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November 23, 2016

VIA EMAIL

Sgebeke@lasvegasnevada.gov

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
333 N. Rancho Drive
Las Vegas, NV 89106

Re: *Justification Letter – Zone Change; Site Development Review for a Commercial Shopping Center; Special Use Permit to Allow a Tavern, Full Service Carwash, and Off-Premises Sales of Beer/Wine/Coolers; Waivers to Allow Buildings Not Oriented Towards the Corner, Reduce Landscape Buffer along South and East Property Lines, Carwash Bay to Face Right-of-Way, Reduce Separation Between a Tavern and School, and Reduce Separation Between Off-Premises Sales of Beer/Wine/Coolers Establishment and School; Variance to Reduce Rear Yard Setback; Vacation and Abandonment of Patent Easements; and Tentative Map*
APNs: 125-19-301-001 & 002 and 125-1-301-010 (SEC of Deer Springs Way and Hualapai Way)

Dear Mr. Gebeke:

Our Firm represents the Applicant with respect to develop a commercial shopping center on property located at the southeast corner of Deer Springs Way and Hualapai Way, more particularly described as APNs:125-19-301-010 (the "010 Site"); 125-19-301-001 (the "001 Site") and 125-19-301-002 (the "002 Site" and the 001 Site and 002 Site are collectively referred to as the "Site") . The Site is approximately 9.50 acres.

By way of background, on November 18, 2015, the Las Vegas City Council approved a general plan amendment to Service Commercial (SC) and a zone change to C-1, via GPA-60635 and ZON-60636, respectively, for the 002 Site. More recently, on August 2, 2016, the Las Vegas Planning Commission approved a general plan amendment to Service Commercial (SC) and a zone change to C-1, via GPA-64811 and ZON-64812, respectively, for the 001 Site. The Las Vegas City Council at its September 7, 2016 approved a general plan amendment to SC and zone change to C-1 on the 001 Site.

Zone Change for the 010 Site

The Las Vegas City Council, at their November 16, 2016 meeting, approved an annexation request for the 010 Site. The 010 Site is contiguous to the 001 Site and the 002 Site and collectively form the Site. The Site is by owned by the Applicant. In order to have a single cohesive development, the Applicant is requesting the 010 Site be zoned to C-1. The C-1 zoning is compatible with the recently approved C-1 zoning for the 001 Site and 002 Site.

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ZON-67938, VAR-66443, SUP-66444, SUP-66445, SUP-66446,
SDR-66447, VAC-67939 and TMP-67940

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Site Development Review

The Applicant is requesting a site development review to allow for a 98,759 square foot commercial shopping center on the Site. The Site is accessible from one point of access on Hualapai Way and three points of access on Deer Springs Way, with the eastern most point of access being a shared access with the property to the east of the Site.

The Applicant is proposing a grocery store as the main anchor tenant in a proposed building that is approximately 57,884 square feet. The Applicant is proposing an additional 6,000 square feet of retail and 9,000 square feet of retail directly adjacent to the grocery store on the north and south sides, respectively. Additionally, the Applicant is proposing one freestanding retail building that is approximately 15,000 square feet and is located on the southern portion of the Site abutting the 215 off ramp.

The elevations for the grocery store and inline retail building and retail/shops show highly enhanced architectural elements including stone veneer, arches, and decorative towers. The grocery and inline retail building maximum height is approximately 46' to one of the decorative towers. However, the majority of the grocery store is 36' in height or less and the inline retail portion is a maximum height of 32' or less. Similarly, the retail/shops are a maximum height of 40' to a decorative clock tower with majority of the building 30' in height or less.

The Applicant is also requesting a restaurant with drive-thru that is approximately 2,400 square feet and located along Hualapai south of the Hualapai entrance. Located at the corner of Deer Springs Way and Hualapai Way, the Applicant is requesting a convenience store with carwash and gas station. The Applicant is purposing six fueling stations under the canopy. The Site is providing 447 parking spaces where only 396 parking spaces are required.

Special Use Permits Requests for Liquor Establishment (Tavern), Carwash (Full Service), and a Beer/Wine/Cooler Off-Sales Establishment Use

Subject to special use permit approvals, a tavern, full service carwash, and beer/wine/cooler off-sales are permitted in a C-1 zoned district. Because the Site is nearly 10 acres and the Applicant is proposing a commercial shopping center with a grocery store anchor, these are all typical uses. For example, the beer/wine/cooler off-sales is to allow the sale of packaged beer/wine/cooler at the grocery store and the convenience store. A tavern use is generally located in a commercial shopping center and near major arterials. Here, the Site is located on two major arterials and is located adjacent to the 215. Similarly, full service carwashes are located at corners of major intersections. Here, the full service carwash is located at the corner of Deer Springs Way and Hualapai Way. Additionally, because of the size of the Site, the Site can accommodate these various uses while still providing for more than adequate on-site parking and internal traffic flow.

Waiver Requests

The Applicant is requesting the following waivers of development standards associated with the shopping center:

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- **Allow Buildings Not to be Oriented to the Corner and Street Frontage**

The site layout of the shopping center is not conducive to angling the buildings to be oriented towards the corner. The proposed layout of the Site maximizes the utilization of the Site, and more importantly, provides for better on-site circulation as opposed to angling the buildings. As such, the waiver is appropriate.

- **Allow 10' Perimeter Landscape Buffer Along a Portion of Southern Property Line Where 15' is Required**

Between retail Shops A and the 215 off ramp, the Site is providing a buffer of 15'. Ten feet is landscaping with an additional 5' sidewalk adjacent to the retail Shops A building. As such, the Site is, in fact, providing the adequate buffer distance. Rather, the Applicant is requesting a 5' sidewalk adjacent to the building. This will provide no visual impact from the 215 off ramp and there will be 10' of landscaping adjacent to this right-of-way. As such, the waiver is appropriate.

- **Allow Zero-Foot Landscape Buffer Along a Portion of the East Property Line Where 8' is Required**

Because the Site is proposing a shared driveway and shared access with the property to the east, the Applicant is requesting to waive the perimeter landscaping along the east property line in these areas only. The Applicant is providing 10' of landscaping between the proposed grocery store and the east property line, which is greater than what is required. As such, the waiver is appropriate.

- **Allow Carwash Bay to Face Public Right-of-Way**

The proposed carwash bay faces Hualapai Way. The north side of Hualapai is also zoned C-1. Therefore, it is unlikely that any residential uses will be across the street from the carwash bay. Additionally, to mitigate the visual impact, the Site is providing perimeter landscaping along Hualapai Way. As such, the waiver is appropriate.

- **Allow a 339' Distance Separation Between a Tavern Use and School Where 1,500' is Required**

While the distance between the property lines of the Site and the School is 339', the Site and school are separated by the 215. The Site is located on the north side of the 215 and the school is located on the south side of the 215. Because of this adequate barrier, the waiver to reduce the separation between these two uses is appropriate.

- **Allow a 339' Distance Separation Between a Beer/Wine/Cooler Establishment and School Where 400' is Required**

While the distance between the property lines of the Site and the School is 339', the Site and school are separated by the 215. The Site is located on the north side of the 215 and the school is located on the south side of the 215. Because of this adequate barrier, the waiver to reduce the separation between these two uses is appropriate.

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Variance Request to Allow a 15' Rear Yard Setback Where 20' is Required

The Applicant is requesting a 15' foot rear yard setback where 20' is required along the south property line behind the Shops A 18,000 square foot retail building. Because the Site is elevated above the 215 off-ramp, the visual impact is minimal. As such, the variance is appropriate.

Vacation and Abandonment of Patent Easements

Due to the acquisition of the 010 Site, the proposed cul-de-sac on Inyo Avenue will be relocated east to the east side of the 003 Site. With this relocation, the area that was reserved for the future Inyo alignment and excluded from the patent easement vacation, VAC-60834 that recorded on May 3, 2016 as recorded document number 20160503:0003330 will now need to be vacated and is included with this application package.

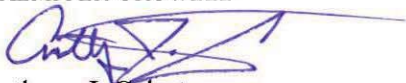
Tentative Map

The Applicant, at this time, wishes to proceed with the tentative map so that it can create a two (2) lot commercial subdivision and this amendment is to add an additional property, the 010 Site to the commercial subdivision that will be a part of Lot 1. Due to BLM property adjacent to the project site on the southeast boundary, the Applicant would agree to a condition deferring off-site improvements on Inyo Avenue until the on-sites plans move forward.

We thank you in advance for your time and consideration of this request. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC/mao

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