

03/18/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0100-HD MYERS ARBY, LLC:

USE PERMIT for personal services (health club).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce loading spaces; and **2)** eliminate electric vehicle charging requirements.

DESIGN REVIEW for a health club on 4.55 acres in an IP (Industrial Park) Zone.

Generally located on the south side of Arby Avenue and the east side of Myers Street within Spring Valley. MN/dd/kh (For possible action)

RELATED INFORMATION:

APN:

176-04-814-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the number of loading spaces to 1 space where 7 spaces are required per Section 30.04.04I (an 86% reduction).
2.
 - a. Eliminate electric vehicle (EV) capable parking spaces where 52 EV-capable parking spaces are required per Section 30.04.04.
 - b. Eliminate electric vehicle (EV) installed parking spaces where 16 EV-installed parking spaces are required per Section 30.04.04.

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

- General Summary
- Site Address: 7180 Myers Street
- Site Acreage: 4.55
- Project Type: Personal services (health club)
- Number of Stories: 2
- Building Height (feet): 41
- Square Feet: 166,560
- Parking Required/Provided: 521/127 (per provided parking demand study)

History & Site Plan

In February 2022, ZC-21-0748 was approved to change the zoning from R-E (Rural Estates) to M-D (Designed Manufacturing), which was later changed to IP (Industrial Park) with the

adoption of the updated code. ZC-21-0748 also permitted the construction of a distribution center and the development of the site, which included parking and related landscaping.

The site plan still depicts the same building with access from Arby Avenue and Myers Street with a 25 foot wide drive aisle that encircles the building. Loading docks were previously constructed facing east, however all but one of these will be replaced with standard vehicle parking spaces. Other parking areas will remain unchanged. A total of 127 parking spaces are being provided where 521 parking spaces would normally be required, but a parking study has been submitted demonstrating that the parking provided is sufficient for the use.

Landscaping

There are no changes to the street or perimeter landscaping approved by ZC-21-0748. Additionally, the parking lot landscaping will remain the same throughout the site apart from the addition of landscape finger islands in the new parking area on the east side of the building.

Elevations

This building is a maximum of 41 feet high to the parapet wall and is constructed with painted concrete tile panels, reveals, spandrel glazing, an aluminum storefront system, and other architectural enhancements.

The elevations will remain nearly unchanged, with the only difference being the removal of 6 overhead roll-up doors. One door is remaining for loading purposes on the east face of the structure.

Floor Plans

The floor plans depict the first floor of the fitness center as being comprised of a main gymnasium area, locker rooms, and private training areas. The second floor is shown as being comprised of another large gymnasium area, private training rooms, offices of various types, regenerative therapy rooms, workout recovery rooms, assorted spa uses including massage, and a café. Both floors will also include standard amenities such as reception areas, restrooms, storage areas, and areas for mechanical equipment. Each floor is approximately 83,280 square feet.

Applicant's Justification

The applicant states that the current zoning of IP is appropriate for proposed fitness center, and that since it is near Warm Springs Road it is a good use for the site. The applicant also states that the existing warehouse building will work well for the fitness center, stating that the fitness center in question will take up the entire building with gymnasium areas, offices, private training rooms, a café, and more. Additionally, the applicant states that one loading space is sufficient for a fitness center. Finally, the applicant states that the lack of electric vehicle (EV) charging spaces is justified because the tenant is mostly doing an interior remodel, and that the cost of installing EV spaces is cost prohibitive.

Prior Land Use Requests

Application Number	Request	Action	Date
ORD-23-900131	Development Agreement for an industrial development	Approved by BCC	March 2023
DR-22-0495	Increased finished grade in conjunction with a previously approved distribution center	Approved by BCC	October 2022
ZC-21-0748	Reclassified the project site from R-E to M-D zoning for a distribution center	Approved by BCC	February 2022
TM-21-500213	1-lot commercial subdivision in conjunction with a distribution center	Approved by BCC	February 2022
VS-21-0750	Vacation of patent easements in conjunction with a distribution center	Approved by BCC	February 2022
ET-400167-16 (NZC-0625-13)	First extension of time for a nonconforming zone change - expired	Approved by BCC	January 2017
NZC-0625-13	Reclassified from R-E and C-P to R-2 zoning - expired	Approved by BCC	January 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CC	Multi-family residential
South	Business Employment	RS20	Funeral home
East	Business Employment	IP	Office/warehouse development
West	Business Employment	RS3.3	Single-family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the proposed use will not adversely affect the surrounding area. The proposed fitness center is meant to serve low numbers of clientele at any given time, and the current IP zoning of the parcel could have allowed for a more intense use on the site. Furthermore, this application supports the goals of the Clark County Master Plan, specifically Policy 5.5.3, which

advocates for the establishment & support of local businesses. For these reasons, staff can support this request.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

While staff does not typically support reductions in required loading spaces, staff acknowledges that this particular use should not be hindered by reducing the required loading spaces. While some amenities within the fitness center such as the café and towel service may require regular deliveries and pickups, most of the floor space will be occupied by gymnasium areas, private training rooms, and offices- none of which should require regular deliveries. For this reason, staff can support this request.

Waiver of Development Standards #2a

Staff finds that the applicants are largely doing tenant improvements, with only minor modifications being made to the area east of the building to increase the size of the parking area for customers. Additionally, much of the hardscape approved is already existing on site, so installing the infrastructure for 52 EV capable parking spaces would result in existing parking and landscaping areas being removed. For this reason, staff can support this request.

Waiver of Development Standards #2b

The conversion of 52 EV capable parking spaces would be difficult in this case, but staff finds that the addition of 16 EV installed parking spaces is feasible. The loading dock area east of the building is being changed to accommodate automobile parking and parking lot landscape finger islands. Since construction will be taking place in this area, staff finds that the EV parking spaces can be installed with no additional disruption to the site. There, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the proposed changes to the existing site will be minimal, and that these changes will have a positive impact to the site overall. The applicant is proposing additional parking spaces on the east side of the building where there were originally loading spaces. Additionally, the applicant is adding the required parking lot landscaping in the new parking area. Staff also

notes that the applicant provided a parking study to demonstrate a lower need for parking on site. For these reasons, staff can support this request.

Staff Recommendation

Approval of the use permit, waivers of development standards #1 and #2a and the design review; denial of waiver of development standards #2b.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Traffic study and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Spring Valley - approval of the use permit, waivers of development standards #1 and #2a, and the design review; denial of waiver of development standards #2b.

APPROVALS:

PROTESTS:

APPLICANT: HD MYERS ARBY, LLC

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