

**EMPIRE LAND & DEVELOPMENT**

**JUSTIFICATION LETTER**  
December 1, 2008

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

**City of Las Vegas Planning & Development Department**

**RE: VAR-33771 Parking 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-33771. Pursuant to City of Las Vegas Planning and Development application requirements regarding zone changes please accept this Justification Letter associated with the application.

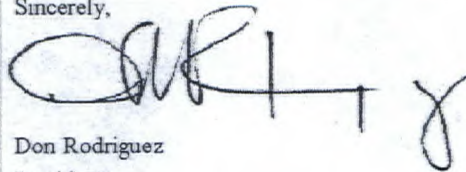
The Property is an approximate 0.58 acre vacant lot generally located on the east side of Martin Luther King Blvd approximately 500' north of Washington Ave within the City of Las Vegas Downtown Redevelopment District and part of the West Las Vegas General Plan.

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. Despite the fact that the ultimate tenants of the proposed development, and their specific uses, are undetermined at this time, the applicant has calculated parking at its highest per-square-foot calculation: 1 space per 175 square feet of building. In this regard, the development requires 36 spaces including (2) handicapped spaces, while the design provides 32 total spaces. However, the Applicant is confident that end-user specific uses will prove that we have provided ample parking. As it stands now we are within 10% of the required number of spaces.

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  
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