

10/07/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0594-AAA LAND INVESTMENT, LLC:

USE PERMIT for vehicle maintenance and repair.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards; and **2)** reduced buffering and screening.

DESIGN REVIEW for a proposed vehicle maintenance and repair facility in conjunction with an existing commercial development on a 1.76 acre portion of a 4.11 total acre site in a CG (Commercial General) Zone.

Generally located east of Fort Apache Road and north of Warm Springs Road within Spring Valley. JJ/bb/kh (For possible action)

RELATED INFORMATION:

APN:

176-05-401-026 and 176-05-401-027 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Allow the largest structure (proposed vehicle maintenance and repair building) in a multi-building development not within the core of the development where required per Section 30.04.06G.
 - b. Allow parking areas for non-residential development within 30 feet of a residential district to have a 15 foot wide landscape buffer and non-decorative screen wall height up to 6 feet where buffering and screening shall consist of a 15 foot wide landscape buffer with an 8 foot high decorative screen wall per Section 30.04.06L and Section 30.04.02C.
2. Allow an existing 6 foot screen wall where an 8 foot screen wall is required for buffering and screening along the east property line where required per Section 30.04.02.C (a 25% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 7282 S. Fort Apache Road
- Site Acreage: 1.76 (portion of project site)/4.11 (overall)
- Project Type: Vehicle maintenance and repair facility
- Number of Stories: 1

- Building Height (feet): 33 (proposed vehicle maintenance and repair building)/20 (existing convenience store with vehicle wash)/17.5 (existing gasoline canopy)/10 (existing vacuum canopies)
- Square Feet: 3,770 (proposed vehicle maintenance and repair building)/6,341 (existing convenience store with vehicle wash)/4,740 (existing gasoline canopy)
- Parking Required/Provided: 27/31
- Sustainability Required/Provided: 7/7

Site Plan

The existing commercial development is located on APN 176-05-401-027 and an expansion to this development was approved on the northern parcel (176-05-401-026) in 2024. Additionally, the parcel to the north was approved for 2 restaurant buildings and 2 office/retail buildings. The applicant is requesting a use permit to allow a proposed vehicle maintenance and repair facility along the east property line of the southern parcel to be within 15 feet of the residential development to the east. Title 30 states that these types of establishments shall not be within 200 feet of any area subject to residential adjacency standards, unless separated by an arterial or collector street or buffered by a building.

Access to the site is provided via 1 existing driveway along Fort Apache Road on the northwest corner of site, and 2 existing driveways along the south property line adjacent to Warm Springs Road. The subject parcel (southern lot) includes an existing 4,740 square foot gas station canopy on the west side of the property, a 3,726 square foot convenience store, and a 2,625 square foot mechanical vehicle wash in the central part of the parcel. Existing parking spaces are located on the north, south, and west sides of the convenience store, with 8 vacuum spaces located along the north property line.

As a part of this application, 8 new parking spaces are shown on the south and north sides of the proposed vehicle maintenance and repair building. However, a waiver of development standards for residential adjacency is required since the proposed parking south of the proposed building is within 30 feet of a single-family residential development to the east and not adequately buffered. The required buffering and screening along the east property line does not meet the buffering and screening standards per Section 30.04.02. Although there is a 15 foot wide landscape area, Code requires an 8 foot high decorative wall and the applicant is requesting an additional waiver to allow the existing 6 foot high non-decorative wall along the east property line to remain.

Two bicycle racks are also located near the entrance of the proposed building. Pedestrian circulation is provided throughout the site extending from the public sidewalk and adjacent bus turn-out to all building entrances and include the use of pedestrian walkways and crosswalks with pavers or other changes to materials.

Furthermore, the applicant is requesting a waiver of development standards to allow the largest structure (proposed vehicle maintenance and repair building) in a multi-building development to not be within the core of the development where required per Section 30.04.06G. The site plan shows that the proposed building is along the east property line and is not within the core or center of the existing development, thus the applicant is requesting to modify this residential adjacency standard.

Landscaping

The plan shows existing street landscaping, parking area landscaping, and a landscape buffer along the east property line of APN 176-05-401-027. The existing landscaping along the east property line was installed as a temporary buffer, which was previously approved during the development of the gas station and vehicle wash via UC-0421-10. Per the conditions of approval for UC-0421-10, a design review as a public hearing is required to address future landscaping along the east property line.

With this application, the proposed vehicle maintenance and repair building is also subject to a design review to address proposed site modifications, which includes this landscape area. The submitted plans show that a 15 foot wide landscape buffer is proposed along the east property line adjacent to the single-family residential development to the east. A double row of evergreen trees will be planted offset from one another and will be planted 20 feet on center. Buffering and screening requirements per Title 30 standards include an 8 foot high decorative screen wall in addition to a 15 foot wide landscape area. As previously mentioned, the applicant is proposing to keep the existing 6 foot high wall, which is the subject of a proposed waiver request.

Elevations

The plans depict all 4 sides of the proposed vehicle maintenance and repair building with a variety of siding texture, variations in roof plane, dormer windows, and an aluminum storefront entrance facing Warm Springs Road. The maximum height is 33 feet to the top of the highest point of the roof, with most of the building being 22 feet high on the parapet walls. The building materials consist of smooth sand finish stucco, shot blast finish CMU block wall, and standing seam metal roof with several contrasting and complimentary colors. Design accents include stone veneers, painted metal awnings and strips, doors and windows with aluminum and glass store front doors and windows. Canopies are depicted over 2 out of 3 storefronts, windows, and building entrances along the west and south sides of the building.

Floor Plan

The plan depicts a proposed 3,770 square foot vehicle maintenance and repair building that includes 2,487 square feet with 6 service bays and roll up doors facing west into the interior of the property. The primary entrance is along the south facing wall with access to a 793 square foot sales area and 490 square feet of storage space.

Applicant's Justification

The applicant states that the proposed vehicle maintenance and repair building on a pad site was anticipated for commercial use since 2010. All vehicle maintenance activity will not include outdoor overnight parking of vehicles. Any vehicles remaining on-site will be kept inside the building in each bay area. No openings are proposed on the north or east sides of the building and only pedestrian access will take place on the south side of the building. Parking is set back behind the residential property to the east by a 15 foot landscape buffer and an existing wall along the property line. The existing residential wall is approximately 6 feet high where an 8 foot high decorative wall is required. The new building is required to be set back 200 feet from an area subject to residential adjacency and only 15 feet is provided with this plan and is the subject of a use permit request with this application. The building and buffer area will

adequately protect the adjacent residential area from the vehicle repair uses with service bay doors facing the existing car wash and gas station building.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-24-0495	Retail and restaurant additions to shopping center	Approved by BCC	November 2024
VS-24-0494	Vacate and abandon patent easements (for the northern parcel only)	Approved by BCC	November 2024
WS-0163-12	Waiver for full off-site improvements in conjunction with a future commercial development	Approved by BCC	May 2012
UC-0421-10	Allowed a retail center on a portion of the site	Approved by BCC	October 2010
UC-0461-07	Allowed a shopping center consisting of 3 retail buildings, tavern, and convenience store with a car wash - expired	Approved by BCC	July 2007
TM-0459-06	1 lot commercial subdivision	Approved by PC	December 2006
ZC-1646-00 (ET-0315-05)	Second extension of time to remove time limit and adopt zoning with previous conditions	Approved by BCC	February 2006
TM-0108-04	1 lot commercial subdivision - expired	Approved by PC	April 2004
ZC-1646-00 (ET-0248-03)	First extension of time for a zone change to C-2 zoning	Approved by BCC	November 2003
UC-1564-03	Reduced setback from a residential development to a proposed tavern in a shopping center	Approved by BCC	November 2003
ZC-1646-00	Reclassified the subject site to C-2 zoning	Approved by BCC	January 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3 (Rhodes Ranch - Planned Community)	Single-family residential
South	Corridor Mixed-Use	RS3.3	Single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

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

Related Applications

Application Number	Request
VS-25-0595	A vacation and abandonment of easements is a companion item on this agenda.

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.

The proposed vehicle maintenance and repair facility is not compatible with the residential uses to the east of this property. A 15 foot setback from the building to the property line and less than 200 foot separation from the residential area and will have an adverse effect on the adjacent properties when considering noise related to the vehicle repair and maintenance operation. There are approximately 12 homes within 200 feet of the east side of the proposed vehicle maintenance and repair building. Staff finds the proposed vehicle maintenance and repair use will adversely impact the character of the adjacent neighborhood; therefore, staff is unable to support the use permit.

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

The proposed vehicle maintenance and repair building is situated approximately 3 feet lower than the homes located to the east of the property, but the proposed vehicle maintenance structure is as high as 32.5 feet. This makes the proposed building the highest and largest building on the site when compared to the existing convenience store and vehicle wash building. The proposed vehicle maintenance and repair building is about 10 feet higher than the convenience store. Title 30 and the residential adjacency standards require multi-building developments to configure the site with the largest and highest building in the core area of the lot. Furthermore, the parking spaces south of the proposed building are not adequately screened since the applicant will not provide an 8 foot high decorative screen wall. For these reasons, staff cannot support the waiver requests.

Waiver of Development Standards #2

The existing wall along the east property line is approximately 5.5 feet high on the east side of the wall where the adjacent residential homes are located. The proposed building is approximately 3 feet lower in finished grade. Per the submitted cross-sections an area of sloped earth meets the wall at 3 feet above the proposed finished grade (west of the existing wall), with the remaining exposed wall height being approximately 5.5 feet high. The applicant did not provide sufficient justification as to why an 8 foot high decorative screen wall cannot be provided. The proposed vehicle maintenance and repair facility will only have a setback of 15 feet from an existing residential development where 200 feet is required per Code. Staff finds that these residents would likely benefit from a higher decorative screen wall to help buffer additional noise pollution. Therefore, staff cannot support the waiver.

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. The building and design are adequate with respect to the design requirement elements related to materials, texture, design, roof type, canopy cover, architectural accents, and orientation. Furthermore, the applicant has shown compliance with the sustainability standards by meeting 7 of 7 points from the checklist. However, since the staff is unable to support the use permit and waivers of development standards, staff is also unable to support the design review.

Staff Recommendation

Denial.

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.
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- 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; 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

- Drainage study and compliance;
- Traffic study and compliance.

Fire Prevention Bureau

- Applicant is advised that operational permits may be required for this facility; that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0110-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS:

APPLICANT: AAA LAND INVESTMENT, LLC

CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119