



1351 W. Warm Springs Rd.
Henderson, NV 89014

February 6, 2009

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

**Re: Justification Letter
Mixed Use Project on the southeast corner of 11th Street and Stewart**

To Whom It May Concern:

On behalf of the applicant, we are respectfully requesting the following applications: (1) site development plan review to include setback and maximum lot coverage variances; (2) parking waiver; (3) landscape waiver; and (4) special use permit for a mixed use project in a C-2 zone. The property is zoned C-2 and the general plan designates this property for Mixed Use.

Site Development Plan Review

The applicant intends to construct a 4 story mixed use project. The structure will contain approximately 60 apartment and retail units. Each apartment shall be a one-bedroom unit with a common laundry facility. The total property size has approximately 21,000 square feet, while the total building size will have approximately 60,000 square feet.

Per HUD requirements, the retail unit size of 1,924 square feet has been maximized proportionate to the size of the entire building.

Vehicular access for the residential units will be off of the alley to the east. There will be one level parking structure with 38 stalls for all portions of the project. Please see the parking analysis on the Site Plan for a more detailed summary of the parking. The parking will be located above grade and at the base of the residential portion of the project.

A setback variance is being requested due to the limited constraints of the site and potential development of adjacent parcels together with the general level of detail of elevations, the applicant cannot comply with the step-back dimensions requirements of Title 19.08, rather respectfully requests a variance to allow a zero-foot setback from the rear and front property line where 20 feet is required; and a zero-foot setback from the corner side property line where 15 feet is required.

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A maximum lot coverage variance is being requested due to the limited constraints of the site and potential development of adjacent parcels together with the general level of detail of elevations, the applicant cannot comply with the 50% maximum lot coverage requirement, rather respectfully requests a variance to allow for 77% lot coverage.

Additionally, applicants intends to provide a sufficient level of landscaping along Stewart and 11th Street, however a landscape waiver is being requested due to the limited constraints of the site and potential development of adjacent parcels, the applicant cannot comply with landscaping plan as required.

The retail component of the development was originally located to front Stewart, however due to the significant vertical grade change, the retail component must front 11th Street in an effort to sufficiently meet ADA slope requirements for entry into the development.

A requisite number of Site Plan, Landscape Plan, Building Elevation and Floor Plan copies have been provided by the Lawrence Group and are included herein.

Parking Variance

Applicant requests a variance to allow 38 parking spaces where 96 are required based upon the following: Residential spaces: 1.25 spaces/unit times 60 units equals 75 spaces; 1 guest space/6 Units; go Units/6 equals 10 guest spaces. Retail spaces: 1,924 square feet of general retail with 1 space/175 square feet, 1,974/175 equals 11 spaces. Thus, a parking variance is being requested due to the limited constraints of the site, together with the decreased need for maximum parking requirements because of the pedestrian friendly environment for those who work and live within the walkable corridors of downtown Las Vegas similar to comparable apartment projects with minimized parking/unit ration requirements currently operating in other urban districts. The project shall focus on the needs of those renters who do not rely on a private automobile for transportation, but rather take advantage the public transportation expansion of the Regional Transportation Commission and increased bus stop connections throughout downtown and along Charleston Ave., such as the BRT line construction currently underway along Casino Center.

Special Use Permit for Mixed Use Project in C-2

The proposed project is located outside an area designated by the general plan as appropriate for mixed use. Given this, the proposed project is located in a convenient location to downtown services, the current and future development of the 61 acres, the Art District and many other goods and services. The applicant is complying with the general plan and bringing forward a mixed-use project that furthers the goals and policies outlined by the City of Las Vegas.

Please do not hesitate to contact me if you have any questions.

Respectfully,

Ryan Stibor, Esq.

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