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August 7, 2009

VIA HAND DELIVERY

City of Las Vegas
Planning and Development
731 S. 4th Street
Las Vegas, NV 89101

Re: Justification Letter – Site Development Plan Review and Parking Variance

To Whom It May Concern:

Our office represents Bodyflying US, LLC ("The Applicant"). Please accept the attached application for a Site Development Plan Review. Our client proposes to develop a commercial recreation/amusement (indoor) facility in the C-1 district on the site located near Sahara and Sixth Street. The site development plan review is for an indoor wind tunnel with support services including an instruction room and gift shop. No functions will be operated outside the facility (i.e. noise).

The building is a total of 9,979 square feet, divided into 2,375 square feet "technical" and 7,604 square feet "business" (public). The first floor of the proposed facility will consist of the entrance and elevator to the second floor. The second floor is for storage and is not accessible to the public. The third floor will consist of the reception area, observation area, gift shop, instruction rooms, restrooms and office. The fourth floor will consist of a lounge area, changing rooms and team room. The fifth and sixth floors of the roof are portion of the wind tunnel and the mechanical equipment. The maximum height of the wind tunnel structure is 78'-9".

The Site Development Plan Review includes a waiver of the required perimeter landscape buffers; the C-1 district requires a 15 foot wide landscape buffer adjacent to Sahara Avenue and an 8 foot wide landscape buffer adjacent to the interior lot lines. The site plan provides 5'-6" landscape buffer adjacent to Sahara Avenue, a 3 foot landscape buffer along the East perimeter and zero landscaping along the North and West property lines. Please note that the applicant will also be providing 13'- 6" of landscaping within the public right of way in addition to the 5'-6" on the site for a total width of 19'-0" inches in addition to a 6 foot wide public sidewalk. The landscaping adjacent to the building will vary in width from 3 feet to 10 feet. All other code requirements have been met.

The applicant is also seeking a parking variance to allow for 59 parking spaces where 69 spaces are required. Based upon the type of business being proposed we feel that the proposed

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59 parking spaces is more than sufficient to adequately handle the customers and staff that will be utilizing the site. Title 19 Section 19.04 Table 2 specifies the required parking for a commercial recreation/amusement (indoor) however does not have a specific parking requirement for a wind tunnel therefore it has been determined by staff that required parking is based upon "other uses". We feel that based upon the use that the wind tunnel parking demand is closer to the parking demand generated by an indoor court game which requires 3 parking spaces per court which would require a maximum of 30 spaces which we far exceed.

The wind tunnel will be utilized by no more than 26 persons in an hour, including six staff persons and 20 guests, taking into consideration the overlap time between the departing and entering groups. The guests make reservations and are typically in small groups of 3 to 5 persons. The guests must receive instruction and special clothing prior to flying which limits the number of people who can utilize the facility at the same time.

The applicant is the property owner of both parcels associated with this application and will maintain cross access and cross parking requirements as required.

We are excited about this project and look forward to working with staff through the development of this site.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Robert J Gronauer

Robert J. Gronauer

RJG/mlt

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