

12/06/23 BCC AGENDA SHEET

TRUCK STOP
(TITLE 30)

I-15/LAS VEGAS BLVD N
(APEX)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400149 (ZC-20-0356)-MMB APEX AUCTION, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: **1)** alcohol sales, beer and wine - packaged only; and **2)** alcohol sales, liquor - packaged only.

WAIVERS OF DEVELOPMENT STANDARD for the following: **1)** modify commercial driveway improvements; and **2)** waive off-site improvements (curb, gutter, sidewalk, and partial paving).

DESIGN REVIEW for a proposed truck stop with gasoline pumps on a 4.0 acre portion of 24.9 acres in an M-1 (Light Manufacturing) (AE-70) Zone.

Generally located on the south side of I-15 and the east side of Las Vegas Boulevard North within the Northeast County Planning Area (description on file). MK/rp/syp (For possible action)

RELATED INFORMATION:

APN:

122-09-310-001 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a partially improved commercial driveway on Clark Petersen Boulevard with asphalt only where a commercial curb return driveway is required per Chapter 30.52.
- b. Allow a partially improved commercial driveway on the public cul-de-sac with asphalt only where a commercial curb return driveway is required per Chapter 30.52.
2. Waive off-site improvements for the cul-de-sac (curb, gutter, sidewalk, and partial paving) where required per Chapter 30.52.

LAND USE PLAN:

NORTHEAST COUNTY (APEX) - INDUSTRIAL EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 7802 Las Vegas Boulevard North
- Site Acreage: 24.9 (portion)
- Project Type: Truck stop
- Number of Stories: 1

- Building Height (feet): 29
- Square Feet: 7,469 (building)/4,610 (sales area)
- Parking Required/Provided: 30/52

Site Plans

The approved plans show a truck stop consisting of 7,469 square feet with 2 gasoline canopies. The building will be oriented in a north/south direction. The eastern gas pumps will be primarily for trucks, while the western gas pumps are for automobiles. Parking is provided throughout the property with truck parking along the east and north portions of the development and standard parking for automobiles in the west portion of the development. Pedestrian walkways are provided to the store. There will be 2 access drives for this development. The western driveway is a private access that will be granted by the Bureau of Land Management (BLM). The eastern driveway is accessed through a 60 foot wide public BLM right-of-way grant and a public cul-de-sac that will be dedicated as part of this project. Both the private and public grants take access from Clark Petersen Boulevard to the south. The total development is equal to 4 acres on a portion of the 24.9 acre site. The eastern portion of the site will remain undeveloped.

Landscaping

Landscaping is provided throughout the perimeter of the proposed development. Landscape areas of 10 feet wide are shown along the western and northern property lines, a 5 foot wide landscape area along the east property line and a 6 foot wide landscape area along the south property line. Interior parking lot landscaping is provided per Code with landscape islands every 10 spaces per Figure 30.64-14.

Elevations

The approved plans depict a 1 story commercial building with a pitched roofline and architectural enhancements. The total height is 27 feet and includes decorative stucco finish, stone columns, and aluminum storefront windows. The proposed gasoline pump canopies are 20 feet in height to the top fascia with a flat roofline, aluminum and stone columns with bollards.

Floor Plans

The approved plans depict a commercial building with a sales area (including the alcohol sales), gaming area, restrooms, utility room, storage, cashier area, and office space. Pedestrian access to the building is shown on both the western and eastern exterior. The sales area will incorporate 4,610 square feet, where 6,000 square feet is permitted.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ADR-22-900692:

Current Planning

- Until October 21, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 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; and that 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.

Listed below are the approved conditions for ZC-20-0356:

Current 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 a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the use permits, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- 5 years to review off-site improvements;
- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include the cul-de-sac at the end of the public Bureau of Land Management (BLM) right-of-way grant;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Fire Prevention

- Applicant to show fire hydrant locations on-site and within 750 feet, and to ensure water tank is sufficiently sized to satisfy fire flow requirements based on duration and square footage.
- Applicant is advised that fire protection and operational permits 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 CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of North Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

Applicant’s Justification

The applicant indicates since approval of ZC-20-0356, the traffic study (PW20-20638), drainage study (PW20-20636), and off-site permits (PW21-11868) have been approved. Additionally, the applicant states that building permits are ready to be issued.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-22-0575	Street name change to name an unnamed cul-de-sac Moulton Ranch Court	Approved by PC	December 2022

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-22-900692	First extension of time for a use permit for alcohol sales, beer and wine, waiver to modify commercial driveway improvements and waive off-site improvements, and design review for a proposed truck stop with gasoline pumps	Approved by ZA	November 2022
ZC-20-0356	Reclassified from M-2 to M-1 zoning, use permit for alcohol sales, beer and wine, waiver to modify commercial driveway improvements and off-site improvements, and design review for a proposed truck stop with gasoline pumps	Approved by BCC	October 2020
ADR-0843-10	Auction building	Approved by ZA	December 2010
UC-0631-09	Outside storage for equipment sales, waiver to eliminate screening requirements, eliminated landscaping and off-site improvements, and design review for outside storage yard	Approved by PC	November 2009
ZC-1499-06	Reclassified from M-2 to M-1 zoning, use permits for a restaurant, on-premises consumption of alcohol, retail sales, and convenience store with gasoline pumps, waiver for Hillside development standards, and design review for truck stop - expired	Approved by BCC	May 2007
UC-1819-03	Outside storage area, waived screening from right-of-way and paving requirements, waivers for on-site paving, off-site improvements, landscaping and screening requirements, right-of-way dedication for range line and section line streets, and site disturbance	Approved by BCC	December 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	North Las Vegas	M-2	Undeveloped
South & East	Open lands	O-S	Undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed 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 or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant demonstrated they have attempted to commence the project in a timely manner. The applicant has the traffic study, drainage study, off-site permits approved, and rights-of-way dedication to include a required cul-de-sac recorded. In addition, the applicant is working with the Building Department on 6 permits that are ready to be issued. Therefore, staff can support the request of an additional 2 year extension.

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 October 21, 2025 to commence.
- 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; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: TERRIBLE HERBST

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE COURT, HENDERSON, NV 89012