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Via email: tperrigo@lasvegasnevada.gov

Tom Perrigo

Director

City of Las Vegas Department of Planning

333 North Rancho Drive

Las Vegas, Nevada 89106

Re: Justification Letter – General Plan Amendment and Rezoning Application ("Applications") for that certain real property with APN 138-07-801-011, commonly known as the Northwest Corner of Cheyenne Avenue and North Fort Apache Road, Las Vegas, Nevada, 89129 ("Property")

Dear Mr. Perrigo:

This office represents Boos Development Group, Inc., a Florida corporation (the "Applicant"), in regards to the Applications. The Applicant has entered into an agreement to acquire the Property, which is contingent upon the approval of the necessary applications to allow the Development (defined herein) to proceed, including the Applications and additional applications to be filed in the next cycle. The Applicant proposes a commercial development ("Development") on the Property to include a general retail store – other than listed ("General Retail Store"), an auto repair garage, minor (a Jiffy Lube) ("Auto Repair Garage") and a restaurant with drive-through (a Del Taco) ("Restaurant"). In order to support the Development, the Applicant seeks an amendment to the general plan for the Property to Service Commercial ("SC") and the rezoning of the Property to Limited Commercial ("C1"). Subsequent to the filing of the Applications, the Applicant intends on filing applications for a site development plan review and tentative map in the next filing cycle.

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The Property is planned for office ("O") in the City of Las Vegas ("City") Centennial Hills Sector Plan ("Centennial Plan") and is zoned O. The adjacent property to the north is planned for O in the Centennial Plan and is zoned O. The property to the east (across North Fort Apache Road) is planned for Medium Low Density Residential ("ML") in the Centennial Plan and is zoned C1. The property to the south (across West Cheyenne Avenue) is planned for ML in the City's Sun City Summerlin Plan and is zoned Planned Community ("PC"). Lastly, the adjacent property to the west is planned Medium Low Attached Density Residential ("MLA") in the Centennial Plan and is zoned Residential Planned Development ("R-PD").

In the immediate area of the Property, there have been amendments to the general plan and zoning for similarly situated properties. The general plan for the adjacent property to the north with the current APN of 138-07-821-013 was amended from ML to O (*see* GPA-2575) and was rezoned to O (*see* ZON-2576). In the surrounding area, the general plan for the property located on the corner of West Cheyenne Avenue and North Campbell Road with the current APN of 138-08-417-008 was amended from ML to O (*see* GPA-14417) and was rezoned to O (*see* ZON-14420). Similarly, the general plan for the property six hundred and sixty-five (665) feet east of North El Capitan Way on West Cheyenne Ave. with the current APN of 138-08-801-019 was amended from Park/Recreation/Open Space to SC (*see* GPA-6318) and was also rezoned to C-1 (*see* ZON-6324). These previously approved amendments and rezoning applications demonstrate that the area has grown in a manner not considered when the general plan was originally adopted. Accordingly, the amendment to the general plan and rezoning of the Property as requested in the Applications are appropriate.

The City previously approved a site development plan review for this Property (*see* SDR-4060) for a proposed financial institution, general with drive through that provided for one hundred and three (103) parking spaces, as well as for a waiver of the parking lot landscaping requirements. The special use permit (*see* SUP-4045) accompanying the site development plan review approved a drive through that would have been directly adjacent to the residential property to the west without any intervening building. The development requirements and operational requirements of the Development will impose similar burdens to the ones that would be imposed by the current classification of office plan and O zoning.

Further, the Development will provide the residents and office occupants in the immediate and surrounding areas additional and convenient general retail, restaurant and auto repair options. The Development will also permit these residents and office occupants to reduce their trips to other nearby commercial developments in the area. Although the Development is adjacent to residential property (to the west), the Property is located on the corner of two (2) arterial streets under the Centennial Plan, which are each one hundred (100) foot right-of-ways and are typically used for providing access to major activity centers. The Development is also complementary to the commercial development east of the Property that is already zoned C-1. The Development will replace this long-standing undeveloped Property with a commercial

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development that is in accord with its surrounding area. As such, the approval of these Applications will promote the public health, safety, and general welfare of the community, and the objectives of the general plan and zoning principles.

The Applicant respectfully requests your consideration and approval of the Applications. Please do not hesitate to contact me at (702) 727-6258 or via email at esorokac@rsnvlaw.com if you have any questions regarding this matter.

Very Truly Yours,

REISMAN·SOROKAC

A handwritten signature in black ink, reading 'Elizabeth M. Sorokac'.

Elizabeth M. Sorokac, Esq.

cc: Nicole Eddowes – *via email: neddowes@lasvegasnevada.gov*