SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

RUTAR

April 11, 2007

City of Las Vegas
Planning & Development
Current Planning Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Design Review
Revised Justification Letter for
850 N. Decatur (Decatur/Washington)
APN # 139-30-301-001
VAR-20464, SUP-20462, SDR-20461

To Whom It May Concern:

This is a justification letter for the above referenced property. The above referenced property is zoned C-1. We are proposing to demolish the existing convenience store and Fuel Canopies and construct a Convenience Store (Arco AM/PM), as well as a fuel canopy consisting of 8 MPD stations. The convenience store is an Arco Standard (2900) store that has been previously built in the Las Vegas valley area at 2,942 square feet, the fuel canopy, also an Arco Standard, at 4,329 s.f. will be 17'-6" in height and will have a clearance of 15'-0".

Parking is provided in accordance to the Development Code (1/250 s.f.) providing 13 parking stalls including the required Handicap accessible stall located directly in front and center of the entrance of the Convenience Store. The landscape design is per City of Las Vegas Title 19 Development Code Section 19.12, except where we have been requested to provide a modified bus turn-out as directed by staff during a meeting on April 9th, 2007. We are providing a 15'-0" min. wide landscape buffer along Decatur and behind the bus turn-out at Washington we are providing 10'-6" as well as 8'-0" min. along the interior lot line to the South.

VAR-20464 SUP-20462
SDR-20461 04/26/07 PC
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We are also respectfully requesting a Variance to reduce the setback at the rear yard (East Property Line) from 20'-0" to 0' setback. The property to the South and East appear to be part of the same sub-division and parking directly abuts the property lines. After examining the site and the traffic flow requirements of the City and Arco, placing the store on the East property line, with a zero setback, is the only solution enabling us to enhance and redevelop this corner.

We would like to request a waiver, if required, to reduce the landscape along the rear of the C-Store where we are requesting the Variance to reduce the set back, as well as to reduce the landscape to 10'-6" along Washington where the modified bus turn-out has been added since our original submittal where 15'-0" is required. Please notice that we have extended the landscape as far into the site at this location to provide as much landscape as possible behind the modified bus turn-out.

Additionally we are requesting a Special Use Permits for this site:

I) For the on-site sales of beer/wine in conjunction with the Convenience Store. Currently the existing stories allowed to operate with the sales of beer/wine under a Non-Conforming Conforming Use, however due to the length of time construction may take and there is a strong possibility that while the new C-Store is under construction the current status may expire during the 180 day window. Also this site being a Nonconforming use of a Conforming Building, to meet the requirements for "expansion of use", per development code section 19.16.030.B the following must be met:

a. Will not increase the size or extent of the use by more than 50%
   - Our increase is less that the 50%

b. Will not require a Variance or Waiver regarding any other provision of Title19, including those that pertain to parking, landscape and residential adjacency requirements.
   - The before mentioned setback reduction (Variance) requires us to request the SUP and secure this site as a Conforming Use.

We have been informed that the second SUP, SUP-20463, has been withdrawn and is being refunded to the applicant. This type of SUP is required for liquid propane gas, we have none on this site.

This property was developed in the late 1960's we have not, at this time, found a cross access agreement or any CC&R agreements. Currently the land owner is contacting the adjacent landowner for any existing agreements or developing an agreement for cross access.

We feel that revitalizing the site with a new Convenience Store and Fuel Canopy will enhance the character of the site and surrounding area. We also feel the proposed removal of the two access points nearest the intersection of Decatur and Washington (directly

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adjacent to the intersection) along with the relocation of the other two access points further South and East of the intersection will enhance vehicular mobility of the intersection.

Thank you for your consideration of this request.. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
Kenneth A. Ballard, Project Manager

Kenneth A. Ballard, Associate AIA

SUZANA RUTAR, Architect

Suzana Rutar, AIA, CSI, NCARB
Principal

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