



September 25, 2009

Peter Lowenstein, AICP
Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV 89131

RE: 4401 East Stewart Avenue Auto Repair Garage, Minor (SUP-3128)
Justification Letter for A Six Month Review of an Special Use Permit

Dear Mr. Lowenstein:

On behalf of our client, Nora Amernian & Juan Pena, please accept this letter as justification for a Six Month Review of an SUP (SUP -3128) for an Auto Repair Garage, Minor to permit the sales and installation of tires at 4401 East Stewart Avenue on the north east corner of Stewart Avenue and Lamb Boulevard, APN# 140-32-201-002.

The SUP includes specific conditions and plans for improving the operation of the site (see attached approval letters & plans). Below is a status report on compliance with Conditions of Approval as summarized below:

SUP-3128

1. Hours of operation- The tire store is in compliance with this requirement
2. A trash dumpster shall be located and fully enclosed to meet Title 19 standards- a trash enclosure has been constructed on the east side of the building.
3. No signage shall be placed on the lawn or landscaped areas.- Signs are not located in the landscaped areas.
4. There shall be no outside displays-There is no outside storage displays.
5. The Special Use Permit shall be reviewed in six months by City Council.- Applied for with the letter.
6. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.- This item is scheduled to go before City Council on 11/04/09.
7. Prior to the issuance of a Certificate of Occupancy, the owners of parcels APN 140-32-201-001 and APN 140-32-201-02 must execute and Off-Site Parking Agreement or similar document satisfactory to the City Attorney, allowing for the use of five additional parking spaces of the subject site.- A copy of the parking agreements are included in the package.
8. A landscape plan showing shrubs in conformance to the Code standards must be submitted and approved by the Planning Development Department Staff prior to or at the same time application is made for a building permit.-To the best of our knowledge, a landscape plan is in conformance to Code standards and was approved by the Planning Development Department staff.



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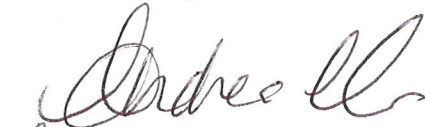
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158

Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. -An underground sprinkler system has been installed and maintained.
10. All repair, service, and installation of work shall be performed within a completely enclosed building.- The repair, service and installation work is being completed within the building.
11. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.- Equipment is being stored inside of an enclosed building.
12. No outside storage stock, equipment, or residual used equipment shall be located in any open area outside of an enclosed building. -No outside storage is occurring; all equipment is located inside an enclosed building.
13. All disabled vehicles shall be stored in an area, which is screened from view of the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.- Vehicles are not being stored on the property.
14. All City Code requirements and design standards of all City departments must be satisfied. - To the best of our knowledge, all requirements are being met.
15. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Stewart Avenue and Lamb Boulevard prior to the issuance of any permits as required by the Department of Public Works. Alternatively, the applicant may grant a traffic signal chord easement of the northeast corner of Stewart Avenue and Lamb Boulevard; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site. To the best of our knowledge, all right-of-way issues are resolved.
16. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.- A copy of the parking agreements are included in the application package.

In summary, we believe that the review will find that the use does comply with the conditions of approval and that areas of concern from the last review have been resolved with the signage being removed and the work being conducted within the building. We respectfully request your favorable consideration. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,


George Garcia,
President

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