

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400037 (ZC-23-0679)-LOVES TRAVEL STOPS & COUNTRY STORES INC:

USE PERMIT FIRST EXTENSION OF TIME for a truck stop.

WAIVER OF DEVELOPMENT STANDARDS to waive sidewalk and allow alternative street landscaping.

DESIGN REVIEWS for the following: **1)** a truck stop; **2)** alternative parking lot landscaping; and **3)** finished grade on 25.01 acres in a CG (Commercial General) Zone.

Generally located east of US 95 and north of Kidwell Hanger Road (alignment) within Cal-Nev-Ari (South County). MN/rr/kh (For possible action)

RELATED INFORMATION:

APN:

255-30-501-005; 255-30-701-001; 255-30-801-001; 255-30-801-010

WAIVER OF DEVELOPMENT STANDARDS

Waive sidewalks and allow alternative landscaping along US Highway 95 where a detached sidewalk and landscaping per Figure 30.64-17 is required.

DESIGN REVIEWS:

1. A truck stop.
2. Alternative parking lot landscaping for truck parking spaces where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 66.7% increase).

LAND USE PLAN:

SOUTH COUNTY (CAL-NEV-ARI) - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 25.01
- Project Type: Truck stop with restaurant and retail uses
- Number of Stories: 1
- Building Height (feet): 28 (restaurant/retail building) up to 21 (fuel canopies)
- Square Feet: 9,370 (restaurant/retail building)
- Parking Required/Provided: 56/61 (vehicle parking) - 4 (RV spaces) - 51 (truck spaces)

History & Site Plan

The original application (ZC-23-0679), approved in December 2023 by the Board of County Commissioners, reclassified 22.8 acres of the site from H-2 and R-U to C-2 (now CG) with a use permit, waivers of development standards and design review for a truck stop. The approved plans depicted a proposed truck stop with a truck fuel canopy, an RV fuel canopy, and an auto fuel canopy. A building for restaurant/retail use was proposed near the center of the site. Vehicular access was provided from US 95 via a shared private access driveway with two parcels to the south, APNs 255-30-801-001 & 255-30-801-010. The access driveway will be paved with the proposed development. 64 parking spaces including 3 ADA spaces was indicated to the south of the RV and auto fueling areas and south of the restaurant/retail building. The parking area also included 4 EV-installed parking spaces including 1 accessible space. A separate driveway was provided from the access driveway for trucks to the east of the restaurant/retail building. This driveway will access a truck fueling area, truck scale, and 51 truck parking stalls. Revised plans under AV-24-900686 approved in November 2024 reduced the number of parking spaces to 61, including 3 ADA spaces and 4 EV spaces, and added 4 overnight RV parking spaces. A dog park was also relocated to the southeast of the restaurant/retail building with the approval of the revised plans. A significant portion of the north and east sides of the property is not being developed at this time.

Landscaping

The approved plans depicted large trees located within the landscape islands that are indicated for every 6 parking spaces and at the ends of the parking rows. Four shrubs are also proposed for each tree which is in accordance with the requirements of the Code for the standard parking spaces. The plan also indicated landscaping along the perimeter of the property including a minimum 15 foot wide landscaping along the frontage of US Highway 95. However, the number of trees does not meet the Title 30 requirements. All trees provided throughout the site are 24 inch box sized and all shrubs are 5 gallon. For the truck parking areas, landscaping was located along the perimeter, but no landscape finger islands are proposed within this area. AV-24-900686 reduced the landscape area slightly, added 3 trees and reduced 8 shrubs in the parking areas and perimeter of the site.

Elevations

The approved plans indicate a retail/restaurant building at 24 feet 3 inches in height with a roof parapet that extends to 28 feet. The building features an aluminum storefront window system, EIFS panels, and brick veneer. In addition, there are 3 gas fueling canopies for trucks, autos, and RVs. Each canopy features painted steel columns and a 4 foot high fascia on the canopies. The auto and RV canopies will be 20 feet in height, and the truck canopy will be 21 feet in height.

Floor Plans

The approved plans depict a building that is 9,730 square feet with 6,988 square feet of retail square feet and 2,742 square feet dedicated for restaurant use.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-23-0679:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available in the vicinity of the parcel and none are planned within the next 5 years.

Applicant’s Justification

The applicant is requesting a first extension of time and has been diligently processing the development of the site. The applicant has received approval of a technical drainage study (PW-23-12514), offsite improvement permit (NDOT encroachment permit 218543-2024), and onsite wastewater treatment plant permit (NS2025517). The applicant has also been working on securing water rights for the project.

Prior Land Use Requests

Application Number	Request	Action	Date
AV-24-900686	Revised plans for ZC-23-0679	Approved by ZA	November 2024
PA-23-700036	Redesignated 22.8 acres of the site from ON (Outlying Neighborhood up to 0.5 du/ac) to CM (Corridor Mixed Use)	Approved by BCC	December 2023

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0679	Reclassified 22.8 acres of the site from H-2 and R-U to C-2 (now CG), use permit, waivers of development standards, and design reviews for a truck stop	Approved by BCC	December 2023
VC-0324-95 & WT-0619-99 (ET-0127-09)	Fourth extension of time to permit a vehicle towing service and impound yard in an R-U zone with waivers of development standards on a portion of the original parcel - expired	Approved by PC	June 2009
WT-0619-99	Waived full off-site improvements on a portion of the original parcel	Approved by PC	May 1999
VC-0324-95	Permit a vehicle towing service and impound yard in an R-U zone with waivers of development standards on a portion of the original parcel	Approved by BCC	May 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Outlying Neighborhood (up to 0.5 du/ac)	CG	Undeveloped
South	Corridor Mixed-Use, Entertainment Mixed-Use & Outlying Neighborhood (up to 0.5 du/c)	CG	Motel & undeveloped
West	Entertainment Mixed-Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-2 & RS5.2	Casino & single-family residential

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

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the applicant has shown progress towards the development of the site by obtaining some of the necessary permits and approvals including an approved drainage study, and submitting for offsite improvements, and an on-site water treatment plant permit. Since this is the first extension of time, staff can support this request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until December 20, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: LOVES TRAVEL STOPS & COUNTRY STORES, INC.

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135