

CANNABIS ESTABLISHMENT  
(TITLE 30)

FLAMINGO RD/RED ROCK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0006-POLIS BROTHERS LLC:**

**USE PERMIT** for a cannabis establishment (retail cannabis store) within an existing shopping center on a portion of a 1.8 acre site in a C-1 (Local Business) Zone.

Generally located on the north side of Flamingo Road and the east side of Red Rock Street within Spring Valley. JJ/nr/jd (For possible action)

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RELATED INFORMATION:

**APN:**

163-13-404-002 ptn

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5940 W. Flamingo Road
- Site Acreage: 1.8 (portion)
- Project Type: Cannabis establishment
- Number of Stories: 1
- Square Feet: 4,145
- Parking Required/Provided: 62/82

Site Plan

The request is to establish a cannabis establishment (retail cannabis store) in an existing 4,145 square foot building with a drive-thru on a portion of 1.8 acres within an existing shopping center. Access to the shopping center is provided from Red Rock Street and Flamingo Road.

Landscaping

No changes are proposed or required to existing landscape areas with this request.

Elevations

The photos show a 1 story earth toned stucco building with a flat roofline, a decorative tile awning facing Flamingo Road, and a 4 lane drive-thru on the north side of the building.

### Floor Plans

The proposed facility will be located within a 4,145 square foot building. The plans indicate that the retail cannabis store will consist of an entry vestibule, reception counter, restrooms, sales area with offices, employee breakroom, drive-thru/pick-up window, and a storage room.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the proposed use is compatible with the surrounding area and will be in an existing shopping center.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0355-06 (ET-0077-14)	Third extension of time for a massage establishment - expired	Approved by BCC	August 2014
UC-0355-06 (ET-0045-13)	Second extension for time for a massage establishment	Approved by BCC	December 2013
UC-0355-06 (ET-0090-08)	First extension of time for a massage establishment	Approved by PC	May 2008
UC-0734-06	Outside dining and reduced separation	Approved by PC	July 2006
UC-0355-06	Massage establishment	Approved by PC	May 2006
UC-0850-05	Service bar	Approved by PC	July 2007
UC-0467-03	Place of worship	Approved by PC	May 2003
VC-1305-98	Freestanding restaurant sign	Approved by BCC	November 1998
VC-1553-94	Reduced parking and building addition	Approved by PC	November 1994

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 2 du/ac)	R-E	Undeveloped & single family residential
South	Commercial General	C-2	Mini-warehouse & car wash
East	Commercial Neighborhood	C-1	Office complex
West	Commercial General	C-2	Shopping center

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

## **Analysis**

### **Current Planning**

#### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The proposed retail cannabis store will be located within an existing shopping center with substantial parking and easy access. Retail sales is a compatible use with other businesses located within the shopping center. A crime report submitted by the applicant indicates that there were 218 incidents reported within a half mile of the site prior to the submittal of the application. Additionally, none of these reported incidents occurred within a quarter of a mile from the site. Staff finds that the proposed use will not result in a substantial or undue adverse effect on adjacent properties and is an appropriate use at the proposed location.

### **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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- A valid Clark County business license must be issued for this establishment 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 Business License Department.
- 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; the County is currently rewriting Title 30 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**

- Traffic study and compliance.

**Building Department - Fire Prevention**

- No comment.

**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.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LONE MOUNTAIN PARTNERS, LLC

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135