

11/03/21 BCC AGENDA SHEET

BATHHOUSE
(TITLE 30)

DECATUR BLVD/PATRICK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400151 (NZC-19-0167)-OZ OPTICS HOLDINGS, INC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 3.8 acres from an R-E (Rural Estates Residential) (AE-65) Zone and a P-F (Public Facility) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.

USE PERMITS for the following: **1)** bathhouse; **2)** health club; and **3)** retail.

DESIGN REVIEWS for the following: **1)** bathhouse/health club facility; and **2)** alternative landscaping.

Generally located on the northeast corner of Decatur Boulevard and Patrick Lane (alignment) within Paradise (description on file). MN/bb/jd (For possible action)

RELATED INFORMATION:

APN:

162-31-201-014; 162-31-201-015; 162-31-201-019

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.8
- Project Type: Bathhouse/health club
- Number of Stories: 2
- Building Height (feet): 42
- Square Feet: 34,565
- Parking Required/Provided: 171/185

Site Plan

The approved site plan depicts a proposed bathhouse/health club facility located on the eastern portion of the site. Setbacks for the building include 207 feet from the front property line along Decatur Boulevard, 92 feet from the east property line, 75 feet from the north property line, and 98 feet from the south property line. Access to the site is provided by a driveway on Decatur Boulevard, and parking spaces are mostly located in front of the building; however, parking

spaces are also located adjacent to the side property lines and the rear property line. A trash enclosure is located on the southeast portion of the site, and a loading zone is located adjacent to the south side of the building. A pedestrian path connects Decatur Boulevard to the front of the building entrance, which faces west, and 16 bicycle spaces are provided near the northwest corner of the building.

Landscaping

Abundant landscaping was shown on the previously approved plans, including a detached sidewalk along Decatur Boulevard that consists of a 5 foot wide landscape strip, 5 foot wide sidewalk, and a 12 foot wide landscape strip behind the sidewalk. Landscaping also includes approximately 20 foot wide landscape strips on both sides of the front drive aisle leading to the front of the building. Eight foot wide planter strips with block walls are located on the north, south, and east sides of the site, and landscaping fingers are provided throughout the parking lot. A design review for alternative landscaping was necessary because 1 area of the site, located on the northeast side of the building exceeds the minimum number of parking spaces in a row without a landscape finger. All other aspects of the landscaping comply with Title 30 standards.

Elevations

Approximately half of the 2 story building consists of 40 foot high walls with a parapet wall along the roofline. This portion of the building includes horizontal rows of windows, but otherwise includes no architectural features to reduce the visual mass on the east elevation. Other portions of the building are less than 30 feet in height and include architectural features to reduce the visual mass such as overhangs, columns, and various surface planes. Exterior finish materials evoke a Middle Eastern design influence, and include marble veneer cladding, gold colored metal roof domes, and an intricate decorative pattern around the main entrance, which faces west towards Decatur Boulevard.

Floor Plans

The first floor of the 34,565 square foot facility is 23,750 square feet and includes a reception lobby with customer check-in, separate male and female locker rooms/changing rooms, 5 massage rooms, 5 Hamam/Turkish bath areas/rooms, an open health/fitness studio, and a marble showroom (marble veneers are a component of the Middle Eastern design of the facades, and the applicant intends to wholesale marble in the facility). Massage rooms occupy less than 25% of the public floor area per Title 30 standards for massage as an accessory use to a health club. The second floor is 10,815 square feet and includes an elevator/stair lobby, separate male and female locker rooms/changing rooms, additional health/fitness studio space, a yoga room, and administrative office space.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-19-0167:

Current Planning

- A Resolution of Intent to complete in 3 years;
- 2 years to review as a public hearing;
- Design review as a public hearing for significant changes to plans;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Decatur Boulevard.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0696-

2018 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant’s Justification

Covid-19 delayed the construction activities and scheduling of work that was required to move this application forward. This development request was originally filed with the Federal Aviation Administration (FAA) on February 2019 at a time when the FAA transitioned away from email and fax submissions to electronic upload system. The FAA never processed the Aeronautical Study for the project, requiring a recent resubmittal. The owner agreed to sell the property to Clark County for a road project and buy back some of the same property when asked. This sale and repurchase delayed the final map. The project is back on track and moving forward, having recently started grading the property and working on off-sites.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-0167	Reclassified 3.8 acres from R-E & P-F to M-1 zoning for a bathhouse, health club, and retail	Approved by BCC	May 2019
VS-19-0126	Vacated and abandoned patent easements	Approved by PC	April 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & P-F	Undeveloped
South	Business and Design/Research Park & Public Facilities	P-F	Drainage channel & detention basin
East	Public Facilities	P-F	Drainage channel & detention basin
West	Business and Design/Research Park	M-1	Industrial development (wholesale of building materials)

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial

changes have occurred at the subject site since the original approval. The applicant has made progress toward the completion of the project, the off-site permit has been issued (PW20-10411), traffic mitigation fees have been paid (PW19-16038), the drainage study has been approved (PW19-15446), and the expired grading permit has been reviewed, issued, and work has commenced. For these reasons, staff can support an extension of time for this project.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until May 22, 2023 to complete and review.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works - Development Review

- Compliance with previous conditions;
- Coordinate with Clark County Public Works - Design Division for the Decatur Boulevard improvement project.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: OZ OPTICS HOLDINS, INC

CONTACT: MICHAEL BELLON, 1408 SAINTSBURY DRIVE, LAS VEGAS, NV 89144