

CAROLINE'S COURT, LLC

10877 Wilshire Blvd, Suite 1407

Los Angeles, CA 90024

Tel (310) 208-7770

Fax (310) 208-7885

March 06, 2009

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

RE: CAROLINE'S COURT

Dear Planning and Development Department,

Caroline's Court is a proposed retail center located at the intersection of Durango and El Capitan (APN # 125-17-601-017).

Caroline's Court, LLC is requesting a waiver of the Town Center streetscape standards along a portion of Durango. The Caroline's Court project meets and exceeds the Town Center design standards in all other areas of the property and streetscape. This waiver application has been made necessary by a pre-existing site condition required by the Nevada Department of Transportation. A 5' sidewalk and 'jersey barrier' currently exist within a portion of the Durango right of way. Please see attached plans. This configuration is required by NDOT to prevent vehicles from leaving the roadway and traveling down a steep embankment. This same condition is standard at highway intersections and can be seen within the Town Center overlay district at the northwest corner of Ann Rd. and Interstate 95. This is a public safety precaution and a permanent solution.

It is always our intention to comply with appropriate standards. This intention is demonstrated by the landscape meeting and exceeding the Town Center standards in all areas outside of that constrained by NDOT requirements. Along Durango in addition to a sidewalk and amenity zone, a 15' landscape buffer is required, we provide a minimum of 39'. We have exceeded the required landscape coverage by approximately 23% and the required 10 shrubs per tree by 2 and a half times. The amenity zone required between the curb and sidewalk is 2.5' with a 5' sidewalk, we have allowed for a 4.5' amenity zone and a 7.5' sidewalk. The request for this waiver is driven by site constraints that stem from steep changes in topography resulting from the adjacent on-ramp and NDOT's sidewalk and 'jersey barrier' requirements. These NDOT requirements are born out of concern for public safety. We have applied and exceeded the Town Center streetscape standards in all other areas of the property.

In addition to the standard waiver application requirements, please also find attached photos of the same condition within the Town Center Overlay District and an aerial of the Durango/95 Interchange. A supplemental letter from NDOT regarding the necessity of the jersey barrier in its current location will be submitted upon receipt.

We take pride in our developments and look forward to working with the City staff. Thank you for considering this request for a waiver. We respectfully request your recommendation for approval.

Please call if any additional information is needed. The contact for this application is Kari Bergh at RPA Landscape Architecture (702) 939-5290.

Sincerely,

Jacob Khakshouri
Caroline's Court, LLC, Managing Member

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WVR-33758

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STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

P.O. Box 170
Las Vegas, Nevada 89125-0170
March 20, 2009

JIM GIBBONS, Governor

SUSAN MARTINOVICH, PE., Director

Margo Wheeler
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

RE: Waiver of Town Center Streetscape Standards
NDOT District Permit #105455-2008; Detail #109268
Durango and El Capitan

Dear Ms. Wheeler,

Jacob Khakshouri, Caroline's Court LLC Managing Member, has obtained a permit from NDOT for his development. According to information furnished by his engineers and designers, there are a number of aesthetic features of the City's Streetscape Standards that may be in conflict with the layout of the Durango/US 95 Interchange.

My staff has verified the following NDOT installations as being in conflict with these proposed features:

- ◆ Location and configuration of the existing concrete barrier and sidewalk
- ◆ High mast lighting at the interchange with connecting conduit
- ◆ Potential drainage inlets and structures

Within the footprint of the Durango/US 95 Interchange, we need to preserve the existing layout and installation as constructed. For example, inserting a landscape strip between the barrier and sidewalk would jeopardize the safety function. Moving the barrier would in turn affect the location of our lighting, conduit, and possible drainage facilities. It would also cause a steep embankment to be reconstructed which could affect the stability of the slopes and roadway.

We understand and support the City's efforts to require developers to enhance their properties. Perhaps additional landscaping and other aesthetics features could be added along El Capitan or behind the concrete barrier on Durango. However, the existing layout and installation of the Durango/US 95 Interchange needs to remain in place. Please note that we have granted an access off Durango in the above-referenced permit which will require the removal of approximately 100 feet of barrier and installation a new end section.

If you need further information, please contact Rudy Lucero or Jon Wells at (702) 385-6500.

Cordially,


Mary A. Martini, PE
District Engineer

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CC: Distribution List

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Permit Information

Project Name	Project Description	Business Name	Private Party Name
CAROLINES COURT	APPROACH RIGHT	CAROLINES COURT, LLC	KHAKSHOURI, JACOB
Fee	Deposit	Paid	
1000		1000	

WORK:

SIDEWALK

Internet Access**Permit #:**

1 - 105455 - 109268 2008

Pin

83245

To view this permit on the internet, visit www.nevadadot.com

On the computer screen provided, enter the above information as it is shown and press Search.

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MARGO WHEELER
CITY OF LAS VEGAS
731 S. FOURTH STREET
LAS VEGAS, NV 89101
CAROLINE'S COURT, LLC
10877 Wilshire Blvd. Suite 1407
Los Angeles, CA 90024
Tel (310) 208-7770
Fax (310) 208-7885

March 04, 2009

Nevada Department of Transportation
123 E. Washington
Las Vegas, NV 89101

Ref: NDOT Permit 105455-2008

Attn: Mary Martini, District Engineer

RE: CAROLINE'S COURT

Dear Ms. Martini,

Caroline's Court is a proposed retail center located at the intersection of Durango and El Capitan (APN # 125-17-601-017).

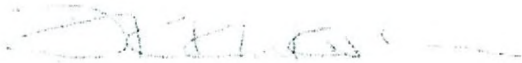
Caroline's Court, LLC has been advised by City of Las Vegas Planning staff that a request for a waiver of Town Center streetscape standards is in order. This waiver application has been made necessary by a pre-existing site condition required by the Nevada Department of Transportation. A 5' sidewalk and 'jersey barrier' exist within a portion of the Durango right of way. This configuration is required by NDOT to prevent vehicles from leaving the roadway and traveling down a steep embankment. This is a public safety precaution and a permanent solution. Our intention is to remove approximately 160 linear feet of the existing jersey barrier to allow for our NDOT approved entrance off Durango. The existing barrier west of this proposed Durango entrance will remain.

It is always our intention to comply with appropriate municipality standards. This intention is demonstrated by the landscape requirements meeting and exceeding the Town Center standards in all areas outside of that constrained by NDOT requirements. Along Durango a 15' sidewalk and amenity zone is required, we provide 40'. We have exceeded the required landscape coverage by approximately 23%. We have exceeded the required 10 shrubs per tree by 2 and a half times. The request for this waiver is driven by site constraints that stem from steep changes in topography resulting from the adjacent on-ramp and NDOT's sidewalk and 'jersey barrier' requirements all born out of concern for public safety. We have applied the Town Center streetscape standards in all other areas of the property.

We take pride in our developments and look forward to working with NDOT and the City staff. We respectfully request your concurrence with our above proposed.

Please call if any additional information is needed. The contact for this application is Kari Bergh at RPA Landscape Architecture (702) 939-5290.

Sincerely,



Jacob Khakshoori
Caroline's Court, LLC, Managing Member

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