



Planning Commission Agenda Item

Date: September 14, 2022
Item No: 23.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Robert Eastman

SUBJECT: **SUP-28-2022 HEALTH AND FITNESS CENTER (Public Hearing).**
Applicant: Forward Tee LLC. Request: A special use permit in an M-2 (General Industrial District) to allow a health and fitness center.
Location: 4120 East Craig Road. Ward 1. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION: (APN 140-06-610-017)

The applicant is requesting a special use permit to allow a health and fitness center within an M-2, General Industrial District. The proposed health and fitness center will occupy 8,000 square feet of an existing 30,750 square foot building. This health and fitness center will be located at 4120 East Craig Road. The subject site's Comprehensive Master Plan land use designation is Heavy Industrial.

BACKGROUND INFORMATION:

Previous Action
On April 20, 2022 the City Council approved Ordinance 3115 (ZOA-01-2022) to allow health and fitness centers within the M-2 District as a special use.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Heavy Industrial	M-2, General Industrial District	Existing Industrial Building with Maaco Body Shop
North	Heavy Industrial	M-2, General Industrial District	Undeveloped
South	Multi-Family Residential	R-3, Multi-Family Residential District	Sonata Apartments
East	Heavy Industrial	M-2, General Industrial District	Existing Industrial Development
West	Heavy Industrial	M-2, General Industrial District	NV Energy Substation

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	See Attached Memorandum.
Clark County Department of Aviation:	No Comment.
Clark County School District:	No Comment.
Economic Development:	No Comment.

ANALYSIS:

The applicant is requesting a special use permit to allow a health and fitness center within an M-2, General Industrial District. The proposed health and fitness center will occupy 8,000 square feet of an existing 30,750 square foot building. The proposed health and fitness center will be located at 4120 East Craig Road. The subject site's Comprehensive Master Plan land use designation is Heavy Industrial. The proposed use is located within the Craig Commerce Center.

On April 20, 2022, the City Council approved Ordinance No 3115, amending the Permitted Use Table 17.20.010-1 to allow Health and Fitness Centers as a special use in the M-2, General Industrial District. This amendment to the zoning ordinance included three conditions for Health and Fitness Centers within the M-2, General Industrial District:

1. Within the M-2 District the center must be located adjacent to a 120-foot Right-of-Way.
2. Within the M-2 District the center must be located within 500 feet of a residential district.
3. Within the M-2 District the maximum size may not exceed 8,000 square feet.

The proposed special use permit meets all three conditions for a health and fitness center within the M-2 District. The proposed health and fitness center is located at 4120 East Craig Road which is 120-foot right-of-way. The subject site is located directly across Craig Road from the Sonata Apartments and is less than 500 feet from a residential district. Finally, both the applicant's letter of intent and the submitted floor plan state the health and fitness center will be 8,000 square feet in size.

Access to the Craig Commerce Center (subject site) is from one entrance located along Craig Road and one entrance along Vandenberg Drive. The existing site contains 45 parking spaces where a total of 59 parking spaces are required for both the existing uses and proposed health and fitness center. The existing uses require a total of 35 parking spaces: Maaco Collision Repair requires 22 parking spaces and the warehouse area (10,750 square feet) requires 13 parking spaces. The proposed health and fitness center will need an additional 24 parking spaces. The proposed site plan has designated 10 parking spaces along the north side of the building adjacent to the rollup doors. The proposed parking would block the warehouse area's access to the rollup doors. The proposed parking spaces are not allowed to block the rollup doors and will not be considered for this site. The applicant's letter of intent states that parking will be provided within the warehouse sections of the building with access through the rollup doors. Parking inside the building is currently not allowed. Modifications to the building to ensure adequate ventilation, fire access, turning radii, etc are required to allow convert the warehouse area into a parking area. The proposed site plan also includes the vehicle storage spaces used by Maaco as parking spaces. These spaces cannot be counted towards the overall parking requirement as the secure storage space is fenced and does not allow access.

The existing center does not provide the required number of off-street parking spaces. However, Municipal Code Section 17.24.040.I.1.a Reduction of the Parking Spaces allows a permitted, conditional, or special use that does not meet the parking requirements of this section may be converted to another use without full compliance with the required number of spaces provided the applicant provides the maximum amount of parking spaces possible without being required to remove or partially remove a structure. This section of the municipal code has also been interpreted to allow a reduction in parking for another conditional or special uses when located within existing commercial or industrial centers.

There is an existing perimeter landscape area with an attached sidewalk along Craig Road and an existing perimeter landscape area without a sidewalk along Vandenberg Drive. The perimeter landscaping along both streets is missing some shrubs and some decorative rock mulch. The landscaping along both streets will need to be restored prior to the issuance of a business license.

The existing building was constructed in 1999 with concrete tilt up panels. The south side of the building fronting Craig Road has a varied roofline, windows, doors a painted beltline and alternating color scheme to provide some relief from the height and bulk of the building. The west side of the building fronting Vandenberg Drive has the painted beltline and the alternating color scheme. The north and east sides of the building have a modified alternating color scheme. Maaco Collision Repair occupies two suites within the building and their portion of the building is painted blue and light grey. The remainder of the building is painted beige and tan. Some portions of the building where the health and fitness center will be located have faded or missing paint. The façade of this portion of the building will need to be painted to ensure the building is in compliance with the design standards prior to the issuance of a business license.

The submitted floor plan shows the health and fitness center, referred to as Naked Athletics, located in the center of the existing building occupying an area that is 100 feet by 80 feet. Included in the Naked Athletics lease space are restrooms, a changing room and front desk/cashier area. The lease space includes two entrances. The floor plan also identifies the Maaco Collision Repair located at the east end of the building; warehouse space along the rear and between the Maaco and the proposed health and fitness center that is not part of the lease space. Additionally, there are two additional suites, on the west end of the building, to the left of the Naked Athletics lease space which are not labeled and appear to be vacant. The entrance door and the windows for these two suites contain Naked Athletics signage. The applicant may not advertise on

doorways or windows that are not part of the 8,000 square foot lease space. Any signage, including window and door signs, on parts of the building not associated with Naked Athletics must be removed prior to the issuance of a business license.

The Fire Prevention Division has reviewed the proposed application including the floor plan and provided an informational memo. The memo indicates that a change in occupancy will be necessary for the proposed use in the industrial building. The change in occupancy will require a thorough inspection of the building and numerous modifications to the building including, at a minimum the addition of a one-hour fire rated wall, within the building to create the 8,000 square foot health and fitness center area. Additionally, upgrades to the buildings fire sprinkler system may be necessary to meet the required building, fire and life safety codes.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

The proposed use is consistent with Ordinance No. 3115 and the conditions regarding location, proximity to residential and maximum size. However, the proposed use is non-industrial, and it is an assembly type of use. An assembly use allows a relatively high number of people to gather in one area. The gathering of people in an industrial area creates a safety risk for the assembled people.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The applicant shall remove all non-permitted signage and obtain sign permits for any legal and allowable signage.

ATTACHMENTS:

Fire Prevention Memorandum
Letter of Intent
Site Plan
Floor Plan
Building Photos
Assessor's Parcel Map
Location and Zoning Map