

08/20/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0478-TFC MOUNTAINS EDGE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce drive-thru separation; and **2)** modify buffering and screening.

DESIGN REVIEW for a commercial development on 3.88 acres in a CG (Commercial General) Zone.

Generally located south of Mountains Edge Parkway and west of Rainbow Boulevard within Enterprise. JJ/rg/cv (For possible action)

RELATED INFORMATION:

APN:

176-27-701-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow drive-thru lanes 159 feet from a single-family residential development to the west where a minimum of 200 feet is required per Section 30.04.06E (a 21% reduction).
2. Allow non-evergreen trees within the landscape buffer where evergreen trees are required per Section 30.04.03C.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.88
- Project Type: Commercial development
- Number of Stories: 1
- Building Height (feet): 30 (Retail Building A)/30 (Retail Building B)/30 (Restaurant #1)/30 (Restaurant #2)
- Square Feet: 11,500 (Retail Building A)/2,750 (Retail Building B)/2,500 (Restaurant #1)/2,500 (Restaurant #2)
- Parking Required/Provided: 105/105
- Sustainability Required/Provided: 7/7

History & Site Plan

The site is a 3.88 acre parcel located on the southwest corner of Mountains Edge Parkway and Rainbow Boulevard. The site can be accessed via a single driveway off Mountains Edge

Parkway and 2 other driveways along Rainbow Boulevard. WS-25-0152 was originally approved for a gas station, retail building, and daycare center.

The proposed plan depicts 4 buildings (2 retail and 2 restaurants) on the subject site, north of a previously approved daycare building. Restaurant #1 is set back 28 feet from the north property line. Retail Building B is just south of Restaurant #1 and is set back 31 feet from the east property line. Restaurant #2 is set back 36 feet from the east property line and is centrally located on the site. Retail Building A is set back 35 feet from the west property line. The proposed location of the drive-thru lanes will be along the east side of the property, between the restaurant buildings and Rainbow Boulevard. However, the entry and exit points of the drive-thru are located on the south sides and north sides of the restaurant buildings, respectively. The entry and exit points are located within 200 feet of a residential district located on the west side of the site. The trash enclosures are proposed at 3 locations. The previously approved daycare facility is located on the southern half of the parcel, which will remain unchanged. The development requires 105 parking spaces, which are provided.

Landscaping

A 9 foot wide landscape area is located behind the proposed 5 foot wide detached sidewalk along Mountains Edge Parkway, except for the area where existing public utility appurtenances are located and cannot be relocated where the sidewalk is attached to the curb. A 10 foot wide landscape area is located behind a 5 foot wide attached sidewalk at the northeast corner of the site adjacent to the proposed bus turnout along Rainbow Boulevard. The remaining portion of the street with a 10 foot wide landscape area along Rainbow Boulevard behind a 5 foot wide detached sidewalk. Medium trees are planted 20 feet apart. A waiver has been requested to modify the buffering and screening per Section 30.04.03C to change the tree materials to include non-evergreen trees along the west and south property lines.

Elevations

The buildings are 30 feet in height and feature a modern style of architecture with flat roofs and variations in roof height. The proposed materials are mostly stucco, with stone veneer, concrete masonry units, trim, aluminum storefront windows, metal, and awning shades above the windows and door.

Floor Plans

Retail Building A measures 11,500 square feet, Retail Building B measures 2,750 square feet, and the restaurant buildings measure 2,500 square feet each. The retail buildings will have tenant spaces and will be divided into individual suites in the future.

Applicant's Justification

The applicant requests to modify the previously approved waiver of development standards and design review (WS-25-0152), which approved a gas station with a convenience store and a day care center with proposed retail buildings and restaurants. This request includes reducing the distance of the proposed drive-thru to less than 200 feet from the residential development to the west. A waiver request for buffering and screening to allow non-evergreen trees within the required buffering and screening along the west and south property lines. The applicant states the landscape buffers provide 2 rows of trees. The proposed retail and restaurant uses are similar to

what was already approved on-site and will be compatible with the surrounding area; they may be less intense than the previously approved gas station.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-25-0349	Vacated a portion of right-of-way	Approved by PC	July 2025
VS-25-0151	Vacated easements and right-of-way	Approved by BCC	April 2025
WS-25-0152	Waivers of development standards and design reviews for a retail building, gas station, daycare facility, and alternative landscape	Approved by BCC	April 2025
TM-25-500036	1 lot commercial subdivision	Approved by BCC	April 2025
ZC-0541-09	Reclassified 3.8 acres from R-E to C-1 zoning for a future commercial development	Approved by BCC	October 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2	Single-family residential
East	Business Employment	IP	Convenience store with gas station & tavern
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

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

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

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 purpose of the residential adjacency requirement is to promote compatible transition between land use areas of differing intensities and reduce negative impacts that may occur when higher-intensity development is located near residential zoning districts. The requested waiver is inconsistent with Policy 1.4.5 of the Master Plan, which seeks to standardize requirements for development transitions to mitigate the impacts of higher intensity uses proposed adjacent to an existing or planned residential neighborhood. Staff finds the request to reduce the distance of the proposed drive-thru is a self-imposed hardship; therefore, staff recommends denial.

Waiver of Development Standards #2

The intent of the buffering and screening is to reduce the impacts of uses and activities on neighboring properties by creating a visual and physical buffer. The requested waiver does not align with Policy 1.4.5 of the Master Plan, which aims to set clear rules for buffers and changes in development to lessen the effects of more intense uses next to existing or planned residential neighborhoods. This policy emphasizes the importance of maintaining the character and livability of residential areas while allowing for appropriate development. There is sufficient space within the landscape buffer to accommodate the evergreen trees similar to the portion of the development to the south. Therefore, staff recommends denial.

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 proposed retail and restaurants are compatible with the development in the surrounding area. The site's proposed development sits on the southwest corner of Mountains Edge Parkway and Rainbow Boulevard, 2 heavily trafficked roads. Currently, a similar development is across the street on the southeast corner of Mountains Edge Parkway and Rainbow Boulevard. Site access and circulation has not changed from the previous approval and should not negatively impact adjacent roadways or neighborhood traffic. However, approval of the design review is contingent upon the approval of the waiver of development standards which staff cannot support, therefore staff cannot 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:

- 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;
- 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.

Fire Prevention Bureau

- 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 #0016-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (add an 8 foot high sound attenuated wall along the west boundary line from the northern edge of Building A to the north boundary line of the site; and an 8 foot high sound attenuated wall along the west boundary line from the southern edge of Building A to the northern edge of the daycare).

APPROVALS:

PROTESTS:

APPLICANT: MEQ HOLDINGS, LLC

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