

11/05/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400108 (UC-23-0648)-SKY HL, LLC:**

**USE PERMITS FIRST EXTENSION OF TIME** for the following: **1)** cannabis establishment (consumption lounge); and **2)** modify design and development standards for the Midtown Maryland Parkway Design Overlay District.

**DESIGN REVIEWS** for the following: **1)** a cannabis consumption lounge; **2)** additions to an existing commercial building; and **3)** site modifications to include but not limited to façade changes, parking, and landscaping on 1.6 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) and Maryland Parkway Overlays.

Generally located on the north of Desert Inn Road and west of Maryland Parkway within Winchester. TS/my/kh (For possible action)

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RELATED INFORMATION:

**APN:**

162-10-803-015

**USE PERMITS:**

1. Cannabis establishment (consumption lounge).
2.
  - a. Waive the requirements for a pedestrian realm as required by Section 30.48.1870.
  - b. Reduce required open space to 3,180 square feet where a minimum of 3,484.8 square feet is required by Section 30.48.1870 (an 8.7% reduction).
  - c. Waive the requirement for a minimum of 1 side of the open space to front a street or pedestrian way where required by Section 30.48.1870.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1140 E. Desert Inn Road
- Site Acreage: 1.6
- Project Type: Cannabis consumption lounge
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 11,060
- Parking Required/Provided: 59/59

### History & Site Plan

The original request was to redevelop the site as a cannabis consumption lounge, which will be operated in conjunction with an existing cannabis dispensary and retail store (Jade Cannabis Company) that is located on the adjacent property to the west. The waiver of development standards to reduce the separation for outside cannabis consumption to a residential use was withdrawn with the original request at the November 8, 2023 Board of County Commissioners' meeting.

The site was originally developed in 1975 as a bank and the existing building is located in the central portion of the property with parking located to the north, east, and south of the building. An existing canopy for the former drive-thru teller is located on the northwest corner of the building with a driveway located along the west property line. Access to the site is provided by 2 existing driveways located on the southeast and southwest corners of the property and there is shared access with the adjacent property to the west. Posts and a chain currently prevent shared access with the property to the east. The plan depicts additions along the north and east sides of the building with a reconfiguration of the parking areas. The plan also depicts public art (sculptures) located near the southeast and southwest corners of the building. On the north side of the building the plan depicts covered patios for events.

The applicant previously requested a waiver of development standards to allow consumption of cannabis products in these patio areas, which are approximately 67 feet from an existing single family residential development to the north, where a separation of 1,500 feet is required. This waiver was withdrawn at the previous Board meeting. These patios have an area of 3,180 square feet and are below the minimum open space requirement for the Midtown Maryland Parkway Design Overlay District. Additionally, the patio area is not open to front a street or pedestrian way as required by the Midtown Maryland Parkway Design Overlay District. Therefore, the applicant requested a use permit to deviate from these standards. Today, the applicant is requesting a first extension of time.

### Landscaping

There is an existing attached sidewalk along Desert Inn Road which will remain. There is an existing approximately 27 foot wide landscape area along Desert Inn Road consisting of Palm trees, shrubs, and groundcover. Per development standards of the Midtown Maryland Parkway Design Overlay District this area should be redeveloped as a pedestrian realm. The applicant requested a use permit to deviate from this standard since this is a developed property. The landscape area along Desert Inn Road will be slightly modified to allow for a reconfiguration of the parking area in front of the building and to allow for curb returns at the driveways. The width of the landscape area will be reduced to a minimum of 24 feet. The Palm trees will be removed, and the landscape materials will consist of additional trees, more shrubs, and groundcover. A minimum 12 foot wide landscape area consisting of 2 off-set rows of large Evergreen trees is being added along the northern boundary of the site adjacent to an existing single family residential development. Additional landscape areas consisting of trees, shrubs, and groundcover were depicted along the east and west property lines, within the parking areas and adjacent to the buildings.

### Elevations

The existing building is 1 story with a height of approximately 19 feet with a flat roof behind parapet walls. The addition along the north and sides of the building are 1 story with a maximum height of 24 feet. The additions have flat roofs behind parapet walls to match the existing building. There are architectural elements located on the central portion of the east side of the building and on the southwest corner of the building that will increase the height of the building to 35 feet.

### Floor Plans

The existing building has an area of 4,835 square feet. The additions have an area of 6,225 square feet which will make the total area of the project 11,060 square feet. The cannabis consumption lounge will have an area of 6,600 square feet and will consist of a vault, 8 private rooms, a check-in area, storage areas, and an open lounge area. The addition along the east side of the building will consist of an entry area, 2 large open areas for future lease spaces, and restrooms that are shared with the cannabis consumption lounge.

### Signage

Signage was not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-23-0648:

#### Comprehensive Planning

- 1 year to review as a public hearing;
- Applicant to work with Las Vegas Country Club Homeowner's Association on selection of landscaping along north property line;
- Parking along north property line limited only to employees;
- Applicant to work with Republic Services on pick-up schedule to correspond with pick-up schedule for the adjacent cannabis retail store and dispensary;
- No 24-hour operation and establishment to close by 2:00 a.m.;
- All building and site lighting to be low level lighting;
- A valid Clark County business license must be issued for this cannabis consumption lounge within 2 years of approval, or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Department of Air Quality;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; the installation and use of cooling systems that consumptively use water will be prohibited; 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 application for review; 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**

- Traffic study and compliance.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**Applicant's Justification**

Per the applicant, an unforeseen medical circumstance occurred since approval of the Use Permit. In addition, ongoing litigation has occurred for over a year impacting the company's finances. Furthermore, the property was vandalized requiring extensive repairs and the applicant performed demolition and clean-up of surrounding the property. Lastly, the applicant been diligent in its efforts to advance the project and are ready to begin construction once the extension is approved.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-23-0648	Use permit, waiver of development standards, and design review for a cannabis consumption lounge; waiver of development standards - withdrawn	Approved by BCC	November 2023

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Urban Neighborhood (greater than 18 du/ac)	CR	Multi-family residential
East	Corridor Mixed-Use	CG	Psychiatric hospital
West	Neighborhood Commercial	CG	Cannabis dispensary & retail sales facility

**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 an active building permit (BD25-21078), which includes structural, mechanical, plumbing, electrical, and zoning plans for review. 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**

- Review required 6 months from date of valid Clark County Business license for this cannabis consumption lounge;
- Until November 8, 2027 to obtain a valid Clark County business license for this cannabis consumption lounge, or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; 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:** Winchester - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** TBL LLC

**CONTACT:** JOANNA DEFILIPPIS, PICKSY, LLC, 4145 WAGON TRAIL AVENUE, LAS VEGAS, NV 89118