

04/21/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400014 (WS-23-0121)-MEQ-CACTUS & RAINBOW, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME to reduce parking.

DESIGN REVIEW for a restaurant building with drive-thru services and retail building on a pad site on a 0.7 acre portion of a 5.5 acre shopping center in a CG (Commercial General) Zone.

Generally located west of Rainbow Boulevard and north of Cactus Avenue within Enterprise. JJ/jl/cv (For possible action)

RELATED INFORMATION:

APN:

176-27-823-002; 176-27-823-004 through 176-27-823-009 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Reduce parking for a shopping center to 160 spaces where a minimum of 193 spaces are required per Table 30.60-1 (a 17.1% reduction).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 10415, 10425, 10435, 10455, 10465 & 10475 S. Rainbow Boulevard
- Site Acreage: 0.7 (pad site)/5.5 (shopping center)
- Project Type: Restaurant with drive-thru service and retail building
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 3,000
- Parking Required/Provided: 193/160 shopping center

Site Plan

The applicant proposed to construct a commercial building on a pad site within an existing shopping center. The shopping center is located at the northwest corner of Rainbow Boulevard and Cactus Avenue and access is provided to the center by two existing driveways, one from each of these streets. The pad site is located in the central portion of the eastern half of the shopping center. The proposed building consists of lease spaces for a retail business and a restaurant with a drive-thru service. The retail space is in the west portion of the building and the

restaurant in the east portion. The entrance to the drive-thru service is located at the northwest corner of the building and travels along the west, south, and east sides of the building. The call box for the drive-thru service is located at the southwest corner of the building and the pick-up window is located on the northeast corner. Additional parking is being added for this use and shopping center within the pad site. New parking spaces are located to the front (north) of the building and along the west and south sides of the pad site, and will be accessed from existing drive aisles within the shopping center; however, the required parking for the shopping center was not provided with the original request.

Landscaping

Landscaping consisting of trees, shrubs, and groundcover are being added to the new parking areas within the pad site and adjacent to the building. There will be some slight modifications to the landscape area along Rainbow Boulevard to the east of the pad site to provide a handicapped accessible walkway from the public sidewalk to the entrances of the proposed building.

Elevations

The building is one story with a maximum height of 25 feet. The building has a flat roof behind a parapet wall that varies between 20 feet to 25 feet in height. The exterior of the building consists of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as a stucco finish painted in earth tone colors, metal awnings, accent bands, and reveal lines.

Floor Plans

The plans depict a 3,000 square foot building that is divided into 2 lease spaces; the western portion of the building will be a retail space, the eastern portion will be a restaurant with a drive-thru service, and the pick up window is located on the east side of the building.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0121:

Comprehensive Planning

- 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 final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and that 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.

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 #0140-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

The applicant states that they are working toward commencement as they have graded the site in accordance with their original grading permit and pursued all technical studies related to the project. They are also currently processing a Standard Development Agreement, which is a condition from their original approval.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0121	Waiver of development standards for a restaurant with drive thru and parking reduction	Approved by PC	February 2024
DR-22-0228	Design review for a vehicle maintenance (smog testing) facility within an existing shopping center	Approved by BCC	June 2022
TM-19-500116	Tentative Map for a commercial subdivision	Approved by PC	August 2019
DR-18-0146	Design review for a shopping center	Approved by BCC	April 2018
VS-1094-17	Vacation and abandonment for right-of-way and easements	Approved by PC	February 2017
WS-0656-17	Waiver for development standards for modified street standards and design review for a restaurant with drive-thru, retail building, convenience store with fueling canopy, and vehicle wash in conjunction with the first phase of a proposed shopping center	Approved by BCC	September 2017
ZC-0126-17	Zone change to C-2 for a mini- warehouse facility and future commercial development	Approved by BCC	May 2017
MP-1009-02	Specific Plan for Mountain’s Edge Master Planned Community	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2 & RS3.3	Single-family residential & undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RM18 & CG	Single-family residential & shopping center

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) Open Lands	IL	Water reservoir for the Las Vegas Valley Water District
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CG	Mini-warehouse facility

The subject site is within the Public Facilities Needs 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

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 prior to the approval of the original application (WS-23-0121), the pad site was graded in accordance with the permits issued for the overall site. A Standard Development Agreement is also in process for the pad. Since this is the first extension of time, staff can support this request.

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 February 20, 2028 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 the

application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MEQ-CACTUS & RAINBOW, LLC

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