



**JUSTIFICATION
LETTER**
December 1, 2008

**PROPOSED
R-E TO C-1 ZONE
CHANGE
APN: 139-28-604-004
VAR-33768**

City of Las Vegas Planning & Development Department

RE: VAR-33768 Setback Variance associated with Zone Change 33765;

R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004

On behalf of the Applicant, Empire Land & Development, LLC thanks you for your assistance with the proposed zone change of APN: 139-28-604-004 ("Property") and subsequent parking variance VAR-33768. Pursuant to City of Las Vegas Planning and Development application requirements regarding zone changes please accept this Justification Letter associated with the application.

The Property is an approximate 0.58 acre vacant lot generally located on the east side of Martin Luther King Blvd approximately 500' north of Washington Ave within the City of Las Vegas Downtown Redevelopment District and part of the West Las Vegas General Plan.

The current zoning is R-E, Residential Estates. The current land use is understood to be TC, Tourist Commercial. The Applicant proposes a zone change to C-1, Limited Commercial. The proposed zoning conforms to the City's land use plans. Further, in the opinion of the Applicant, the current zoning is no longer appropriate given the volume of traffic traveling north and south on Martin Luther King Blvd as well as the City's land use designation.

The Applicant attended a pre-application meeting with the City of Las Vegas Planning and Zoning Department and has made the requested revisions to the plan including: (1) 32-foot entry, a 20' setback from the adjacent residential property to the east, sufficient parking, and 360-degree conforming architecture. The Applicant has designed the proposed development to maintain a maximum building height of 15'. Additionally, a 20' setback has been provided at the residential adjacency as well as 360-degree architecture and a 15' landscape buffer between the new building and existing residence. The Applicant has provided 360-degree landscaping as well including a 10' wide landscaping easement along MLK Blvd in order to add to the beautification of the area. These setbacks conform to other existing commercial facilities on MLK Blvd and the Applicant is confident that this proposed development will trump those existing facilities in design, architecture and materials.

The Applicant respectfully requests that the City of Las Vegas Planning and Development Department consider its application for a Parking Variance on the Property and support its approval. We look forward to working with the Planning and Development Department and the Redevelopment Authority.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Rodriguez", followed by a long horizontal line and a stylized flourish.

Don Rodriguez
President
Empire Land & Development, LLC

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

RECEIVED
MAR 24 2009
VAR-33768
04/23/09 PC