APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0074-11 (ET-0036-13) – LOVE’S TRAVEL STOPS & COUNTRY STORES, INC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) increased height of a communication tower; and 2) reduced setback from a communication tower to a street.

DESIGN REVIEW for a communication tower and associated equipment on a portion of 12.0 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the northeast corner of Apex Great Basin Way and Apex Crossing Lane within Apex. TC/co/ml (For possible action)

RELATED INFORMATION:

APN:
103-13-010-014 ptn

USE PERMITS:
1. Increase the height of a communication tower to 195 feet where a maximum of 80 feet is allowed (a 143.8% increase).
2. Reduce the setback from a communication tower to a street (Apex Crossing Lane) to approximately 25 feet where a minimum of 40 feet is required (a 37.5% reduction).

LAND USE PLAN:
NORTHEAST COUNTY (APEX) – HEAVY INDUSTRIAL

BACKGROUND:

Project Description
General Summary
- Site Acreage: 12
- Project Type: Communication tower
- Tower Height: 195 feet

Site Plan
The original plans show a 195 foot high communication tower and accessory equipment shelter located within an approximate 3,600 square foot lease area on the southern portion of the site at the edge of an existing parking lot. The tower will be 25 feet north of the south property line adjacent to Apex Crossing Lane. The facility will be enclosed by a 6 foot high CMU wall.

Elevations
The plans show a 195 foot high self-supporting lattice tower.
Applicant’s Justification
The applicant states that there is a need for an extension of time on the application because the original anchor tenant canceled plans to locate equipment on the tower. Market conditions have hampered efforts to find a client prior to expiration of the land use on April 19, 2013.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>UC-0074-11</td>
<td>Use permits and design review for a communication tower</td>
<td>Approved by PC</td>
<td>April 2011</td>
</tr>
<tr>
<td>WS-0644-09</td>
<td>Permit outdoor tire installation in conjunction with a truck stop</td>
<td>Approved by PC</td>
<td>December 2009</td>
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<tr>
<td>WS-0415-09</td>
<td>Waivers to landscaping and screening requirements</td>
<td>Approved by PC</td>
<td>August 2009</td>
</tr>
<tr>
<td>WS-0767-07</td>
<td>Allow non-standard driveway width in conjunction with an approved travel center</td>
<td>Approved by PC</td>
<td>August 2007</td>
</tr>
<tr>
<td>ZC-1300-04</td>
<td>Reclassified to M-1 zoning for a truck stop and ancillary uses along with a convenience store, restaurant, and retail sales</td>
<td>Approved by BCC</td>
<td>September 2004</td>
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</table>

Surrounding Land Use

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>North</td>
<td>Heavy Industrial</td>
<td>R-U</td>
<td>Mining operation on public land</td>
</tr>
<tr>
<td>South &amp; West</td>
<td>City of North Las Vegas</td>
<td>N/A</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>Heavy Industrial</td>
<td>M-2</td>
<td>Undeveloped</td>
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</tbody>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis
Current 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 tower as approved with the original application is compatible with uses in the M-1 and M-2 zoning districts. The proposed communication tower complies with Goal 18 of the Northeast County Land Use Plan, which encourages providing adequate public and quasi-public infrastructure to meet the needs of existing and future residences and businesses. Staff has no objection to a 2 year extension of time to allow for construction of the tower.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
- Until April 19, 2015 to commence.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Public Works – Development Review**
- No comment.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

**TAB/CAC:**
**APPROVALS:**
**PROTESTS:**

**APPLICANT:**  Insite Towers, LLC
**CONTACT:**  Debbie Depompei, 8822 Arroyo Azul Street, Las Vegas, NV 89131