

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0033-TOMPKINS PLAZA, LLC:**

**AMENDED HOLDOVER USE PERMIT** for a vehicle wash.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce buffering and screening; **2)** increase retaining wall height (no longer needed); **3)** increase maximum parking (no longer needed); **4)** modify residential adjacency standards; **5)** allow attached sidewalks (no longer needed); and **6)** reduce throat depth.

**DESIGN REVIEW** for a vehicle wash and restaurants with drive-thrus on a 3.14 acre portion of a 4.19 acre site in a CG (Commercial General) Zone.

Generally located on the southwest corner of Tompkins Avenue and Fort Apache Road within Spring Valley. JJ/mh/kh (For possible action)

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RELATED INFORMATION:

**APN:**

163-19-818-002; 163-19-818-004; 163-19-818-005 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate a decorative screen wall along a portion of the west property line where an 8 foot high decorative screen wall is required per Section 30.04.02C.
2. Increase retaining wall height to 4 feet where 3 feet is the maximum per Section 30.04.03C (a 33% increase) **(no longer needed)**.
3. Allow 106 parking spaces where 67 parking spaces are required and a maximum of 77 parking spaces is permissible per Section 30.04.04D (a 38% increase) **(no longer needed)**.
4.
  - a. Allow a drive-thru lane **51** feet from a residential zoning district where 200 feet is required per Section 30.04.06E (a 74% reduction).
  - b. Allow higher activity areas (parking and circulation) of development adjacent to a residential district where not permissible per Section 30.04.06G.
  - c. **Allow a trash enclosure 8 feet from a residential zoning district where a minimum separation of 50 feet is required per Section 30.04.06K (an 84% reduction)**.
5.
  - a. Allow an attached sidewalk to remain where a detached sidewalk is required along Tompkins Avenue per Section 30.04.08C **(no longer needed)**.
  - b. Allow an attached sidewalk to remain where a detached sidewalk is required along Fort Apache Road per Section 30.04.08C **(no longer needed)**.
6. Reduce the throat depth along Fort Apache Road to **24** feet where 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (an 84% reduction).

**LAND USE PLAN:**  
**SPRING VALLEY - NEIGHBORHOOD COMMERCIAL**

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 3.14 (portion of 4.19)
- Project Type: Vehicle wash
- Number of Stories: 1
- Building Height (feet): **35**
- Square Feet: **4,193**
- Parking Required/Provided: 8/8 (subject portion)/20/41 (overall)
- Sustainability Required/Provided: 7/7

Site Plan

The applicant submitted revised plans which now only depict a proposed vehicle wash accessed via two-way commercial driveways along Tompkins Avenue to the north and Fort Apache Road to the east. The 4,193 square foot vehicle wash is located along the southern portion of the site, set back 408 feet from the north property line, 89 feet from the east property line, 44 feet from the south property line, and 71 feet from the west property line. Immediately to the north of the vehicle wash are 20 vacuum spaces and an ADA parking space, with the rest of the parking spaces located northwest of the vehicle wash. There are 3 lanes that lead vehicles into the vehicle wash, with vehicles entering on the east side and exiting on the west side. A proposed trash enclosure is located southwest of the vehicle wash, set back 8 feet, 9 inches from the west property line. Cross access is proposed along the southeast and southwest corners of the site, which will connect the subject site (APN 163-19-818-002) to the existing commercial development to the south. For the subject site, there are 8 parking spaces provided where 8 parking spaces are required. For the overall development, including the existing commercial buildings to the south, there are 41 parking spaces provided where 20 parking spaces are required. There is an existing fence-wall combination located along the west property line, with a height of approximately 11 feet.

Landscaping

The revised plans depict detached sidewalks with street landscaping consisting of large trees, shrubs, and groundcover along Tompkins Avenue and Fort Apache Road. Parking area trees and shrubs are located throughout the site and around each of the buildings. A 15 foot wide landscape buffer is located along the west property line, which is adjacent to residential development. This landscape area features a double row of evergreen trees planted off-set and spaced 20 feet apart, which complies with the Title 30 landscape buffer requirements. The trees provided in the landscape buffer also serve as parking area trees as they are located immediately to the west of the proposed parking spaces. The applicant is not providing the required 8 foot high decorative screen wall along the west property line, resulting in a waiver of development standards for screening.

### Elevations

The revised plans depict a 35 foot high vehicle wash building with a flat, variable roofline. While the building is 35 feet at its peak parapet, much of the building is approximately 22 feet in height. The building features wood framing, CMU, and metal panels, and will feature white coloration. The vehicle wash entry and exit are located on the east and west sides, respectively, while the north side features the entrance. Shade awnings are also provided along the sides of the building.

### Floor Plans

The revised plans depict a 4,193 square foot vehicle wash, featuring the vehicle tunnel, restroom, office, break room, equipment room, and electrical room.

### Applicant's Justification

The applicant states that providing the required 200 foot separation from a vehicle wash to residential development would impact the traffic flow within the site. To mitigate this request, an intense landscape buffer is provided along the west property line. For buffering and screening, the landscaping requirement is met, while an existing combination fence-wall provides screening. Noise concerns resulting from the reduced separation between the drive-thru and adjacent residential use are mitigated by the location of the residential buildings, which are set back approximately 60 feet from the site. Parking and circulation adjacent to the residential zone will be mitigated by the double row of evergreen trees provided along the west property line. Lastly, providing the required throat depth would have a negative impact on traffic flow within the site. Overall, the proposed development will attract new businesses to the area and create employment opportunities for the community.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0170-17	Use permit, waivers of development stand for vehicle rental and vehicle wash facility, waiver for reduced separation from a residential use, and comprehensive sign plan - expired	Approved by BCC	April 2017
TM-0052-11	Tentative map for a commercial subdivision	Approved by PC	August 2011
ET-400225-10 (UC-1583-06)	Second extension of time for a use permit, waiver, and design review for a retail and office center - expired	Approved by BCC	April 2011
ET-400327-08 (UC-1583-06)	First extension of time for a use permit, waiver, and design review for a retail and office center - expired	Approved by BCC	January 2009
UC-1583-06	Use permit, waiver, and design review for a retail and office center - expired	Approved by BCC	December 2006
DR-0867-05	Design review for an office building - expired	Approved by PC	July 2005

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-400110-99 (ZC-0337-97)	First extension of time for a zone change from R-E to C-1 zoning for a retail shopping center, with a use permit for a convenience store with self-service gasoline pumps	Approved by BCC	April 1999
TM-0124-98	Tentative map for a 1 lot commercial subdivision	Approved by PC	June 1998
ZC-0337-97	First extension of time for a zone change and use permit for a convenience store with gasoline pumps	Approved by BCC	May 1997
VS-0336-97	Vacation and abandonment for easements	Approved by BCC	April 1997

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	Shopping center
South	Neighborhood Commercial	CG	Vehicle maintenance facility & shopping center
East	Corridor Mixed-Use	CG	Office complex
West	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential

### Related Applications

Application Number	Request
VS-26-0176	A vacation and abandonment of rights-of-way 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.

**Title 30 requires a vehicle wash servicing automobiles to be 200 feet away from any residential zoning district, while the proposed vehicle wash is 71 feet away from the**

residences to the west. The applicant is providing an intense landscape buffer and a combination fence and wall along the shared property line, however, staff still has concerns about the proximity of a vehicle wash due to the noise and consistent vehicular traffic associated with this use. The vehicle wash will not be buffered from the residential development by any other building or other additional mitigation and the vehicle entry into the tunnel also faces the residential zone, which increases the intensity of the use. For these reasons, staff cannot 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.

#### 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.

#### Waivers of Development Standards #1

**Staff finds that although there is an existing combination fence and wall along the west property line, it does not meet the 8 foot high decorative screen wall requirement per Title 30. The proposed 4 foot high retaining wall could be redesigned to meet Code by decreasing the retaining wall portion to 3 feet in height and providing an additional 5 foot high decorative screen wall on top of the retaining wall. Staff finds that there is not compelling justification to allow the increased height for the retaining wall, given that the applicant is also not meeting the screening requirements. Therefore, staff cannot support this request.**

#### Waivers of Development Standards #2 & #3

**No longer needed.**

#### Waiver of Development Standards #4 & Design Review

**The applicant is not meeting several Title 30 requirements related to residential adjacency, including the required 200 foot separation between a drive-thru lane and a residential zoning district, as a 51 foot separation is being proposed. Additionally, a trash enclosure will be located 8 feet from the residential property line where a 50 foot separation is required, which may adversely affect residents. Staff finds that the proposed vehicle wash use and the drive-thru lane encroaching into the required separation is too intense for this site. Ultimately, this is an undeveloped lot that is better suited for alternative commercial uses that will have less impact on the adjacent residences. For these reasons, staff cannot support these requests.**

**Public Works - Development Review**  
Waiver of Development Standards #5  
**No longer needed.**

Waiver of Development Standards #6

**Although the throat depth for the commercial driveway on Fort Apache Road does not comply with the minimum standard, the applicant worked with staff to extend the throat depth which provides more room for vehicles to safely exit the right-of-way to gain access to the site. Furthermore, the reduction will not impact vehicles in the right-of-way as it is along the egress side of the commercial driveway. Therefore, staff has no objection to this request. However, since staff does not support the remainder of the application staff cannot support the request.**

**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.
- 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
- **Full off-site improvements;**
- **The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;**
- **No drive-through access or conflicting movements to the north of the vehicle wash as determined by Public Works;**

- **Public Works may extend the throat depth for any driveway on Fort Apache Road and Tompkins Avenue to meet the standard based on future building additions to the site.**

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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 #0038-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Spring Valley - denial; Spring Valley - approval.

**APPROVALS:** 8 cards

**PROTESTS:** 2 cards

**COUNTY COMMISSION ACTION:** March 19, 2025 – HELD – To 04/16/25 – per the applicant.

**COUNTY COMMISSION ACTION:** April 16, 2025 – HELD – To 05/07/25 – per the applicant.

**COUNTY COMMISSION ACTION:** May 7, 2025 – HELD – To 06/04/25 – per the applicant.

**COUNTY COMMISSION ACTION:** June 4, 2025 – HELD – No Date – per the applicant.

**COUNTY COMMISSION ACTION:** April 8, 2026 – HELD – To 05/20/26 – per the applicant.

**APPLICANT:** TOMPKINS PLAZA, LLC

**CONTACT:** STORM DEVELOPMENT SERVICES, 9811 W. CHARLESTON BOULEVARD, SUITE 2, LAS VEGAS, NV 89117