

12/04/24 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-24-0570-CANADA INVESTMENTS, LLC:**

**USE PERMIT** to allow a cannabis establishment (dispensary) in conjunction with an existing retail complex on 1.09 acres within a CG (Commercial General) Zone.

Generally located on the south side of Charleston Boulevard and the east side of the US Highway 95 right-of-way within Sunrise Manor. TS/hw/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

161-06-501-001

**LAND USE PLAN:**

SUNRISE MANOR - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3915 E. Charleston Boulevard
- Site Acreage: 1.09
- Project Type: Cannabis dispensary
- Number of Stories: 1
- Building Height (feet): 18.5
- Square Feet: 2,275 (dispensary)/11,525 (existing retail building)
- Parking Required/Provided: 41/62
- Sustainability Required/Provided: 7/0

**Site Plan**

This is a project of regional significance as defined by Title 30, as the proposed development is located within 500 feet of the jurisdictional boundary of the City of Las Vegas. The plans depict an existing 13,800 square foot existing retail complex located on the south side of Charleston Boulevard and the east side of the US Highway 95 right-of-way. The retail complex consists of 2 existing buildings: an existing 11,525 square foot rectangular retail building running east to west along the southern portion of the property and a smaller, 2,275 square foot square shaped retail building located in the northeastern portion of the site. An existing 3 faced billboard is in the northwest corner of the site. The plans show the proposed dispensary will be located within the smaller retail building. Vehicular access to the site will not change and is granted through an existing driveway along Charleston Boulevard.

The plans show the site will mostly remain as is except for the addition of a drive-thru along the north, east, and west portion of the smaller retail building and some restriping of the northern portion of the parking lot. The plans show the drive-thru will consist of a 24 foot wide, 2 lane drive-thru that will transition to a 1 lane, 12 foot wide drive-thru as it wraps around the building. The drive-thru entrance will be located along the eastern side of the building, wrap around the northern portion of the building between the building and Charleston Boulevard, and then exit after heading south along the western side of the building. The western drive-thru lane will be separated from the existing parking lot areas to the west by a 6 inch concrete curb. Additionally, the drive-thru will be set back from the residential areas to the north by approximately 267 feet and will be separated 188 feet from the residential areas to the south but will be screened from the apartment complex to the south by the larger retail building. The northern portion of the parking lot along with a portion to the south of the landscape area in the northwest portion of the parking lot will be restriped removing the existing angled space and replacing them with 9 new perpendicular spaces. This will result in a total of 62 parking spaces being provided where 67 parking spaces were previously provided, and 41 parking spaces are required for the site.

### Landscaping

The plan shows there is no existing landscaping on site except for some shrubs in the northeast corner of the property. The landscaping being proposed will include a mix of shrubs and trees located primarily along the western and northwestern property lines. Along the western property line is a 5 foot wide landscaping strip running from the northwest corner of the southern retail building-up to a landscaped area in the northwest corner of the site. This strip contains a mix of shrubs and Southern Live Oak (*Quercus virginiana*) trees spaced approximately 20 feet apart. In the northwest landscaping area, 3 additional Southern Live Oak trees are being provided along with more shrubs. Along Charleston Boulevard, from the northwestern landscaping area to the edge of the drive-thru, is a varying 5 foot wide landscape strip containing 3 Southern Live Oak trees spaced every 20 feet. From the western edge of the drive-thru to the eastern property line, no trees or landscaping strip is provided along Charleston Boulevard. An additional Southern Live Oak tree is provided in a small landscaping area directly east of the drive-thru entrance. UC-24-0571 is a companion item which includes a wavier for street landscaping.

### Elevations

The elevations provided show the existing retail building, where the dispensary will be located, is constructed primarily of stucco with decorative brick and metal elements. The roof is flat with a bulging metal roofed awning element. The building is 18.5 feet tall with access provided to the building through storefront windows doors on the south façade of the building. Storefront windows are located on the east and north facades. The main changes to the building are the removal of the existing entrance doors on the southeast corner of the building and the addition of a drive-thru window on the northern façade of the building.

### Floor Plan

The plan provided shows the existing retail building is roughly square shaped with a total of 2,275 square feet of interior space. The interior will be split into various rooms to service both customers and the product. The plans show the main spaces within the building are a lobby and waiting area, a sales floor, and a secure product storage room. Additional support rooms include a break area, office, and restrooms.

### Applicant's Justification

The applicant states the proposed use of the building as a cannabis dispensary is complementary with the existing retail spaces in the immediate area. The facility complies with all necessary separations and location requirements and should not impact the area.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1091-01	Allowed a tattoo studio within an existing shopping center	Approved by PC	October 2001
UC-0827-00	Allowed a 3 faced off-premises advertising sign	Approved by PC	July 2000
UC-1985-97	Allowed a 3 faced off-premises advertising sign	Approved by PC	December 1997
VC-690-88	Allowed a 14,250 square foot shopping center with reduced setbacks	Approved by PC	January 1989
ZC-292-86	Reclassified the site from R-E and R-2 to C-2 and R-4 zoning to construct a shopping center and multi-family residential development	Approved by BCC	February 1987

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	City of Las Vegas	R-1	Single-family residential
South	Urban Neighborhood (greater than 18 du/ac)	RM32	Multi-family residential
East	Corridor Mixed-Use	CG & RM32	Gas station & convenience store
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 & CG	Single-family residential & gas station

The US Highway 95 right-of-way is located directly west of the site.

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-24-0571	A use permit for a cannabis retail store and site improvements is a companion item on this agenda.

### **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**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public

improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The separation survey shows all required separations from community facilities and schools are being met. The crime report indicates, within a 1 mile radius, 710 crime reports were filed with the Las Vegas Metropolitan Police Department in the 60 days prior to the application submittal. Based on the plans submitted, staff finds the addition of a cannabis dispensary at the site should represent only a minor impact both on the site and the neighborhood, as there would be no noticeable changes to the exterior of the building and the addition of new landscaping and a modified parking lot help to improve the appearance of the site. The use of the site as a general retail establishment has been in place for at least 40 years and there have been no apparent complaints regarding the uses on the property. Staff also finds the addition of a cannabis retail store would not be out of place for the area due to the building's former use as a liquor store, so there should be no increase in traffic or impacts on surrounding businesses or residences due to the similarity in use of the site. For these reasons, 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**

- A valid Clark County business license must be issued for the dispensary within 2 years of approval 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; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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**

- Traffic study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel; and that an interlocal agreement with City of Las Vegas will also be required.

**TAB/CAC:** Sunrise Manor - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ROBERT R. BLACK SR.

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS,  
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