



February 25, 2008

Planning and Development Department  
City of Las Vegas  
731 South Fourth Street  
Las Vegas, NV 89101

Re: Revised Justification Letter Regarding Application(s) for  
SDR-25773, SUP-25775, ZON-25776, VAR-25778, SUP-25779  
For the Property located at NEC Sahara Avenue & 6<sup>th</sup> Street  
APN #'s 162-03-801-011, 013, 014, 015, 120, 099; 162-03-811-000 (the  
"Property")

To Whom It May Concern:

This letter is written on behalf of the applicant, Exceed Development LLC, and shall serve as the required justification letter for the associated applications for the parcels listed above, an approximate 7 net acre mixed-use project at the Property.

The Property is located on the north side of Sahara Avenue and the east side of 6<sup>th</sup> Street. A portion of the Property, APN #162-03-801-099, lies within the City's Redevelopment Area. The General Plan calls for the land-use to be "C" and "SC" or General Commercial and Service Commercial.

The specific SUP applications and requested waivers associated with this Site Development Review and Re-Zoning application are as follows:

- SUP requested for Mixed-Use in a C-1 zone
- SUP requested for Height within Airport Overlay
- Variance requested for encroachment into the height/setback along a street classified as a collector or larger.
- Waiver of Development Standards requested for encroachment into the residential adjacency height/setback.

**ZON-25776    VAR-25778**  
**SUP-25775    SUP-25779**  
**SDR-25773    REVISED**  
**03/13/08 PC**

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900 South Pavilion Center Drive~Suite 160  
Las Vegas Nevada 89144  
o 702.946.8195 | f 702.946.8196  
www.edvanceassociates.com

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The attached Site Development Review, Special-Use Permit, Variance & Waiver applications seek approvals for:

- ~~1,105~~ 676 units of Residential Condominiums
- ~~179,860~~ 108,500 square feet of flex Commercial Lease Space of which ~~10,660~~ 36,200 square feet is retail and ~~169,200~~ 72,300 square feet is office.
  - 10,660 square feet of Retail directly fronts Sahara Avenue

The proposed development, as submitted, consists of ~~one~~ two buildings, divided by a driveway ramp, with ~~a~~ four (4) levels of underground parking garage. The remainder of the parking would be in an above-ground parking garages on the south end of the property. The parking would occur on Levels 2-~~7~~ 5 along with office lease space. The Ground Level would primarily be the retail/restaurant lease space and back of house functions ancillary to the condo function. An amenities deck, including the pool, spa and outdoor terrace, would be on Level 8 2 for the north building and on level 6 for the south building. Therefore, the first ~~eight~~ six (86) levels shall serve as the south building's base while the north building's base will consist solely of the 20' retail base. The condominiums will begin at Level 8 and continue up to Level ~~43~~ 38 to a maximum height of ~~500~~ 425'-0".

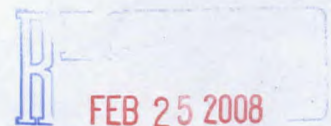
As illustrated on the attached site plan, the building coverage occupies approximately 46% of the site providing for a highly pedestrian-friendly plaza in front of the retail along Sahara Avenue and a ~~pair of~~ beautifully enhanced and landscaped ~~entries~~ entry and porte cocheres off of 6<sup>th</sup> Street. Also incorporated into the design is an approximate ~~.83~~ .52 acre park/green space located on the east side of the development, adjacent to and acting as a buffer to the neighboring residential properties. This would be available to both the residents of the development and to the neighborhood surrounding the development. The development mimics many of the development standards set forth in the City of Las Vegas Downtown Centennial Plan in order to provide a consistency with developments that are planned to west and help promote pedestrian activity along Sahara Avenue and 6<sup>th</sup> Street.

The proposed development seeks to be both a positive contribution to the City of Las Vegas and to the Beverly/Southridge neighborhoods. We have met with members of the adjacent neighborhood and incorporated several changes to mitigate their concerns. The project employs several of the strategies outlined within the Beverly/Southridge Neighborhood Plan. Specifically, addressing the following under the "Existing Land Use" portion:

Issue 2, Strategy 1: Residential Adjacency & Building Heights

The Plan calls for a request that any development whose building foundation is within 300' of property zoned for single family residential homes be required to adhere to the City's Residential Adjacency Standards.

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In order to help with concerns from the neighboring residences, the tallest portions of the project are pushed as far south from the neighborhood to the north and as far east from the neighborhood across Sixth St.

Specifically, the residential adjacency standards stemming from the homes to the north are met for the entire project except the tower portion, which is located more than 500' from these homes from the north. Additionally, where the development is closest to these existing homes, at the north end of the property, the building has a more "mid-rise residential" feel with four (4) levels of residential units directly atop a 20' retail base consistent with similar developments recently approved and constructed adjacent to existing homes within the boundaries of the Plan.

Along Sixth Street, the Tower portion is located directly across from an existing commercially zoned and retail-based land-use; therefore the residential adjacency does not apply. Moving north, the building is located more than 100' at its closest point to these homes and up to about 180' at its greatest point. The height of the building at these points is 60' and is buffered by a 40' wide beautifully landscaped area. Any tower portion of the project that is directly in front of these homes are located more than 230' away.

All this being said, we are happy to say they we feel that the majority of the project conforms to this strategy.

Issue 3, Strategy 3: Poorly Maintained Private Streets

This development is in support of this strategy, incorporating CLV standards for it's portion of improvements and would further be in support of associating with the adjacent business owners using the private street in the beautification efforts.

Issue 4, Strategy 1: Sahara Re-development

The parcel at the corner of Sahara Ave. & Sixth St. is within the CLV Re-development area. This development is the true definition of mixed-use, incorporating retail/restaurant, office and residential components, exactly what would be necessary to keep with the urban goal. The project not only provides ample space to incorporate the uses being displaced, but provides additional space as well.

Issue 5, Strategy 1: Vacant Lots

A large portion of this project incorporates lots that are currently vacant, and an eye-sore within the community. We have been working with the neighborhood associations to make the necessary changes to make this project compatible with the neighborhood.

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The project is also in support of the "Traffic Issues" portion of the Plan. Specifically:

Issue 1: Cut-thru Traffic

In meeting with the residential neighbors we have made changes to the development to mitigate and limit this projects impact on traffic cutting through the residential neighborhood. By limiting the facilities access points along Sixth Street to only visitors of the property, both residential guests and visitors to the retail and commercial uses, this limits the number of vehicles placed directly onto Sixth Street. All residents and employees within the development will access the property from the existing common commercial road off of Sahara Avenue and will only be allowed to exit either back down this drive or directly onto Sahara Avenue by means of a "one way," egress-only drive.

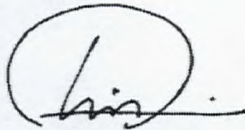
Recent changes to the submitted development plans also eliminate the need for the perimeter landscape buffers, which also helps with the compatibility of the development.

By virtue of the attached applications, the City of Las Vegas is presented with another opportunity to promote additional redevelopment and more intense land uses downtown. This project specifically will further restore vitality and economic opportunities and give overall direction to future public and private improvements throughout the (redevelopment) area. We are confident this project will enhance the momentum for further needed redevelopment along Sahara Avenue moving east from Las Vegas Boulevard. The City Council has frequently asserted its desire to have quality new residential development in the Downtown area, and this development plan fits the standard.

The approval of this project will allow the City to meet many of its design goals and objectives for land use, urban form, pedestrian environment, and image and character in and adjacent to Downtown Las Vegas.

We greatly appreciate your time and effort in the review of this development proposal. If you have any questions, or require further information, please do not hesitate to contact me at 702-946-8195.

Sincerely,



Chris Richardson, Ed Vance & Associates  
on Behalf of Exceed Development, LLC.

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