April 27, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; Special Use Permits for a Tavern and Airport Overlay; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, Special Use Permits, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

Two Special Use Permit applications are being submitted. The first is for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino but is required because a hotel is not part of this project. The second is for the height of the project which is located within the Airport Overlay District. While the proposed structure exceeds the height provisions the site is located between the Sahara Hotel to the south and the Stratosphere Hotel to the north, both of which exceed the height of this project. Therefore this project should not have any adverse affect on air navigation.

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The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 120 feet, and will include 7,312 square feet of full motion video. A 550 foot high sculptural "sail" element designed to be transparent and anchored by a support cable system will provide an additional 18,471 square feet of full motion video. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara and Las Vegas Boulevard frontages. The video display is 23% of the west façade and 49% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

Robert S Genzer

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