Scott L. Baker, Architect, Inc.

December 9, 2008

City of Las Vegas Planning & Development
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RE: **Justification Letter**

SLBA Project Name: Elkhorn and Jones
SLBA Project Number: 08-159

To whom it may concern;

This parcel was recently annexed into the City of Las Vegas jurisdiction. The site is 0.83 acres and is on the south west corner of Jones and Elkhorn.

The current owner of the project feels strongly about this parcel becoming retail. It is understood that the parcel is basically centered or surrounded by residential. But that is the very reason it is felt that a small retail store here would but very beneficial for all of the neighbors.

The east and south sides of the parcel are adjacent to County land and that is residential zoned. Across Elkhorn to the north and across Jones to the east is City land that is zoned R-E.

This application is for a 7,000 sf retail building. Per the pre-application meeting, the required parking ratio is 1 spaces per 175 square feet for a required parking total of 40 spaces and 1 required 15' x 25' loading zone.

The applications we are submitting area as follows:

1. Site Development Plan Review – This is required because of the request for new retail at this corner.
2. General Plan Amendment – This is required to change the General Plan from DR to SC or service commercial for the retail.
3. Rezoning – This application is to change the zoning to C-1.
4. Variance for Setback and Residential Adjacency – This is for the minor building setback encroachment at the south property line area.
5. Variance for reduced provided parking and loading. – This is to allow 28 spaces where 40 are required, and to allow no loading zone where one 15' x 25' loading zone is required.

The building design encroaches into the south property line building setback due to residential adjacency by only 7.5'. The area of building which encroaches is only 85 s.f. and this portion of the building is covered walkway and occupied space. It only occurs at the southeast corner of the site. All other building setbacks are met.

The site design provides 28 spaces of parking where the updated codes require 40 spaces. We feel that due to the quick trips this project would generate that a reduction of 12 spaces is appropriate.

The building is designed at the 15 feet high limitation. This is so that the 3:1 ratio does not apply when adjacent to the R-E zone.

We are also requesting a waiver of the Building Placement and Orientation Standards. Due to the site size and shape (because of the buss turn out), the submitted site plan is the only way to layout this site. But this does not meet the requirement to place the building directly at the corner.

The Site access is as per the pre-application meeting with 32' wide drives set 25' from the corners.

Detached sidewalk has been provided as well as the 3' high berm and perimeter trees at 20 foot o.c.

The elevation of the building is a good mix of commercial and residential elements to fit with the area.

If you have further questions, please call our office

Sincerely Scott L. Baker

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01/22/09 PC

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