

01/19/22 BCC AGENDA SHEET

CANNABIS CULTIVATION
(TITLE 30)

UPDATE
PEPPER LN/PECOS RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0527-PEPPER LANE HOLDINGS, LLC:

HOLDOVER USE PERMIT to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building on 0.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the south side of Pepper Lane, 461 feet west of Pecos Road within Paradise. JG/jor/jd (For possible action)

RELATED INFORMATION:

APN:
162-36-703-008

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description

General Summary

- Site Address: 3345 Pepper Lane
- Site Acreage: 0.5
- Project Type: Cannabis establishment (cultivation)
- Number of Stories: 3
- Building Height (feet): 43
- Square Feet: 20,904
- Parking Required/Provided: 20/22

Site Plan

The site plan depicts an existing office/warehouse building on the southwest corner of an office/warehouse complex that includes 5 other buildings. The subject site is shaped as a flag lot with access from the northernmost property line adjacent to Pepper Lane. The existing building is set back 50 feet from the north property line, 12 feet from the south property line, 20 feet from the east property line, and 12 feet from the west property line. The site provides 22 parking spaces where 20 parking spaces are required per the proposed use.

Landscaping

Existing landscaping is located within a landscape planter along the north and west property lines of the overall complex, and within the parking lot landscape finger islands. No new landscaping is required or a part of this request.

Elevations

The existing building is comprised of 3 stories with an overall building height of 43 feet. The first floor is an existing parking garage area, and the second and third floors include open floor plans. The applicant is proposing to make exterior renovations to the first floor such as adding in-fill stucco walls to match the existing exterior walls so that the first floor parking garage can be converted into useable floor space for cannabis cultivation. The exterior walls include white stucco and windows on all 4 elevations. No other exterior changes are proposed.

Floor Plans

Since the first floor garage will be converted into useable floor space for the cannabis cultivation establishment, 17 parking spaces will be removed. However, the plan shows that 22 parking spaces are still available where 20 parking spaces are required per Title 30. The floor plans include rooms for the plants, offices, restrooms, breakroom, storage, and other ancillary spaces for the business.

Signage

Signage is not a part of this request.

Applicant's Justification

The justification letter states that the applicant is proposing a cannabis cultivation facility operating Monday through Friday from 7:00 a.m. to 7:00 p.m. The company is committed to the security of its employees, clients, and the general public. The facility will use state of the art alarm systems, video surveillance, and other measures to ensure the security of the employees as well as the building and its contents. The site meets all of the required separations, the site is not within 300 feet of a community facility, 660 feet from a residential use, 1,000 feet from a school, or 1,500 feet from non-restricted gaming property. The use is harmonious to the site and should pose a minimal impact to the surrounding existing industrial and commercial buildings.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0632-01	Allowed an office building within an office/warehouse complex	Approved by PC	July 2001
UC-0612-98	Allowed a 3 story office building (35 feet high) within 600 feet of a residential use - expired	Approved by PC	May 1998
DR-2070-93	Office/warehouse buildings	Approved by PC	February 1994
ZC-0126-70	Reclassified various parcels from R-E to M-D zoning for riding and boarding stables	Approved by PC	January 1971

*Additional land use applications have been approved within this office/warehouse complex.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Commercial complex
South	Business and Design/Research Park	M-D	Office/warehouse building & industrial buildings
East & West	Business and Design/Research Park	M-D	Office/warehouse complex

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 86 occurrences within 1 mile of the facility over the 60 days prior to submittal of this application.

Staff finds that the proposed cannabis cultivation 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 developments that are compatible with adjacent land uses, the natural environment, and are 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

- No comment.

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.

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.

APPROVALS:

PROTESTS: 2 cards

COUNTY COMMISSION ACTION: November 3, 2021 – HELD – To 11/17/21 – per the applicant.

COUNTY COMMISSION ACTION: November 17, 2021 – HELD – To 12/22/21 – per the applicant.

COUNTY COMMISSION ACTION: December 22, 2021 – HELD – To 01/19/22 – per the applicant.

APPLICANT: GB SCIENCES NOPAH, LLC

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