

THE CAPITOL COMPANY

PUBLIC POLICY AND GOVERNMENT AFFAIRS
10100 W. Charleston Blvd., Suite 200, Las Vegas, NV 89135

September 5, 2010

Yorgo Kagafas, Planner II
City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter, Office Building
Legal Aid Center of Southern Nevada
APNs: 139-34-410-245**

Dear Mr. Kagafas:

This firm represents Legal Aid Center of Southern Nevada (LACSN) with respect to the development of an office building located at the northwest corner of Charleston Boulevard and Eighth Street. The site is within the Downtown Redevelopment Plan with a General Commercial (GC) master plan designation and is currently zoned C-1. The structure will be the new office building for LACSN, which is presently located in the adjacent office building at the southwest corner of Eighth and Gass. This request consists of a Site Development Plan Review and Variance applications. Note that these applications represent a revision of the project which was previously approved by the City Council (SDR-29445, VAR-29446 & 29447). The previous approvals for the relevant applications are provided in this letter for your reference.

Site Development Plan Review

The project proposes a 32,500 square-foot office building (previously approved at 39,000 square feet), two story structure at a maximum height of 50 feet (previously approved at 65 feet). Contemporary materials will be used on the building exterior, which include various colors of smooth finish stucco, metal panels and glass wall system with high performance low E reflectivity not to exceed 22%.

A waiver of perimeter landscaping requirements is requested as part of the SDR applications as follows:

	Required	Provided	Previously Approved
North	8 feet	Zero feet	Zero feet
West (alley)	8 feet	Zero feet	Zero feet
South	15 feet	10 feet	10 feet
East	15 feet	Zero feet	10 feet

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Variance: Parking

In addition to the SDR the applicant is requesting the following parking variance:

	Current Application		Previously Approved
	Temporary	Permanent	
Required	118	118	130
Provided	0 (zero)	92	84
Reduction	118 or 100%	26 or 22%	46 or 35%

The project is being built in two phases; the first phase being the construction of the new building on the vacant parcel. Once completed, LACSN staff will move out of their existing building on the adjacent parcel and into the new building. The existing building will then be demolished and the parking garage will be constructed. Consequently, during the construction of the parking garage the applicant will require a variance for zero parking spaces. However, once the parking garage is constructed the project will have 92 parking spaces, representing a 22% reduction in parking or 26 spaces. Notably, the previously approved project was granted a parking variance equaling a 35% reduction or 46 spaces. This revised project will ultimately provide a superior parking solution than the previous project for the applicant's limited parking needs.

This request is justified given the applicant's mission, clientele, location and mass transit opportunities. LACSN is a private, non-profit corporation dedicated to providing free community legal services to the County's low-income residents since 1958. Eligibility for their services is based on household income and the number of people living in the client's household. As a result of the economic status of its clientele, approximately half (48%) of the applicant's clients travel to the office by a mode other than driving their own car – mass transit, walk or ride a bicycle, or dropped off by a relative or friend. Stated frankly, a vehicle is a luxury item many of their clients simply do not have. Moreover, approximately 45% of the applicant's clientele live in the downtown area, making access to the site by means other than a vehicle quite easy.

Of the remaining 55% of their clientele, most live in the east and northeast parts of the valley. LACSN is ideally located for mass transit opportunities – not a coincidence and quite necessary in fulfilling its mission of providing free legal services to those in need. Bus Route 206 runs the full length of Charleston Boulevard and has four bus stops within two blocks of the site, including one next door (in front of the US Bank building) and one directly across Charleston. Route 206 is the third busiest non-tourist route in the CAT system, and it intersects with the second busiest non-tourist route (Maryland Parkway) in addition to the busiest of all routes, Las Vegas Boulevard. This makes LACSN accessible to virtually all parts of the valley where most of its clientele live and work. Route 206 is also expected to connect to the new Central City Terminal at Casino Center and Bonneville (replacing the Downtown Transportation Center), which will allow for even more bus transfers and easier access to LACSN.

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Also important to consideration of the parking variance request is that significant off-site (street) parking is available in the area. Adjacent to both LACSN parcels is 270 feet of street parking, equivalent to 15 parking spaces (assuming a standard 18 feet of space per vehicle). Including these parking spaces with the 92 provided with the project brings the total available parking count to 107 spaces. Also available within one block of LACSN is approximately 842 feet of street parking for an equivalent of another 46 parking spaces. In total, 61 additional parking spaces may be available at any given time either adjacent to or across the street from LACSN. Coupled with the spaces provided with the project, approximately 153 parking spaces are available either on-site or within a one block area.

Moreover, LACSN's existing building site contains only 22 parking spaces and has not experienced any parking problems for staff or clients. The 61 available parking spaces along the street within close proximity of the site is almost three times the amount currently provided at the existing building. Consequently, the brief period of time during which zero parking is available for the construction of the parking garage will not present any parking issues for staff or clients.

Variance: Setback & Lot Coverage

The second variance request is for reduced setbacks as follows:

	Required	Provided	Previously Approved
Front	20 feet	10 feet	10 feet
Side	10 feet	5 feet	5 feet
Corner Side	15 feet	10 feet	Zero feet
Rear	20 feet	45 feet	Zero feet

The proposed setbacks conform to the existing development in the area. The adjacent building to the west has a 10-foot setback on Charleston, while buildings along Charleston towards Las Vegas Boulevard have limited or no front setbacks. The proposed 10-foot setback for this project will provide a smooth and aesthetically pleasing transition from the zero setbacks allowed on properties in the Downtown Centennial Plan only one and a half blocks away from this site.

Along with the setback variance is a request for lot coverage of 57% where a maximum of 50% is allowed. Again, much of this area of downtown has been built at scales exceeding the 50% lot coverage requirement. Indeed, the Downtown Redevelopment Plan contemplates development that does not necessarily conform to the parameters of the City's overall development code. Notably, the lot coverage previously approved for this site was 83%. This application represents a 31% reduction in the lot coverage request compared to the previously approved project.

When completed this project will add a vibrant, new structure to Charleston Boulevard and the Downtown Redevelopment area that will set a standard for small-sized office buildings. Moreover, it will allow LACSN to continue providing legal access to

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the poor, indigent, elderly and immigrant communities in southern Nevada at a location that is accessible to all citizens of our community.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell M. Rowe".

Russell M. Rowe, Esq.

cc Cherie Guzman, JMA

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