

CANNABIS FACILITY
(TITLE 30)

WYNN RD/TOMPKINS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0013-3950, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking lot landscaping; **2)** pedestrian walkway; **3)** mechanical equipment screening; **4)** reduced throat depth; and **5)** driveway geometrics.

DESIGN REVIEW for a proposed cannabis establishment building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District.

Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/jor/jd (For possible action)

RELATED INFORMATION:

APN:

162-19-702-015 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Eliminate a pedestrian walkway where required per Section 30.60-050.
3. Eliminate the mechanical equipment screening requirement (for freezer condensing units) located on the exterior walls of a proposed cannabis facility where required per Table 30.56-2.
4. Reduce the throat depth of an existing driveway to zero feet where 150 feet is required (a 100% decrease).
5. Allow the existing driveway geometrics on-site where Uniform Standard Drawing 222.1 is the standard.

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3950 W. Tompkins Avenue
- Site Acreage: 4.9 (portion)
- Project Type: Cannabis cultivation and production facility
- Number of Stories: 1
- Building Height (feet): 14 feet, 8 inches

- Square Feet: 20,340
- Parking Required/Provided: 36/175

History & Site Plan

The site plan depicts a developed industrial parcel which consists of an existing transportation service establishment. The existing transportation service establishment was approved via ZC-1614-05, when the parcel was reclassified to M-1 zoning. There are 2 existing buildings on-site, the first being an office located on the southwest corner of the parcel, and the second building located immediately to the east (large modular building with bay doors which face north). Today, the provided parking is located along the east, south, and north property lines, a portion of the northwest corner, and centrally located parking spaces (north of the existing buildings). Access to the site is via an existing driveway at the northern end of the cul-de-sac bulb of Tompkins Avenue. Lastly, there is an existing propane fill-up structure on the east half of the site adjacent to centrally located parking spaces.

The applicant is requesting a cannabis cultivation/production facility on the site. Per the submitted site plan, a proposed building will be constructed on the northwest corner of the site, set back 10 feet from the north property line, 64 feet from the west property line, 165 from the south property line, and 280 feet from the east property line. The site plan shows a loading zone on the northwest corner of the proposed facility, a sliding security gate and the main entrance located on the west side of the building, a proposed 10 foot wide walkway is to be constructed around the entire facility, with a 10 foot high security fence along the east, south, and west sides of the building.

Parking will remain along the west property line and extend to the northwestern most corner of the parcel. Twenty-one parking spaces along the north property line and parking spaces north of the existing office building will be eliminated to accommodate the proposed facility. Twenty-two parking spaces will remain along the north property line and additional parking will be added to the southeast corner of the proposed facility. The required parking for the entire site is 36 parking spaces where 175 parking spaces are provided.

The applicant is requesting to waive parking lot landscaping, a pedestrian walkway, mechanical equipment screening for freezer condensing units, and for the existing driveway geometrics to remain the same.

Landscaping

The site landscaping consists of an existing landscape planter on the northern portion of the cul-de-sac bulb (Tompkins Avenue). There is also existing landscaping south of the existing office building located on the southwest corner of the parcel. There is no existing landscaping along the north, east, and west property lines, and portions of the south property line since the surrounding parcels consist of industrial uses and the subject parcel is not adjacent to any less intensive uses; therefore, landscaping is not required. The site currently does not have parking lot landscaping since it was designed and established in 2005. Since the northwest corner is being redesigned to accommodate the proposed cannabis facility, a portion of the parking was redesigned. The applicant is requesting to waive any required parking lot landscaping to meet today's standards.

Elevations

The elevation plan depicts a single story building with an overall height of 14 feet, 8 inches. The exterior finishes include white colored stucco walls, and doors to be affixed on the south, east, and west facing elevations.

Floor Plans

The floor plan for the proposed building includes a cultivation area of the facility with an overall area of 10,980 square feet, a production portion of the facility with an overall area of 6,480 square feet, and an administrative area, breakroom, and other miscellaneous areas with a total overall area of 2,880 square feet. The proposed building has a total overall area of 20,340 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The submitted justification letter states that subject parcel for the proposed cannabis cultivation/production facility is ideal since the surrounding neighborhood is a developed industrial area. The applicant intends to establish the facility on this site permanently while adhering to a stringent security plan for the exterior and interior of the proposed building. The proposed use is harmonious to the site and meets all state and local requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1614-05	Reclassified the site from M-1 and M-2 zoning to M-1 zoning for a transportation service business, a waiver for alternative design standards for the office building, and a design review for a modular office building for the transportation service business	Approved by BCC	November 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Industrial	M-1	Industrial, office warehouse, & outside storage
East	Commercial Tourist	M-1	Union Pacific Rail Road & Office warehouse
West	Industrial	M-1	Vehicle repair

Related Applications

Application Number	Request
UC-21-0011	A use permit for a cannabis establishment (cultivation facility) is a companion item on this agenda.

Related Applications

Application Number	Request
UC-21-0012	A use permit for a cannabis establishment (production facility) is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff has no objection to this request. Eliminating the parking lot landscaping is appropriate for the site, since only 32,000 +/- square feet of the entire parcel (213,444 square feet) will be redesigned to accommodate the proposed cannabis facility. The site did not have parking lot landscaping when it was first developed in 2005. Staff finds that eliminating the parking lot landscaping will not pose any adverse effects on the site; therefore, staff supports this request.

Waiver of Development Standards #2

Although staff does not normally support requests to eliminate pedestrian walkways on-site, staff does not object to this request. Per the applicant, the cannabis facility will not allow customers on-site; which decreases the amount of pedestrian traffic that is related to a typical cannabis facility. The submitted site plan shows parking spaces are adjacent to the building and there is a 10 foot wide walkway all the way around the building; therefore, staff supports this request.

Waiver of Development Standards #3

Staff does not object to eliminating the required screening for mechanical equipment. The proposed mechanical equipment for the freezer condensing units are located on the west facing elevation of the building, 165 feet north of the nearest right-of-way (Tompkins Avenue). Staff finds that since the proposed building is located along the north property line (rear portion of the lot), and behind an existing office building, eliminating the screening requirement is an appropriate request.

Design Review

Staff finds that the proposed building is architecturally compatible to the existing buildings on-site and to the surrounding parcels. The elevation and site plans show that the proposed building is harmonious in design and should not pose negative impacts to the site.

Public Works - Development Review**Waivers of Development Standards #4 & #5**

Tompkins Avenue ends in a cul-de-sac adjacent to the entrance to the site and should see a low volume of traffic. Therefore, staff has no objection to allowing the existing reduction in the throat depth to remain and staff can also support the existing driveway on the site provided that the driveway is upgraded to comply with the Americans with Disabilities Act.

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**

- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act.
- Applicant is advised the off-site improvement permits may be required.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0014-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: JDW NEVADA, LLC

CONTACT: JAY H. BROWN, LTD., 520 S. FOURTH STREET, LAS VEGAS, NV 89101