

**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: SDR-33767 Site Development Review 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 SDR-337637. Pursuant to City of Las Vegas Planning and Development application requirements regarding zone changes and site development reviews please accept this Justification Letter associated with 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. In addition to developing an unsightly vacant lot on MLK Blvd, the proposed development contributes to the beautification of MLK Blvd by incorporating a significant landscaping easement along MLK Blvd as well as complete perimeter landscaping and an ample landscaping buffer between the proposed building and adjacent residence to the east. This type of development conforms 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 SDR application of 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 stylized flourish.

Don Rodriguez
President
Empire Land & Development, LLC

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