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October 25, 2011

VIA EMAIL: sswanton@lasvegasnevada.gov

CITY OF LAS VEGAS
Planning & Development
333 Rancho Drive
Las Vegas, NV 89106

*Re: Revised Justification Letter for Water Park at Desert Inn Road and Rancho Drive
Site Plan Review; Special Use Permits & Variance*

To Whom It May Concern:

Please be advised, this office represents the owner and developer of the proposed project referenced above (the "Applicant"). The proposed water park will be on approximately 33 net acres on the following assessor parcel numbers: 162-08-701-007 & 008; 162-08-701-001, 002, 003, 004 & 005; 162-08-603-001, 002, 003; 162-08-418-002 & 003; 162-08-303-015, 016, 017 & 018; and 162-08-303-033; and 162-08-702-001 & 002 (the "Site").

Site Plan Review

The Applicant is proposing to develop a water park on the Site. Corresponding applications have also been filed seeking a General Plan Amendment to Light Industrial/Research and M zoning for the Site. A water park is a permitted use in the M zoning category. The Site is appropriate for a water park due to the close proximity to I-15 and Sahara Avenue. The water park will consist of several attractions that will make it desirable to visit by both locals and tourists. Additionally, the water park will have certain features and rides that will make it unique to Las Vegas. As currently contemplated, there will be a wave pool, adventure river, body slide landing pool, kid's lagoon, speed slides, uphill coaster, raft slide landing pool and a tube slide landing pool - to name a few features. The parking will be provided on a paved surface lot north of Sirius Avenue with the main entrance to the water park being located on the corner of Sirius Avenue and Rancho Drive. The parking area will have landscape diamonds throughout to visually enhance this area **and will comply with all parking lot landscaping requirements**. Vehicular access to the Site will be primarily from Rancho Drive although adjacent streets may handle some traffic flow coming from the west. Once visitors have parked, there will be visual indicators directing them towards Rancho Drive. The Applicant will be providing a detached sidewalk with 15 feet of landscaping and will encourage the use of the sidewalk along Rancho Drive to access the main entrance into the park in order to minimize pedestrian and vehicle contact within the parking lot.

Along with the Site Plan Review, the Applicant is seeking the following **exception and waiver**:

(1) **An exception for landscaping and amenities in the plaza area. The main entry into the water park will be on the corner of Sirius Avenue and Rancho Drive and will include a plaza area. The plaza area will be used for a convenient drop off area as well as the main pedestrian entrance into the park. In lieu of traditional landscaping, the Applicant is proposing to disperse planters with trees and shrubs throughout the plaza area. Section 19.08.040 (F)(12) does not apply as there are no proposed walls at plaza area; and**

(2) A waiver to provide landscaping along Sirius Avenue adjacent to the location of the bus turnout. The Applicant will provide 15 feet of landscaping but the landscaping will be located behind the bus shelter.

The Applicant will provide a 15 foot wide landscape buffer along Desert Inn Road, Rancho Drive and Sirius Avenue with trees planted 20 feet apart. Finally, the Applicant is exceeding all setback requirements.

Special Use Permits

The Applicant is seeking the following special use permits in conjunction with the water park:

(1) A special use permit to increase the maximum height of rides to 150 feet. Previous approvals in the area have allowed for high rise towers with a similar height. Additionally, the Site is located adjacent to I-15. Therefore, we believe this height is appropriate and will not negatively impact the surrounding neighborhood.

(2) A special use permit to allow two supper clubs to be located within the park. The supper clubs will serve food and on sale alcohol (beer, wine and liquor) with a walk up/sit down bar component. There will be an outdoor patio area also incorporated with the supper clubs. The supper clubs are a necessary component to the water park and will be a welcome amenity.

Variance

The Applicant is seeking a variance to reduce the amount of parking provided on the Site. Based upon our internal calculations related to maximum occupancy, Title 19 would require 2,488 parking spaces. We will be providing 2,125 parking spaces which is approximately a 15% reduction. We believe this variance is justified because a certain percentage of our visitors will be tourists who will use a taxi or other means to get to the water park and will not utilize existing parking spaces. Additionally, the industry standard from other water parks seems to be a calculation of about 3.5 persons per vehicle. Therefore, we believe the parking spaces we are providing will accommodate all visitors who will drive and park at the Site. We have included a letter from Kenneth Ellis, a partner with CAMELBEACH Mountain Waterpark. In their experience, the visitor per car ranged from 3.5 to 4.0 persons per vehicle on average. Finally, the

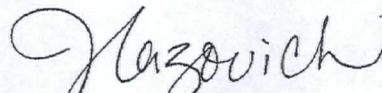
area where the parking will be provided is an odd shaped lot that meets the criteria set forth in Title 19. Due to the unique shape of the Site where the parking will be located, the strict application of any zoning regulation would result in practical difficulties such that a variance from that strict application may be granted so as to relieve the practical difficulties. Additionally, granting of the parking variance would not be substantial detriment to the public good. Therefore, given the unique shape of the lot, the fact that a certain percentage of our visitors will travel by taxi or other means and based upon parking information from other water parks, we believe our parking calculations will accommodate the needs of our water park and that the variance is appropriate.

We are very excited about the development of this project. We believe this water park will be an exciting amenity for the City and Southern Nevada. We look forward to working with the City to complete this project.

Thank you for your consideration of this request. Please contact me if you have any questions.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO


Jennifer Lazovich

JJL/sfm

cc: Philip Bohn
Terry Murphy
Frank Beck