

08/18/21 BCC AGENDA SHEET

CANNABIS ESTABLISHMENT
(TITLE 30)

PONDEROSA WY/VALLEY VIEW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0327-PONDEROSA VIEW, LLC:

USE PERMIT for a cannabis establishment (distributor) within an existing building on a 1.0 acre site in an M-1 (Light Manufacturing) (AE-65) Zone in the Adult Use Overlay District.

Generally located on the north side of Ponderosa Way, 370 feet west of Valley View Boulevard within Paradise. MN/rk/jo (For possible action)

RELATED INFORMATION:

APN:

162-31-614-008

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3900 Ponderosa Way
- Site Acreage: 1
- Project Type: Cannabis distributor
- Number of Stories: 1
- Square Feet: 20,100
- Parking Required/Provided: 30/30

History & Site Plan

The site plan depicts a developed industrial complex which consists of 8 buildings. Livfree Wellness facility will occupy 1 of the 8 buildings. The distributor facility will share lease space with a production facility within the same building. Access to the site is from Valley View Boulevard and Oquendo Road via cross access with the adjacent parcels to the east and north within the same industrial complex. A total of 30 parking spaces are provided for this site where a minimum of 30 spaces are required. No changes are proposed or required to the exterior of the building, site, or landscape areas.

Landscaping

No additional landscaping is required or provided with this request.

Elevations

The elevations depict a 1 story structure composed of concrete tilt-up panels with aluminum windows, roll-up doors, and a flat roof behind parapet walls.

Floor Plans

The plans depict a 20,100 square foot production and distribution facility located within most of the building area. The plans show the following:

- Warehouse area
- Production area
- Processing/package area
- Storage areas
- Office
- Lobby check-in
- Break room
- Locker room
- Restrooms

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that it is their belief that the surrounding properties will not be unduly affected by this facility nor will the proposed use negatively impact the health, safety, or welfare of the public.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0314	Cannabis establishment (production)	Approved by BCC	June 2018
UC-18-0313	Cannabis establishment (cultivation)	Approved by BCC	June 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Industrial	M-1	Office/warehouse development

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 separation survey indicates that all required separations are being met. The crime report indicates that there were 67 occurrences within 1 mile of the facility over the 60 days prior to submittal of this application.

Staff finds that the proposed cannabis distributor use will not have an undue adverse effect on adjacent properties and the character of the neighborhood. Furthermore, the request is in harmony with the goals and objectives of the Comprehensive Master Plan, specifically Goal 1 to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment, and is well integrated with appropriate circulation systems, services, and facilities.

Department of Aviation

The property lies within the AE-65 (65-70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

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 business 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 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.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- No comment.

TAB/CAC:**APPROVALS:****PROTESTS:****APPLICANT:** LIVFREE WELLNESS, LLC**CONTACT:** ALICIA ASHCRAFT, ARMSTRONG TEASDALE LLP, 3770 HOWARD HUGHES PKWY, SUITE 200, LAS VEGAS, NV 89169