



Memorandum

Date: May 28, 2015

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Jeremy Harper, REHS, Environmental Health Supervisor *JH*
Paul Klouse, REHS, Environmental Health Manager *PK*
Jacqueline Reszetar, Director of Environmental Health *JR*
Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer *JPI*

Subject: Variance Request to Operate a Public Bathing Places not in Compliance with the Nevada Administrative Code (NAC) 444.134.1 and 444.166.1, TopGolf International, Inc, d/b/a TopGolf USA Las Vegas, LLC, 4627 Koval Lane, Las Vegas, NV, 89109; [Assessor's Parcel Number (APN) 162-21-301-027] for pending Health Permits PR0115107 & PR011508; Dominic Crespo, for the Owner(s), TopGolf International, Inc.

I. BACKGROUND:

TopGolf International, Inc, d/b/a TopGolf USA Las Vegas is petitioning for a variance as requested by Dominic Crespo, Owners Representative to operate two public bathing places not in compliance with Nevada Administrative Code (NAC) 444.134.1, which states in part – “...a clear, unobstructed deck must be provided around the entire perimeter of a pool. In no case may the width of the deck be less than 4 feet (1.2 meters). A deck may be obstructed for a distance equal to not more than 10 percent of the perimeter of the pool...” and (NAC) 444.166.1, which states in part – “...the overflow gutter around any pool must be continuous around the pool except at stairs or recessed ladders...”

II. DISCUSSION:

Petitioner is requesting a variance for two pools to be constructed, each with less than 90% unobstructed deck perimeter, and an overflow gutter trough edge that extends for approximately 50% of its perimeter, in lieu of a continuous gutter. The level 3 pool's surface area is 1,678 square feet and a total perimeter of 207 lineal feet. Of that total perimeter, 102 lineal feet has a minimum 4 feet wide deck, fully compliant with the requirements of NAC 444.134.1, with that portion of the pool also being a rim flow (tension edge) type gutter system. Further, the 3rd floor pool includes a fifteen (15) feet length of bar, incorporated along the east wall which constitutes an obstruction. The petitioner proposes that additional wall returns be installed on the sections of the pool interior without surface skimming to ensure that good recirculation and proper water exchange are maintained. The 3rd floor pool has a 3'-6" water

depth. The petitioner proposes that the remaining 105 feet of perimeter on the south and east sides of the pool be constructed with 24" elevation difference between the pool wall and the third floor finish, due to the pool shell encroachment into the vertical clearance of the restaurant space immediately below. The petitioner states that a lifeguard will be permanently stationed at the 3rd floor pool during its operational hours.

The petitioner argues that, on the 4th floor, a complete, unobstructed deck would block the passage of light into the building's lower floors, encroach into the space below, and require increased structural support. The petitioner proposes that the 4th Level pool be 3'-6" deep, have a water surface area of 556 square feet and a total perimeter of 134 lineal feet, with the north, west and east side walls of clear acrylic panels, with the east wall two (2) feet above the adjacent deck to avert encroachment into the floor below. The petitioner argues that, as the 4th Level pool's maximum width is only twelve (12) ft., a lifeguard station can be permanently located on the raised edge east, making for close access to assist bathers in this pool at all times of operation.

The evidence presented for granting a variance to permit TopGolf USA Las Vegas LLC to deviate from NAC 444.166.1 by allowing a non continuous surface skimming gutter system located on the Level 3 pool and NAC 444.134.1 accommodating two pools with a perimeter edge raised 24" above the surrounding deck, is listed below:

(a) There are circumstances or conditions which -

(1) Are unique to the applicant:

The petitioner states that to incorporate a minimum 3'-6" depth pool on Level 3 while maintaining the necessary clear vertical space on the floor below, it is necessary that a portion of the pool's perimeter is 24" higher than the surrounding deck.

The petitioner states that a complete deck around the 4th floor pool, which is only 12 ft. wide, would block the passage of light into the building's lower floors and require increased structural support for that decking. A permanently stationed lifeguard along the slender pool's north side ensures bathers are constantly monitored and in very close proximity to trained personnel.

(2) Do not generally affect other persons subject to regulations:

The petitioner states that the request for Variances will not affect other persons subject to the regulation since this is a project-specific condition and the pool will in all other respects comply with NAC requirements for decks, stairs, drainage, markings, etc.

(3) Make compliance with the regulation unduly burdensome:

The petitioner states that compliance with the regulation would be unduly burdensome due to the necessary reconfiguration of the building additional re-design, materials and time for construction.

(4) Will not be detrimental or pose a danger to public health and safety:

The petitioner states that hardships to the project inflicted by complying with the regulation would be:

- Re-design of the building with an overall increase in height and to provide an equivalent path for light
 - Distortion of vertical proportioning
 - Increasing the structural members of the building for adequate strength
 - Additional construction costs estimated at \$767,800
 - Loss of operating revenue from a longer construction period, estimated at \$750,000
 - Deprivation of pools that afford high marketing and project signature value in a competitive market, causing reduced project visibility and revenues
- (b) Granting the Variance – The petitioner states that:

Grant a condition that allows 105 lineal feet of the Level 3 pool's edge to be twenty four 24 inches higher than the surrounding deck without which the pool, even with a shallow 3'-6" water depth throughout, will encroach into the clear vertical space of the floor below.

Grant a condition that allows for a non-continuous gutter around the Level 3 pool. A gutter will be provided around approximately half the pool's perimeter and additional wall jets will be installed on the portion without gutter to promote good water exchange and circulation.

Grant a condition that does not require a deck around the Level 4 pool edge. The pool's narrow (12 ft.) width offers pool access and bather safety from the deck provided, consistent with the intent of the regulation. The requirement for deck around the full perimeter of the pool will block the passage of light into the building's lower floors and require increased structural support for that decking.

- (2) Will not be detrimental or pose a danger to public health and safety - The petitioner states that:

Granting the Variance will not be detrimental or pose a danger to public health and safety because the pools will be engineered to incorporate all necessary and code mandated safety provisions.

The Level 3 pool has a continuous 4 feet minimum width of deck around approximately half of its perimeter and no point in the pool is further than 22 feet from a section of 4 feet wide deck. A high rate of skimming and water recirculation will be maintained throughout the pool by a gutter around approximately half its perimeter, coupled with additional wall returns in portions without gutter. A lifeguard will constantly monitor the pool when operating.

The Level 4 pool has a raised edge along its north side from which a lifeguard will constantly monitor the pool when operating. Further, since the pool is so slender, no point in the pool is further than 12 feet from a lifeguard location.

Accordingly, in both pools, all issues pertaining to easy access to bathers, complete visibility and bather safety are incorporated in the design of the water bodies.

III. RECOMMENDATION:

Staff is of the opinion that there exist circumstances which satisfy the requirements for a variance, and that the granting of this variance will not be detrimental or pose an unreasonable danger to public health and safety if the following conditions are included. Therefore, staff recommends approval of the variance in accordance with the outlined conditions.

IV. CONDITIONS:

1. The petitioner agrees to maintain a walkway area around the pools accessible and free from obstruction;
2. The petitioner will maintain lifeguard coverage at both bodies of water during all hours of operation. Additional lifeguards maybe required by the health authority due to placement and any obstructions present for optimal bathing surveillance.
3. Additional wall inlets to be provided at areas without continuous skimming as authorized by the health authority.
4. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spas Regulations, NAC 444;
5. The petitioner agrees to provide steps to exit the pool with required tread heights on the interior and exterior tread heights on the exterior of the pools as deemed necessary by the health authority;
6. The petitioner agrees to operate the facility as approved by the health authority and does not intend to operate the facility as a high-occupancy or "party pool" facility and shall request approval in writing to the health authority prior to any modifications to the approved plan and/or facility;
7. Failure of the petitioner to prevent public health and safety issues, as determined by the health authority, will result in the voiding of this variance;
8. Pertinent design changes that deviate from the plans proposed during the initial review of the variance may void the variance;
9. This variance is automatically terminated without further notice upon the closing of any sale transaction involving the subject property, or upon petitioner leasing or assigning operation of these public bathing spas to any other person or entity.

JH

Attachments:

- A. Nevada Secretary of State Corporate Information
- B. Variance Application Letter
- C. Assessor's Parcel Information
- D. Assessor's Map
- E. Public Notice
- F. Affidavit of Public Notice
- G. Level 3 Construction Plans
- H. Level 4 Construction Plans
- I. Level 3 & 4 Cross sections
- J. Renditions

Attachment A: Nevada Secretary of State Corporate Information

Entity Details - Secretary of State, Nevada

Page 1 of 2

TOPGOLF USA LAS VEGAS, LLC

Business Entity Information			
Status:	Active	File Date:	4/21/2014
Type:	Foreign Limited-Liability Company	Entity Number:	E0216812014-8
Qualifying State:	DE	List of Officers Due:	4/30/2016
Managed By:		Expiration Date:	
NV Business ID:	NV20141278890	Business License Exp:	4/30/2016

Additional Information	
Central Index Key:	

Registered Agent Information			
Name:	THE CORPORATION TRUST COMPANY OF NEVADA	Address 1:	311 S DIVISION ST
Address 2:		City:	CARSON CITY
State:	NV	Zip Code:	89703
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	NEVADA	Status:	Active

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 0
No stock records found for this company			

- Officers		<input type="checkbox"/> Include Inactive Officers	
Manager - WILLIAM DAVENPORT			
Address 1:	1717 MCKINNEY AVENUE, SUITE 800	Address 2:	
City:	DALLAS	State:	TX
Zip Code:	75202	Country:	USA
Status:	Active	Email:	
Manager - KENNETH MAY			
Address 1:	1717 MCKINNEY AVENUE, SUITE 800	Address 2:	
City:	DALLAS	State:	TX
Zip Code:	75202	Country:	USA
Status:	Active	Email:	

- Actions\Amendments			
Action Type:	Application for Foreign Registration		
Document Number:	20140291671-73	# of Pages:	1
File Date:	4/21/2014	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	20140389945-66	# of Pages:	1
File Date:	6/29/2014	Effective Date:	
2014/2015			
Action Type:	Annual List		
Document Number:	20150162071-05	# of Pages:	1
File Date:	4/8/2015	Effective Date:	
(No notes for this action)			

Attachment B – Variance Application Letter



April 6, 2015

Ms. Jacqueline Reszetar, REHS, Environmental Health Division Dir.
Southern Nevada Health District
Environmental Health Division - Pool Plan Desk
330 North Rancho Drive; Ste 450
Las Vegas, NV 89106

Subject:

**TopGolf USA Las Vegas, LLC - 4627 Koval Lane, Las Vegas, NV 89109:
Variance Application Letter - Request for a Variance from NAC 444.134.I- Continuous
Deck on Level 3 & Level 4 Pools and from NAC 444.166.I - Non-Continuous Gutter on
Level 3 Pool:**

Dear Ms. Reszetar:

Please accept this letter, together with the Variance Candidate worksheet and preliminary plans and sections of the referenced project's 3rd and 4th floors pool deck areas, as the request by the Owner for a variance from NAC 444.134 requiring entire perimeter, unobstructed decks around 3rd and 4th level pools and NAC 444.166.1.I for a non-continuous gutter on the 3rd level pool.

Specifically, the variance application is to grant a condition that two pools be constructed with a less than 100% unobstructed deck and the Level 3 pools gutter edge extend for approximately 50% of its perimeter, in lieu of continuous. This is because on the 3rd floor, without a portion of the pool deck raised 24" above the adjacent floor, the pool basin would encroach into the clear vertical restaurant space beneath. Further, the 3rd floor pool includes a fifteen (15) feet length of bar, incorporated along the east wall which is raised but constitutes an obstruction. Skimming can be provided by a gutter trough around fully half of the 3rd floor pool's perimeter and additional wall returns are proposed on the portion without gutter, to ensure that good recirculation and water exchange are maintained. On the 4th floor, a complete, unobstructed deck would block the passage of light into the building's lower floors, encroach into the space below and require increased structural support.

Please note the project is located at 4627 Koval Lane, Las Vegas, NV 89109; the Assessor's Parcel Number is 162-21-301-027 Lot 2 and the Operator is TopGolf 1717 McKinney Avenue, 8th Floor, Ste. 800, Dallas, TX 75202. The contact name for the Owner is Dominic Crespo and the phone number is (972) 730-7536.

Per the plans reviewed and discussed at an April 2, 2015 Preliminary Meeting at SNHD, the 3rd floor pool has a 3'-6" water depth. The 3rd Level pool's water surface area is 1,678 sq.ft. and a total perimeter of 207 lineal feet. Of that total perimeter, 102 lineal feet has a minimum 4'-0" wide deck, fully

Topgolf | 1717 McKinney Ave., Suite 800 | Dallas, TX 75202 | p. 214.377.0615





compliant with the requirements of NAC 444.134.1, that portion of the pool also being a rim flow (tension edge) type. Without a 24" elevation difference between the pool wall and the third floor finish floor for 105 feet of perimeter on the south and east sides of the pool, it will encroach into the vertical clearance of the restaurant space immediately below. A lifeguard will be permanently stationed at the 3rd floor pool during its operational hours.

The 4th Level pool; also 3'-6" deep, has a water surface area of 556 sq.ft. and a total perimeter of 134 lineal feet, the north, west and east side walls are clear acrylic panels and the east wall is necessarily two (2) feet above the adjacent deck to avert encroachment into the floor below. However the 4th Level pool's maximum width is only twelve (12) ft. and a lifeguard station will be permanently located on the raised edge east, very close to bathers in this narrow pool at all times of operation. Additional deck would block the passage of light into the floors below and require increased structural support.

For each water body, unhindered access to the entire water body will be maintained - no more than 22 ft. distant from any point in the 3rd pool and 12 ft. (the pool's maximum width) distant in the 4th Level pool. These dimensions are significantly less than open reaches of water in many commercial pools in Las Vegas and thus fully consistent with the safety standards and provisions for reaching bathers anywhere within the pools. Further, lifeguard access distances are similar or less than other pools with raised edges, gaming tables or bars such the existing "Dish Pool" at the Hard Rock Hotel, the "Fortuna Pool" at Caesars and The Cromwell's 10th / 11th pool and spa on the Las Vegas Strip.

The following lists the conditions, circumstances and issues that support granting a variance to the project, thus:

EVIDENCE SUBMITTED FOR GRANTING A VARIANCE:

The evidence presented for granting a variance to permit TopGolf USA to deviate from NAC regulation 444.134.1, i.e. accommodating a pool with a clear, unobstructed deck around less than the entire perimeter of the pool, is thus:

- (a) There are circumstances or conditions which -
 - (1) Are unique to the applicant:

Unique conditions exist at the project, thus:

- i) The building's floor to floor height accommodates a restaurant into which the 3rd Level pool would encroach unless a portion is raised above surrounding finish floor level. A continuous deck is provided along the pool's perimeter that ensures a bather will never be further than 22 ft. horizontally from the edge.





- ii) A complete deck around the 4th floor pool, which is only 12 ft. wide, would block the passage of light into the building's lower floors and require increased structural support for that decking. A permanently stationed lifeguard along the pool's north side ensures bathers are constantly monitored and in very close proximity to trained personnel.

(2) Do not generally affect other persons subject to regulations:

Granting a variance will not affect other persons subject to regulations regarding pool decks. The design of the water bodies will comply in all respects with the requirements of Nevada Administrative Code, Chapter 444 other than for the subsection cited.

(3) Make compliance with the regulation unduly burdensome:

Compliance with the current regulation would be unduly burdensome for TopGolf USA. The building would need to be reconfigured, proportions revised and structural support increased - all at an exorbitant cost.

(4) Hardships caused and substantial property right abridged by complying with the regulation include:

- (i) An extremely costly reconfiguration of the building's overall height, light pathways and structural elements would be required, as well as incurring additional time and design costs to complete the reconfiguration. The estimated additional cost of a reconfigured profile and structural system is \$767,800 and the estimated loss of revenue during the longer construction period closure is \$750,000.
- (ii) Without being granted a variance to install the pools with less than clear unobstructed decks around their entire perimeters, the project would be deprived of high marketing value and project signature amenities. Without these, the property will suffer impaired visibility, reduced business and decreased revenues. That opportunity cost is estimated to be at least \$1,000,000 per annum.

(b) Granting the Variance -

- I. Is necessary to render substantial justice to the applicant and enable their preserving and enjoying a property right:





Granting the variance will allow the use of the deck for swimming and to provide amenities offering high aesthetic value and aquatic ambience, in conjunction with the operation of adjacent project facilities and attractions; a right currently enjoyed by other nearby properties.

2. Will not be detrimental or pose a danger to public health and safety:
Granting the variance will not be detrimental or pose a danger to public health and safety, because the pools will incorporate all necessary and code mandated safety provisions. In the case of the 3rd and 4th Level pools, bathers cannot be further distant than 22 feet and 12 feet respectively from expanses of dry deck, compliant in all respects with the intent of NAC 444.134.

I
Enclosed herein are:

1. Three (3) sets of plans and sections of the pool
2. Variance Candidate Worksheet
3. Variance Application Letter
4. Variance Application Fee of \$1,181.00

It is our understanding that submittal of this letter and the listed attachments to SNHD on or before April 8th, 2015 assures that this Variance Application will be included on the agenda of the May 28th, 2015 scheduled Clark County Board of Health meeting.

Please contact me if you require any further information for your consideration of this variance request.

Sincerely



Dominic Crespo, Director of Construction, TopGolf

cc: Candice Stirling, SNHD
Clemente Cicoria, YWS Intl.
Jill Rubin, YWS Intl.
Desmond Stevens, STO Design Group



Attachment C: Assessor's Parcel Information

Clark County Real Property

Page 1 of 2

GENERAL INFORMATION	
PARCEL NO.	162-21-301-027
OWNER AND MAILING ADDRESS	M G M GRAND HOTEL L L C 880 GRIER DR LAS VEGAS NV 89119
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	PARADISE
ASSESSOR DESCRIPTION	PARCEL MAP FILE 105 PAGE 99 PT LOT 2
RECORDED DOCUMENT NO.	* 20010712:02390
RECORDED DATE	Jul 12 2001
VESTING	NS
COMMENTS	

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE	
TAX DISTRICT	470
APPRAISAL YEAR	2014
FISCAL YEAR	2015-16
SUPPLEMENTAL IMPROVEMENT VALUE	0
SUPPLEMENTAL IMPROVEMENT ACCOUNT NUMBER	N/A

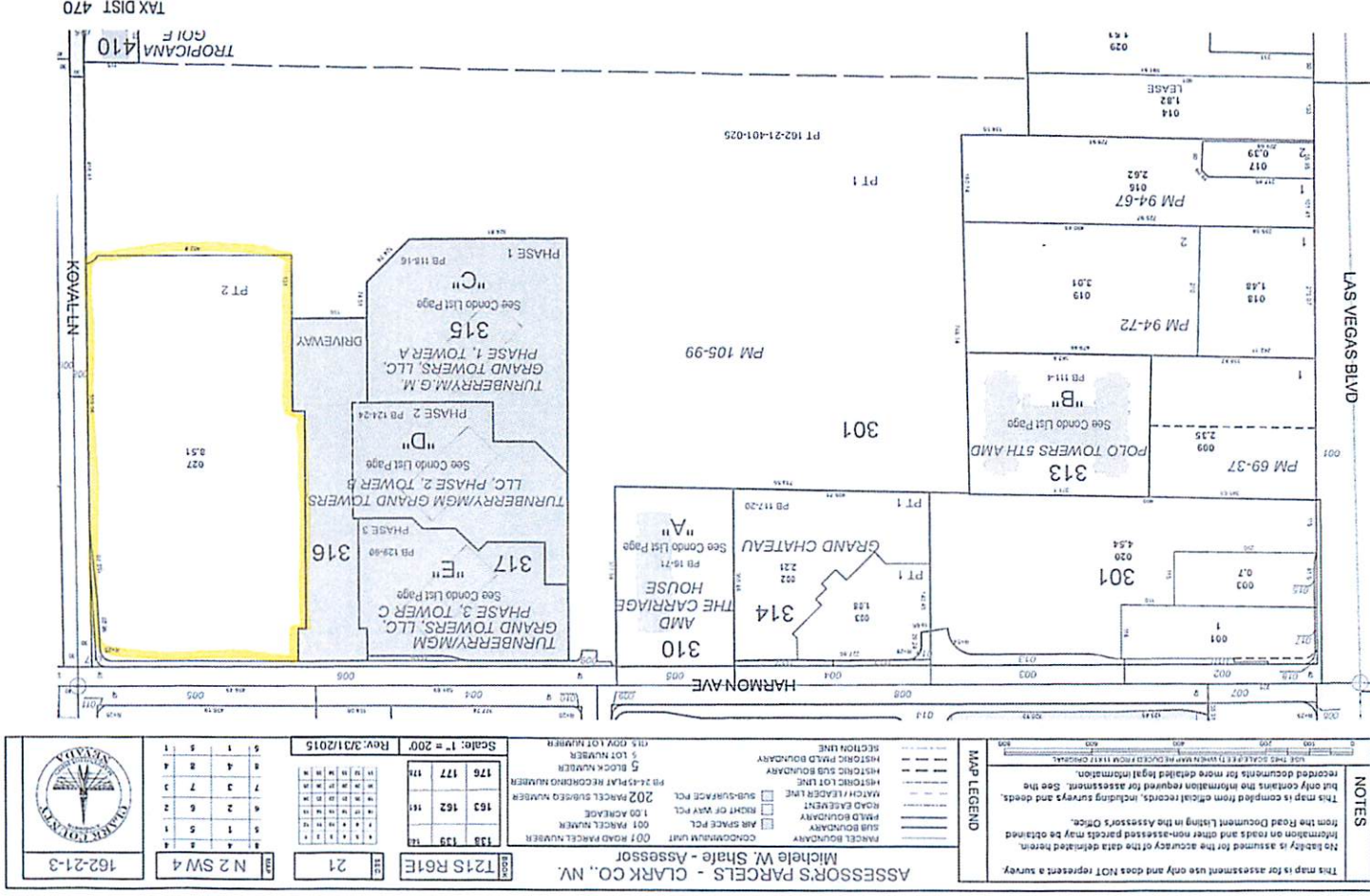
REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2014-15	2015-16
LAND	7356462	7881924
IMPROVEMENTS	0	0
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	7356462	7881924
TAXABLE LAND+IMP (SUBTOTAL)	21018463	22519783
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	7356462	7881924
TOTAL TAXABLE VALUE	21018463	22519783

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	8.51 Acres
ORIGINAL CONST. YEAR	0
LAST SALE PRICE MONTH/YEAR	0
LAND USE	310 - Hotels - Class 1 Resort
DWELLING UNITS	0

PRIMARY RESIDENTIAL STRUCTURE

1ST FLOOR SQ. FT.	0	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	NO
3RD FLOOR SQ. FT.	0	STORIES		SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	0	TYPE OF CONSTRUCTION	
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	0	ROOF TYPE	
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

Attachment D: Assessor's Map



	162-21-3
	N 2 SW 4
	21

Scale: 1" = 200'	Rev: 3/31/2015
176	177
163	162
138	139

Parcel Boundary	--- (solid line)
Sub Boundary	--- (dashed line)
Road Boundary	--- (dash-dot line)
Historic Sub Boundary	--- (dotted line)
Historic Lot Line	--- (long-dashed line)
Match Leader Line	--- (short-dashed line)
Right of Way PCL	--- (dash-dot-dot line)
Sub-Surface PCL	--- (dotted line)
100 Acreage	--- (long-dashed line)
001 Parcel Number	---
002 Parcel Number	---
003 Parcel Number	---
004 Parcel Number	---
005 Parcel Number	---
006 Parcel Number	---
007 Parcel Number	---
008 Parcel Number	---
009 Parcel Number	---
010 Parcel Number	---
011 Parcel Number	---
012 Parcel Number	---
013 Parcel Number	---
014 Parcel Number	---
015 Parcel Number	---
016 Parcel Number	---
017 Parcel Number	---
018 Parcel Number	---
019 Parcel Number	---
020 Parcel Number	---
021 Parcel Number	---
022 Parcel Number	---
023 Parcel Number	---
024 Parcel Number	---
025 Parcel Number	---
026 Parcel Number	---
027 Parcel Number	---
028 Parcel Number	---
029 Parcel Number	---
030 Parcel Number	---
031 Parcel Number	---
032 Parcel Number	---
033 Parcel Number	---
034 Parcel Number	---
035 Parcel Number	---
036 Parcel Number	---
037 Parcel Number	---
038 Parcel Number	---
039 Parcel Number	---
040 Parcel Number	---
041 Parcel Number	---
042 Parcel Number	---
043 Parcel Number	---
044 Parcel Number	---
045 Parcel Number	---
046 Parcel Number	---
047 Parcel Number	---
048 Parcel Number	---
049 Parcel Number	---
050 Parcel Number	---
051 Parcel Number	---
052 Parcel Number	---
053 Parcel Number	---
054 Parcel Number	---
055 Parcel Number	---
056 Parcel Number	---
057 Parcel Number	---
058 Parcel Number	---
059 Parcel Number	---
060 Parcel Number	---
061 Parcel Number	---
062 Parcel Number	---
063 Parcel Number	---
064 Parcel Number	---
065 Parcel Number	---
066 Parcel Number	---
067 Parcel Number	---
068 Parcel Number	---
069 Parcel Number	---
070 Parcel Number	---
071 Parcel Number	---
072 Parcel Number	---
073 Parcel Number	---
074 Parcel Number	---
075 Parcel Number	---
076 Parcel Number	---
077 Parcel Number	---
078 Parcel Number	---
079 Parcel Number	---
080 Parcel Number	---
081 Parcel Number	---
082 Parcel Number	---
083 Parcel Number	---
084 Parcel Number	---
085 Parcel Number	---
086 Parcel Number	---
087 Parcel Number	---
088 Parcel Number	---
089 Parcel Number	---
090 Parcel Number	---
091 Parcel Number	---
092 Parcel Number	---
093 Parcel Number	---
094 Parcel Number	---
095 Parcel Number	---
096 Parcel Number	---
097 Parcel Number	---
098 Parcel Number	---
099 Parcel Number	---
100 Parcel Number	---

ASSESSOR'S PARCELS - CLARK CO., NV.
 Michele W. Share - Assessor

NOTES
This map is for assessment use only and does NOT represent a survey recorded document for more detailed legal information.
This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.
Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.
No liability is assumed for the accuracy of the data delineated herein.
MAP LEGEND
Parcel Boundary
Sub Boundary
Road Boundary
Match Leader Line
Historic Lot Line
Historic Sub Boundary
Historic Road Boundary
Section Line
Parcel Boundary
Sub Boundary
Road Boundary
Match Leader Line
Historic Lot Line
Historic Sub Boundary
Historic Road Boundary
Section Line

Attachment E: Public Notice



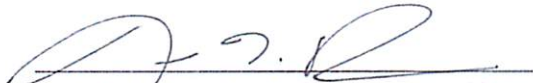
PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on May 28th, 2015 at 8:30 a.m., during its monthly meeting held at 330 S. VALLEY VIEW BOULEVARD, LAS VEGAS, NEVADA 89107 to approve or deny a variance request to operate a public bathing place not in compliance for TopGolf International, Inc dba TopGolf USA Las Vegas, LLC, located at 4627 Koval Lane, Las Vegas, Nevada 89109, APN 162-21-301-027. Note, if this application is not presented at the May 28, 2015 meeting, it will be presented at the June 25, 2015 meeting.

The variance request is made to allow the Petitioner to construct and operate public bathing places which are not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas: NAC 444.134, paragraph 1: Decks: Dimensional design. In addition to NAC 444.166, paragraph 1: Gutters: Non-continuous rim flow design.

Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Jeremy Harper, Environmental Health Supervisor, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, no later than May 11, 2015. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 333 N. Rancho Drive, Las Vegas NV 89106.

If there are special viewing needs, please contact Bonnie Archie at (702) 759-0571 to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.


Jacqueline Reszetar, R.E.H.S., Environmental Health Director
Southern Nevada Health District

04/10/15
Date

Attachment F: Affidavit of Public Notice

Affidavit of Publication

STATE OF NEVADA)
COUNTY OF CLARK) SS:

SO NEVADA HEALTH DISTRICT
PO BOX 3902
LAS VEGAS NV 89127-3902

Account # 22345
Ad Number 0000493368

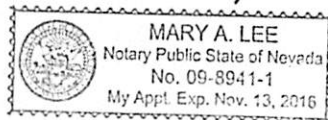
Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/17/2015 to 04/17/2015, on the following days:

04 / 17 / 15

Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 17th day of April, 2015

Notary *Mary Lee*



SNHD
Southern Nevada Health District

PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on May 28th, 2015 at 8:30 a.m. during its monthly meeting held at 330 S. VALLEY VIEW BOULEVARD, LAS VEGAS, NEVADA 89107 to approve or deny a variance request to operate a public bathing place not in compliance for TopGolf International, Inc dba TopGolf USA Las Vegas, LLC, located at 4627 Koval Lane, Las Vegas, Nevada 89109, APN 162-21-301-027. Note, if this application is not presented at the May 26, 2015 meeting, it will be presented at the June 25, 2015 meeting.

The variance request is made to allow the Petitioner to construct and operate public bathing places which are not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas: NAC 444.134, paragraph 1: Decks: Dimensional design. In addition to NAC 444.166, paragraph 1: Gutters: Non-continuous rim flow design.

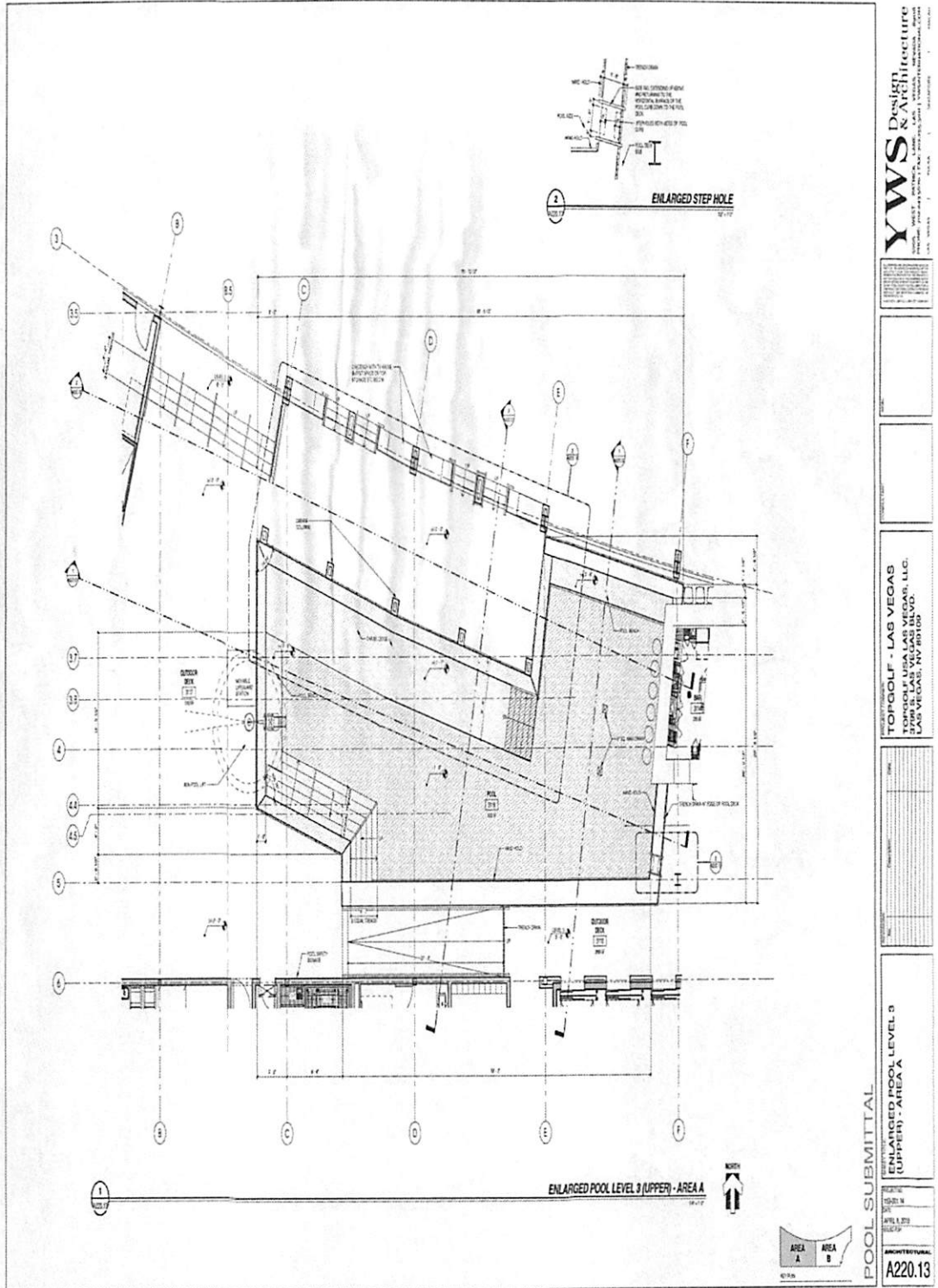
Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Jeremy Harper, Environmental Health Supervisor, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, no later than May 11, 2015. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 333 N. Rancho Drive, Las Vegas NV 89106.

If there are special viewing needs, please contact Bonnie Archie at (702) 759-0571 to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.

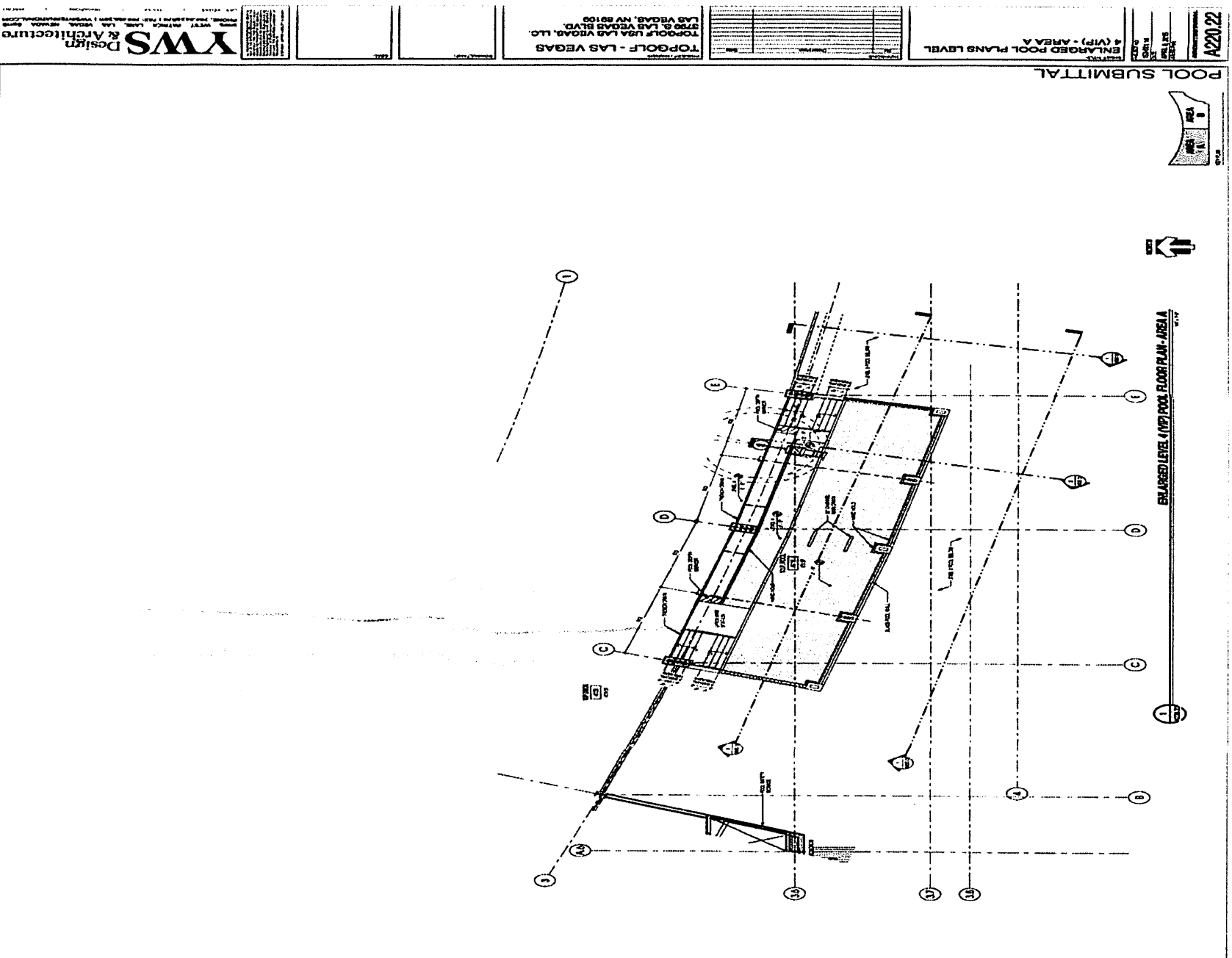
Jacqueline Reszetar, R.E.H.S.,
Environmental Health Director
Southern Nevada
Health District
Date 04/10/15

PUB: April 17, 2015
LV Review-Journal

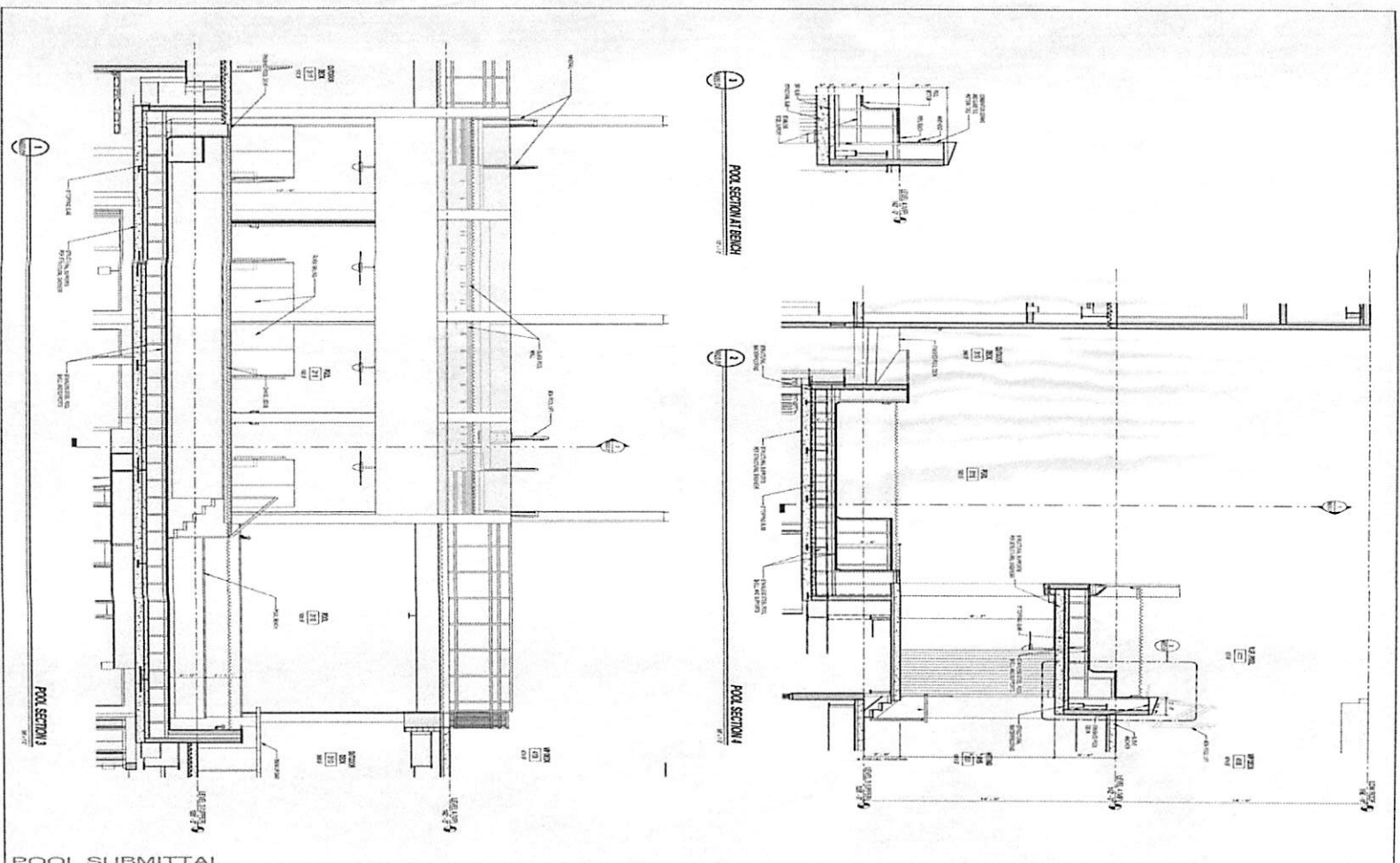
Attachment G: Plans Level 3



Attachment H: Plans Level 4



Attachment I: Plans Level 3 & 4 cross-section



POOL SUBMITTAL

PROJECT NO.	AS20.01
DATE	12/15/14
SCALE	AS SHOWN
DRAWN BY	AS20.01
CHECKED BY	
APPROVED BY	

NO.	DESCRIPTION	DATE

NO.	DESCRIPTION	DATE

TOPGOLF - LAS VEGAS
 TOPGOLF USA LAS VEGAS, LLC.
 3799 S. LAS VEGAS BLVD.
 LAS VEGAS, NV 89109

NO.	DESCRIPTION	DATE

NO.	DESCRIPTION	DATE

YWS Design & Architecture
 YOUNG, WHEAT, PATRICK, LANE, LAS VEGAS, NEVADA
 1700 W. BONAVILLE BLVD. SUITE 200 LAS VEGAS, NV 89102
 TEL: 702.735.1100 FAX: 702.735.1101 WWW.YWSDA.COM

Attachment J: Architectural Rendition

