June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

Robert S Genzer

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