

08/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0300-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:

USE PERMIT for a recreational facility in conjunction with a cannabis establishment within an existing office/warehouse complex on 14.0 acres in an IL (Industrial Light) Zone.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester and Paradise. TS/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

162-08-805-009; 162-08-899-034; 162-08-899-036; 162-08-899-038; 162-17-502-002

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 14
- Project Type: Recreational facility
- Number of Stories: 1
- Square Feet: 4,700 (recreational facility)/165,274 (total site)
- Parking Required/Provided: 390/683

Site Plans

The plans depict an existing office/warehouse complex on 14.0 acres with 3 buildings. Building A is the largest and is located east of Building B and south of Building C. Building B is the second largest and is located on the southwest corner of APN 162-08-805-009. Building C is the smallest and is located on the northeast corner of APN 162-08-805-009. Ingress and egress to the site is granted via an access point to the south of the site, off Desert Inn Road. Additionally, there is an access point off Highland Drive to the west of the site. The proposed recreational facility will occur within a portion of Building A. All existing uses were calculated to determine that 390 spaces are required where 683 spaces are provided.

Landscaping

No new landscaping is proposed or required for this request.

Elevations

The plans depict an existing single story warehouse (Planet 13) with grey and red exterior siding. There is an animated wall sign to the south of the building that states the complex name (Planet 13). A grey pitched roof covers most of the building while a portion to the south has a flat roof of varying elevations. This portion that is on the south side of the building has walls with grey and black exterior metal siding.

Floor Plans

The plans depict an open floor plan. The recreational facility will be 4,700 square feet and located between the existing banquet facility and consumption lounge (Dazed). There are 4 access points to the proposed recreational facility from within Dazed Consumption Lounge. Also, there is 1 access point from within the adjacent banquet facility.

Applicant's Justification

The applicant states the property is an existing establishment with many different uses. Doors to the building are secured and monitored 24 hours a day with IDs being checked prior to entry. A stage will be provided in the recreational facility where music will be played and various live performances will occur. All of the performances and music will not be discernable from the outside of the building. The applicant believes that this proposed use will be an asset to the building and will not cause any harm to surrounding parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0438	Use permit with waivers for a cannabis establishment (consumption lounge)	Approved by BCC	September 2023
ET-22-400092 (WS-20-0082)	First extension of time to review waivers to eliminate parking lot landscaping, alternative parking lot design standards, reduced throat depth in conjunction with an existing cannabis establishment, and retail and office warehouse complex	Approved by BCC	September 2022
UC-21-0126	Daycare within an existing retail and office warehouse complex - withdrawn without prejudice	Withdrawn by PC	July 2021
UC-20-0346	On-premises consumption of alcohol (supper club) in conjunction with an existing retail and office warehouse complex	Approved by PC	October 2020
WS-20-0083	Increased freestanding sign area and animated sign area for an existing cannabis establishment, and retail and office warehouse complex	Approved by BCC	May 2020
WS-20-0082	Eliminated parking lot landscaping, allowed an alternative parking lot design standard, and reduced throat depth in conjunction with an existing cannabis establishment, and retail and office warehouse complex	Approved by BCC	May 2020

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0381	Retail sales, restaurants, service bar, and banquet facility with waivers to reduce parking, allowed alternative landscaping, and parking lot design for an existing office/warehouse complex	Approved by BCC	July 2019
UC-19-0380	Cannabis establishment (production) in conjunction with an existing office/warehouse complex consisting of 2 buildings with dispensary and retail cannabis store	Approved by BCC	July 2019
WS-18-0850	Signage for cannabis establishment (dispensary) roof signs and electronic graffiti wall	Approved by BCC	December 2018
UC-18-0703	Increased wall sign area, allowed a cannabis dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and a retail cannabis facility (roof sign and electronic graffiti wall - withdrawn)	Approved by BCC	October 2018
VS-18-0570	Vacated and abandoned right-of-way (portion of Desert Inn Road)	Approved by BCC	September 2018
UC-18-0122	Cannabis establishment (dispensary) in conjunction with an approved retail cannabis store, and design review for modification to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-1076-17	Cannabis establishment (retail store) with a waiver to reduce parking and modified an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development and waivers for reduced parking and sign requirements - expired	Approved by BCC	July 2006
UC-1899-05	Mixed-use high-rise condominium development with setback waiver and waiver of conditions for noise level reductions - expired	Approved by BCC	February 2006
NZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development - expired	Approved by BCC	February 2005
UC-0206-03	Secondhand sales retail facility with waivers to reduce parking - expired	Approved by PC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Business Employment	IL	Industrial complex
East	Corridor mixed-use	IL	Industrial complex

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

Use Permits

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.

Staff finds that the request aligns with the existing uses of the complex. There is adequate parking to accommodate the increased traffic that will result from this new use. Furthermore, staff believes that the existing uses would not be negatively impacted by this commercial use. Additionally, this request aligns with the Master Plan's core value of a diverse and resilient economy. It is for these facts that staff can support the request for a use permit.

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

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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

- No comment.

Fire Prevention Bureau

- 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: Paradise - approval. Winchester - approval.

APPROVALS:

PROTESTS:

APPLICANT: MM DEVELOPMENT

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLD 3 STE 577, LAS VEGAS, NV 89134