



AGENDA MEMO - PLANNING

SPECIAL PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: RED ROCK WELLNESS, LLC - OWNER: SMADY, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-55270	Staff recommends APPROVAL, subject to conditions:	SUP-55271

** CONDITIONS **

SDR-55270 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-55271) shall be required, if approved.
2. Conformance to the Conditions of Approval for Rezoning (Z-0046-02) shall be required.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan, date stamped 08/25/14 and building elevations, date stamped 07/24/14, except as amended by conditions herein.
5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Conditions Page Two
September 23, 2014 – Special Planning Commission Meeting

7. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
8. Trash enclosures shall be designed in conformance with the requirements of Title 19.08.040.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - A. All required trees in the south perimeter landscape buffer shall be depicted so that trunks and canopy are fully onsite.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Dedicate up to five feet of right-of-way along Main Street for a total half street width of 45 feet where such does not exist concurrent with onsite development activities. Additionally, dedicate an appropriate area for a bus turn out and bus shelter pad on Main Street adjacent to this site concurrent with onsite development activity. Coordinate with the City Traffic Engineer to determine the exact location, geometric design and area of the required bus turnout and shelter prior to approval of construction drawings for this site. Construction of the bus turnout is not required.
13. Extend the median in Bonanza Road as directed by the City Traffic Engineer to restrict the driveway on Bonanza to right-in right-out only concurrent with onsite development activities.
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

Conditions Page Three

September 23, 2014 – Special Planning Commission Meeting

15. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

Staff Report Page One
September 23, 2014 - Special Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

A new development consisting of a 6,222 square-foot, single-story medical marijuana dispensary, patient drop-off area and covered parking with electric charging stations is proposed on vacant land at the northeast corner of Bonanza Road and Main Street. Access to the site would be from both Bonanza Road (right-in right-out turning movements) and Main Street. Unused right-of-way between the existing sidewalks and the property would be amply landscaped, providing adequate buffering at the corner. The site has been designed to conform to all Title 19 commercial development standards; therefore, staff recommends approval with conditions. If denied, building permits for the proposed development could not be obtained.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/20/02	The City Council approved a Rezoning (Z-0046-02) from R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres at the northeast corner of Bonanza Road and Main Street. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review [Z-0046-02(1)] for a Site Development Plan Review for a proposed 256-unit Senior Citizen Apartment complex with 20,000 square feet of commercial space and a waiver of perimeter landscape buffer requirements on 2.87 acres at the northeast corner of Bonanza Road and Main Street. The Planning Commission and staff recommended approval.
11/02/05	The City Council approved a Site Development Plan Review (SDR-8649) for a proposed Mixed Use Development with 296 residential units and 34,700 square feet of commercial space, and waivers of building placement, street and foundation landscape standards, front, corner side and rear yard setback requirements, and to allow a 241-foot residential adjacency setback where 249 feet from residential property is required on 2.87 acres at the northeast corner of Bonanza Road and Main Street. The Planning Commission and staff recommended approval. The approval expired 11/02/12.
08/19/14	The Downtown Design Review Committee approved with conditions the building elevations and signage for the proposed Medical Marijuana Dispensary.
09/23/14	The Planning Commission will hear a related request for a Special Use Permit (SUP-55271) for a proposed Medical Marijuana Dispensary at the northeast corner of Bonanza Road and Main Street.

Staff Report Page Two
September 23, 2014 – Special Planning Commission Meeting

<i>Most Recent Change of Ownership</i>	
01/07/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>
There are no issued building permits or business licenses related to this request.

<i>Pre-Application Meeting</i>	
07/23/14	Submittal requirements were discussed for a Site Development Plan Review to construct a proposed medical marijuana dispensary on the site. The site plan presented at the meeting showed additional parcels and buildings in the development and a secondary access to 1st Street, which contains residential uses. Waivers of the required perimeter landscape buffer standards would be required, as well as an exception for substandard parking lot landscaping. The applicant later revised the plans for submittal.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
07/31/14	The site is vacant, containing some weeds and debris. The site is enclosed by an eight-foot tall chain link fence.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.37

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Undeveloped, Vacant	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Hotel and Casino (Surface Parking)	C (Commercial)	C-M (Commercial/Industrial)
East	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Undeveloped	C (Commercial)	C-M (Commercial/Industrial)
	Bailbond Service		

Staff Report Page Three

September 23, 2014 – Special Planning Commission Meeting

<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown North Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 and 200 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Pedestrian Path)	Y
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS*Pursuant to Title 19.08, the following standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	59,677 SF	N/A
Min. Lot Width	100 Feet	155 Feet	Y
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	46 Feet	Y
• Corner	10 Feet	10 Feet	Y
• Rear	20 Feet	140 Feet	Y
Max. Lot Coverage	50 %	10.4 %	Y
Max. Building Height	N/A	28 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, Roofed by condition	By condition
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	6 Trees	7 Trees	Y
• South	1 Tree / 20 Linear Feet	6 Trees	7 Trees	Y
• East	1 Tree / 30 Linear Feet	8 Trees	16 Trees	Y
• West	1 Tree / 20 Linear Feet	11 Trees	11 Trees	Y
TOTAL PERIMETER TREES		31 Trees	42 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	7 Trees	11 Trees	Y

Staff Report Page Four
September 23, 2014 – Special Planning Commission Meeting

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	8 Feet	8 Feet	Y
• South	15 Feet	15 Feet	Y
• East	8 Feet	18 Feet	Y
• West	10 Feet	10 Feet	Y
Wall Height	6 to 8 Feet adjacent to residential (not adjacent to residential)	No walls or fences	N/A

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Main Street	Primary Arterial	Master Plan of Streets and Highways Map	80	N
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways Map	92	N

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Medical Marijuana Dispensary Facility	6,222 SF	1/175 SF	36				
TOTAL SPACES REQUIRED			36		36		Y
Regular and Handicap Spaces Required			34	2	32	4	Y
Loading Spaces	6,222 SF	1/10,000 SF	1		1		Y

ANALYSIS

The development site is included within the Downtown North Plan, which does not contain any special development standards, but is a land use plan aimed at improving public infrastructure, expanding the current cultural amenities, and creating a sense of place for the neighborhoods north of Downtown Las Vegas. The proposed development meets the reinvestment and redevelopment goals of the plan using sustainable concepts and materials.

Staff Report Page Five
September 23, 2014 – Special Planning Commission Meeting

The site plan conforms to Title 19.08 Commercial Development Standards for the C-1 (Limited Commercial) zoning district. No waivers or variances are requested as a part of this project. It is noted that the trash enclosure depicted on the plan does not contain a roof or trellis. A condition of approval is added to ensure this is addressed prior to the issuance of a building permit.

The proposed landscaping is appropriate at the perimeters and within the parking lot. Additional trees are proposed at the ends of the two parking canopies for additional shading benefits, although they are not required by Title 19. Additional trees proposed along the east property line will help to fill in the space within an existing utility easement, providing an edge to this side of the site. Additional trees are also proposed along the two frontages within excess right-of-way. The required number of trees along the south property line must be shown within the buffer area onsite in order to meet Title 19 landscape requirements; this can be addressed on the landscape plan for building permit and the correct positioning is required as a condition of approval.

Adequate parking is provided to meet the needs of the proposed dispensary. Covered parking with solar panels would be located on the east and north sides of the building. A secured, covered loading zone would also be located near the Bonanza Road entrance.

Not all of the two parcels comprising the site is proposed to be used for this development. The site must be remapped to consolidate the parcels and include all access and parking facilities on a single lot.

FINDINGS (SDR-55270)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed medical marijuana dispensary development would be located in a commercial and industrial area with no immediately adjacent residential parcels. The perimeter is adequately screened without the need for long walls or fences.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The site plan as submitted generally meets Title 19 commercial zoning and design standards; those that are not met are addressed in conditions of approval.

Staff Report Page Six
September 23, 2014 – Special Planning Commission Meeting

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Access from Bonanza would be constructed as a right-in right-out turn with a median for safety and traffic flow purposes. This, coupled with the primary access from Main Street, will not negatively affect traffic in the area. Circulation around the site is simple and logical.

4.Building and landscape materials are appropriate for the area and for the City;

The building materials used for this project are typical of new offices and medical offices in the city. Tree selection is appropriate for buffers and for use under power lines.

5.Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building elevations are appropriately designed for the proposed use, resembling a professional office. They create an aesthetically pleasing environment that is compatible with nearby development.

6.Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Development of the site is subject to permit review and inspection, thereby safeguarding the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

21

NOTICES MAILED

233

APPROVALS

0

PROTESTS

0