of-way ends at the back of curb with the sidewalk and beyond being CLV right-of-way and private property, respectively. There is an existing 10' landscape planter located abutting the eastern portion of sidewalk along Bonanza Road. With the 10' wide landscaping area, there is just enough room between the building and the landscape planter to provide two 12' wide travel lanes and standard 18' depth parking stalls. The applicant requests a waiver to allow landscaping along the Bonanza Road frontage at a distance of 10' in width in order to allow parking in front of the office building. Due to the physical limitations between the existing sidewalk and primary structure, the applicant feels that approval of the waiver is warranted.

The applicant also requests a waiver to allow a lack of landscaping buffer adjacent to the parcel protruding into the property (139-28-301-028), which makes the subject parcels an irregular shape. Again, due to the irregular physical character of the site, the applicant feels that the waivers are warranted.

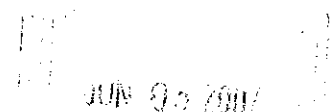
## **MODULAR OFFICE REQUEST**

The applicant requests for a modular building to be allowed as an ancillary use to the primary office structure. The modular building indicated near the western rear edge on the site plan would be used for additional office space to that comprised in the main structure. Adequate parking is included for this office. The applicant has agreed to place the structure on a concrete slab to avoid the appearance of a temporary construction trailer if the City would allow this as a permanent office use.

## **REQUEST FOR CHAIN LINK FENCING AS SCREENING AND SECURITY**

Chain link fencing exists on the property for screening and security in various locations. There is chain link fencing currently separating the subject property from the existing roofing business abutting the front half of the eastern property line. The applicant now owns this parcel and wishes to leave the fencing between the two businesses. As mentioned above, the applicant would prefer not to incur the cost of improvements that would only be removed once the parcels are redeveloped, especially since he owns both properties.

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There is chain link fencing on-site between the proposed parking area and the area where materials and tools are stored outside. The applicant has removed the barbed wire atop this fence, but would prefer to have the fencing remain for security reasons.

An 8' high chain link fence surrounds the rear portion of the subject zone change area which comprises a modular office and additional parking. The applicant wishes to keep this chain link fencing due to security concerns as well.

The western portion of Bonanza frontage currently has a chain link fence and entry gate placed at the back-of-sidewalk to screen and access the proposed parking area. The applicant has agreed to move the fence and gate to the required setback for fencing, but prefers to re-use the existing chain link fencing.

Although chain link fencing is no longer allowed for new construction in the City of Las Vegas, the fencing placed on-site has already been constructed and the applicant wishes not to bear the burden of additional costs of construction that will ultimately be demolished as a result of redevelopment.

Locations where chain link fencing is existing and proposed are indicated on the attached landscape plan by a thick line.

### **VARIANCE REQUEST**

A barn-style building at the rear of the subject zone change request area is a remnant from the previous rural residential use of the property. The building's roof extends to 15.24 from the western property line at its closest point. The building is 18' tall and does not meet the requirements for a commercial building adjacent to a residential zone. The abutting parcel is known locally as the Binion Ranch and appears from all sides to be an uninhabited parcel of land. The building in question is located a distance of approximately 380' from the unoccupied residential structure and over 200' from the nearest building on the Binion property.

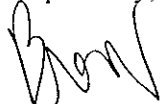
The applicant wishes to keep this building in its current state in order to screen landscape and building materials and provide security from theft and vandalism. The building is being used as screening for materials and covered parking. The applicant requests a Variance for residential adjacency standards to allow this existing building to be located a distance of 15' from an abutting residentially zoned property.

Properties surrounding the subject parcels are primarily blighted rural residences or similar land uses to this proposal. Abutting the north edge of the included parcel is a large single-family residential property's rear yard which contains no built structures. Abutting the eastern edge of the subject site are four properties – an office for a similar trade (now owned by the applicant), a vacant alley/well easement, and two single-family residences. The alley is a 25' wide privately owned easement for the existing well located on the applicant's property to convey water to parcels on the east side of Clarkway Drive. The occupied single family residences abutting the property are adequately screened from the proposed use of the subject property.

This portion of the City's Redevelopment Plan and the surrounding area, especially the Bonanza Road frontage is currently in a trend of development that is shifting from blighted, aging rural single-family residences to land uses of more commercial and industrial nature. Due to the site's surroundings and the existing nature of this area of the City of Las Vegas, the applicant feels that the proposed Rezoning, Site Development Plan Review, and Variance requests are consistent and compatible with current and future development.

If you have any questions, comments, or concerns, please contact the applicant or myself.

Respectfully,



Brent Wilson

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JUN 05 2007