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Via Hand Delivery

Margo Wheeler, AICP
Director
City of Las Vegas Planning Department
731 S. Fourth St.
Las Vegas, NV 89101

**Re: Justification Letter
The Mission project-northwest corner of Casino Center/Arts Way
and Boulder Avenue
Site Development Plan Review and Zone Change**

Dear Ms. Wheeler:

This office represents the applicant on the applications set forth above. The project site is the city block bounded by First Street, Coolidge Avenue, Casino Center/Arts Way and Boulder Avenue, with the exception of the Nevada Energy yard that currently exists on the block. The project site consists of APNs 139-33-811-018, 139-33-811-019, 139-34-401-011, 139-34-410-010, 139-34-410-043, 139-34-410-044 and 139-34-410-045 (collectively, the "Property"). The Property is within the Arts District under the Downtown Centennial Plan. The applications are a site development plan review with associated waivers and a zone change on a portion of the Property for the proposed Mission project.

The Mission project features a mixture of office, retail, restaurant space and a much needed parking garage. The project is designed to provide patrons with a unique and artistic experience through art display cases featuring aspiring artists located throughout the hall-ways of the buildings and music featuring aspiring singers and bands playing in the outdoor areas of the project. Two of the buildings (Building A and Building B) are dedicated exclusively to office, retail and restaurant uses. Buildings A and B are on the south portion of the Property block. Between the two buildings is a 40 foot wide pedestrian plaza with 24 inch box trees, seating areas, attractive hardscaping and possible outdoor restaurant seating. The plaza area is an amenity for the project that is designed to operate in continuity with the sculpture park and pedestrian areas planned for Boulder Avenue and the rapid transit stop that is planned for the corner of Casino Center/Arts Way and Coolidge Avenue (at the northeast corner of the Project

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block). Building A and B are a maximum height of 70 feet and the majority of the materials for the buildings are concrete, plaster, aluminum, steel, and glass.

A parking garage is planned for the northern portion of the Property. The parking garage contains 540 parking spaces that adequately serve the project. The garage contains additional amenities for the project, including retail and restaurant space on the first floor and banquet space on the eighth floor. The banquet space has a flexible configuration and can be used for events, such as banquets, lectures or charity auctions. The banquet space will also provide beautiful views due to its location on the top floor of an eight floor structure. The parking garage is a maximum of 130 feet in height and the majority of the materials for the parking garage are concrete, plaster, aluminum, steel, and glass. The parking garage compliments Buildings A and B with respect to its design and height.

With the exception of the office and banquet facility uses proposed for the project, the proposed uses are permitted in the Arts District. Both "office, other than listed" and "banquet facility" will be permitted uses in the Arts District with the City Council's approval of a pending ordinance. The ordinance is currently scheduled for final action at the January 21, 2009 City Council meeting. The applicant intends to use The Mission's office space as creative office space. The likely tenants will be those involved in the creative arts, such as architects, artists and design studios. As mentioned above, the banquet facility will be a flexible event space that the applicant intends to use for a variety of events. The events include, but are not limited to, banquets, lectures, charity auctions and non-profit events.

The Arts District standards require an amenity zone of 5 feet and a 10 foot sidewalk on all streetscapes. The landscaping within the amenity zone varies depending on the street direction (in summary-north-south streets require 25 foot trees with 15 foot shade trees in between and east-west streets require 36 inch box shade trees with 15 to 20 foot spacing). The project meets these standards in all areas with the exception of the southeastern corner of the Property where portions of the sidewalk are reduced to 8 feet. The reduction in the width of the sidewalk is due to the reduction in the width of the lot by the curve of Arts Way and Building B remaining the same width. The second waiver is a waiver of the 8 feet of landscaping required along interior lot lines. The interior lot lines of this project (between Building A, Building B and the parking garage) are located in the plaza area that is designed as a public experience area. Although the landscaping on the interior lot lines does not meet the code, there is some landscaping within the plaza area, as well as seating areas, shaded areas and attractive hardscaping. The waiver is appropriate because the design of the project intend to utilize the interior perimeters of the lots, where they would normally remain unused.

The Mission will also be pursuing Leadership in Energy and Environmental Design ("LEED") certification. The design of The Mission incorporates many of the conservation measures necessary to obtain LEED certification. For example, the west building elevations have a limited amount of windows in order to reduce the heat gain for the building. Another example of the project's pursuit of LEED certification is its location at a major transit stop.

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There is a rapid transit stop being constructed at the intersection of Casino Center/Arts Way and Coolidge Avenue (at the northeast corner of the site).

The zone change is a request to change the zoning from C-M to C-2 for the western half of the block. The zone change requests a change on three parcels and a portion of a fourth parcel. APNs 139-33-811-018, 139-33-811-019 and 139-34-410-010 are currently zoned C-M. The fourth parcel, APN 139-34-401-011, is split between C-M zoning (the northwest corner of the Property) and C-2 zoning (the northeast corner of the Property). The zone change to C-2 conforms to the general plan of mixed use and is being requested to have C-2 zoning on the entire project site.

The Mission is exactly the type of project that will be a benefit to downtown Las Vegas and the Arts District and the applicant respectfully requests approval of the applications necessary for this project. Please contact me at (702) 693-4274 or by email at esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



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