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December 8, 2008

W.O. 7107

Mr. Steve Gebeke, Senior Planner
City of Las Vegas Planning & Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101

RE: REQUEST & JUSTIFICATION for a Rezoning and Site Development Plan Review and Waiver.
Assessors Parcel: 125-07-710-001

Dear Mr. Gebeke,

On behalf of our client, Ninety-Five Fort Apaches Complex LLC, VTN Nevada respectfully submits this letter and application for a General Plan Amendment, Rezoning, Site Development Review and Waivers, in conjunction with an application for a Commercial development. The subject property is currently split zoned C-2 (General Commercial) and RE (Residence Estates), and is within the limits of the City of Las Vegas.
The subject property is master planned (SC) Service Commercial under the Centennial Hills Land Use Plan.

General Plan Amendment
This application is submitted in accordance with the standards as outlined within Title 19A of the City of Las Vegas Zoning Code. The applicant is requesting a General Plan Amendment from SC (Service Commercial) to (GC) General Commercial.

General Plan Amendment Criteria:

1. *Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted.*

Response
In earlier years most properties adjacent to US-95 freeway were master planned and zoned for commercial uses. The subject property is currently split zoned with C2 and RE, with the west portion (approximately 75%) of the site being C2. The applicant's proposal will only change the eastern portion (approximately 25%) from RE to C-2, to be consistent with the rest of the site. The site will be developed with a low intensity retail complex consisting of retail site and office buildings.

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2. *Whether the proposed amendment to the General Plan will allow a zoning classification, which imposes burdens similar to the burdens imposed by the classification currently provided for under the General Plan.*

Response

The development will not impose burdens on the surrounding area or on the current classification. The site is currently split zoned with C2 and RE, with the west portion (75%) of the site being C2. The applicant's proposal will only change the eastern portion (25%) from RE to C-2, to be consistent with the rest of the site.

3. *Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.*

Response

The proposed classification will promote the objectives of the master plan by allowing the eastern portion of the site to be consistent with the western portion of the site.

Zone Change Request

The applicant is requesting a rezoning from C-2 (General Commercial) and RE (Residence Estates) to C-2 (General Commercial). The total land area under review per this application for rezoning is 5.23 gross acres, and is proposed as a 50,100 square foot commercial development.

Site Development Review Request

The total land area under review per this application is 5.23 gross acres, and is proposed as a 50,100 square foot commercial development. The proposed project is designed for local commercial shops and offices, with contemporary retail architecture showing compatible scale, colors, roof lines and materials to the surrounding neighborhood. The project has interesting elevations and provides many opportunities for the future tenants.
The applicant is proposing 2 buildings with usable areas of 24,000 square feet for building # 1, and 17,100 square feet for building # 2. Building # 1 will also have 9,000 square feet on office space on the second floor, above the commercial space.
The proposed buildings will have a maximum height of 44 feet for building # 1 and 35 feet for building # 2.
Project setbacks will conform to the minimums allowed by the C-2 zone as follows:

1.	Front	=	20 feet
2.	Side	=	10 feet
3.	Street side	=	15 feet
4.	Rear	=	20 feet

Exterior improvements include a 15 foot buffer along Fort Apache Road and Horse Drive, and a 15 foot buffer along Sky Pointe Drive. Landscaping within the buffer areas will consist of larger (24") box trees at 1 per 30 feet along the northern, eastern and western property lines, and 1 per 20 feet along Horse Drive adjacent to the residential development to the south.

Waiver Request

The proposed development consists of 2 commercial buildings located along the northern and western property lines of the subject property. Title 19.08.050, Figure 13 requires "*On corner lots, buildings must be oriented to the corner and the street front. Parking and curb cuts must be located away from the corner.*" The applicant is requesting a waiver to the above standards due to the triangular configuration of the parcel. The design is a traditional layout for the development, and as compensation, the applicant is proposing to construct a berm along both Fort Apache Road and Horse Drive. In addition to providing additional landscaping along both frontages to provide buffering of the parking areas located and the front of the development.

The applicant is also requesting a waiver/deviation from standard drawing 222A, to provide a partial driveway as shown on the proposed plans. The applicant is proposing to provide a (1/2) entrance along the northern property line. Due to site configuration, and building orientation, the required throat depth cannot be achieved.

The applicant believes this request is in accordance with the requirements of Title 19A, and respectfully request the City's approval of this request.

Should you have any further questions regarding this matter, please do not hesitate to telephone this office at 253-2431.

Sincerely,
VTN-Nevada

Jeffrey R.Armstrong, Senior Planner
cc: David Shirit, Ninety-Five Fort Apache Complex LLC.
Chris Grubbs, PE.

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