EMPIRE LAND & DEVELOPMENT

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 presented the application to the City of Las Vegas Planning Commission and has made the following revisions to the plan including: an increased setback from the adjacent residential property to the east to 73 feet, the addition of a loading parking space and 360-degree conforming architecture. The Applicant has designed the proposed development to maintain a maximum building height of 28'. Additionally, a 15' landscape buffer/front setback has been provided along MLK Blvd. The Applicant has also provided 360-degree landscaping as well as a covered trash enclosure. These setbacks differ from other existing commercial facilities on MLK Blvd in that this proposed development exceeds those existing facilities in design, architecture, materials and features. The applicant has also provided an ingress/egress easement and connecting drive aisle to the adjacent development to the south in response to a direct request of Ward 5, City Councilman Barlow.

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,

Don Rodriguez
President
Empire Land & Development, LLC

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VAR-33768 - REVISED
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