

CAROLINE'S COURT, LLC
10877 Wilshire Blvd, Suite 1407
Los Angeles, CA 90024

October 7, 2009

City of Las Vegas Development Services Center
Planning & Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Justification for Variance
APN 125-17-612-001

Dear Staff:

Caroline's Court LLC respectfully submits a Variance application for your consideration.

Project Surroundings:

The subject property (23.62 acres) is located at the west quadrant of the intersection of Durango Drive and El Capitan Way (Farm). The development lies within the Town Center Development area and is designated SC-TC defined as Service Commercial. This development complies with the Town Center Development Standards.

Project Approval:

Per SDR-20496, SUP-20497, SUP-20498, and SUP-20499, the subject site was approved for a commercial retail center including a Lowe's Home Improvement Center, fast food restaurants, a retail strip center with a major anchor, full service restaurants. A 2-story office/medical building is also part of the 2007 approval. However, this is not included in the current development. The 2007 approval allowed 269,860 sf of building gross area, of which 41,500 sf was allocated for the future office/medical building, which allowed for 228,360 sf of commercial/retail. The total site area is 1,031,509 square feet with proposed building gross area of 264,189 square feet (26% site coverage) and 1,130 parking spaces. The open space totals approximately 241,135 square feet (23.4%).

Special Use Permit- Del Taco Fast Food with Drive-Thru (AKA Retail "G")

Del Taco will require Variance for not having a loading dock where one is required. Pending approval of the Special Use Permit application, the building on Pad G will be reduced by 700 square feet from the 2007 approved 2,165 sf.

Del Taco will receive non-peak hour deliveries two or three times a week. Per condition #23 of approved SDR 20496, no deliveries shall take place between the hours of 10:00 pm and 6:00 am. Given the delivery hours and the location of the building relative to the rest of the development, which has already been approved, the placement of a loading dock would be a hardship that would further endanger the successful completion of the project. A permanent loading area would compromise the required parking and disrupt the flow of traffic.

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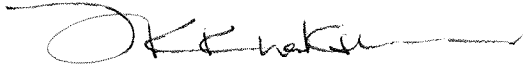
VAR-36338, SUP-36111
SDR-36112
11/05/09 PC

In times of such economically turbulence, the Caroline's Court has been unable to attract many retail users. So it is in light of this economic hardship that the Caroline's Court earnestly appeals for approval of the above request. Such approval will also bring much needed tax revenues for the City, generate employment within the local area, and increase the value of all properties, whether commercial or residential, in this neighborhood. Some of the immediate neighbors have already been informed and they agree that such an approval will only serve the neighborhood in a positive way in every aspect.

Caroline's Court looks forward to make these improvements and graciously asks for your approval. We appreciate your consideration of these applications and look forward to all public hearing dates.

Please contact our office if you need any additional information.

Yours truly,
CAROLINE'S COURT, LLC

A handwritten signature in black ink, appearing to read 'J. Khakshouri', with a horizontal line extending to the right.

Jacob Khakshouri
Manager

**VAR-36338, SUP-36111
SDR-36112
11/05/09 PC**