

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

September 16, 2009

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

RE: Justification for Special Use Permits & Site Development Review
APN 125-17-612-001

Dear Staff:

Caroline's Court LLC respectfully submits a Special Use Permit and Site Development Review applications 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 Special Use Permit for its associated drive-thru window. The intercom for ordering is on the south side of the fast food building. Therefore the fast food building itself will serve as a sound buffer/barrier to the neighboring homes. Additionally, the intercom for ordering is not on the menu order sign. It is an independent stand adjacent to the vehicle's driver. Finally, the distance of the intercom from the residential homes is just under 300 ft. Fast Food "B" is adjacent to the main entrance to the development. If approved, the building on Pad G will be reduced by 700 square feet from the 2007 approved 2,865 sf.

SUP-36111
SDR-36112
11/05/09 PC

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 follow of traffic.

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.

Site Development Review for Del Taco and Clock Tower

1. Del Taco with Drive-Thru

Based on the current zoning ordinance, a total of 22 parking spaces are required for Del Taco. Del Taco's individual parcel meets the parking requirement.

A Landscape plan is provided showing only the Del Taco parcel. The master landscape plan for entire project remains the same.

2. Increase of Height for Clock Tower

Per SDR-20496, the clock tower was approved for 38'-3" height for clock tower. We respectfully request to increase height to 72'.

CENTENNIAL TOWN CENTER

Despite naming the neighborhood "Centennial Town Center," there is no centralized business or shopping areas, much less open public space. Caroline's Court, with its towering Clock on the corner, will go long way in giving the "Centennial Town Center" neighborhood the identity that it lacks and needs.

The Tuscan clock tower shall be a landmark that distinguishes Caroline's Court from the other Centers. It shall also give definition to "Centennial Town Center" just like the towns, villages, and hamlets of the Old European urban architecture where most of the gatherings and happenings took place in the square below the clock tower.

Even in these harsh times, developer recognizes that a retail center should be more than just a collection of stores and restaurants. It should also contain a feature or an artwork preferably "married" with the Center's overall architecture. Therefore, the developer has combined art with architecture in the form of this clock tower to be built at a great expense with no financial return in the future.

SUP-36111
SDR-36112
11/05/09 PC

Just like the old Town Centers of Europe, we plan to have 2 restaurants in the 2 buildings on either side of the clock tower and these restaurants will have a big courtyard in between where the presence of the clock tower will also be felt. The corner of the Center will be sitting approx. 8' above the street elevation so the passersby will see the courtyard with densely planted palm trees as well as custom-designed canopies. Patrons of the 2 restaurants may also sit outside underneath the canopies and the trees; all under the majestic presence of the clock tower.

Caroline's Court will be designed using a palette of warm desert colors accented by Tuscan architecture that involves a combination of the classical architectural elements of the Old World Europe and its use of stonework along with the modern features to make Caroline's Court visit by anyone a pleasant experience.

Request for Waiver

To allow zero feet of landscape buffer adjacent to Durango at Del Taco site (with Drive-Through) use where ten additional feet are required per Town Center Development Standards, B. 5.B. 2 and 3 (page 44)

The general purpose of landscape buffer is to enhance visual beauty and to help prevent and control, soil stability, storm run off, dust and air pollution. The overall site exceed 15% open space/landscape requirement (23.4% provided.) With the constraint of Lowe's parcel which make it impossible to meet the standard along Durango Drive. It should be noted that the landscape buffer between the development and the residential subdivision has been increased from the 8 feet minimum to 10 feet. Additionally, the bulk of the development has been placed at the far end of the property from the residential subdivision. The placement of the buildings is such that the development itself helps screen the residences from the freeway. The 20 ft public trail adjacent to El Capitan, as well as, along the entire residential subdivision, together with the very large parking lot landscaping islands will provide additional screening and will be an appealing amenity of the project

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



Jacob Khakshouri
Manager

**SUP-36111
SDR-36112
11/05/09 PC**