



City of Las Vegas

Agenda Item No.: 23.

AGENDA SUMMARY PAGE - PLANNING
SPECIAL PLANNING COMMISSION MEETING OF: SEPTEMBER 30, 2014

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO, ACTING

☐ Consent ☒ Discussion

SUBJECT: SUP-5528 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: BUFFALO CENTER MEDICAL ADMOCA THE OWNER: SSG PROPERTIES, LLC - For possible action on an request for a Special Use Permit FOR A PROPOSED 1,630 SQUARE-FOOT MEDICAL MARIJUANA DISPENSARY at 1591 North Buffalo Drive, Suite #130 (APN 138-28-500-009), C-1 (Las Vegas Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

C.C.: 10/29/2014

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda - Protest/Support Postcards

Motion made by BYRON GOYNES to Deny

Passed For: 3; Against: 3; Abstain: 1; Did Not Vote: 0; Excused: 0

GUS FLANGAS, VICKI QUINN, BYRON GOYNES; (Against-TRINITY HAVEN SCHLOTTMAN, RICHARD TRUESDELL, RICHARD P. BONAR); (Abstain-TODD L. MOODY); (Did Not Vote-None); (Excused-None)

NOTE: Initial motion by BONAR for Approval failed with FLANGAS, GOYNES and QUINN voting No and MOODY abstaining. Both the initial and subsequent motions failed; therefore, the item will go forward to City Council without a recommendation.

NOTE: Commissioner Moody abstained from voting, as he represents Robert Hasman.

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

DOUG RANKIN, Planning, gave staffs report and noted staffs recommendation for approval.

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ROBERT HASMAN appeared on behalf of applicant and described the site, noting that there is commercial on three different corners in the area.

MICHAEL INFUSO explained that the subject area is highly traveled by children, as there are neighboring apartment complexes. He asked that the request be denied.

RON FLETCHER expressed concerns with the proposed location being directly adjacent to residential communities, but his bigger concern was that there is a private establishment and a bus stop that picks up/drop off children daily.

MONA LISA SAMUELSON did not believe there would be problems with children in this area, as individuals would still be required to have a medical card and be at least 21 years of age to utilize the services of the facility.

VICKIE HIGGINS commented that alcohol is purchased by younger individuals, parents should be educating their children on this issue as it is for medicinal purposes and not drugs.

TIMOTHY ALDO supported the request and recognized it as Pediatric Cancer Awareness Month. He sympathized with the many families dealing with Cancer.

MR. HASMAN added that the location is in a corner lot, commercial is on approximately four corners. In addition, residential fronted onto Vegas Drive.

COMMISSIONER QUINN commented with MR. HASMAN that they had spoken with business owners within the shopping center but were hesitant to pass out flyers as though they were advertising this request. COMMISSIONER QUINN pointed out that approximately 36 residents opposed this request, which is why a neighborhood meeting would have been beneficial. In her opinion, she did not believe the applicant did their due diligence. COMMISSIONERS GOYNES and SCHLOTTMAN agreed with COMMISSIONER QUINN and stressed that the applicant owes it to the residents to inform them as it could impact their quality of life. A mailing, as opposed to distributing flyers, could have been done.

For COMMISSIONER SCHLOTTMAN, MR. HASMAN explained that the proposed location well serves Desert Shores/Summerlin area, which has commercial alongside the area. He believed that concerns with signage were addressed at a previous Downtown Design Review Committee meeting.

COMMISSIONER TRUESDELL also agreed that, in this case, the applicant could have walked door to door or held a neighborhood meeting informing the residents about this request. The issue at hand deals with land use, and ninety-nine percent of the time, he will err on the safety of the children. This Commission has done an excellent job in dealing with land use applications.

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CHAIR FLANGAS recognized the number of protests included in staffs backup and pointed out that he will err on the safety of children 100 percent of the time. The site backs up to residential, and he could not support the request.

COMMISSIONER BONAR realized that this site would be his neighbor and is aware of teenagers jumping over the fence into the parking lot where this site would be situated. He was less concerned about the bus stops, as they come in to his subdivision. The Commissioner was torn on this application, and to be fair, he believed this use should be allowed in his ward, given the amount of proposed facilities in other wards. The request is suitable for medicinal purposes but not for recreational drugs, so he could support the request.

CHAIR FLANGAS declared the Public Hearing closed.

